

A Short Guide to THE PROCESS AND BENEFITS OF **[TRANSGENDER] [CERTIFICATE]**

A guide for queer-trans persons in India on the legal provisions and procedures for obtaining the Trans Identity Card, and changing identity documentation, as specified under The Transgender Persons (Protection of Rights) Act, 2019



PROCESS OF
APPLICATION

BENEFITS OF
TRANSGENDER
CERTIFICATE

GRIEVANCE
REDRESSAL
MECHANISMS



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Credits

Researched and written by
Lucky Neog and Aditi Chandra (Kalki)

Illustrated by
Aditi Chandra (Kalki)

Designed and Typeset by
Aditi Chandra (Kalki)

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About The YP Foundation

The YP Foundation (TYPF) is a youth-led and focused organisation that facilitates young people's feminist and rights-based leadership on issues of health equity, gender justice, sexuality rights, and social justice. TYPF ensures that young people have the information, capacity, and opportunities to inform and lead the development and implementation of programmes and policies that impact their lives and are recognised as skilled and aware leaders of social change.

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The Transgender Persons (Protection of Rights) Act, 2019 states provisions for protection of the rights of Transgender Persons in India, and guidelines for welfare.

This law is applicable to the whole of India

Under the judgement, NALSA vs. Union of India & Ors, transgender persons are legally recognized as the 'third gender', and exercise all the fundamental rights guaranteed under the constitution. In 2020, the parliament legally recognized 'transgender' as an official gender in India

Who is a 'transgender person' under the law?

Under the law, a Transgender Person is a person whose gender does not match with the gender assigned to them at the time of birth, and includes* :

Trans man

Trans woman

Person with inter-sex variations

Gender-queer persons

Persons with socio-cultural identities such as kinner, hijra, aravani and jogta

* (whether or not such person has undergone gender affirming surgery, hormone therapy, laser therapy or any such other therapy)

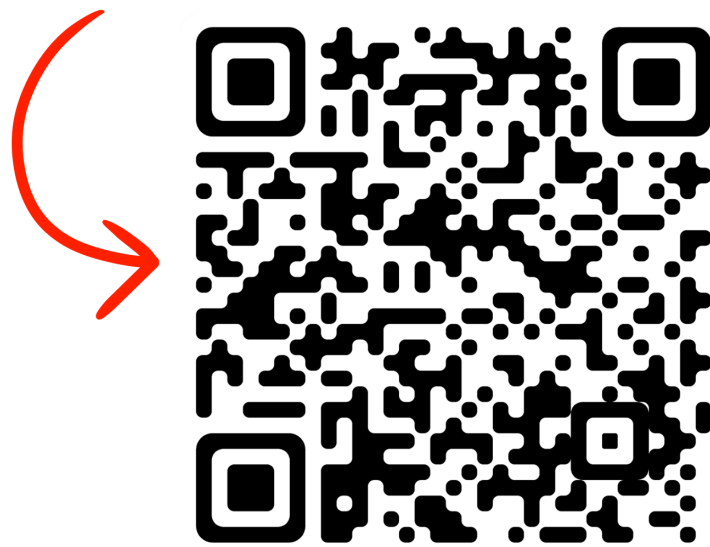


WHAT IS THE PROCESS FOR RECORDING GENDER IDENTITY UNDER THE ACT?

The Trans Act 2019 mandates that all applications for the issue of a 'Transgender Certificate' and subsequent change of gender in Identity documentation are to be made **online only**

The official portal can be accessed through

transgender.dosje.gov.in



The application is divided under two categories:

Transgender Identity Certificate (Section 6)

Application for the issue of 'Transgender Certificate' by the District Magistrate

Revised Certificate of Identity (Section 7)

Application for gender change to male/female in identity documentation (optional)

Application Portal



Government of India
Ministry of Social Justice and Empowerment

NATIONAL PORTAL FOR TRANSGENDER PERSONS
DEPARTMENT OF SOCIAL JUSTICE AND EMPOWERMENT

Welcome as LOGOUT

DASHBOARD

REGISTRATION NO. BR/KAT/2020/1906

New Applcalon

My Applcalon Log

Grievance

This page will appear as you begin your application

You can select your application for the TG certificate, or the revised certificate of identity from the drop-down menu list

