



Abstract

Transgender Welfare – Orders of the Supreme Court of India in W.P.(Civil)No.400 of 2012 with Writ Petition (Civil) No.604 of 2013 – Classification of Transgender as 'Third Gender' – Orders Issued.

Social Welfare and Nutritious Meal Programme (SW8(2)) Department

G.O.(Ms) No. 71

Dated. 06.11.2015

மன்மத, ஐப்பசி 20,

திருவள்ளூர் ஆண்டு 2046

Read:

1. Orders dated.15.04.2014 of the Supreme Court of India in W.P.(Civil)No. 400 of 2012 with writ petition (civil) No.604 of 2013.
2. From the Commissioner of Social Welfare, Letter No. 44596/ WWI/ 2014, Dated-17.12.2014.

ORDER:

In the order first read above, the Supreme Court of India, among other things, has passed the following orders:-

“.....(1) Hijras, Eunuchs, apart from binary gender, be treated as “third gender” for the purpose of safeguarding their rights under Part III of our Constitution and the laws made by the Parliament and the State Legislature.

(2) Transgender persons’ right to decide their self-identified gender is also upheld and the Centre and State Governments are directed to grant legal recognition of their gender identity such as male, female or as third gender.....”

2. Accordingly, the Government hereby order as follows:-

- (i) Transgenders will be identified as 'Third Gender' apart from the Binary Gender system.

(P.T.O)

- (ii) The categories of Transgenders like 'Hijras, Eunuchs, Aravani, Thirunangai, Kothis, Jogcas/Jogappas, Shiv-Shakthis' and any other names for Transgenders prevalent in Tamil Nadu shall be included in the term 'Third Gender'.
- (iii) The category 'Third Gender' shall also be included along with Male/Female categories in all places where gender identity is required to be mentioned.
- (iv) The Transgender persons referred to above in the preceding clauses will also have the right to decide their self-identified gender as male or female or as the third gender.

(By order of the Governor)

P. Sivasankaran
Principal Secretary to Government.

To
The Commissioner of Social Welfare, Chennai-2.
The Director of Social Defence, Chennai-10.
The Secretary, Transgender Welfare Board, Chennai -2.
The Secretary to Government of India,
Ministry of Social Justice and Empowerment, New Delhi.

Copy to:

All District Collectors.
All Departments of Secretariat.
The Secretary, Tamil Nadu Public Service Commission,
Chennai-2.
The Director of Employment and Training, Chennai.
Stock File/ Spare copy.

// Forwarded by Order //

F. S. S.
Section Officer 06/11/2015
DM
06/11/15