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RAISING AWARENESS AGAINST LGBT BULLYING- Harshpreet Kaur & Vriddhi Bhatt¹**ABSTRACT**

The idea of human rights rests on the central idea that all humans are equal. The Preamble of the Indian Constitution mandates justice- social, economic, and political equality of status- for all; and anything that undermines that dignity is a violation and if it violates the principle of equality and leads to discrimination. In their everyday life LGBT people face a lot of sufferings, abuse and prejudice.

“These LGBT people in India had faced a lot of social and legal difficulties; but today the scenario in legal aspect is changing with changing period of time and our country has also repealed it’s colonial era laws that directly discriminated against gay sex and transgender identification but yet no legal protections have not been provided to them including anti-discrimination laws and same-sex marriage. Since 2014, in India transgender are allowed to change their gender without going through sex reassignment surgery and they have been given a constitutional right to register themselves under the third gender; further in April 2014, the Hon’ble Supreme Court of India ruled in NALSA vs. Union of India that rights and freedoms of transgender people in India were protected under the constitution. However, in the year 2018, the Hon’ble Supreme Court of India decriminalized section 377 of the Indian Penal Code and declared this section as unconstitutional in respect of consensual homosexual sex between adults.”

INTRODUCTION

“India's Constitution is dynamic and progressive, and it serves as the backbone of this huge and complicated country. The Indian Constitution guarantees rights and safeguards to all citizens,

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whether they are in the majority or the minority. The Constitution is non-discriminatory and treats everyone equally. It is the state's responsibility to ensure that no one is discriminated against.

Everyone in the country, regardless of religion, caste, or gender, deserves to be respected. Individuals who are discriminated against based on their "sexual orientation" or "gender identity" suffer numerous obstacles in contemporary society. LGBTQ+ refers to people who are lesbian, gay, bisexual, transgender, queer (or questioning), and other sexual orientations. Other sexual identities represented by the "plus" include pansexual and Two-Spirit. The abbreviation is used to signify a wide range of sexualities and gender identities, and it refers to anybody who is transgender or attracted to others of the same or similar gender.”

“Pride is a celebration of LGBTQIA+ identification, as well as the freedom, beauty, and wonder that comes with loving who you want to love, regardless of your gender expression. The LGBTQ community is often represented by rainbow flag. The colors of the rainbow flag are frequently used as a symbol of LGBT pride and togetherness.

The flag of LGBT people is represented by seven colors. Each color represents one of the qualities of these people, for example”

- **Red – life**
- **Orange – healing**
- **Pink – sexuality**
- **Indigo – harmony**
- **Blue – art**
- **Green – nature**
- **Yellow – the sun**

“LGBTQ is a broad phrase that encompasses the tales of non-normative individuals, cultures, and communities, as well as their triumphs and struggles. It's the tale of the social movement for equality; of triumphs and tragedies that LGBTQ people have faced—and frequently facing—in our everyday lives and demands for the freedom to live, love, and prosper.”

HISTORICAL BACKGROUND

“The Ramayana narrates a story of a king named Dilip who had two wives. He died without a

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surviving successor. Lord Shiva arrived in the widowed queens' dreams and warned them that if they made love to each other, they would produce a child, according to legend. The queens followed Lord Shiva's instructions, and one of them became pregnant. They had a kid, who grew up to be famed monarch Bhagirath, who is most known" for "bringing River Ganga from heaven to earth."

“Followers and friends of lord Hanuman have claimed to have observed Rakshasa ladies kissing and hugging other ladies in the Valmiki Ramayana². The Mahabharata also contains an intriguing account of **Shikhandini**³, a female or transgender warrior of the period who was responsible for Bhishma's defeat and death.” Shikhandini was the daughter of King Drupada, who reared her as a prince in order to exact revenge on the Kurus, Hastinapur's rulers. Drupada even tied the knot of Shikhandini with a lady. Her wife became enraged when she learned the truth. The day was rescued by supernatural intervention, which bestowed manhood to Shikhandini throughout the night. Shikhandini lived as a hermaphrodite from that day forward.”

