

F. No. 15011/191/2020-SC/ST-W
Government of India
Ministry of Home Affairs
(Women Safety Division)

2nd Floor, MDC National Stadium,
New Delhi, Dated June, 2025

To

Chief Secretaries/Administrators
(All States and UTs)

Subject: Setting up of Transgender Protection Cells and Transgender Welfare Boards in States/UTs - Regarding

Reference letters:

i) Advisory dated 09.10.2020 vide letter No. 17-2/2019-DP-II issued by Department of Social Justice & Empowerment, Govt. of India regarding setting up of a Transgender Protection Cell in each District.

(ii) Advisory dated 21.01.2021 vide letter of even number issued by Ministry of Home Affairs regarding steps to be taken for rescue, protection and rehabilitation of a transgender person.

(iii) Advisory dated 10.11.2023 vide letter No. DP-13011(7)/5/2022-DP issued by Department of Social Justice & Empowerment, Govt. of India regarding setting up of Transgender Welfare Board for undertaking various welfare measures for transgender persons.

iv) Advisory dated 14.05.2024 vide letter No. DP-13011(7)/2/2022-DP issued by Department of Social Justice & Empowerment, Govt. of India regarding setting up of State Level Transgender Protection Cell.

Sir/Madam,

The Government of India is committed to protect the rights and well-being of transgender persons. In this regard, I am directed to refer to above stated earlier advisories issued by the Ministry of Home Affairs and the Department of Social Justice & Empowerment on the subject of welfare of Transgender, setting up of State Level Transgender Protection Cells, District Level Transgender Protection Cells and Transgender Welfare Boards.

2. As per Rule 11(5) of the Transgender (Protection of Rights) Rules, State Governments are mandated to set up Transgender Protections Cells under the charge of Director General of Police at State Level and under the charge of District Magistrate at District Level to monitor cases of offenses against Transgender Persons to ensure timely registration, investigation of offences and prosecution of offenders. Department of Social Justice and Empowerment has informed that only 15 State Level Transgender Protection Cells have been set up.

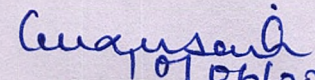
3. Also, as per Rule 10(1) of the above said Rules, 2020, there is a provision of setting up of Transgender Welfare Board for undertaking various welfare measures for transgender persons. However, so far, only a few Boards have been formed and majority of States/UTs have yet to set up the Transgender Welfare Boards.

4 . In the interest of safety and grievance-resolution of the transgender community across the country, this Ministry emphasizes setting up of Transgender Protections Cells at State and District Level and Transgender Welfare Board in States/UTs to protect rights and welfare of transgender persons at the earliest and to ensure more inclusive environment for transgender community.

5. In view of the above, this Ministry urge all States Governments /UTs Administrators to initiate adequate steps/measures to establish these Cells and Boards at the earliest ,if not formed earlier, under intimation to the Department of Social Justice & Empowerment. Model Composition and functions of Transgender Welfare Board, State Level Transgender Protection Cells and District Level Protection Cells are enclosed.

Encl. As above

Yours faithfully,


(G.K. Sinha) 07/06/2025

Deputy Secretary to the Govt. of India

Tele No. 23075293

E-mail Id.: ganga.sinha@nic.in.

Copy to:-

1. Principal Secretary, Home Department (All States & UTs)
2. DGsP/IGsP (all States & UTs)
4. Commissioner of Police, Delhi
5. SO(IT), MHA- to upload the Advisory on MHA website.

Copy also to:

1. The Secretary, Department of Social Justice & Empowerment, Shastri Bhawan, New Delhi.

File No.17-2/2019-DP-II

IMMEDIATE

Government of India
Ministry of Social Justice & Empowerment
Department of Social Justice & Empowerment

Shastri Bhavan, New Delhi-110001

Dated: 09th October, 2020

To
DGPs of all States/UTs

Subject: The Transgender Persons (Protection of Rights) Rules, 2020 - reg.

