

## Transgender column in PAN cards is a welcome step

The introduction of the transgender column in application forms of the Permanent Account Number (PAN) is a welcome move. Four years ago, almost to the date, the Supreme Court delivered the National Legal Services Authority (Nalsa) versus Union of India and Others judgment, which guaranteed equal status to the transgender community and directed state and central governments to ensure that all transgender persons have access to welfare schemes and entitlements, including government-issued identity cards. The Central Board of Direct Taxes (CBDT) has finally complied with the directive.

However, this is only the first step to ensure justice for a community that is discriminated against by the State and society. For one, the procedure to change the gender and name on PAN cards needs to be clarified — asking for a bevy of documents for proof of address, identity and date of birth as specified under Section 114 (4) of the IT Rules would be to ignore the reality of many trans and gender-queer persons, who may not be in possession of an identity card in their chosen gender. They may not even have proof of address given that many leave home without their original documents, live within families units that are not natal, and may stay as tenants without rent agreements.

Neel Ghosh, a transman from Kolkata and a member of West Bengal's transgender welfare board, raises an important point when he says that to change an identity card one is usually asked for another identity card with the 'correct' name and gender. What then of a transperson who does not have this 'correct' ID card? CBDT would do well to look at including documentation such as notarised affidavits to resolve this.

At the same time, staff at PAN card application centres need to receive clear directives on being sensitive towards transgender persons. Accounts of staff stigmatising them, rejecting applications outright and even asking for invalid documentation, such as a medical certificate of surgery, are unfortunately all too common. The fact that the Nalsa judgment clearly states that it is both "immoral and illegal" to insist on reassignment surgery as a means of proving transgender identity, should be widely known.

If CBDT can address these concerns simultaneous to including transgender in PAN card forms, it would go a long way to ensure that more people receive the entitlements intended for them, in letter and not just in spirit.

END

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