

Awareness of Educational Policies among Transgender Community in Odisha

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Abstract: The purpose of this paper is to examine the awareness among transgender persons regarding the different policies and provisions for promotion of education of transgender community. The sample was selected through snow-ball sampling technique. The study was exploratory in nature and the data were collected through check-list. The study revealed that the respondents in the study have better knowledge about the fundamental rights and equality in education which is present in our constitution but poor knowledge in 'Right to Education Act-2009'. The participants are not aware of the 'NALSA Judgment' and 'Right to Transgender Person Bill 2015'. They are strongly aware regarding the reservation policies and the declaration of Supreme Court, which gives them recognition as OBCs. They are not strongly aware about different incentives facilities such as scholarships, free text books etc which should be given by the state government especially for them and also basic requirements for obtaining scholarship is not known to this group of the transgender persons. So proper awareness towards the different policies and provisions specially made for them should be aware off and following it in a real situation is very important. Otherwise everything will become futile.

Key Words: Transgender Community, Educational Policie, NALSA,

1. INTRODUCTION:

Transgender persons are marginalized section of the society and in the modern era also they are not considered equal to the rest of the other population. In every states of our country, we are able to successfully adopt the inclusion principle which was for long time hope. Transgender community wishes to walk with men and women and get knowledge through education. In India also there are separate laws and norms especially for the transgender to provide them basic educational facilities. The spirit of the Indian constitution also to provide equal opportunity to every citizen to grow and attain their potential, irrespective of caste, religion and gender. But in reality they are in total darkness. We have reached a stage where we think of children with disabilities. But even in today's situation also we talk less of including children whose identity does not fit into stereotypical gender norms. In Indian scenario transgender persons beg at red-light areas, go for sex work to earn their living. 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 of those whose mind and body disown their biological sex. The society, even their parents are not providing any kind of support to them due to the stigma attached. They are being ridiculed and abused in the public places like railway station, bus stands, schools, workplaces, malls, theatres, 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 need to change.

In a land mark judgment, the Supreme Court of India on April 2014 created the "third gender" status for *hijras* or transgenders. Transgender persons are those who have a gender identity, or gender expression, that differs from their assigned sex (Altilio and Green, 2011)[1]. As per census 2011, there are around 4.9 lakhs third-gender in the country and 4% of this population is present in Odisha (Times of India, 2014)[2]. Transgender were respected earlier in the society but situation has changed and they are now facing discrimination and harassment. Already the Supreme Court gave its verdict that transgender persons are socially and economically backward. So they will get educational and employment reservation as OBCs. India is also struggling for the proper mainstream education of the transgender students. In the chapter IV of the 'Rights of Transgender Person Bill' - 2015 [3] clearly mentioned about-

- The admission of transgender students without discrimination and provide them education as also opportunities for sports, recreation and leisure activities on an equal basis with other.
- Provide reasonable accommodation of the individual's requirement.
- Provide necessary support in environment that maximizes academic and social development, consistent with the goal of full inclusion.
- Monitor participation, progress in terms of attainment levels and completion of education, in respect of every transgender student.

- Government shall provide scholarship/ entitlements, fee- waiver, free- text books, free hostel accommodation and other facilities at subsidized rates for students belonging to this group.
- All the educational institutions/universities should establish an anti-discrimination cell to monitor any form of discrimination against the transgender community.

But with all such great initiatives there is a gap between the policy and the reality. Though they have been ostracized every now and then in the educational arena, conditions are slowly starting to improve. As technology and media communication have vastly improved in India, more people are beginning to not only notice the presence of the transgender, but also appreciate it. The transgender have formed unions to organize protests for their human rights and will continue to fight for legislation until they are satisfied. India has taken many steps toward for recognizing transgender rights.

