



CONSTITUTIONAL LAW

Lakshadweep Administration Notifies Welfare Measures for Transgender Persons

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On 29 July 2025, the Lakshadweep Administration issued a notification implementing welfare measures for transgender individuals in the Union Territory. This initiative aligns with the Transgender Persons (Protection of Rights) Act, 2019, and is in line with directives issued by the Ministry of Social Justice & Empowerment (MSJE) and the Ministry of Home Affairs.

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Key Highlights of the Notification

1. **Nodal Officer Designation:** The Director of Social Welfare & Tribal Affairs has been appointed as the Nodal Officer for transgender welfare in Lakshadweep. Individuals identifying as transgender have been invited to register with the Nodal Officer within 30 days to access welfare entitlements and support services.
- **Access to Welfare Schemes:** The notification enables transgender persons to access a range of **central government** welfare measures, including scholarships, skill development programmes, healthcare assistance, livelihood support, and social security schemes. By formally operationalising these schemes, the Administration ensures that eligible residents in the Union Territory can participate in national inclusion initiatives.
- **Current Demographic Status:** The Administration has noted that, as of the notification's issuance, no resident has formally identified as transgender. Nevertheless, the establishment of a welfare framework ensures that mechanisms are already in place to provide timely support whenever individuals come forward.

Constitutional Jurisprudence on Gender Identity and Sexual Orientation

The Supreme Court has been central to defining the constitutional rights of transgender and LGBTQ+ communities in India. In *National Legal Services Authority v. Union of India* (2014), the Court recognised transgender persons as a distinct “third gender,” directed the Centre and States to treat them as socially and educationally backward, and affirmed their right to self-identify gender without medical or surgical intervention.

This recognition was further reinforced in *Navtej Singh Johar v. Union of India* (2018), where the Court read down Section 377 of the Indian Penal Code, decriminalising consensual same-sex relations between adults. It held that sexual orientation is an essential attribute of identity protected under Articles 14, 15, 19, and 21, emphasising the constitutional principles of dignity, autonomy, and equality. Together, these rulings dismantled discriminatory legal barriers and established a constitutional framework for inclusion, laying the groundwork for legislative reforms such as the 2019 Act.

Statutory Framework – The Transgender Persons (Protection of Rights) Act, 2019

The 2019 Act prohibits discrimination against transgender persons in education, employment, healthcare, housing, and access to public services. It provides for the issuance of identity certificates by District Magistrates and mandates the establishment of Welfare Boards, Protection Cells, and rehabilitation measures at the State and Union Territory level. The MSJE is the nodal ministry for policy oversight and implementation.

Union Ministry Directives (2023–2025)

Between 2023 and 2025, the MSJE and Ministry of Home Affairs issued advisories directing all States and Union Territories to:

- Appoint Transgender Welfare Nodal Officers for scheme implementation.
- Establish Transgender Protection Cells for grievance redressal and safety.
- Enable access to welfare schemes, healthcare, housing benefits, and livelihood programmes.

The Lakshadweep Administration’s notification of July 2025 represents a direct compliance with these central directives. By designating a Nodal Officer and operationalising welfare measures, the Administration ensures institutional readiness, even though no resident has yet formally identified as transgender. This proactive approach places the Union Territory within the broader national framework of inclusion and guarantees that support mechanisms are available without delay.

Significance

- 1. **Institutional Preparedness:** A Nodal Officer and formal mechanisms ensure immediate accessibility of welfare measures.
- 2. **Legal Compliance:** Aligns with constitutional guarantees, Supreme Court jurisprudence, and the 2019 Act.
- 3. **Inclusivity:** Even in the absence of formally identified transgender residents, the UT has established a ready framework for rights and benefits.
- 4. **National Integration:** Reflects Lakshadweep’s adherence to central mandates, ensuring uniform implementation of transgender welfare measures across India.

Conclusion

The July 2025 notification by the Lakshadweep Administration marks a significant step in extending constitutional rights and welfare protections to transgender persons. By operationalising welfare measures, appointing a Nodal Officer, and aligning with central directives, the UT ensures that transgender residents, whenever they come forward, can access their full rights and entitlements under Indian law. This initiative highlights India’s commitment to inclusive governance, dignity, and equality for all citizens.

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