

F.No. 01/NPF/TG Br./DSW/2021-22/226-228

Dated: 9/1/25

To,
All Branch In-Charges (Computer Cell)
Department of Social Welfare, GNCTD

Subject: Inclusion of 'T/Others' Category in all schemes run by the Department of Social Welfare, GNCTD

Sir/Madam,

Please refer to **Section 8** of the *Transgender Persons (Protection of Rights) Act, 2019*, which mandates the appropriate government to:

1. Take steps to secure the full and effective participation of transgender persons in society.
2. Ensure their access to welfare schemes and programs, including healthcare, education, and social security.


In compliance with this statutory obligation and as the nodal agency for safeguarding the rights and welfare of transgender persons, the Department of Social Welfare, GNCTD, must ensure that all schemes and services visibly reflect this commitment. The inclusion of the 'T/Other' category is a crucial step in upholding the rights of transgender persons and fostering inclusivity in all services provided by the department.

In view of the above, all branch in-charges are hereby directed to: -

1. **Incorporate the 'T/Others' Category:** Ensure the 'T/Others' category is included in all forms, both physical and digital, used for schemes and services under your branch.
2. **Review Existing Forms:** Conduct a thorough review of all existing forms and applications to verify compliance with this requirement.
3. **Submit a Compliance Report:** Provide a detailed update on the actions taken, along with a compliance report, to this office by 13.01.2025.

It is pertinent to note that the Secretary, Social Welfare through DO letter dated 02/04/2024, emphasized the necessity of including Transgender Persons in the schemes and services meant for the residents of Delhi. (DO letter is enclosed for reference)

Encl: - As Above



(Rajeev Saksena)
Dy. Director (Social Defence)
Dated:

F.No. 01/NPF/TG Br./DSW/2021-22/

Copy for information to: -

1. PS to Secretary (SW), 7th Floor, MSO Building, I.P Estate, New Delhi-02
2. PA to Director (SW), 7th Floor, MSO Building, I.P Estate, New Delhi-02.

3. Computer Cell, for uploading on website


(Rajeev Saksena)
Dy. Director (Social Defence)

457/CC
9/01/2025

ARRANGEMENT OF SECTIONS

SECTIONS

CHAPTER I

PRELIMINARY

1. Short title, extent and commencement.
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CHAPTER II

PROHIBITION AGAINST DISCRIMINATION

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CHAPTER III

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OBLIGATION OF ESTABLISHMENTS AND OTHER PERSONS

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11. Grievance redressal mechanism.
12. Right of residence.

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13. Obligation of educational institutions to provide inclusive education to transgender persons.
14. Vocational training and self-employment.
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16. National Council for Transgender Persons.
17. Functions of Council.

CHAPTER VIII

OFFENCES AND PENALTIES

18. Offences and penalties.

(2) The gender of transgender person shall be recorded in all official documents in accordance with certificate issued under sub-section (1).

(3) A certificate issued to a person under sub-section (1) shall confer rights and be a proof of recognition of his identity as a transgender person.

7. Change in gender.—(1) After the issue of a certificate under sub-section (1) of section 6, if a transgender person undergoes surgery to change gender either as a male or female, such person may make an application, along with a certificate issued to that effect by the Medical Superintendent or Chief Medical Officer of the medical institution in which that person has undergone surgery, to the District Magistrate for revised certificate, in such form and manner as may be prescribed.

(2) The District Magistrate shall, on receipt of an application along with the certificate issued by the Medical Superintendent or Chief Medical Officer, and on being satisfied with the correctness of such certificate, issue a certificate indicating change in gender in such form and manner and within such time, as may be prescribed.

(3) The person who has been issued a certificate of identity under section 6 or a revised certificate under sub-section (2) shall be entitled to change the first name in the birth certificate and all other official documents relating to the identity of such person:

Provided that such change in gender and the issue of revised certificate under sub-section (2) shall not affect the rights and entitlements of such person under this Act.

CHAPTER IV

WELFARE MEASURES BY GOVERNMENT

8. Obligation of appropriate Government.—(1) The appropriate Government shall take steps to secure full and effective participation of transgender persons and their inclusion in society.

(2) The appropriate Government shall take such welfare measures as may be prescribed to protect the rights and interests of transgender persons, and facilitate their access to welfare schemes framed by that Government.

(3) The appropriate Government shall formulate welfare schemes and programmes which are transgender sensitive, non-stigmatising and non-discriminatory.

(4) The appropriate Government shall take steps for the rescue, protection and rehabilitation of transgender persons to address the needs of such persons.

(5) The appropriate Government shall take appropriate measures to promote and protect the right of transgender persons to participate in cultural and recreational activities.

CHAPTER V

OBLIGATION OF ESTABLISHMENTS AND OTHER PERSONS

9. Non-discrimination in employment.—No establishment shall discriminate against any transgender person in any matter relating to employment including, but not limited to, recruitment, promotion and other related issues.

10. Obligations of establishments.—Every establishment shall ensure compliance with the provisions of this Act and provide such facilities to transgender persons as may be prescribed.

11. Grievance redressal mechanism.—Every establishment shall designate a person to be a complaint officer to deal with the complaints relating to violation of the provisions of this Act.

12. Right of residence.—(1) No child shall be separated from parents or immediate family on the ground of being a transgender, except on an order of a competent court, in the interest of such child.

(2) Every transgender person shall have—

- (a) a right to reside in the household where parent or immediate family members reside;
- (b) a right not to be excluded from such household or any part thereof; and

The Transgender Persons (Protection of Rights) Act 2019 has been enacted for mainstreaming of Transgender persons. The Act makes it mandatory for every establishment to publish equal opportunity and non-discrimination policy for transgender persons.

It is therefore requested that:-

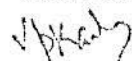
- ps to Secy (SW)
- (a) Transgender persons be included as eligible beneficiaries in all welfare schemes of your Department and their attached/sub-ordinate offices of your Department and to maintain the transgender persons related data.
 - (b) To publish and display equal opportunity and no-discrimination policy in occupation, livelihood, recruitment, promotion, education etc. for transgender persons.
 - (c) To organize sensitization programmes on The Transgender Persons (Protection of Rights) Act 2019 in your Department.
 - (d) A "Complaint Officer" be nominated to deal with grievance of transgender persons.
 - (e) A "Nodal Officer" to be nominated as one-contact-point for providing information on transgender persons.
 - (f) Provision of 'T/Other' category must be explicitly made in all forms of schemes of your respective Departments.

In light of the above, your esteemed office is required to take necessary action. Your prompt action in this matter is anticipated for compliance of statutory provisions and building of an inclusive society.

It is further requested that actions taken in this regard may be communicated to the Department of Social Welfare, GNCTD, especially the details of 'Complaint Officer' and 'Nodal Officer' appointed by your Department.

With Regards,

Yours sincerely,


(Vinod P. Kavle)

Contd..2/-

75th शांती की वज्र शमूत महोत्सव

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