After Tamil Nadu and Maharashtra, West Bengal government also announced the first Transgender Development Board in 2015 for the over 30,000 strong community in the state. Tamil Nadu was the first state to form a Transgender Welfare Board. In Tamil Nadu transgender persons can access free Male-to-Female Sex Reassignment Surgery (SRS) in the Government Hospital, a free housing program, various citizenship documents, admission in government colleges with full scholarship for higher studies, and alternative sources of livelihood through formation of self-help groups and initiating income generation programmes (Rajkumar,2016)[4]. In March 2009, Tamil Nadu government set up a telephone helpline called “Manasu” for transgenders, an initiative which was responsible for the formation of India’s first helpline for the LGBTQIA community in 2011 at Madurai.(Rajkumar,2016)[5]

With that, Odisha is first in the country to give transgender persons social welfare benefits such as pre-matric and post-matric scholarships, pension, free housing, loans to start up their own business, 100 days of paid work annually and 5 kg of food grains every month under India’s National Food Security Act food (Press Trust of India, 2015)[6]. The state is always trying to give the transgender community the same benefits as those living below the poverty line for improving their overall social and economic status. The members of the community have Below Poverty Line cards that help them to access benefits under various government welfare programmes. Chattisgarh government is also making efforts to empower the transgender community by drafting an action plan for the welfare of around 3000 eunuchs in the state. On 1st October 2015 the West Bengal government requested the Kolkata Police to recruit transgender in the Civic Police Volunteer Force (CPVF) to end the stigma and discrimination against the community (Rajkumar, 2016)[7]. Even in the recent years also transgender have become increasingly visible in the political arena.

With all these now a days transgender person are becoming increasingly visible in the educational institutions and even in work places as to across the country and expecting institutions to meet their needs. Inclusions in education, social, cultural, economy and citizen participation should no longer ignore this population. Educational institute they must quickly learn the appropriate language to describe transpeople, educate themselves on transgender histories, and seek to understand their lives and experiences. Even the sensitization of the transgender issues should be started from the school level so that the attitude towards the transgender should be positive. Lastly it is the duty of the society specially the government must make this group of people aware about the different policies and provisions what are available for them and how they can avail these facilities. At the same time transgender persons must aware and they must take initiatives so that they must avail these facilities properly and understand the importance of their education.

2. RATIONAL OF THE STUDY:

Education is the most important sword of the individual for the social development as well as the development of the society. In the present scenario it has been found that real education and proper work among the transgender community is very negligible. It is essential to bring out the potentialities of transgender community for the development of our nation. In the present days, it is found that they are being forced to bear their livelihood through begging or sex work since their acceptability and social recognition is still an issue in the world of work. Many reports on transgender community such as NALSA (2014) also expressed the concern that they have the identity crisis and suffering from the social stigma. Thus it is very important to mainstream them for the development of their community as well as the development of the nation. Mainstreaming should start from the educational institutes and continues in the work place also. Teachers and administrators need to work hard to make their class rooms welcoming places where each student feels included. The teachers must trained in such a way so that they can accept gender inclusiveness in their class room. But despite these efforts, students who are or who are perceived to be transgender continue to face a harsh reality. Thus it can be said only preparing the different policies are not an important matter but awareness towards it and following it in a real situation is the most important. Studies conducted on the educational issues of transgender are very few especially in India. The acceptance of the third gender in society was depend on demographic characteristics of people thus to include transgender population into the mainstream society in a country like India, court verdict was definitely not enough (Roy Choudhury et al., 2016).[8] Jayaseelan (2015)[9]

showed in his study, Transgender have knowledge about the fundamental rights for education and not aware of the state government policies regarding education and majority of them are not aware that they come under backward classes. Hence they are not exposed to higher studies.

Educational bills and policies are present exclusively for the transgender community in India though very few. So the present study intends to focus on the awareness of educational policies among transgender community. It is significant to examine whether transgender people are aware about all these policies otherwise it is futile. Therefore, the present study is planned and designed to understand about the area not much explored.

3. OPERATIONAL DEFINITION OF THE KEY TERMS:

Transgender Community: In the present study the transgender community is defined as group of people who are born with physical sex characteristics that do not fit typical binary notions of male or female bodies.

