**PROBLEMS FACED BY THE TRANSGENDER COMMUNITY IN KARNATAKA AND POLICY INTERVENTIONS FOR ALLEVIATION**

The national award-winning film *“****Naanu Avanalla...Avalu****”* portrays the journey of Living Smile Vidya, a transgender, right from being rejected by the family to arriving at her true identity going through severe hardships. The story is the epitome of extraordinary courage and perseverance. There are many such transgenders in our country who face problems such as fear, shame, gender dysphoria, social discrimination, depression, suicidal tendencies, social stigma, etc.

Though we find instances of transgenders in ancient Indian culture in the form of Shikhandi, Mohini, Ardhanareeshwara, the society has been reluctant in accepting them.

**The Plight Of Transgenders In Karnataka**

In 2014, the Supreme Court recognized a transgender’s right to self-identify their gender as male, female, or the third gender. Further, the Court directed Central and State governments to grant legal recognition to transgenders, address social stigma and discrimination faced by them, and provide social welfare schemes for them.

Pursuant to the Supreme Court’s ***NALSA vs Union of India*** judgment, the Karnataka Government introduced **The State Policy for Transgender Persons in 2017**. The policy has attempted the social integration of the transgender community. It has focussed on sensitization of society, assuring social protection to the community. The policy also intends to establish a Cell for Transgender Persons under the Directorate of Women and Child Development. It also seeks to establish counseling centers for children to cope with the trauma of violence and abuse. One of the primary objectives of the Policy is to establish an accountability mechanism to ensure that schemes and programs created are working efficiently for the benefit of transgenders.

4 years on, the transgender activists claim that the policy is yet to be implemented in the right spirit. Lack of human resources, budgetary constraints have halted its implementation. Since the policy is under the Women and Child Development Department, schemes are accessible only to transwomen and not for transmen. The transgender community suggests that the implementation of the scheme be shifted to Social Welfare Department so that transgenders who are Dalits or from low-income groups can also access the policy benefits. Free Sex Reassignment Surgeries at government hospitals as promised in the Policy have not been a reality as doctors neglect them assuming that they are not life-threatening. They urged that the government officials especially the police should routinely be sensitized about the transgender communities. The creation of a statutory body on the lines of **Tamil Nadu Aravanigal (Transgender) Welfare Board 2008** is required to address the needs of the marginalized community.

The Karnataka Government had introduced **Mythri Pension Scheme** for sexual minorities in 2014. Noted trans-activist Akkai Padmashali said that the monthly allowance of Rs 500 is meager compared to the Tamil Nadu government’s Rs 1000 pension. Also, the beneficiary identification to transfer the amount is an uphill task. Many do not have bank accounts because they do not have documentation. The lack of identity cards in their preferred names and recording their preferred gender identities means that those who identify as transgender are excluded from various social security benefits. Many transgenders identify themselves as female or male in their voter ID cards to be eligible for welfare schemes. **Sweekruti Odisha (a scheme for promotion of transgender equality & justice), 2017** introduced a multipurpose smart card that will enable enrolment in schemes and the provision of services. It will also assist in monitoring the benefits utilized and which services are required by transgenders.

The **C.S. Dwarakanath Backward Classes Commission Report of 2010**, recommended to the Government of Karnataka to include the sexual minorities called Hijras, Kothis, Jogappa, Mangalamukhis, and transgenders in the category of the Backward Classes to enable them to enjoy government benefits.

Recently, Karnataka became the 1st state in India to propose a 1% reservation for the transgender community. The reservation of 1% would be available in each category of General Merit, Scheduled Caste, Scheduled Tribe, and in each of the categories among the Other Backward Classes. In the ***Indra Sawhney vs Union of India*** case, the Supreme Court declared that reservations can be either vertical or horizontal. The transgender community demands a horizontal model of reservation as competition will be tougher in the vertical model putting them at a relative disadvantage. If someone from the transgender community is seeking the benefit of reservation under the OBC category, then it would not be possible to avail benefits on the grounds of gender.

**Suitable Remedial Measures For Alleviation**

The government of India has notified **The Transgender Persons (Protection of Rights) Rules, 2020** for mainstreaming them into society. It has launched the National Portal for Transgender Persons through which transgenders can digitally obtain the certificate and an identity card without any physical interaction with the officials which can be tracked as well. But many transgenders are digitally illiterate. Hence they require assistance in filing the applications. The National Council for Transgender Persons established in August 2020 has to play an important role in advising the government in formulating the policy for transgenders and redressing the grievances. Strict action against offenses and atrocities committed against the community should be taken.

The transgender-specific budgetary allocation of Rs 5 crore for the whole country is meager as compared to the Rajasthan Government’s Rs 9 crore allocation. The Karnataka Government is yet to allocate an explicit budget for transgenders.

Antiretroviral therapy (ART) is recommended for all transgenders with HIV to improve their health and reduce the risk of HIV transmission to sexual partners. The establishment of separate HIV Sero-surveillance centers is necessary since transgenders face several sexual health issues. Inclusive educational curriculum, non-discriminatory workplaces, public places, unisex toilets are the need of the hour.

**NITI Aayog** in its***Strategy for New India@75***document has recommended determining the number of transgender persons and mapping their socio-economic status to design customized policy interventions. This enumeration and mapping can be carried out by the Ministry of Social Justice and Empowerment along with the Ministry of Statistics and Programme Implementation. It has also suggested creating a fund at the national level for supporting states that have mapped out the needs of and designed the necessary policy interventions for transgenders. Other recommendations include establishing residential schools in all districts and designing a scheme for providing skill and employability training to transgenders.

**UNDP** in its ***Transforming Lives, Transgender-Inclusive India*** report has called for a rights-based, evidence-based framework upholding equality in ensuring the welfare and dignity of transgenders. It has urged to incorporate measures in the Sustainable Development Goals 2030 so that the central theme “**Leave No One Behind**” will be fruitful. It has recommended integration with existing social protection programs, incorporating transgender persons as a distinct category in the Targeted Public Distribution System, Antyodaya Anna Yojana, etc.

When **Karnataka transgender dancer Manjamma Jogathi** was conferred with the Padma Shri award 2021 for her contribution to folk dance, the whole transgender community had a sense of relief and rejoice that someone from their community is being recognized. We as citizens, need to ensure a life of dignity, social security, and safety for transgender persons, enabling them to actively participate in economic development and the nation-building process.

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