“According to the **Matsya Purana**, Lord Vishnu took the shape of a lovely lady named Mohini during the great churning of the milky ocean to deceive the demons so that the gods could drink all of the amrut (the immortal juice found from churning of ocean). Meanwhile, Lord Shiva recognised Vishnu as Mohini and fell in love with him right away. Lord Ayyappa was born as a result of their marriage.”

“A well-known legal system **Manusmriti**⁴ has provisions for the punishment of gay men and women. According to Manusmriti, if a female has intercourse with another girl, she would be fined two hundred coins and given 10 whiplashes. If a mature woman performs lesbian sex on a girl, her head shall be shaved or two of her fingers should be chopped off as a punishment. The woman should be forced to ride a donkey as well. Manusmriti claims that sexual union between two men results in caste loss in gay males. According to the "Painful Heating Vow," if a man has intercourse with non-human females or another man, or engages in anal or oral intercourse with women, he will be punished.”

“The recurrent references to homosexuality in ancient Indian writings, inscriptions, and

² The Ramayana of Valmiki English translation by Hari Prasad Shastri, 1952 (revised edition)

³ Shikhandini - Warrior Princess of the Mahabharata by Ashwini Shenoy, 2019 (First Edition)

⁴ “Manu Smriti, Chapter 11, Verse 174 & Verse 67”

paintings on temple walls plainly do not approve of it, but they do recognise its presence at the time like for example we have seen various Images of ladies erotically hugging other women and males showing their genitals to one another may be seen in the temples of Khajuraho. Scholars have interpreted this as an admission that people participate in gay behavior.”

GLOBAL-SCENARIO

“Many nations have made progress on LGBT rights in the last 25 years, while others have gotten more oppressive. On a worldwide scale, however, enormous obstacles exist, and LGBT individuals experience persecution worldwide. LGBT persons may not be protected from discrimination at work in more than half of the world. As a result, LGBT personnel may be turned down for jobs, disregarded for promotions, or dismissed just for being themselves. Most jurisdictions deny trans persons the legal right to alter their name and gender from what they were given at birth. Only six nations enable trans persons to choose their legal gender on their own.” “Other nations that allow trans persons to alter their gender officially have invasive restrictions in place, such as forced sterility, other medical operations, or mental health exams. It is still illegal to have intercourse with a person of the same sex in more than 70 nations. In eight nations, the death penalty is either ‘allowed’ or proof of its existence exists. According to the UN Independent Expert on sexual orientation and gender identity, LGBT and gender non-conforming persons are almost guaranteed to endure violence at some point in their life.”

“The most tolerant nations have seen a rise in acceptance; between 2014 and 2017, Iceland, the Netherlands, Norway, Canada, and Spain were judged to have the greatest levels of acceptance, and all of them have seen a rise in acceptance., and during this time the least welcoming nations were, Ethiopia, Azerbaijan, Senegal, Tajikistan, and Somaliland, were considered to have the lowest levels of acceptance, and all of their levels of acceptance had fallen.⁵”

“Iran”

“Iran having the most harsh anti-gay policies⁶ in the world, In a report by the Iranian High

⁵ “Spring 2019 Global Attitude Survey Q31”

⁶ “Article 234 Islamic Penal Code of Iran, 1996”

Council for Human Rights, the Iranian secretary-general castigated homosexuality as a "sexual immorality and a sickness" in a statement to another foreign politician. Such viewpoints encourage LGBT people to be persecuted. Most acts of homosexuality in Iran are punishable by death under the country's strict Islamic legislation.”

“Until recently, all people participating in consensual sexual intercourse were charged with sodomy, which was a deadly felony in Iran's penal code. The ostensibly improvements to the penal law, however, continue to enforce a minimum punishment of 100 lashes while leaving the prospect of execution open. Lesbianism faces the same penalties, creating a terrifying atmosphere for Iran's homosexuals.⁷”

“Uganda”

“A Ugandan legislator sponsored an anti-homosexuality bill in 2009⁸, which originally called for the death sentence for homosexual activities. Legislators changed the bill after receiving strong outcry from around the world. The law was updated to modify the maximum penalty from death to life in prison, but keeping the 14-year term for first-time offenders. Despite objections from the West, Ugandan President Yoweri Museveni announced publicly that he intends to sign the measure into law. The bill went into force two days ago, signifying a significant step backwards for LGBT rights in Uganda.”