3.1 New Application

Welcome as LOGOUT

REGISTRATION NO. BR/KAT/2020/1906

← Back to Dashboard ← Back to List

Category *

-Select-

-Select-

Transgender Certificate & Identity Card

Revised Certificate of Identity Under Section - 7 & Identity Card

Save & Next

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After the completion of the application form, the portal will reflect the status of application through the activity log

REGISTRATION NO. BR/KAT/2020/1906 ← Back + Add New

Show 10 entries Search:

Srno	Category	Given Name	Chosen Name	DOB	Status	Created Date	Application No	Certificate	Icard	Action
1	Transgender Certificate & Identity Card	AS	GD	01-12-2020	Submitted	31/12/2020	BR/Kat/2020/1906-BR/Kat/2020/0315	-	-	View
2	Revised Certificate of Identity Under Section - 7 & Identity Card	AS	DG	01-12-2020	Submitted	31/12/2020	BR/Kat/2020/1906-GA/0/2020/0316	-	-	View

Showing 1 to 2 of 2 entries Previous 1 Next

3.2. My Activity log

Welcome as LOGOUT

← Back To Dashboard ← Back To List

Applicant Details

Category : Transgender Certificate & Identity Card		Applicant State : Bihar		Applicant District : Katihar	
Given Name (in Capital Letters) : AS		Changed/Chosen Name (in Capital Letters) : GD		Which Name is to be Printed in Certificate : AS	
E-mail : infndev@inflibnet.ac.in	Mobile : 123	DOB : 01-12-2020	Gender Assigned at birth : Male	Gender Requested in Application : Transgender	
Educational Qualification : dfg		Source of Income,the annual income : Under Rs 1,00,000	Proof Document : Aadhaar Card		
Address for Correspondence			Permanent Address		
Address df			Address df		
City fg	Pin Code 123456	City fg	Pin Code 123456		

HOW TO APPLY FOR A TRANSGENDER IDENTITY CERTIFICATE?

Application for 'Transgender Certificate' is to be made through the official online portal (Form 3). When the concerned District Magistrate approves the application, the applicant will receive a certificate and identity documents recording their gender as 'transgender'

Step 1: Make an online application to the DM. For a minor, the application should be made by the parent or legal guardian of the child.

Step 2: The District Magistrate is required to issue a certificate of identity within 30 days of submission of application

There is NO requirement of a medical certificate or physical examination for the certificate

The application should be submitted along with:

- ▶ Gender and residential affidavit on 10 Rs. stamp paper
- ▶ ID Proof
- ▶ Current residential proof (rental agreement/electricity bill)



Affidavit Format

Form – 2

[See rules 2(b) and 4(1)]

Format of affidavit to be submitted by a person applying for certificate of identity for transgender persons under Rule 4 of the Transgender Persons (Protection of Rights) Rules, 2020 read with Section 6 of the Transgender Persons (Protection of Rights) Act, 2019

(Affidavit should be on Non-judicial stamp paper of Rs.10/-) Competent Notary
Civil, District (Name of the District), (Name of the State)

I, (Name), son/daughter/ward/spouse of (name of the parent/guardian/husband), aged
(in completed years), residing at (address), (Tehsil), (District), (State) (Pin code) do hereby
solemnly affirm and declare as under:

1. I am currently residing in the above address.
2. I perceive myself as a transgender person whose gender does not match with the gender assigned at birth.
3. I declare myself as transgender.
4. I am executing this affidavit to be submitted to the District Magistrate for issue of certificate of identity as transgender person under Section 6 of the Transgender Persons (Protection of Rights) Act, 2019 under Rule Transgender Persons (Protection of Rights) Rules, 2020.

. * strike out whichever is not applicable.

Deponent

(Signature of the Applicant)

Verification

I, (Name), hereby state that whatever is stated here in above serial Nos. 1 to 4 are true to the best of my knowledge.

