



**Research Paper**

## **A Study on the roles of Kudumbashree and Kerala Social Justice Department in uplifting the transgenders**

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### **ABSTRACT**

*The Kudumbashree is global stalwart in the world in empowering women socially and economically. Ever since after the approval of Kerala Transgender policy by the state government, Kudumbashree is forerunner in studying the problems of the respective communities and thriving for suitable schemes to protect and promote their livelihood, creation of Neighborhood groups (NHG's), the formation of cluster, providing skill training, moreover empowering to dissolve the stigma of the community. 'Sangama' a Non-governmental organization working in field of bringing sexuality and gender identity in the realm of public discourse conducted a survey for Kerala State Social Justice department 2014-15 about Transgender community in Kerala and submitted report recommending progressive measures regarding Health, Education and Employment conditions of transgender community. The key objective of this paper is to examine the various income generating and social uplifting activities introduced by Kudumbashree (State Poverty Eradication Mission, Kerala) and Social Justice department of Kerala. In addition to this the research analyse the types of problems faced by transgender community from the society and finds solution to the problems faced by transgender community as a whole. So far Kudumbashree has influenced millions of families in the eradication of absolute poverty and bringing women to mainstream in Kerala and extended their consultative and direct intervention outside the state and all over the globe.*

**Keywords:** *Transgender, Neighbourhood groups (NHG's), Kudumbashree, livelihoods, community, training, empowerment, Rights, equality, gender identity.*

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### **I. INTRODUCTION**

As soon as the Supreme court verdict that Article 14,15,16 of Indian constitution is equally applicable to transgender, prohibiting gender-based discrimination and directed all governments to adopt measures to ensure the safeguard, dignity and development of transgender community, The crux of Transgender issue is neither they are included in the gender by birth nor later revealed identity. This situation leads the formation of Third gender. In a landmark judgment the Supreme Court of India has held that transgender persons are entitled to be recognized as a 'third gender' rather than being forced to identify as either male or female. The Supreme Court Judgement is on the backdrop of 'Yogyakarta Principles on the Application of Human Rights Law in relation to Sexual Orientation and Gender Identity'

Kerala government passed state transgender policy with vigor. Kerala is the first state in the country to take initiative in devising policies expecting to end the societal stigma toward the sexual minority group and ensure them nondiscriminatory treatment. The policy expects 1) right to equality, 2) right to dignity and a life without violence, 3) right to freedom for expression and lastly 4) Right for equal voice and participation in development. The mentioned rights are dealt with several government departments such as Social Justice, Police and Law, Labor and Employment, General Education. In addition to these Transgender Justice committee constituted at state and district level.

Kudumbashree is the premier agency in Kerala to provide a policy line of equal voice and participation in development and right to dignity for transgender persons in Kerala. Kudumbashree formulated multifaceted projects that uphold the social, economic and cultural aspects transgender community.

The Social Justice Department was established in the year 1975 for ensuring justice to the disadvantaged sections of the society and for the implementation of social welfare programmes and services in Kerala. It also provides social security for the Aged and infirm through a network of organizations, residential institutions and non-institutional schemes.

Social Justice Department give an umbrella protection to all the weaker sections of the society viz. impoverished, older citizens, physically disabled, mentally retarded, ex-prisoners, transgenders etc. either through specialized services or direct services. Kudumbashree started the first Neighborhood groups (NHG's) of transgender in Kerala at Kottayam district at panchayat level since members are scattered in different places with a group comprising ten in the beginning of 2017. Now, all district has special Transgender neighbourhoods (TGNHGs). Corpus fund was granted to these special Neighborhood groups (NHG's). Micro enterprises unit according to skill training acquired. Dance and music schools, canteen units, etc. The Kochi metro agency is the first government-owned company in India to formally appoint transgenders in housekeeping and ticket counters section.

. Based on this survey report, Social Justice department formulated a set of programme like skill training to transgender communities, scholarship and hostel facilities to school dropout transgender persons, Transgender cell, self-employment scheme and source for livelihoods, financial assistance to Sex Reassignment Surgery (SRS), 24 hours helpline for community and many other general welfare as well as social security schemes with the association of governmental agencies in Kerala like Kerala State Women Development Corporation (KSWDC), Kerala State Literacy Mission (KSLM), Kerala State Legal Service Society (KELSA) etc.