Educational Policies: In the present study the educational policies refer to those policies and programmes like 'Universal Declaration of Human Rights', 'National Legal Services Authority, 2014', 'Transgender Person Bill, 2015', 'Right to Education Act' are used for the promotion of education of transgender persons.

4. OBJECTIVES OF THE STUDY:

To examine the awareness among transgender persons regarding the different policies and provisions for promotion of education of transgender community.

4.1 Research Question

Are the transgender persons aware of policies and provisions for the promotion of their education?

4.2 Delimitation of the Study

The present study is delimited to-

People from the transgender community of Bhubaneswar city

5. METHODOLOGY:

The present research adopted an exploratory research method. The details of research methodology are presented as follows:

5.1 Sample

10 transgender persons from the area of Satyanagar, Maharshi College Road of Bhubaneswar city, Odisha were selected as sample for the study. Non-probability snow ball sampling technique was used in the selection of these informants.

5.2 Tools

Data were collected by using check-list for the present study.

6. ANALYSIS OF DATA:

The collected data were analyzed qualitatively with the help of the frequency and percentage. In the present study, to understand the awareness of educational policies among transgender community, the researcher has used critically analysis of the qualitative data collected through interview.

7. MAJOR FINDINGS:

Major findings of the study related to research question formulated for inquiry are presented as follows.

Findings Pertaining to Research Question: Are the transgender persons aware of policies and provisions for the promotion of their education?

To study the objective i.e. to understand the awareness among transgender persons regarding the different policies and provisions for promotion of education of transgender community, the responses to the checklist consisting of four dimensions. The dimensions are as follows

- NALSA Judgment-2014
- Right of Transgender Person Bill-2015
- Right to Education Act
- Constitutional Provisions

Table-1: Awareness of Transgender Community towards 'NALSA Judgment'

Sl No.	Item	Yes		No	
		F	P	F	P
01	Are you aware about NALSA Judgment (2014)?	1	10	9	90
02	Do you know that the Transgender Welfare Board exists in your state?	4	40	6	60
03	Do you know that Transgender identity card is required in getting educational scholarship?	1	10	9	90

04	Do you know that there is a provision to change the name of the transgender in the government gazette?	3	30	7	70
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Item 1 shows that only 10% (1 participant) participant is aware about the NALSA judgment. She is the ‘guru’ of the transgender community in Bhubaneswar. As she is the member of the Transgender Development Board in Odisha and she fights for the rights of the transgender persons. She said that last year she went to Mumbai and took some classes related to this judgment for the transgender persons. Whereas other 90% (9 participants) participants are not aware about NALSA judgment. They said that they had only heard about this judgment from their ‘Guru’ and only knew that this judgment is related to transgender persons. But they were totally unaware about what had been said by the Supreme Court in this judgment.

Item 2 indicates that 40% (4 participants) participants knew that the Transgender Welfare Board exist in the State of Odisha. They have said that their ‘Guru’ is the member of this board. They knew that the board is working for their development and sometimes programmes have been organized by this board for the transgender persons. Whereas 60% (6 participants) of the participants did not know that Transgender Development Board exist in their state.

Item 3 indicates that 10% (1 participant) participants knew that transgender identity card is required in getting educational scholarship. Only ‘Guru’ knew this fact. But h/she had mentioned that in the state educational scholarship for the transgender students have not started still yet. The other 90% (9 participants) of the participants did not know about this fact.

Item 4 shows that 30% (3 participants) participant only knew that there is a provision to change the name of the transgender in the government gazette. Among these 3 participants two have said that all the provisions are only there in pen and paper but in the reality they are facing lots of problems regarding this changing of names. They have mentioned that due to these reasons in the educational institutes they take admission as male members. Whereas the other 70% did not know about the fact and said that ‘Guru’ knows everything.