“Saudi Arabia”

“Saudi Arabia is the Middle East's largest Arab state and a vital US partner. However, under its strict Sharia Law, gay actions are punishable by death by stoning. A religious "task force," the Commission for the Promotion of Virtue and Prevention of Vice, polices private meetings and arrests individuals who engage in gay activity.”

“Vietnam”

“Despite this communist state’s spotty record on human rights, Vietnam has surprisingly become a pioneer for LGBT rights in Southeast Asia. A potential breakthrough in gay rights occurred when Vietnam held its first gay pride parade in 2012. This country demonstrated

⁷ “ Article 236 Islamic Penal Code of Iran, 1996”

⁸ “The Anti-Homosexuality Bill, Bill No. 18 of 2009, Bills Supplement to the Uganda Gazette No. 47 Volume CII, 25th September 2009.”

further progress when the country's ministry of health publicly announced his recommendations on the legalization of same-sex marriages in 2013.⁹"

"India"

"The LGBT community exploded in joyous celebrations around the country, celebrating their win against a 200-year-old British-era statute that criminalized same-sex relationships. It covers anti-discriminatory regulations such as the refusal to recognize same-sex marriages, the denial of adoption and surrogacy rights, and so on. This old age law, which had become a tool to harass and exploit all individuals who didn't adhere to the standard binary of sexuality and gender, took more than 70 years and over two decades of judicial battles to scrape down."

"SOCIAL CHALLENGES"

"LGBT persons endure a lot of challenges."

Growing up in a society where heterosexuality is frequently promoted as the only acceptable orientation and homosexuality is viewed as aberrant presents challenges. They continue to experience marginalisation and prejudice in many aspects of life across the world. Homophobic violence and abuse against LGBT individuals are commonplace. Same-sex couples in most EU Member States do not have the same rights and protections as opposite-sex couples, and as a result, they face prejudice and disadvantage when it comes to social security programmes like health care and pensions.

They are afraid of losing their jobs, due to which the majority continue to hide their sexual orientation or face discrimination in the workplace. Because of widespread occupational discrimination, LGBT people face significant income inequities. Discrimination leads to job insecurity and frequent turnover, which leads to higher unemployment and poverty rates for homosexual and transgender persons, as well as a salary disparity between homosexual and straight persons. Young LGBT persons who endure separation from family and friendship networks, harassment at school, and invisibility are particularly susceptible, which can lead to underachievement in school, school drop-out, mental illness, and homelessness in certain situations. This discrimination not only denies LGBT people equitable access to important

⁹ "Being LGBT in Asia: Vietnam Country Report, 2014"

social commodities like job, health care, education, and housing, but it also marginalises them in society and places them among the most vulnerable groups at danger of social exclusion.”

“LGBT people face considerable levels of stigmatization, discrimination and harassment in their daily lives. The majority of LGBT people have now learned to cope with this, particularly when they have the support of family and friends, and participate with LGBT organizations and social networks and help in raising awareness. However, a significant number of LGBT people, most particularly younger LGBT people, had to cope with stigmatization, discrimination and harassment without support of their family and friend. Many also faced additional stress from experiences such as very high levels of homophobic bullying in schools and physical and verbal attacks.

Due to unwanted thrashing, mocking, and other forms of harassment, transgender and non-binary identities sometimes feel too afraid to use public restrooms. Above all, because of the stigma and taboos. They are frequently humiliated and discriminated against. To put an end to this, gender-neutral public restrooms that are accessible to all are necessary.”

“Hate crimes and violence against lesbian, gay, bisexual, and transgender persons, as well as those believed to be LGBT, are common. LGBT persons face prejudice and stigma throughout their lives, and are victims of sexual and physical abuse, harassment, and hate crimes. Coming out (revealing one's LGBTQ identity to others), gender change, internalized oppression, loneliness and alienation, loss of family or social support, and the effects of HIV and AIDS are all variables that may have an influence on LGBT people's mental health and well-being.”

