

GOVERNMENT OF ODISHA
REVENUE AND DISASTER MANAGEMENT DEPARTMENT

No. RDM-LRA-EXINST-0009-2016 *3877* /R&DM dated *3.2.2017*

From

Shri Sashadhar Nayak OAS(S)
Joint Secretary to Government

To

All Collectors

Sub:- Allotment of Government land for homestead purpose under Vasundhara scheme in favour of transgenders.

Madam/Sir,

In inviting a reference to the above mentioned subject, I am directed to inform you that Government, after careful consideration, have been pleased to decide that on fulfilling all criteria as indicated in OGLS Rules, 1983, a transgender can be eligible to get the benefits of house site in rural areas under Vasundhara Scheme.

The Hon'ble Supreme Court, in judgment dated 15.04.2014 passed in W.P.(C) No.400/2012 and W.P.(C) No.604/2013 (filed by National Legal Services Authority -vrs Union of India and others) has decided that 'transgender, apart from binary gender, be treated as 'third gender' for the purpose of safeguarding their rights under Part III of the Constitution and the laws made by the Parliament and the State Legislature. The Hon'ble Court have also decided that transgenders who are neither male/female fall within the expression of "person" appearing in Article 14 of the Constitution and are entitled to legal protection of laws in all spheres State activity including equal civil and citizenship rights, as enjoyed by any other citizen of this country. Further, the Apex Court has directed the Center and State Governments to frame various social and welfare schemes for the betterment of transgenders.

In this connection, this Department letter No.17959/R&DM dated 19.06.2015 on 'enumeration of homesteadless families in the rural areas of the State' may please be referred to.