Table-2: Awareness of Transgender Community towards ‘Right of Transgender Person Bill’ 2015

SI No.	Item	Yes		No	
		F	P	F	P
01	Do you know about ‘Right of Transgender Person Bill’ 2015?	1	10	9	90
02	Do you know what are the dimensions that are included in this bill are?	1	10	9	90
03	Are you aware about the provisions that are present in the chapter of education in this particular bill?	1	10	9	90
04	Do you know that any educational institutions should have to take admission of transgender students without any discrimination?	09	90	1	10
05	Do you know that all educational institute should allow any transgender students in the sports, recreation and leisure activities as per with other students?	09	90	1	10
06	Do you know the institute must have separate toilet facilities and rest room for transgender students?	10	100	0	0
07	Do you know that all the educational institute must be gender inclusive?	09	90	1	10
08	Are you aware that government should provides scholarship, free-text book, free hostel accommodation and other facilities at the subsidized rates?	03	30	7	70
09	Do you know all institute must have an anti-discrimination cell?	1	10	9	90
10	Are you aware about the different provisions of Adult Education for transgender persons?	1	10	9	90

Item 1 shows that, only 10% (1 participant) participants were aware and knows about ‘Right of Transgender Person Bill’2015. She is the ‘Guru’ of the transgender community in Bhubaneswar. Other 90% (9 participants) participants were totally unaware about this bill.

Item 2 indicates that, only 10% (1 participant) participants only opined that she knew about the different dimensions that are included in the ‘Right of Transgender Person Bill’2015. Other 90% (9 participants) participants as they did not aware about the bill and they did not know about the dimensions of this bill.

Item 3 shows that only 10% (1 participant) participants were aware about the provisions that are present in the chapter of education in this particular bill. Other 90% (9 participants) they were not at all aware about the different provisions that are present in the chapter of education. Among this group of participants those who are continuing their education

they even did not aware about the provisions that are present in this particular chapter. They were very reluctantly said that 'guru' knew everything.

Item 4 indicates that 90% (9 participants) participants were aware about the fact that any educational institutions should have to take admission of transgender students without any discrimination. Only 10% (1 participant) participant, who is an illiterate, is not aware of this fact.

Item 5 indicates that 90% (9 participants) participants were aware about the fact that all educational institute should allow any transgender students in the sports, recreation and leisure activities as per with other students. The participants have clearly mentioned that they did not know that this provision is there in the bill, but they understand that transgender students are also like others and they have the right to participate in the sports, recreation and leisure activities as per with other students..

Item 6 shows that all the participants (10 participants) were aware about the fact that institute must have separate toilet facilities and rest room for transgender students. They have very clearly said presently they are all fighting for this particular right and requested to the government to take initiatives so that all the educational institutes must have separate toilet and rest room facilities for them.

Item 7 shows that 90% (9 participants) participants knew all the educational institutes must be gender inclusive. They have said very clearly that there must be no discrimination in the educational institute in ground of gender.

Item 8 shows that only 30% (3 participants) of the participants have said that they were aware about the fact like government should provides scholarship, free-text book, free hostel accommodation and other facilities at the subsidized rates. Among these three participants one is presently doing B.A. course and other two have already completed their graduation. They have said though such kind of provisions are their but practically it is not happening so. Mainly they have mentioned that forcefully they took the admission in the institutes as male students and in every institute the transgender students till present are not getting any scholarships or any subsidized rate of education as transgender. If they got any scholarship it would be in different ground. Rest 70% (7 participants) of the participants did not aware about this fact.

Item 9 indicates that 10% (1participant) participants knew that all the educational institutes must have an anti-discrimination cell. S/he also said that institutes are not at all aware about this cell and is not present in most of the educational institutes. Rest 90% (9 participants) participants did not aware about this particular fact.

Item 10 Only 10% (1participant) of the participants were aware about the different provisions of Adult Education for transgender persons which is enshrined in the 'Right of Transgender Person Bill'. But h/she mentioned, very accurately she also did not know. Rest 90% (9 participants) participants did not aware about this particular fact.