Transgender community are facing severe atrocities from society in the form of bullying, out casting and excluding from mainstream. Many of them lead a miserable life until the Hon. Supreme court judgement arrives. People cannot accommodate this community because of the preset thoughts and assumption they hold from the cultural norms. Proper awareness is lacking in Indian scenario but foreign countries are far forward in accommodating transgender community as citizen. Another is minority factor; transgender people are very less compared to other population and they are unable to address their opinion.

## **II. REVIEW OF LITERATURE**

Hinduism also acknowledges a 3<sup>rd</sup> gender and features a strong tradition of portraying those identifying it positively; there are multiple characters within Mahabharata who change genders, such as Shikhandi, who is born female but identifies as male and eventually marries a lady. Bahuchara Mata is the goddess of fertility, worshipped by transgenders (*hijras*) as their patroness (*Galva108*).

Different people face different forms of marginalization even among sexuality minorities. So, an integrationist approach works with other social movements and believe in building alliances for a larger struggle for equality, justice and freedom for transgender community is essential (*Sangama*).

Transgender people face injustice at every turn in their families and home, in school system that promise to shelter and educate, in harsh and exclusionary acts, they have to face discrimination in hotels, market places, and other area even from the Law officers, health care workers and other service providers (*Kerala Transgender Policy*).

The Problems like Gender inequality, discrimination on the basis of gender, caste, religion etc., serious diseases, and violation of human rights create loneliness and depression which is more severe than poverty. Reduce marginalization of disadvantaged groups, strengthen initiatives for social inclusion, help transgenders for their access to all rights, social security measures, benefits, and entitlements thus they can live like any other citizen in the country is the prime policy of mission (*Kudumbashree*).

Everybody has the right, exclusively and in association with others, to encourage the protection and realization of human rights at the national and international levels, without discrimination on the basis of sexual orientation or gender identity. This includes activities directed towards the advancement and defense of the rights of persons of diverse sexual orientations and gender identities, as well as the right to develop and discuss novel human rights norms and to advocate their acceptance. (*Page 29, Principles of Yogyakarta*)

## **III. RESEARCH OBJECTIVES**

- I) Assess the initiatives of Kudumbashree Mission and Kerala Social Justice Department for Transgenders (TG's).
- II) Assess the problems faced by Transgenders
- III) Suggestions to improve the Transgenders (TG's) morale and development.

## **IV. METHODOLOGY**

A descriptive research methodology is applied in this study. The methodology uses secondary data from sources, details from Kudumbashree website, Social Justice department website, Newsletters, News media etc. are used for research work

## **V. INITIATIVES OF KUDUMBASHREE MISSION**

### **5.1 Transgender Neighborhood group (TGNHG) formation**

Neighborhood groups (NHGs) are base unit of Kudumbashree organization. It is the basic level in the 3-tier system of community organization. Ideal Kudumbashree Neighbourhood groups (NHGs) consists of 10–20 members from a family of the area with office bearers, but in case of Transgenders (TG's), it is treated as special NHGs and relaxation is approved for members below ten. First Transgender neighborhood group (TGNHG) was started in Kottayam district, some of them are workers in Kochi Metro Rail Corporation in ticket counter and housekeeping. At present, there are a total number of 48 Transgender neighbourhoods groups (TGNHGs) with total of 550 members.

### **5.2 Corpus fund**

It is grant for initial functioning of special Neighborhood groups (NHGs) and promote working potential of raw Neighborhood groups (NHGs), approximately 22 Transgender neighborhoods (TGNHGs) got 2.2 lakhs as corpus fund for the smooth functioning of group

### **5.3 Self-employment projects**

Kudumbashree under the local economic development policy continuously empowering women providing means of income. It is either through helping start small entrepreneurship or capacitating to develop small business. Skill training and capacity building programs are conducted by several training groups affiliated to Kudumbashree. The Kudumbashree provide handhold support to start business groups and provide channels to sell their produce in the open market.

Activity clusters are created from Transgender neighborhood groups (TGNHGs) and capacitated by training. This enabled them to form their own enterprises unit for their livelihood. Almost all districts in Kerala have come out with various small-scale income generating program. Some of them are discussed in short

#### **Chips Making unit**

It is a Micro enterprise unit in Kannur district with 11 members making banana chips. They produce five special varieties of chips from banana. They claim that approximately 2000-kg chips are sold monthly.

#### **Fruits Juice shop**

Kudumbashree gave assistance to a group consisting of four members to start a Juice shop in Kozhikode Mini civil station, monthly sales touches Rs.80000/- and each member gets a income of Rs.10000/- monthly. Similar type shops and ornament making unit was also opened in Ernakulam and it also provides formidable earning for every member.