Sir/Madam,

I am directed to inform that this Ministry has enacted "The Transgender Persons (Protection of Rights) Act, 2019". The Provisions of the Act came into effect from 10.01.2020. In order to have effective implementation of the provisions of the said Act, the Ministry has also notified the Transgender Persons (Protection of Rights), Rules, 2020. The copy of the Act and Rules are enclosed herewith for your information

2. As is envisaged in the Rules, every State Government shall set up a Transgender Protection Cell under the charge of the District Magistrate in each District and under Director General of Police in the State to monitor cases of offences against transgender persons and to ensure timely registration, investigation and prosecution of such offences. Public transport to have harassment-free zones for transgender persons and measures put in for safety and security of the Transgender persons.

3. It is, therefore, requested to issue necessary directions related to these security issues as outlined above and in the said Rules for the welfare of transgender persons.

Signature Not Verified

Encls.: As Above.

Yours faithfully,

Digitally signed by RAJEEV KUMAR
Date: 2020.10.09 14:35:03 IST

(Rajeev Kumar)
Under Secretary to the Govt. of India
Tel: 011-
23385171
rajeev.swati@nic.in

F. No. 15011/191/2020-SC/ST-W

Government of India
 Ministry of Home Affairs
 (Women Safety Division)

2nd Floor, MDC National Stadium,
 New Delhi - 110001,
 Date: 21st January, 2021

To,

Chief Secretaries/ Advisors to Administrators
(All States and UTs)

Subject: Transgender Persons (Protection of Rights) Act 2019 and the
Transgender Persons (Protection of Rights) Rules, 2020 -reg.

Sir/Madam,

I am directed to state that the Government has enacted the Transgender Persons (Protection of Rights) Act, 2019 on 5th December 2019, and has since notified the Transgender Persons (Protection of Rights) Rules, 2020 on 25th September 2020. A copy of the said Act and Rules are enclosed. The law mandates adequate steps to be taken by the State Governments/ Union Territories for not only providing for welfare measures to be taken, but inter-alia, steps to be taken for rescue, protection and rehabilitation of a transgender person.

2. I am further directed to state that under section 18 of the said Act, it is punishable offence in case anyone:

- (a) compels or entices a transgender person to indulge in the act of forced or bonded labour other than any compulsory service for public purposes imposed by Government;
- (b) denies a transgender person the right of passage to a public place or obstructs such person from using or having access to a public place to which other members have access to or a right to use;
- (c) forces or causes a transgender person to leave household, village or other place of residence; and
- (d) harms or injures or endangers the life, safety, health or well-being, whether mental or physical, of a transgender person or tends to do acts including causing physical abuse, sexual abuse, verbal and emotional abuse and economic abuse.

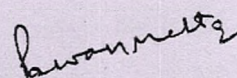
- 2 -

3. Rule 11 provides for adequate measures to be taken to prevent non-discrimination of transgender persons, including setting up of a Transgender Protection Cell under the charge of District Magistrate in each District and a State Level Cell under the Director General of Police, to monitor cases of offences against transgender persons and ensure timely registration, investigation and prosecution of such offences.

4. In this regard, please find enclosed letter no. 17-2/2019-DP-II dated 9/10/2020 of Ministry of Social Justice & Empowerment to DGsP of all States/ UTs. You are requested to initiate necessary measures in terms of the Act immediately and undertake necessary sensitization programmes for the police and prison officials.

Encl: as above

Yours faithfully,



(Pawan Mehta)

Deputy Secretary to the Govt. of India

Tel: 011-23075293

Email: pawan.mehta69@gov.in

Copy to:

1. Additional Chief Secretary/ Principal Secretary/ Secretary, Home Department (All States & UTs).
2. DGsP/IGsP (all States and UTs).
3. Commissioner of Police, Delhi.
4. SO (IT), MHA - to upload the Advisory on MHA website

DP-13011(7)/5/2022-DP

I/33359/2023

DP-13011(7)/5/2022-DP
Government of India
Ministry of Social Justice and Empowerment
Department of Social Justice and Empowerment

Shastri Bhawan, New Delhi-110001

Dated: 10th November, 2023

To,

The Chief Secretary of all States/UTs.