Table-3: Awareness of Transgender Community towards 'Right to Education Act'

Sl. No.	Item	Yes		No	
		F	P	F	P
01	Are you aware about 'Right to Education Act'?	1	10	9	90
02	Do you know about free and compulsory education for all children between the ages six and fourteen?	1	10	9	90

Item 1 shows that only 10% (1 participant) participants were aware about the 'Right to Education Act', she is the 'Guru' of the community and she has shown interest also to know more detailed about this act. On other side 90% (9 participants) they were not aware about this 'Act'. One of the participant asked that in which year this act had came. When she heard from the researcher that it had came into effect in the year 2010, the participant mentioned that before that she had left her education. Another 4 participants also accepted the reason.

Item 2 shows that only 10% (1 participant) participants were aware about free and compulsory education for all children between the ages six and fourteen. Participant opined that h/she only heard about this but elaborately s/he did not know about free and compulsory education.

Table-4: Awareness of Transgender Community towards Constitutional Provisions

Sl. No.	Item	Yes		No	
		F	P	F	P
01	Do you know that Education is fundamental right under Article 21A	9	90	1	10
02	Do you know in Article 15(4) Hon'ble Supreme court said transgender to be a socially and educationally backward class?	9	90	1	10
03	Are you aware about reservation of education and job for transgender person?	9	90	1	10

Item 1 shows that, 90% (9 participants) participant were aware that education is their fundamental rights. But they have mentioned that they did not know that this fundamental right is there in Article 21A. The rest 10% (1 participant)

of the participants did not know about this right. Participants said “*I did not have any formal school education and have no interest in it.*”

Item 2 indicates that, 90% (9 participants) participants were aware that Supreme Court has said transgender to be socially and educationally backward class. But they did not know that this provision is there in the Article 15(4). Two participants have opined that society forcefully make us backward. Though court has given many judgments but in reality in every sphere it is not applicable in the present time also.

Item 3 indicates that, 90% (9 participants) participant were aware about reservation of education and job for transgender persons. They have mentioned that practically this reservation is not present. Participant ‘D’ who is continuing her education said “*I took my admission as male candidate and there was no separate column for transgender students in the admission form. I did not get any reservation as transgender student.*”

8. DISCUSSION:

The findings of the present study reveal that the participants are not that much aware towards the educational policies and the provisions especially available for them. Only one participant (‘guru’) knows about the ‘NALSA Judgement’ and ‘Transgender Person Bill 2015’. They need to be aware of the recent declaration of Supreme Court through this judgment and bill. Even 60% of the participants are not aware about the ‘Transgender Welfare Board’ present in the state and for what they are working. Only one participant knows that transgender identity card is require in getting educational scholarship. Participants are not aware of the basic requirements of obtaining their scholarships. Even the participants who are continuing their education also they are not at all aware of the fact of free scholarships, text books etc. (Jeyaseelan, 2015)[10]. From the conversation it is revealed that 70% do not know that there is a provision to change the name of the transgender in the government gazette whereas rest of the 30% of the participants are aware of the fact and they have mentioned that everything is in just pen and paper practically it is very difficult. It is found that participants have better knowledge about the fundamental rights of education and equality in education which our constitution provides but poor knowledge about ‘Right to Education Act’ because many of the participants left their education before this ‘Act’ came into being. Those who are presently continuing their education they are also not aware of. But ‘guru’ has ideas about all these. All the participants are aware about the separate toilet facilities proposed for them in all the educational institutes. They are strongly aware of regarding the reservation policies and the declaration of Supreme Court, which gives OBCs recognition to them. But they did not know that it is enshrined in the article 15(4)[11].

Thus it can be conclude that it is also role of the government and the community to bring awareness among the transgender group of people towards their educational rights otherwise everything will become futile.

9. SUGGESTIONS:

- Every transgender has right to know about their rights to education and job. It’s the role of the government to bring the norms and opportunities to the public by adopting various ways.
- It will be more useful if the educational institutions conduct periodical programmes- if possible by the transgender –to make the students and the teachers to understand about the third gender.
- Media both electronic and print must highlight the educational status of the transgender persons and bring them in the forefront rather than portraying them in poor light.
- States and Central governments should plan social welfare schemes for third gender community and run a public awareness campaign to erase social stigma.

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