“Experiences that may have a detrimental influence on LGBT’s mental health

- Hostility or rejection from loved ones or religious groups.
- Bullying at school, harassment by neighbors, and danger of violence in public places.
- Casual homophobic comments on a daily basis.
- Prejudice/embarrassed response from professionals.
- No protection against discrimination at work, housing, pensions, etc.
- Childhood sexual abuse.

Many government officials like police agencies have been accused of being insensitive, including failing to act adequately to violence directed at LGBT persons. LGBT persons and

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sex workers are more vulnerable to police misbehavior and abuse; transgender persons are also more likely to be singled out by cops and handled improperly or abusively while in detention.”

“According to a recent opinion poll, despite of various political movements in favor of LGBTQ rights, there remains a significant amount of homophobia present among Indian population, with around half of the Indians objecting to same sex relationships. This community people in India remained closeted, fearing discrimination from their families, who might see homosexuality as sin.”

“Tales of Triumph

“Personally, coming out was one of the most important things I’ve ever done, lifting from my shoulders the millstone of lies that I hadn’t even realized I was carrying.” — Sir Ian McKellen

Same-sex love is still illegal in India, as it is in 72 other nations. While the country's LGBT population is no longer as invisible as it previously was, we still have a long way to go in terms of legal and social equality before we can compete with the West.

Change, on the other hand, frequently begins with the individual before spreading to society as a whole.

The stories that inspired us-

The Couple who worked tirelessly to overrule Section 377 of the Indian Penal Code 1860. After filing a petition in the Supreme Court, Senior Advocate ‘**Menaka Guruswamy**’ and advocate ‘**Arundhati Katju**’ rewrote Indian history. The Supreme Court Overturned Section 377 Which had been in effect for 156 years, and decriminalized Same sex marriages. Almost a year after the historic verdict passed two senior female lawyers who have been at the forefront of the fight for LGBTQ rights have come out as a couple. The pair become 'stars' in the eyes of every LGBTQ person and is an excellent example of both women's and LGBTQ empowerment. The Section 377 victory was both a professional and personal triumph. The couple was involved in a number of notable cases, including Augusta Westland bribery case, the Jessica Lal murder case, the bureaucratic reform case, and others. They are now actively supporting a legislative framework known as the "marriage project," which aspires to legalize same-gender weddings.”

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“The Madras High Court recently issued a set of guidelines to guarantee that members of the LGBTQ community are not mistreated. A single bench of Justice Anand Venkatesh observed that a social shift in the approach to LGBTQIA+ partnerships is essential while evaluating a writ case brought by two lesbian women against police harassment. The hostility they confront stems from the fact that their relationship is not sanctioned by society.

The guidelines laid down by the Madras High Court were: -

- The police shall close cases of missing persons complaints against consenting, queer adults in relationships.
- Ministry of Social Justice and Empowerments (MSJE) shall enlist NGOs working for LGBTQ+ people on their website.”
- “Queer people can access this list and approach the organizations if they need support or protection.
- The record of those approaching the organizations shall be confidential.
- Each case would be dealt with individually with the help of the District Legal Services Authority or with relevant law enforcement agencies.
- MSJE shall make short term shelters accessible to queer people within a 12-week period from the day of the publication of the guidelines.
- Central and State governments shall endeavor to take up measures to eliminate prejudice.

Relevant ministries shall undertake awareness programs, including making school and university curricula inclusive. Further, the court also suggested setting up gender-neutral washrooms, changing name and gender of trans persons in academic records, and appointing queer-friendly counselors for staff members.

Gauri Sawant is a transgender activist from Maharashtra, India. Ganesh Sawant was her original name. She was introduced to the ‘Humsafar Trust,’ one of India's oldest LGBTQ+ organisations. Gauri Sawant was the first transgender person to petition the Supreme Court of India for the acceptance of transgender rights. Everyone refers to her as "Amma," which means "mother." She is known as India's first transgender mother since she adopted Gayatri, a 4-year-old girl, in 2008 after Gayatri's mother died of AIDS.”