Subject: Model Transgender Welfare Boards in States/UTs and its functions-reg.

Sir,

Reference is invited to the Transgender Persons (Protection of Rights) Act 2019 and Transgender Persons (Protection of Rights) Rule 2020 notified by this Ministry. As per Rule 10(1) of the said Rule 2020 there is a provision of setting up of Transgender Welfare Board for undertaking various welfare measures for transgender persons. It has been noted that only a few of the States/UTs have formed the Board whereas majority of States/UTs have yet to setup the Transgender Welfare Board.

2. In view of above, a model Transgender Welfare Board composition and its functions are enclosed. They are however, only indicative and suggestive in nature.

3. State/UT Govt/Administrations are requested to ensure notification of formation of Transgender Welfare Board at the earliest under information to this Ministry.

4. This issues with the approval of the Competent Authority.

Yours faithfully,

Signed by Sunita Bhandari

Date: 10-11-2023 14:23:41

Reason: Approved
(Sunita Bhandari)

Under Secretary to the Govt of India

Email: sunita.bhandari@gov.in

DP-13011(7)/5/2022-DP

I/33359/2023

Model Transgender Welfare Board Composition for States/UTs

Chairperson	Chief Secretary
Member	Director General of Police
Member secretary	Principal Secretary/ Secretary of the Department handling matter of transgender persons
Member	Principal Secretary/ Secretary of Home Department
Member	Principal Secretary/ Secretary of Planning Department
Member	Principal Secretary/ Secretary of Finance Department
Member	Principal Secretary/ Secretary of Social Welfare Department
Member	Principal Secretary/ Secretary of Health Department
Member	Principal Secretary/ Secretary of Education Department
Member	Principal Secretary/ Secretary of Skill Development Department
Member	Principal Secretary/ Secretary of Labour Department
Member	Principal Secretary/ Secretary Department of Women and Child Development
Member	Secretary, State Human Rights Commission
Member Invitee	Any other government/public representative/s by the approval of Chairperson

Functions of Transgender Welfare Board

1. Monitoring implementation of Transgender Persons (Protection of Rights) Act 2019 and Transgender Persons (Protection of Rights) Rules 2020.
2. Ensuring welfare of TG persons in Government. Schemes.
3. Ensuring accessibility of health, housing, education, skilling, legal and all necessary services to transgender persons.
4. Ensuring non-discrimination of transgender persons at home, workplace and public places.
5. Ensuring inclusion of "transgender" as option wherein gender related information is collected by any government department.
6. Monitor issue of Transgender certificate by district authorities of State government.
7. Monitor that transgender identity certificate issued by District Magistrate is taken as a valid document for different Govt schemes.
8. Nominating "Appellate Authority" by notification in all Districts in case the transgender identity applications are rejected by District Authority, in reference to Rule-9 of Transgender Persons (Protection of Rights) Rules 2020.
9. State level policy formation for rescue, protection, rehabilitation, welfare and mainstreaming of transgender community.
10. Monitoring of schemes being implemented in State/UTs for transgender welfare.
11. Member Secretary to ensure yearly meeting of Transgender Welfare Board, issuance and keeping record of minutes of meeting and timely forwarding the decisions taken in the meetings to Secretary, Ministry of Social Justice and Empowerment.

