



Fact Finding Report
on Right to Food
with the
Transgender
Community in the
District of
Rangareddy,
Telangana
**HRLN, THITS , &
THTS**

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Right to Food

Background

International perspective: The right to food is protected under international human rights and humanitarian law. The correlative state obligations are well-established under international law. The right to food is recognized in article 25 of the Universal Declaration on Human Rights and article 11 of the International Covenant on Economic, Social and Cultural Rights (ICESCR), as well as a plethora of other instruments. Noteworthy is also the recognition of the right to food in numerous national constitutions.

The International instruments include:

Voluntary Guidelines to support the progressive realization of the right to adequate food in the context of national food security (Right to Food Guidelines), 2004.

Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security, 2012.

Indian perspective:

The Right to Food is inherent to a life with dignity, and Article 21 of the Constitution of India which guarantees a fundamental right to life and personal liberty should be read with Articles 39(a) and 47 to understand the nature of the obligations of the State in order to ensure the effective realization of this right. Article 39(a) of the Constitution, enunciated as one of the Directive Principles, fundamental in the governance of the country, requires the State to direct its policies towards securing that all its citizens have the right to an adequate means of livelihood, while Article 47 spells out the duty of the State to raise the level of nutrition and standard of living of its people as a primary responsibility. The Constitution thus makes the Right to Food a guaranteed Fundamental Right which is enforceable by virtue of the constitutional remedy provided under Article 32 of the Constitution.

Persons living in conditions of poverty and hunger have often been found to be suffering from prolonged malnutrition. Even when their deaths could not, in strictly clinical terms, be related to starvation, the tragic reality remained that they often died of prolonged mal-nutrition and the continuum of distress, which had rendered them unable to withstand common diseases such as malaria and diarrhoea.

¹According to FAO estimates in 'The State of Food Security and Nutrition in the World, 2019' report, 194.4 million people are undernourished in India. By this measure 14.5% of the population is undernourished in India. Also, 51.4% of women in reproductive age between 15 to 49 years are anaemic. NHRC said that the present practice of insisting on mortality as a proof of starvation is wrong and needs to be set aside. It has added that there are obvious policy implications as far as the obligations of the State are concerned. The Right to Food implies the right to food at appropriate nutritional levels and the quantum of relief to those in distress must meet those levels in order to ensure that this right is actually secured and does not remain a theoretical concept.

The right to food is a human right. It protects the right of all human beings to live in dignity, free from hunger, food insecurity and malnutrition. The right to food is not about charity, but about ensuring that all people have the capacity to feed themselves in dignity. A human rights approach to food and nutrition would imply that the beneficiaries of relief measures should be recognized as “claim holders”. Viewed from this perspective, the prevalence of distress-conditions threatening starvation constitute an injury requiring the imposition of a penalty on the State. The Commission was of the view that the remedy provided under Article 32 of the Constitution applied to groups no less than to the individuals

First and foremost among the United Nations Millennium Development Goals (MDG) is the pledge made by all Heads of State and Government to halve, by the year 2015, the proportion of the world's poor and of people who suffer from hunger. Given the circumstances of our country, India has a special responsibility in this regard. The prevalence of extreme poverty and hunger is unconscionable in this day and age, for not only does it militate against respect for human rights, but it also undermines the prospects of peace and harmony within a State.

Right to food and transgender community of India

²In the mid 1870, the eunuchs of Gazipur district in Uttar Pradesh complained that they were starving due to ban on right to dance and play in public which was the only source of livelihood for the eunuchs then.

Trans people face a variety of social security issues. Since most of them run away or evicted from home, they do not expect support from their biological family in the long run. Subsequently, they face a lot of challenges especially when they are not in a position to earn (or has decreased earning capacity) due to health concerns, lack of employment opportunities, or old age. Lack of specific social welfare schemes and barriers to use existing schemes has consistently push their economic backwardness and ultimately to below poverty lines of the society. The Social welfare departments provide a variety of social welfare schemes for socially and economically disadvantaged groups.

However, so far, no such specific schemes are available for Trans people even for the subsidised groceries or food supplements through the civil supplies department. Many times it has been seen that stringent and cumbersome procedures need for address proof, identity proof, and income certificate all hinder even deserving people from making use of available schemes including in getting these necessities of life. After the historical judgment of NALSA Vs UOI 2014 Odisha has become the first state in India in 2015 to include the transgender community in the category of below poverty line (BPL) beneficiaries which connect them to programmes of the government, like food grains, pension, health, education and housing. Other than this no single state has yet implemented this judgment including the Central Government in any of its welfare schemes.