“In 2017 in Washington DC, Vaibhav Jain and Parag V Mehta got married but they were not allowed to register their marriage in India. So the couple filed a case in Delhi High court under

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Foreign Marriage Act. To allow marriage equality for Hindu LGBTQ couples, Gopi Shankar Madhrai, G. Oorvasi, Abhijit Iyer Mitra and Giti Thadani have filed a case in high court under Hindu marriage act. Kavita Arora and Ankita Khanna who have been in a relationship and lived together for 8 years. The couple's request to register their hindu marriage was turned down by the marriage officer, so they decided to file a case in Delhi high court under the Special Marriage Act.

The mindset of Indians is changing with the changing dynamics of the society and as a result of this change these LGBT people in India have increasingly gained tolerance and acceptance. But still there's a long way to go to make LGBTQ community treatment as normal as any other existing community.”

“Unleashing Awareness

In India, homosexuality is not openly discussed. Films are one of the most effective ways to discuss about homosexuality. Movies depicting homosexuality have typically been banned unless done subtly, as in Kapoor & Sons, or in a caricature-like manner, like in Dostana. After the abolishment of article 377 the Indian cinemas and OTT platform has seen many releases touching upon the topics of the LGBTQ community.

Shubh Mangal Zyada Saavdhan, the film which attempts to combat homophobia and raise awareness about same-sex love. Through this movie they tried to bridge the gap between society and LGBTQ Community people. This Zee5-ALTBalaji series is based on Manju Kapur's book A Married Woman, follows two ladies, Astha (Ridhi Dogra) and Peeplika (Monica Dogra), who learn that love comes when you least expect it. Astha is caught in a boring marriage, while Peepli is a freshly widowed free thinker. Their paths intersect due to a tragedy, and they form an instant, beautiful, and simple bond.

Made in Heaven, a popular OTT show depicts the journey of a gay man coming out to his parents, owning up to his life, and standing up for queer rights. it shows the struggle , bullies , discrimination he went through . The storyline directly addresses Section 377 of the Indian Penal Code. It shows how a homosexual man's tragedy gets ingrained in his growing identity. Not just to his present-day bravery, but also to his trip across time while dealing with the current situation, he revisits his past trauma. The bully he faced in school for his identity, the

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reactions and suggestions he got from his parents (mother) of not disclosing his identity to anyone. It also shows how government officials like police treated him and his gay partners in public and how his fundamental right to freedom was infringed for owning his identity as a gay men. In a way that few Indian queer characters have done before, the character takes center stage.

377 Ab Normal, a Zee5 original film, depicts the effort that went into amending the legislation and the effects of whatever occurred. The series is based on true stories of those who battled for the cause and how their efforts resulted in the law being decriminalised.”

“It's refreshing to see LGBTQ dramas and series infiltrating the audience's life through ordinary people and themes. There's still a long way to go before these stories can break through the walls of heterosexual groups, where 'development' is more of a must. Even Google has declared that it would increase its efforts to encourage users to use gender-neutral terminology.

LEGAL DEVELOPMENT

In the recent years, the discrimination faced by this community as well as the resulting restrictions on their social rights, has received a lot of attention in recent years. In India, homosexuality is prohibited under Section 377 of the Indian Penal Code, which prohibits unnatural offences. The Naz Foundation brought a Public Interest Litigation to the Delhi High Court in 2001¹⁰. According to the Naz Foundation, Section 377 infringed the basic rights guaranteed by Articles 14, 15, 19, and 21 of the Indian Constitution.”

“In the landmark Judgment **Navtej Singh Johar and Ors. v. Union of India**¹¹ (the "Navtej Johar Case"), the Supreme Court of India unanimously struck down a portion of Section 377 of the Indian Penal Code, 1860, which criminalised sexual intercourse against the order of nature to exclude all forms of adult consensual sexual behaviour. The Supreme Court's decision to decriminalise Section 377 was based on primary constitutional grounds, including (i) Article 14's right to equality; (ii) Article 15's right against discrimination; (iii) Article 19's right to freedom of speech and expression; and (iv) Article 21's right to privacy.”