DP-13011(7)/2/2022-DP

I/39049/2024



Government of India

No.DP-13011(7)/2/2022-DP

Government of India

Ministry of Social Justice & Empowerment
Department of Social Justice & Empowerment
(Drug Prevention Division)

Shastri Bhawan, New Delhi-110001

Dated 14.05.2024

To

The Director General of Police of all States/UTs,**Subject: – Setting up of State Level Transgender Protection Cell-reg.**

Madam/Sir,

As you may be aware that as per Rule 11(5) of the Transgender Persons (Protection of Rights) Rules 2020, State Governments are mandated to set up Transgender Protection Cells under the charge of Director General of Police at State level and under the charge of District Magistrate at District level to monitor cases of offenses against Transgender Persons to ensure timely registration, investigation and prosecution of offenses. The detailed guidelines of Transgender Protection Cell including constitution, operation model, functions etc are attached with this letter.

2. You are requested to submit proposal of setting up of State Level Transgender Protection Cell in your States/UTs at earliest.
3. This letter issues with the approval of the Competent Authority.

Yours faithfully,

DP-13011(7)/2/2022-DP

I/39049/2024

Signed by
Rajeev Kumar

Date: 14-05-2024 13:48:18

(Rajeev Kumar)

Under Secretary to the Government of India

Email: rajeev.swati@nic.in

Phone: 011-23385171

Copy to:

The Chief Secretaries of all States/UTs with request to communicate to District Magistrates to setup District Level Transgender Protection Cell, under information to this Department.

TRANSGENDER PROTECTION CELL

The Section 18 of the Transgender Persons (Protection of Rights) Act, 2019 states that a transgender person shall not be compelled to do forced or bonded labour, denied the right of passage/ access to a public place, forces or causes a transgender person to leave household, village or other place of residence, harms or injures or endangers the life, safety, health or well-being, whether mental or physical, of a transgender person or tends to do acts including causing physical sexual verbal, emotional abuse and/or economic abuse, shall be punishable with imprisonment for a term which shall not be less than 6 months but which may extend to 2 years with fine.

Furthermore, according to the Transgender Persons (Protection of Rights) Rules 2020, Section 11(5) State Governments have to set up a Transgender Protection Cells under the charge of District Magistrate and Director General of Police to monitor cases of offences against Transgender Persons to ensure timely registration, investigation and prosecution of offences.

A. STATE LEVEL TRANSGENDER PROTECTION CELL

I. Composition

- a. The State Transgender Protection Cells to be under control of the Director General of Police.
- b. One Officer not below the rank of Inspector, one officer not below the rank of Sub-Inspector with two Constables to be designated at the State level for the Cell.
- c. Need based support staff eg Counsellor, Case Manager, Data Entry Operator etc can be hired on contract basis. Preference to be given to transgender persons.

II. Administrative Arrangement

- a. Space for State Transgender Protection Cells to be provided within the office campus of Director General of Police/ State Police Headquarter.
- b. Requisite infrastructure for deputed and hired human resource eg tables, chairs, cupboards, benches, shelves, almirahs, telephone with STD service, fax, computers/laptops with internet access, printers, stationary, existing vehicle for field visits and rescue of transgender persons etc.

III. Contingency grant and financial outlines

- a. Contingency grant of Rs 10.00 lakhs to be provided for hiring of need-based support staff (as suggested in Composition section) and need-based infrastructure (as suggested in Administrative Arrangement section). The suggestions at Composition and Administrative Arrangement section are only suggestive and not exhaustive.
- b. Expenditure requirement beyond Rs 10.00 lakhs to be borne by State/UT.
- c. Contingency grant to be provided by DoSJE to DGP/ State Police Department. This is subject to the continuation of SMILE scheme beyond 31.03.2026
- d. DGP/State Police Department to maintain separate account for grants and to provide audit report, head-wise statement of expenditure, utilization certificate as and when the grants are claimed.
- e. Utilization Certificate to be provided by DGP/State Police Department in GFR 12C format.
- f. General Financial Rules 2017 and its consecutive updates will be applicable for all financial matters.

