

## ABSTRACT

### TRANSGENDER RIGHTS IN INDIAN SOCIETY: AN UNENDING FIGHT FOR EQUALITY

\*HARSHITA TYAGI<sup>1</sup>

Transgender community has been marginalized from mainstream for a long time. The plight of the community is well documented in Indian history. After a constant battle, the Hon'ble Supreme Court in 2014 recognized the “third gender” and their fundamental rights under the Indian Constitution. To give effect to this recognition, the Indian Legislation for first time in 2016 had formulated The Transgender Persons (Protection of Rights) Bill. The bill instead of relieving the plight and insecurities of the community, has been facing backlash for its non-inclusivity and inherent regressive outlook of Indian legislation which ultimately violates trans persons rights.

The aim of my paper is to discuss transgender rights in context of Indian legal system. The first section of my paper will discuss the problem of marginalization which has been a constant theme of existence of transgender individuals in Indian society. The paper will then in depth discuss the reasons why Indian legislation took so long to accept the rights of transgender. The paper will cover some real-life instances and draw a comparison through the idea of intersectionality which makes it difficult for these individuals to access their rights. In addition, the paper will also critically analyse The Transgender Persons (Protection of Rights) Bill, 2018 which was purported as the improved version of the similar Bill passed in 2016 by Indian Legislation. The paper will also discuss how the problem of transgender rights as present in Indian society and its legal solutions are similar/different to that of various countries across the world.

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<sup>1</sup> 5<sup>th</sup> Year Student, B.A.,LLB(Hons.), O.P. Jindal Global University, Sonapat