¹⁰ “160 Delhi Law Times 27”

¹¹ “AIR 2018 SC 4321”

- **“Right to Equality**

Article 14¹² clearly states that “The State shall not deny to any person equality before the law or the equal protection of the laws within the territory of India.” Though this article allows for a distinction to be made, it also stipulates that it must be based on discernible differences. The Supreme Court ruled that there was no discernible difference between people who "are supposed to engage in "natural" intercourse and those who engage in "carnal intercourse against the natural order.”

- **“Right against Discrimination**

The Indian Constitution prevents the state from discriminating against citizens solely on the basis of their sex, religion, race, caste, or place of birth. The Supreme Court ruled in the Navtej Johar case that any form of discrimination, whether direct or indirect, based on a particular understanding of the role of sex, falls under Article 15¹³. As a result, Article 15 ruled that Section 377 was discriminatory.

- **Right to Freedom of Speech and Expression**

Article 19¹⁴ of the Indian Constitution ensures that all citizens have access to certain freedoms of speech and expression. Section 377 of Indian Penal Code, 1860 does not qualify as a reasonable restriction on an individual's freedom of speech and expression, according to the Supreme Court in the Navtej Johar case.”

- **“Right to Privacy**

Article 21¹⁵ of The Indian Constitution states that “No person shall be deprived of his life or personal liberty except according to a procedure established by law.” This article establishes the right to life and personal liberty as a fundamental right for all Indian citizens. The Supreme Court ruled that Section 377 violated these constitutional rights because the LGBT community could not exercise their right to privacy.

¹² “Article 14, Constitution of India, 1949”

¹³ “Article 15, Constitution of India, 1949”

¹⁴ “Article 19, Constitution of India, 1949”

¹⁵ “Article 21, Constitution of India, 1949”

Following the Supreme Court's historic decision, India joins the list of nearly 150 countries where homosexual activity is legal. The first step toward recognizing the rights of the LGBT community in India was the decriminalisation of Section 377 by providing equal fundamental rights to the LGBT community as other citizens.”

“JUSTICE KS PUTTA SWAMY VS UNION OF INDIA¹⁶

While discussing privacy, the court took into account those who identify as LGBT. “A minuscule fraction of the country's population constituting lesbians, gays, bisexuals, or transgenders is not a sustainable basis to deny the right to privacy,” the court said in this case.

“Gender identity, therefore, lies at the core of one's personal identity, gender expression, and presentation, and, as such, it will have to be protected under Article 19(1)(a) of the Constitution of India,” Justice Radha Krishnan said. A transgender's personality can be expressed through their actions and appearance.

A transgender's expression of such personality, which reflects that inherent personality, cannot be prohibited, restricted, or interfered with by the state. Frequently, the state and its authorities are unable to comprehend the innate character and identity of such individuals, either due to ignorance or otherwise. As a result, we believe that privacy, self-identity, autonomy, and personal integrity are fundamental rights guaranteed to transgender people under Article 19(1)(a) of the Constitution.”

“S THARIKA BANU (TRANS-WOMAN) V. THE SECRETARY TO GOVERNMENT, HEALTH, AND FAMILY WELFARE DEPARTMENT, CHENNAI AND OTHERS¹⁷

The Petitioner S. Pachaikili was born as a male under the Schedule Caste Community. He completed his higher secondary education as a male, but due to chromosomal aberration, S.Pachaikili began to identify as a female rather than a male. Due to social stigma, no one accepts him, so the petitioner has left the house. On September 30, 2015, the petitioner underwent sexual reassignment surgery and has been living as a female ever since. The respondent published a prospectus for the BSMS/BAMS/BNYS/BUMS/BHMS programme,

¹⁶ “Writ Petition (Civil) No. 494 of 2012, (2017) 10 SCC 1”

¹⁷ “Writ Petition No.26628 of 2017”

and the petitioner applied for the BSMS programme. The petitioner is entitled to a seat in the above-mentioned course under the transgender category because she passed the +2 examination. Despite the fact that the Supreme Court and the first bench of this Court ordered the respondents to provide a separate column for transgender people in addition to male and female, the respondents have not done so in the prospectus.”