#### **Vegetable sales outlet**

In Wayanad district, a five Transgenders activity group formed a vegetable selling outlet (Common facilitation center), providing space to sell farm produce of several Kudumbashree units in the district.

#### **Canteen and food catering units**

In Palakkad district 2 Transgender neighborhoods groups (TGNHGs) started a canteen unit "Oruma" in Collectorate compound, where numerous people daily arrive for official matters and nearly thousands of staff are working in various offices. It is pioneer startup in Kerala by Transgender neighborhoods groups (TGNHGs). Members are self-satisfied with the sales and they make a living out of it.

#### **Other enterprises**

In addition to this Dance and Music school in Pathanamthitta district, Boutique stores, FlockArt and Creative theater unit etc. are formed in a short span of time. Regular presence of these units in saras mela, National level exhibition conducted in every year is not only a great achievement but also spreading the reputation outside Kerala.

The fact will not be fulfilled unless the story of Thripathi Shetty is mentioned, a Transgender hailing from Manjeswaram taluk. Tremendous and progressive effort from Kudumbashree succeeded in earning loan and to start a Jewelry-designing unit. Now online portal ([www.thripathi.in](http://www.thripathi.in)) is created and doing business through e-marketing.

## **VI. INITIATIVES OF SOCIAL JUSTICE DEPARTMENT, KERALA**

The nodal agency for the implementation of Kerala Transgender Policy is Social Justice Department. The department came up with initiatives for security, awareness, empowerment, economic upliftment and rehabilitation.

### **6.1 Self-employment scheme**

In association with Kerala State Women Development Corporation (KSWDC), Transgenders are provided loan up to 3 lakhs to start any type of self-employment programme through which they can achieve livelihood and become financially stable

### **6.2 'Samanwaya' a continuing education programme**

Transgenders face a severe social discrimination, inadequate family support in school education and results in discounting schooling life. This leads to unemployment due to insufficient education and deprive a way of

living. The department along with Kerala State Literacy Mission (KSLM) devised continuing education programme named 'samanwaya' and provide equivalent certificates to corresponding classes. More than 300 community members are benefited by this scheme.

### **6.3 Marriage assistance to Transgender couples**

Department has introduced a new scheme which provides marriage assistance for legally married transgender couples who have undergone Sex Reassignment Surgery (SRS). The amount of marriage assistance has been fixed to **Rs. 30,000/-**.

### **6.4 Financial aid for Sex Reassignment Surgery (SRS)**

This community involves conflict between their biological sex and gender identity, Since Sex Reassignment Surgery is quite expensive to bear, Social Justice Department came up with scheme to provide financial assistance of maximum Rs.2 lakhs to undergo Sex Reassignment Surgery (SRS).

### **6.5 Hostel facility and financial aid**

Due to severe societal stigma transgenders are dropping out from schooling life and a larger proportion are facing mental and financial crisis. The government provide scholarship to pursue their education. Another problem is the denial of common hostel or providing rental homes to these community. The Social Justice department provide assistance of Rs.4000/- for house rent or hostels.

### **6.6 24x7 helpline for community**

A novel initiative, Social Justice Department under Government of Kerala has launched a 24x7 transgender helpline - **1800 - 425 -2147**. The objective is to provide necessary assistance to transgenders who are in distress, enlighten them with an idea of their basic rights and also provide counseling and legal assistance.

### **6.7 Skill development training to transgenders**

Social Justice Department has formulated a new comprehensive welfare scheme that imparts skill development training to Transgenders. An amount of Rs. 5 lakh each has been allotted all Districts in Kerala to meet the expenses for providing skill development training, food and accommodation to selected list of transgender participants.

### **6.8 Transgender Cell**

Transgender cell is to provide assistance and support the functioning of state transgender justice board and district transgender justice committees. All posts in the cell are filled from Transgender community.

India's first transgender school "Sahaj International" has started at Thrikkakara in Ernakulam district. The purpose of Transgender School is to provide transgenders security, salvation and sustainability. The new learning center will help them continue their education and appear for Class X and XII examinations. This alternative learning centre works in collaboration with the National Institute of Open Schooling (NIOS).

## **VII. PROBLEMS FACED BY TRANSGENDERS**

### **7.1 Personal Discrimination**

Acts of discrimination from employment and education, the environment, the lack of medical care and facilities, depression, hormonal drug action, tobacco, alcohol, marriage and adopting problems are the key issues faced by transgender communities. Transgenders have no provision to use commonbathrooms, toilets and public spaces. The dearth of access to washrooms and free spaces access is explanatoryto discrimination faced by transgenders in availing each facility and conveniences

### **7.2 Individuality**

Transgender community are given voting rights in 1994, but their gender position is questioned and denied voters cards in categorizing their community.