IV Functions

- a. To monitor the functioning of District Level Transgender Protection Cell
- b. To prepare and submit a consolidated report of all District Level Transgender Protection Cells to DoSJE on quarterly basis through National Portal for Transgender Persons.
- c. To share the consolidated report to State Transgender Welfare Board minimum on quarterly basis and/or more frequently on need basis.
- d. To submit printed annual report to DoSJE.
- e. To ensure transgender persons grievance redressal within 15 days of complaint.
- f. To coordinate with State Legal Services Authority for ensuring free legal services to transgender persons
- g. To implement awareness generation and sensitization programmes of police functionaries as well as at private establishments on The Transgender Persons (Protection of Rights) Act, 2019 and The Transgender Persons (Protection of Rights) Rules 2020.
- h. To ensure strict implementation of non-discriminatory,

rescue and penal provisions of The Transgender Persons (Protection of Rights) Act, 2019 and The Transgender Persons (Protection of Rights) Rules 2020.

B. DISTRICT LEVEL PROTECTION CELL

I. Composition

- a. The District Protection Cell would be under the overall control of the District Magistrate.
- b. One Officer not below the rank of Inspector, one officer not below the rank of Sub-Inspector with two Constables to be designated to deal with grievances.
- c. Any need based support staff or other requirement for district level protection cell to be arranged by State/UT.

II. Administrative Arrangement

Space and requisite infrastructure for District Transgender Protection Cell to be provided within the office campus of District Administration.

III. Functions

- a. To prepare and submit reports to State Level Transgender Protection Cell on quarterly basis.
- b. To report emergency cases to State Level Transgender Protection Cell and DoSJE on instant basis.
- c. To coordinate with District Legal Services Authority for ensuring free legal services to transgender persons.
- d. To provide free psychological counseling to destitute transgender persons.
- e. To rescue and rehabilitate destitute transgender persons
- f. To implement awareness generation and sensitization programmes for district administration functionaries as well as private establishments on The Transgender Persons (Protection of Rights) Act, 2019 and The Transgender Persons (Protection of Rights) Rules, 2020
- g. To ensure strict implementation of non-discriminatory, welfare, rescue and penal provisions of The Transgender Persons (Protection of Rights) Act, 2019 and The Transgender Persons (Protection of Rights) Rules 2020.

C. Budget

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Head	Annual Contingency Grants per unit (Rs, Lakhs)	Total cost for 36 States/UT (Rs, Lakhs)	Total budget for 5 years (Rs, Lakhs)
State Transgender Protection Cell	10.00	10 x 36 = 360.00	1800.00

Note- Financial requirement for setting, operation and maintenance of District Level Transgender Protection Cell to be borne by State/UT.

D. Miscellaneous

- An MoU to be signed with the NALSA for providing free legal assistance to the State/ District Protection Cells.
- Capacity Building and Training of State TG Protection Cell and District TG Protection Cell to be carried out by National Institute of Social Defence.
- Capacity Building and Training of functionaries of State Level Transgender Protection Cell to be carried out by National Institute of Social Defence.
- Capacity Building and Training of functionaries of Emergency Response Support System- Dial 112 to be carried out by National Institute of Social Defence.
- Online reporting system for State Level Transgender Protection Cell and District Level Transgender Protection Cell to be developed on National Portal for Transgender Persons. Login credentials to be provided to DGP/State Police Department and District Administration.
- DGP/State Police Department to submit proposal for grant-in-aid of State Level Transgender Protection Cell to DoSJE.
- DGP/State Police Department to maintain a separate bank account for grant-in-aid of DoSJE.
- The bank account maintained by DGP/State Police Department for grant-in-aid to be designated as CNA as per para-8 of the OM of

DoE F. No. 1(18)/PFMS/FCD/2021 dated 09.03.2022. The para-8 of said OM states that "In cases where there is no Central Autonomous Body in a Ministry/Department or where the Ministry/Department wishes to implement the scheme directly through State Government agencies, such State Government agency will be designated as CNA. However, there shall not be more than one CNA per State. The funds in such cases will be released by the Ministry/Department to the CNA directly and not through state treasury".