Right to Food and Telangana State

Telangana state formed in 2014 as 29th state of Indian Republic. The Civil Supplies Department of State has started with an objective of Implementation of National Food Security Act 2013 by making food grains accessible at reasonable prices especially to the weaker and vulnerable sections of the society under public distribution system ensuring food security to all the citizens of the state. The Civil Supplies Department of State has over 84.64 lakhs ration cards covering a total of 2.83 crore beneficiaries. The State government with effect from 2015 has taken decision to provide 6 kgs of subsidized rice under NFSA 1 kg per person without any limitation on the number of members in the family which hold the white ration card. The State Government has taken decision to supply superfine quality rice to all the welfare hostels and the mid day meal programme from 1st January, 2015. As per the central government's Anthyodaya Annayojana guidelines the persons who are dependent on daily earnings, persons of no subsistence or societal support Urban and rural homeless people.

Situation of Transgender persons In Telangana in the light of Right to Food

There is no state census of Transgender people but as per the last year voters list of state election commission there are 2885 transgender voters across the state. The State doesn't have any specific welfare policy or inclusive of its existing policies which provides the subsidized food for the transgender people who live below the poverty line. There are many reasons often why the transgender people are not able to avail the white ration card for the subsidized food supplements distributed by the state at free of cost. E.g no proper/valid identity documents like voter id, Adhaar card or bank account any such social entitlements which are asked as one or both as the proof for the residence and also for the economic status of such transgender person. This is the starting point of transgender people excluding them in all sorts of social welfare schemes.

. The Telangana state civil supplies department on its online form for applying to the white ration card has included a third column which will help to register transgender people for such ration card. But when the ration card is issued it is issued only to the Transgender woman who has a valid government identity proof as 'third gender'. In that way only trans women are only eligible for such white ration card. This is not only against the self-identity principle which has been established under NALSA Vs UOI, third gender judgment but also social injustice to other people who self-identify themselves under third gender category. There are a lot of Transgender people who identify themselves as either as Trans men, Intersex or Hijra, Kinner or others who are also part of larger Trans umbrella (as defined under NALSA Vs UOI judgment) who have no scope to get registered under the white ration card scheme.

There is a need to find the facts in this regarding the situation of transgender community of Telangana state who are still not part of food security schemes of either Centre or State government as per the guidelines.

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1. <https://www.wfp.org/publications/2019-state-food-security-and-nutrition-world-sofi-safeguarding-against-economic#targetText=2019%20%2D%20The%20State%20of%20Food,against%20economic%20slowdowns%20and%20downturns&targetText=SOFI%202019%20confirms%20a%20rise,from%2081%20the%20previous%20year.>
 2. <https://www.bbc.com/news/world-asia-india-48442934>
 3. <http://tscscl.telangana.gov.in/Annual%20Report%202019%20New.pdf>

Fact finding Team:

The fact finding team consists of Telangana Hijra Intersex Transgender Samithi (THITS), Telangana Hijra Transgender Samithi (THITS) , and Human Rights law Network (HRLN) experts.

Telangana Hijra Intersex and Transgender Samiti (THITS) has come together as an unregistered collective to struggle for the dignity and empowerment of the transgender community across Telangana. THITS builds on the many existing networks between hijras, including intersex people and many types of transgender persons that already exist in this state of Telangana and extends to all corners of the subcontinent. THITS is not accessing funding institutions; instead it will gather funds from members and supporting individuals, and handle them collectively and transparently. THITS believes transgender people face economic, political, social, and cultural exclusion from a patriarchal social administrative structure that forces gender-based productive labour for the benefit of an economic feudal and capitalist elite. THITS is working its struggle in solidarity with all the other marginalised communities who have been historically oppressed by these power structures on the lines of sex, diverse sexual orientation, diverse gender orientation , and our members are primarily working class hijras , Transgender and Intersex people from Dalit , backward castes tribes and other minority communities. THITS aims to fight all oppression as well as the transphobia and homophobia the working transgender community faces in the form of the daily violence, ridicule and humiliation every time we walk down the street, board a bus, or try to find a bathroom. Our fight is cultural, legal, political, economic and revolutionary.