### **7.3 Societal indifferences**

Another problem faced by the community is Inheritance or adoption of a child They are often pushed towards the fringe's societal habitat and many of them finds living as beggars and dancers in pub. large scale human trafficking affects this community sometimes at extreme stage they even engage as sex workers for survival.

### **7.4Unemployment**

Unemployment is another problem of transgenders, biased attitude of employer and ill treatment from fellow workers lead to deprival of jobs to these community. Many of transgenders are expelled from jobs without any reason and no association to fight for their rights. Similar disrespect is seen in schools, colleges, hospitals and prisons

### **7.5Homelessness**

Many parents are desperate about their son/daughters behaving of opposite sex and disown them. At first, they are severely scolded and kept in house arrest, later they may be expelled from home, from there onwards agony starts for transgenders being a black mark against societal decided norms

## 7.6 Other atrocities

The society set an invisible barrier to this community and they are denied in participating cultural and social occasions. They have limited access to acquire education, public places etc. Even Constitution of India safeguards them, but human mindset is never changing. The transgender community have to encounter discrimination and stigma due to this they get only very few opportunities as compared to others. Since they are immoral in the eyes of society, they are deprived of education, and school life, suppose if they are admitted in schools, they are mentally tortured and ridiculed by fellow students and that ends school life.

Kerala government has not set aside substantial budgetary provisions for the implementation of the policy, the scholarship scheme announced for trans students in schools and colleges is not according to the limit of students and beneficiaries. The government is conducting awareness program with handbooks to teachers, police officials, government officials etc. with emphasis on rights of Transgenders, legal provisions, classification of Transgenders, etc. the policy also aims to make laws against gender-based violence, Transgenders friendly ecosystem and enable Transgenders eligible for government schemes. A fund is also proposed to be set up for Sex Reassignment Surgeries (SRS) in government hospitals. Transgenders ID cards and 24X7 helpline during distress is made available for Transgender people.

The enactment by Parliament for Transgender persons (Protection of Rights) Act-2019 gave legal entity to the constitution of justice boards, penalties for offenses, the fulfillment of health, education and social security, obligations and duties of officials etc.

## VIII. SUGGESTIONS

1. Main problem Transgender's face is the stigmatization of public, so a curriculum to educate students and awareness to public should be included in media (Visual, print) and clarify their preoccupied thoughts.
2. Police officer not below the rank of Sub-Inspector of Police should be assigned for investigation and redressal of issues related to transgenders.
3. NGOs, Voluntary organization, social activists etc. should be used for sensitizing publics about transgender community and their psycho-social environment
4. Instead of giving all sorts of reservation and promotion in all areas, government should adopt mainstreaming and bringing them to front runners in society.
5. Promote gender neutral workplaces and washrooms (Unisex toilets) and other public places where division are arranged.
6. Provide health insurance policies and low-cost medical aid for identified economically backward groups.
7. Subsidized Sexual reassignment surgery service should be enabled in all states with qualified and experienced doctors.
8. Government should start separate ministry in order to formulate policies, schemes and aids to transgenders.
9. Provide shelter homes to victims of atrocities and ensure service of counsellors and health care professionals.
10. The authorities need to ensure the penal action taken for showing injustice as per admissible law and redressal.
11. Every establishment to appoint an dedicated persons to handle grievances of transgenders

## IX. CONCLUSION

Transgenders are very much struggling for their day-to-day activities. Transgender group require direct attention for mainstreaming into our society. *"Seldom, our society realizes or cares to realize the trauma, agony and pain which the members of Transgender community undergo, nor appreciates the innate feelings of the members of the Transgender community, especially those whose mind and body disown their biological sex. Our society often ridicules and abuses the Transgender community and in public places like railway stations, bus stands, schools, workplaces, malls, theaters, hospitals, they are sidelined and treated as untouchables, forgetting the fact that the moral failure lies in the society's unwillingness to contain or embrace different gender identities and expressions, a mindset, which we must change."* - **(Judgment of the Hon'ble Supreme Court of India on April 15, 2014)**. Although the economic and social rehabilitation is possible for government and allied agencies, the mindset of society is the main enigma to unknot, let us hope that it will change with time and coming generations will have inclusive and progressive thoughts to this stigmatization.

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