“The court ordered that the petitioner/transgender be admitted into the BSMS course within one week of receiving the notice. In the case of the third gender, the State Government is required to issue guidelines on "Community Determination" and "Reservation in Employment." “The Court hopes that this order will be the first step toward allowing “Transgenders” to enter educational institutions for social empowerment, employment status, dignity, rights, and other benefits that have been denied to them until now, in violation of the fundamental rights guaranteed under Articles 14 and 21 of the Indian Constitution,” they incorporated.”

“HOMOPHOBIA, TRANSPHOBIA, AND OTHER LAWS IN INDIA”

“The International Day Against Homophobia and Transphobia is observed on May 17th and the theme for this year was “Together: Resisting, Supporting, Healing” meaning we are dedicated to working together to raise awareness of COVID-19's disproportionate impact on sexual and gender minorities, as well as to encourage inclusive responses and recovery measures. Under Indian law many provisions are given which states below:”

“SECTION 153 A OF THE IPC

Whoever promotes hatred, enmity, or disharmony against a community through words (spoken or written), signs, or any other means, or commits an act that can disturb the harmony between communities can be punished with imprisonment up to three years, a fine, or both.

SECTION 505 OF THE IPC

Anyone who makes, publishes, or circulates a statement containing a rumour or alarming news with the intent of causing, or likely to cause, feelings of hatred and enmity against any community can be sentenced to up to three years in prison, a fine, or both. Whoever makes, publishes, or circulates a statement or rumour with the intent to encourage a community to commit an offence against another community or to instil fear in the public, causing a person

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to be influenced to commit an offence against public harmony, can be sentenced to up to 6 years in prison, a fine, or both.”

“REGULATIONS AGAINST RAGGING

Ragging is prohibited both inside and outside of universities, and includes physical and mental abuse, bullying, and exclusion. The anti-ragging committee is expected to take appropriate action against the bully, depending on the severity of the act. Under Indian laws many provisions are given which states below to regulate laws against ragging:

SECTION 18(d) OF THE TRANS ACT:

Anyone who harms or endangers the life, safety, health, or well-being (mental or physical) of a transgender person, or abuses a transgender person physically, sexually, verbally, emotionally, or economically, faces 6 months to 2 years in prison and a fine.

Anyone who forcibly removes a transgender person from their home, village, or other place of residence, or prevents a transgender person from accessing a public place that the public has access to or the right to use, faces 6 months to 2 years in prison and a fine.”

“SECTION 294 OF THE IPC

Anyone who engages in any obscene act in a public place, or sings, recites, or utters any obscene song or words in or near a public place, to the annoyance of others, may be punished by imprisonment for up to three months, a fine, or both.”

“SECTION 509 OF THE IPC

Whoever insults a woman's modesty through words, sounds, or gestures, or by showing any objects, with the intent that the word or sound be heard, or the gesture or object be seen, by the women, or intrudes upon the women's privacy, can be punished with up to a year in prison, or a fine, or both.”

“CONCLUSION”

“On the basis of the foregoing debate, it can be concluded that LGBTQ individuals have a range of different orientations, which causes prejudice in the family and society. But, on the

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surface, they are human beings, and as such, they are entitled to all humanitarian and fundamental rights in the whole world. Lesbians, gay men, bisexuals, and transgender persons have long been active in racial and economic justice movements. Today, LGBT activists and organisations are increasingly drawing parallels between LGBT rights campaigns and movements for economic, social, political, and racial justice. As a result, it is necessary to preserve their human rights in today's society. A shift in the social attitude of people about LGBT minorities is required.

Although the historic 2018 court verdict and the 2014 NALSA verdict were enormous steps forward in the growth of LGBT+ rights movements in India, it is said that there is still a long way to go. However, LGBT individuals in India are not treated equally and do not have the same rights as heterosexual persons. Furthermore, they continue to face violence and prejudice in many aspects of life. People need to recognize them by legitimizing same-sex relations likewise they decriminalized the lives of the citizens who are associated with such sexual act and hence the society must strive to socially accept them with open arms.”

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