Telangana Hijra and Transgender Samiti (THTS) is a sister concern of THITS. In 2019 few volunteers of THITS has registered THTS under societies registration Act. It is a community based organisation being all the members on board hails from working class Hijra and Transgender communities. The registration of THTS is a consultative and unanimous decision taken by the volunteers of THITS in a mass group meeting. THTS is now works as net work of all Transgender oriented community based organisations across the districts of Telangana. THTS has already started advocating with the Government of Telangana by presenting representation to various districts collectors on the demands of the transgender community of Telangana community. The funding of THTS is mostly through the donations and they advocate for the inclusive policies and working environment for the transgender community.

HRLN team : There are also team of experts from HRLN Hyderabad branch to record and document the whole process of fact finding.

Fact finding tools :

The tools used for the fact finding process are

1. Questionnaire
2. Focused group discussion and
3. Case studies

Ranga reddy I District :

Ranga Reddy district, abbreviated as, **R R district** and also known as **Cyberabad district** and formerly known as **Hyderabad Rural**, is one of the 33 districts in the Telangana . The district headquarters is located at Shamshabad . The district was named after the former deputy chief minister of the joint state of Andhra Pradesh, Konda Venkata Ranga Reddy. The district shares boundaries with Nalgonda, Ydadi, Hyderabad, Medchal, Nagarkurnool, Mahbubnagar, Sangareddy and Vikarabad districts. Ranga Reddy District has a population of 2,446,265, of which 1,254,184 were males and 1,192,081 were females

Right to Food Questionnaire

Questionnaire No:

Location:

Date:

Time:

Interviewee Name:

Age:

Address:

District:

State:

Pin Code:

Contact Number:

Education:

Occupation:

Monthly Income:

If staying with Family -

Family Income:

Members in the Family:

Physical/psychological ailments:

Any Disability:

Any long chronic ailments

Which Category do you belong to? ___ SC ___ ST ___ OBC ___ OC ___

Do you have a Bank Account?

Identity Cards/Documents with gender third gender depicted

Aadhar Card

Passport

PAN Card

If any other Identity Card, please mention _____

Do you have a Ration Card?

Yes/No

If yes:

Which color Ration Card do you have?

Is your ration card linked to any other State Welfare scheme? (Health, Housing, Pension, etc...)

If No:

Have you applied for a ration card?

What was the response to the application?

Have you applied to the grievance redressal in your district?

What is the kind of accommodation that you stay in?

Rented House

Owned by self

Government Accommodation

If any other, please specify _____

Any additional Information:

Transgender community of Rangareddy District : (Information out of Questionnaires)

- a. Personal profiling :** Approximately Ranga reddy I District consists of more than 500 hijras who are visible and many more 1500 around trans people as per the details given by the interviewees . The working class Hijra and Trans women are mostly dependent on only begging in the trains. The average age of all the hijra and trans women who have been interviewed is on an average between 22 to 39. Many of the Trans people are belonged to Muslim, Dalit, Bahujan and other lower casts.
- b. Social profiling :** There are trans women who are living within the hijra system who go for either begging in the train, or regularly in the market or shops. Most of Hijra women for time being migrate from Warangal to Delhi if they are into sex work . They frequently shuttle between Delhi and Warangal.
- c. Economic profiling :** Many of them are into begging in the occasions like shop opening, marriages, child birth and sex work . Because they came out of their natal families and started living separately hence they are kept away from all sorts of social entitlements due to lack of bonafied birth and education certificates after gender change etc.,. from long back they are struggling to get their basic essentials of life food clothes and shelter. Almost 85 percent of hijra and Trans women live in the rented houses which are independent rooms in the slum areas of the city and are forced to pay double the normal rent. Many of them are also migrated from the villages to the city and keep low profile of their trans status to the natal families.
- d. Anthropological profiling :** The district was formed in 1978 when it was split from Hyderabad district it was renamed after Konda Venkata Ranga Reddy, a freedom fighter who fought for the independence of Telangana from the Nizams and who went on to become the deputy chief minister of Andhra Pradesh. In 2016, it was carved out during the district's reorganisation to create the new Vikarabad district and Medchal–Malkajgiri districts.

Ration cards of Transgender people in Ranga reddy Discussion:

Many of the hijra and transgender women expressed in the group discussion that due to lack of main social identity cards like Adhaar, Voter id and PAN cards it is so problematic to apply for ration cards. There are no permanent houses almost 85% of the hijra and trans people lives in rented houses. “We continuously face threats from house owners , neighbors and police to vacate the houses and go some where eles “ said Nagma Transgender leader and founding member of Telangana Hijra Transgender Samiti. “Lack of ration cards some time make our life costly by burdening us to purchase our necessities of the life and non accessibility to government housing schemes, health schemes etc., ” said Madhuri another hijra woman. “We have been giving lot of representations to the State governments in different departments but still our welfare is not moving beyond” said another trans woman Saroj.