Deponent

(Signature of the
Applicant)

Tehsil

Date

Identified by me

Advocate

Public

Before Me

Notary

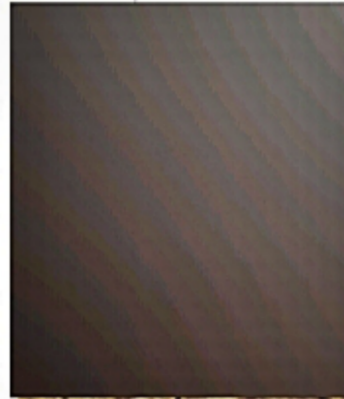
The gender and residential affidavit should be declared on a stamp paper issued by a notary

Transgender Identity Certificate (Form 3)

CERTIFICATE

Form - 3

Form of certificate of identity to be Issued by District Magistrate under Rule 5 of the Transgender Persons (Protection of Rights) Rules 2020 read with section 6 of the Transgender Persons (Protection of Rights) Act, 2019




1. On the basis of the application dated 14/12/2021 to the undersigned , it is to certified that Shri / Smt. / Km / Ms. [REDACTED] son / daughter / ward of Shri / Smt. [REDACTED] of [REDACTED] is a transgender person.
2. His / Her birth name is [REDACTED]
3. The certificate is issued in terms of the provisions contained under Rule 5 Transgender Persons (Protection of Rights) Rules, 2020 read with section 6 of the Transgender Persons (Protection of Rights) Act, 2019.
4. It is also certified that Shri / Smt. / Km / Ms. [REDACTED] is ordinarily a resident at the address given above.
5. This certificate entitles the holder to change name and gender in all official documents of the holder

Certificate Number : [REDACTED]

Date : 03/06/2022

Place :


Signature of the District Magistrate
Deputy Commissioner
Dibrugarh District
Dibrugarh

(sample)

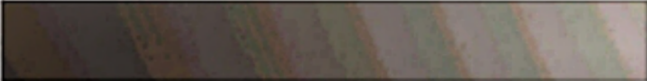



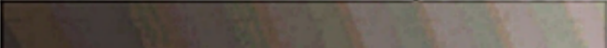
Transgender Identity Card

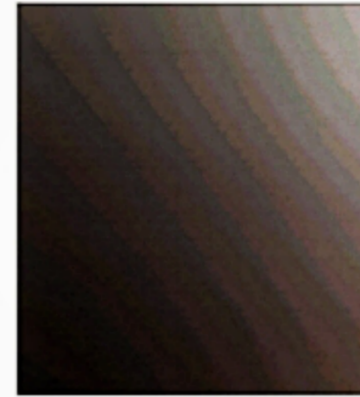


सत्यमेव जयते

State Government of Assam Office of the District Magistrate

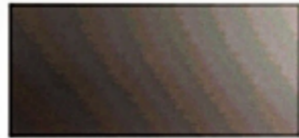
TRANSGENDER IDENTITY CARD

Identity Card Number : 
Name : 
Parent/Guardian : 
Gender : Transgender
Date of Birth : 
Age as on the date of application for issue of Identity card :
Reference number of certificate of authority on the basis of which this card is issued : 





Back side of the Identity Card

Address for
Correspondence :



Card Issue date : 03/06/2022


Signature of the Issuing
authority Designation


Seal of the Issuing
authority
*Deputy Commissioner
Dibrugarh*

Issued under Section 6*/7* of the Transgender Persons (Protection of Rights) Act, 2019 and under Rule
of Transgender Persons (Protection of Rights) Rules, 2020

* Strike out whichever is not applicable

@ only in case the applicant is a minor child.

(sample)

HOW TO APPLY FOR REVISED IDENTITY DOCUMENTS FOR CHANGE OF GENDER?

The revised certificate is an **optional step** after the issue of the Transgender Certificate. It is for the change of gender in identity documents to the binary male or female categories

Step 1: Make an online application to the DM through **form 4**, with the required documents

Step 2: The DM is required to issue the revised certificate of identity **within 15 days** from the date of application

This process **requires** a **proof of medical intervention**. These interventions can either be psychological counselling, hormone therapy, or surgical intervention

The applicant is required to **obtain a certificate** from the Chief Medical Officer or the **Medical Superintendent**

Supporting documents:

- ▶ Gender and residential affidavit
- ▶ ID proof
- ▶ Medical certificate

*There is **NO** physical examination, but the DM would check the authenticity of the medical certificate*



Medical Certificate

Dr. [REDACTED] M.B.B.S., M.D., D.P.M., F.A.P.A.

