

GOVERNMENT OF INDIA
MINISTRY OF SOCIAL JUSTICE & EMPOWERMENT
RAJYA SABHA
UNSTARRED QUESTION NO - 2854
ANSWERED ON – 12/08/2026

RECOGNITION OF INTERSEX PERSON AS DISTINCT CLASS

2854. SMT. RAJATHI

Will the Minister of SOCIAL JUSTICE AND EMPOWERMENT be pleased to state:-

- (a) what specific measures have been taken to improve participation of LGBTQAI+ community in various social spheres including access to education, employment, inheritance and identity documentation;
- (b) whether Government is planning to issue guidelines for distinct recognition, protection and an affirmative support framework for intersex persons born with congenital variations;and
- (c) the steps taken by the Ministry to ensure the protection of LGBTQAI+ community members from discrimination, non-consensual medical interventions and social exclusion?

ANSWER

THE MINISTER OF STATE FOR SOCIAL JUSTICE AND EMPOWERMENT

(SHRI B.L.VERMA)

- (a) Specific measures taken to improve participation of LGBTQAI+ community in various social spheres including access to education, employment, inheritance and identity documentation is at **Annexure**.
- (b) The Transgender Persons (Protection of Rights) Act, 2019, as amended in 2026, provides a comprehensive legal framework for the protection and welfare of transgender persons. The Act includes intersex persons born with congenital variations, within the definition of transgender person. The Act and the Rules framed thereunder ensure protection against discrimination and facilitate access to welfare measures and other entitlements for such persons.
- (c) Steps taken by the Ministry to ensure the protection of LGBTQAI+ community members from discrimination, non-consensual medical interventions and social exclusion is at **Annexure**.

ANNEXURE

Annexure referred to part (a) and (c) in reply to Rajya Sabha ADMITTED UNSTARRED QUESTION No. 2854 to be answered on 12.08.2026

Specific measures taken to improve participation of LGBTQAI+ community in various social spheres and to ensure the protection of LGBTQAI+ community members from discrimination, non-consensual medical interventions and social exclusion are as under:

- i. Department of Food and Public Distribution (D/oF&PD) has issued an advisory to all the States and UTs, that as per existing provisions, enabling partners in a queer relationship are to be treated as a part of the same household for the purposes of ration card. Further, States/UTs have been asked to take necessary measures to ensure that partners in queer relationship are not subject to any discrimination in the issuance of ration cards.
- ii. Department of Financial Services (DFS) has issued an advisory that there are no restrictions for persons of the queer community to open a joint bank account and also to nominate a person in queer relationship as a nominee to receive the balance in the account, in the event of death of the account holder.
- iii. Ministry of Health and Family Welfare has issued letters to all stakeholders including all States/UTs to take measures to ensure the rights of LGBTQAI+ community with relation to healthcare, planning awareness activities, prohibition of conversion therapy, availability of sex reassignment surgery, changes in curricula, provision of Tele consultation, sensitization and training various levels of staff and making of provision to claim the body when near relative/next of kin/family is not available.
- iv. The Directorate General of Health Services, Ministry of Health and Family Welfare has also issued letter to the State Health Departments and other stakeholders on the subject of ensuring the health care access and reducing discrimination towards LGBTQAI+ community.
- v. Ministry of Health and Family Welfare has framed guidelines in respect of medical intervention required in infants/ children with disorders of sexual differentiation (intersex) to have medically normal life without complications. The Ministry is working on guidelines to address the issues pertaining to mental health/well-being of queer community.
- vi. Ministry of Home Affairs issued advisory to all states/UTs regarding prison visitation rights of the Queer Community and an advisory, on law & order measures to be taken to ensure that queer community do not face any threat of violence, harassment or coercion.