“We are applying for the ration cards they are not rejecting but our old identity cards like voter id, adhaar are in male gender so they are keeping it aside for longer time” said another hijra guru Rani .

The team has interviewed nearly 15 trans women and out of which only none of them has ration cards

Case Study

Name of the Interviewee: Samantha

Category: Trans woman

Location: Area: Uppal



Socio – economic and psychological problems from the day of schooling and grown –up

My name is Samantha and friends in my community call me with love Samantha Reddy. I am the 7th child among 13 children in my family. My father is a constable and my mother is house wife. From my childhood I have feelings of girl. I use to put kajol in my eyes and use to put light lipstick to look beautiful. My siblings or even my parents never resisted me because they use to love me. Sometimes my father use to say to my mother that I should behave like boy because neighbors are commenting on my out look. But my mother used to make him understand that he should respect and understand my feelings as I am their kid it is their responsibility. She never forced me to change the behavior but she use to make me understand how I should behave like a responsible person in a joint family. I never denied my parents but when I joined there I use to face harassment from seniors saying me that I am a girlish and few of them never taken back to touch me also. But I resisted a lot, and some how habituated to such things as in school also my seniors use to behave in the same manner with me. Once when I complained the same with my parents my father came to school and gave warning to those senior students who use to harass me.

Multiple discrimination and marginalization : I have been facing discrimination not only as trans person or hijra person but also for living with my natal family.

SRS & health risks: at very early age I get done emasculation as I never like to have a body of man

Human rights and civic amenities : There are all amenities for the Hijra women or transgender women who fit in gender binary but other gender non confirming trans people or non binary trans people are facing different problems. Though human rights are not their priority the civic amenities their families are not getting because of double stigma being a trans person and a living with natal family.

Avenue for the empowerment: we should think different to empower transgender people considering different diversities with in trans community. According to the need of such specific identity the empowerment programs should be designed e.g. the empowerment programs for hijra people will not influence the programs for independent or non binary trans people.

Policies and laws regarding the transgender people : sorry i have no idea about any such policies or either laws.

Welfare measures of transgender people:

Now the Andhra Pradesh government is giving pension, housing loans etc. which is very good at least people depend on begging or sex work will relieve from them and do the work how cis people do in the society. But nothing is started yet in Telangana.

Expectations from the society : There is some respect in the society regarding hijra people but what we need today is equal rights . Where ever we go people laugh, give different looks and sometimes wont allow to enter into certain places this has to change we are also equal human beings no why such discriminations..

Role of community in transgender people mainstreaming: as I am not in a hijra system I cannot answer the same. I am a independent transgender person.

Livelihood issues and interventions: if you are educated then your food or livelihood will be taken care if you do small job also but if you are not educated employment will also becomes a challenge so I am driving a auto for my livelihood.

Empowerment: transgender people need to be empowered to get educated and do other jobs other than begging and sex work.

Policy aspects of legalisation: I am not well versed with legislation.

Suggestion on policies which can be brought in changes in the TG Act: Any policy should represent the working class of the transgender community no doubt in that but also the independent and gender non-binary trans peoples voice is also important to eradicate the exclusions for being trans people in the society.

Welfare measures with reference to health needs: At present other than HIV/AIDS prevention and treatment no specific health needs like hormones or sex reassignment services are not available for transgender community.

Harassment and unlawful penalties: I know only the penalties for breaking the traffic rules which I have not done till now.

Sexual abuse : no I haven't faced any sexual abuse.

Violation and deprivation of human rights : that will happen if transgender people are not educated, properly not sensitised of their rights . once they know the rights they can question the violation.

Inputs for Policy Implementation affecting the Transgender Act providing capacity building : sorry I am not well versed with the Act so cannot respond on the same



List of Transgender people who doesn't have ration cards

S.No	Name	Mobile No.	Gender
1	Padala Nandini	9866183952	TG
2	Nagma	8008988205	TG
3	T.Seema	7893685384	TG
4	Akshara . V	7569450599	TG
5.	Ch.Kalanjali	9704719407	TG
6.	Madhumati	7993549620	TG
7.	Saroja	8008828316	TG
8.	Srilekha	9963842342	TG
9.	Shilpa	8688187540	TG
10.	Samantha	-	TG
11.	Meena	-	TG
12.	Monaksha	-	TG
13.	Padma	-	TG
14	Jalliganta	-	TG
15.	Tamara	-	TG

Photo gallery