Consultant Psychiatrist

Phone : [REDACTED]

[REDACTED] (F)
SATURDAY OFF

Name: Ms. [REDACTED] Age: 21 yrs Sex: M (F)

Adv: - Psychodiagnostic evaluation

[REDACTED] T.
Clinical Psychologist

[Signature]
10-02-17

Psychometrics done in two sittings
on 10.02.17 & 24.02.17. Reg. and reported on 23.03.17
[REDACTED] M.Phil.
Clinical Psychologist, [REDACTED]

[Signature]
04-12-17

Bilpura..
to Shalab
4th Sem. B.A -
you see of 2 sub -
works krasgarden -
change F → M -
Reprimed, need further
early affect done
rather..

Professor of Psychiatry, [REDACTED]

(sample)

Revised Certificate of Identity (Form 4)

CERTIFICATE

Form - 4

Form of certificate of identity for change of gender to be issued by District Magistrate under Rule 6 of the Transgender Persons (Protection of Rights) Rules, 2020 read with section 7 of the Transgender Persons (Protection of Rights) Act, 2019



1. On the basis of the application submitted to the undersigned along with a medical certificate from the Medical Superintendent of Chief Medical Officer shanti multi speciality hospital (Dezire clinic) - Mumbai, BANDRA MH Mumbai 400050, it is to certify that Shri / Smt. / Km / Ms. [REDACTED] son / daughter / ward of Shri / Smt. [REDACTED] of [REDACTED] 786007 has undergone medical intervention to change gender.
2. His / Her birth name is [REDACTED]
3. The certificate is issued in terms of the provisions contained under Rule 6 of the Transgender Persons (Protection of Rights) Rules, 2020 read with section 7 of the Transgender Persons (Protection of Rights) Act, 2019.
4. It is also certified that Shri / Smt. / Km / Ms. [REDACTED] is ordinarily a resident at the address given above.
5. This certificate entitles the holder to change name and gender in all official documents of the holder
6. Such change in name and gender and the issue of this certificate shall not adversely affect the rights and entitlements of the holder of this certificate.

CERTIFICATE NUMBER : [REDACTED]

Date : 25/08/2022

Place :

Signature of the District Magistrate

Seal

(sample)

Identity Card with Revised Gender Identity

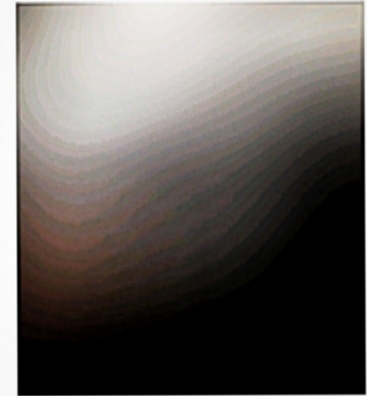


सत्यमेव जयते

State Government of Assam Office of the District Magistrate

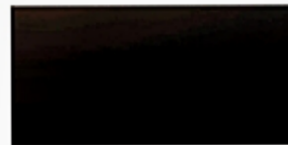
IDENTITY CARD

Identity Card Number : [REDACTED]
AS/Dib/2022/15948
Name : [REDACTED]
Parent/Guardian : [REDACTED]
Gender : Male
Date of Birth: 04-04-1995
Age as on the date of application for issue of Identity card :
Reference number of certificate of authority on the basis of which this card is issued : [REDACTED]



Back side of the Identity Card

Address for Correspondence :



Permanent Address :



Card issue date :

25/08/2022

Signature of the Issuing authority
Designation

Designation

Seal of the Issuing authority

@ only in case the applicant is a minor child.

(sample)

HOW CAN ONE REGISTER A COMPLAINT OR SEEK REDRESSAL UNDER THE ACT?

