

ABSTRACT

HUMAN RIGHTS OF TRANSGENDER IN INDIA: A SOCIO-LEGAL ANALYSIS

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Since the beginning of time, transgender have been a prevalent topic in several myths around the globe. However, India's legal recognition of the existence of genders beyond than the binary of male and female dates only from 2014. In the case of National Legal Services Authority v. Union of India, decided in 2014, the Apex Court of India recognized “transgender” to be a “third gender” and ruled that they are entitled to the same fundamental rights as everyone else under the Indian Constitution. This decision gave them the right to self-identify as male, female, or third-gender. The Court further ruled that because the transgender population is a socially and economically disadvantaged group, they should be given preference in hiring and entrance to public institutions. However, they have not been provided these rights. The main intention of this paper is to study the problems of transgender from social, cultural, economic and psychological dimensions and to suggest some measures for their liberation. In the ultimate analysis, the issue will be reflected upon from a Socio-legal perspective.

Keywords: Transgender, Hijras, Third Gender, Vulnerable Group, Human Rights

“You get justice in the next world; in this world you have the law” - William Gaddis

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