The act provides a few avenues for trans persons to register complaints and seek redressal. Some of these are as follows:

The applicant can file a concern through the **grievance section** of the application form

They can approach the nearest office of the **Department of Social Welfare** to file a complaint. The applicant can also approach DSW if they require any assistance in filling the application form

The National Council for Transgender Persons was set up under the Trans Act 2019 for addressing grievances. The **complaint can be filed through the National Transgender Portal** (<https://transgender.dosje.gov.in>)

If the applicant wishes to approach the court directly, they can approach the nearest **District Legal Services Authority** to seek legal aid



BENEFITS UNDER THE PROVISIONS OF THE TRANSGENDER CERTIFICATE

Educational Scholarships



Medical Benefits & Health Insurance



Shelter Homes (Garima Greh)



Skill Development



Details and application form for the welfare schemes
can be accessed through the official portal

transgender.dosje.gov.in



EDUCATIONAL BENEFITS

Educational Scholarships mandated for Trans students in:

- Secondary school (9th & 10th)
- Senior secondary (11th & 12th)
- College (Undergraduate/Diploma)
- College (Post-graduation)

MEDICAL BENEFITS

Health Insurance coverage to all Transgender persons living in India to improve their health condition through proper treatment including gender affirming surgeries as well as medical support



Health insurance in the form of Ayushman Bharat TG Plus shall be available for Transgender persons inclusive of gender affirmation surgery in the health benefit package. Each transgender person shall receive an insurance cover of Rs. 5 Lakh per year under the scheme

The Comprehensive Package would cover all aspects of transition related healthcare for Transgender persons. It shall also provide coverage for hormone therapy, gender affirming surgery inclusive of post operation formalities which can be redeemed at all private and government healthcare facilities



SHELTER HOME (GARIMA GREH)

Government has initiated 12 pilot shelter homes namely "Garima Greh" for Transgender Persons. The MoSJ&E provides financial assistance to Community based Organizations for the setting up & maintenance of the shelter homes

Garima Greh provides basic amenities like food, medical care, recreational facilities and also conducts capacity-building/skill development programmes for transgender persons

Currently, there are 12 Garima Grehs in cities such as New Delhi, Chennai, Raipur, Mumbai, Bhubaneswar, Patna, Thane, Panvel, Kolkata, Vadodara and Jaipur, and more are being made

SKILL DEVELOPMENT

Short Term Training Programmes
(up-to 6 months)

Long Term Training Programmes
(5 months and above and usually up-to 1 year)

Stipend at Rs. 1000 per month per trainee in case of Non-residential training

Post placement assistance shall be provided to the transgender candidate based on achievement of 80% attendance in the skill training programme



Q 'N' A



Is there any procedure for filling the application form **OFFLINE?**

There is **NO** process for filling an offline application for identity certificates. Under the Trans Act 2019, all procedures have been made online.



However, the applicant can visit the nearest office of the **Social Welfare Department** for further information and assistance for filling the application form

They can also approach **local government boards**, or independent **social workers** and **organizations** to seek help in filling the online application form



What is the applicability of these provisions under the Trans Act, for queer-trans persons who have recorded the change in their gender before 2019?

Persons who have already recorded their legal change in gender identity prior to 2019 (for example, if they were issued a certificate in 2016, under NALSA) - such persons need NOT apply again under the Trans Act 2019

Such persons will also be entitled to all the schemes/benefits that fall under the provisions of the Act



What happens if the application for the certificate is rejected?

If the application for the certificate is rejected, the DM must inform the applicant within 30 days, along with the valid reasons

The applicant can thereafter file an appeal with the DM within 30 days after rejection





As a trans non-binary person, can I register my gender through a self-identified marker, such as 'non-binary', in my identity documentation?

Unfortunately, no. Non-binary persons can apply for the TG Certificate, but legally, their certificate and IDs will only hold 'transgender' or 'male/female' (in case of revised certificate), as their gender marker.



Are there any reservations for transgender persons?

Yes, under the Transgender Persons (Protection of Rights) Rules, 2020, Central and State governments can classify them as '**Other Backward Classes**' for the purposes of vertical reservation



SUPPORT



For Administrative Assistance

011-20893988

satvik.nisd@gmail.com

For Technical Assistance

91-7923268299

tghelp@mail.inflibnet.ac.in

For support with the application form, or other grievances the applicant can also visit the nearest office of the **Department of Social Welfare**

They can also approach **non-governmental organizations** and **social welfare organizations** such as Tweet Foundation, Sappho for Equality, Raahi, among others





the yp foundation

feminist • intersectional • rights-based