

Recognition- An Echoe: Evaluating the Path of Democratic India in Upholding Equality by Rethinking the Trans Rights

Abarajitha R. B.

PG Student, School of Excellence, The Tamil Nadu Dr. Ambedkar Law University

Abstract

The paper is dedicated to the development and establishment of transgender rights in India and how they were situated before and after a formal action of legislation. The core values of the Indian legal system are justice, equity, and good conscience. Equality before the law is one of the fundamental rights that are provided to all individuals. In the modern reality, transgender individuals make significant changes in the social and sustainable progress of the country, but they still remain one of the most disadvantaged groups of the population.

Accessibility of transgender rights has become a prominent field of human rights discussion worldwide, with multiple international and local legal regulations backing it. Nevertheless, the national level places many barriers to rights and justice in terms of complicated legal and administrative processes surrounding identity recognition, leading to severe human rights abuses. Transgender individuals in the global context are more physically and psychologically vulnerable and are still exposed to discrimination in education, medical services, and employment, which results in social exclusion. The fact that transgender communities are often vulnerable to violence and that the situation remains unchanged indicates the presence of gaps between the legal and the real protection.

It is against this background that this paper will critically examine the Transgender Persons (Protection of Rights) Act, 2019, and how it can be used to enhance gender equality. It states that providing reasonable and equal opportunities to transgender individuals is crucial not only to supporting the principles of constitutionality but also to attaining sustainable development using the actual equality of genders.

Keywords: Transgender Rights, Gender Justice, Equality Before Law, Indian Constitution, Human Rights

1. INTRODUCTION

The fact that Gandhian thought of all human beings as born equal and free echoes an ideology that is still applicable to the constitutional philosophy of India¹. This principle of equality was established in the Constitution of India of 1950, in which equality was not only acknowledged as a moral ideal, but as a legal right (in Article 14)². A democratic society is built upon the promise of equality before the law and equal protection of the law, whereby people, irrespective of their background, identity, and social status, are entitled to dignity, respect, and equal opportunity³. Equality, hence, goes beyond political language

¹ M.K. Gandhi, *Collected Works of Mahatma Gandhi* (1958).

² INDIA CONST. art. 14.

³ H.M. Seervai, *Constitutional Law of India* 255 (4th ed. 1991).

and works as the fundamental notion that informs democracies⁴ [1].

The Constitution, as the ultimate law of the land, explains the values and aims that lead the Indian State. Its secular, liberal, fairness in nature and character are an indication of a constitutional desire to accommodate diversity and not to suppress it⁵. Equality has been a process that has been realised in the Indian Constitution. During the initial stages of its history, the constitutional reform agenda was mainly aimed at eliminating discrimination against women, Dalits, and other historically marginalised vulnerable groups. With time, legal and social thinking broadened in order to acknowledge that equality is not just the right to protection against the discriminational sources, but it also implies personal identity, individual freedom, and human dignity instead of having to put people into biologically or socially-definite positions.⁶

As part of this changing concept, gender justice and transgender rights have become important themes in the discussion of human rights in the present day. Transgender people in India traditionally have had a unique socio-cultural position manifested in the mythology, customary practices, and traditional rituals. Although this was a historical cultural presence, the communities were mostly denied any formal legal status and protection by the institutions⁷. Social castes like Hijras, Kinnars, Jogappas, and Aravanis were still present in the Indian society, but were not a part of the Indian legal system, which left their cultural presence in the mainstream and their legal status in the periphery⁸.

The improvement of the knowledge about gender identity in psychological, biological, and social aspects was a sign of the necessity of the creation of legislative protection. Gender is no longer viewed as a strict dichotomy that exists between male and female, but is now being viewed as a continuum with personal experience and social influences shaping it. The inability to recognize and secure identities outside of the binary has led to the high rates of exclusion, structural discrimination, and denial of fundamental rights. The struggle to achieve equality for transgender individuals in India has been characterized in various ways, such as social advocacy, community-level action, and legal action in courts. One notable change happened with the historic decision on *National Legal Services Authority v. Union of India* (2014), in which the Supreme Court declared that transgender people should be given full protection of the constitution and be legally recognized as a separate gender⁹. This ruling emphasized judicially that equality can no longer be substantive when it does not consider the differing identities, and placed a positive burden on the State to stop unfairness in the fields of education, jobs, healthcare, and other places. The legal reaction, namely the *Transgender Persons (Protection of Rights) Act, 2019*, aimed at institutionalizing such a standardized protection¹⁰; however, its execution still requires fine-tuning, inclusion, and greater security. The fight is thus not just a legislative or a judicial one; it is a social and moral task, which needs collective consciousness.[2]

Accordingly, the area of gender justice in India is growing, and it is taking a more comprehensive approach to the concept of equality beyond the historical constraints. The country is still in its developmental stage, but it is at a crossroads where the constitutional principles ought to be translated into the practical lives of transgender people. They should be safeguarded with their rights, dignity, and identity as equal citizens,

⁴ Granville Austin, *The Indian Constitution: Cornerstone of A Nation* 1996).

⁵ B.R. Ambedkar, *Constituent Assembly Debates*, Vol. VII (1948).

⁶ *Justice K.S. Puttaswamy v. Union of India*, (2017) 10 SCC 1.

⁷ Serena Nanda, *Neither Man nor Woman: The Hijras of India* (1990).

⁸ World Health Organization, *Gender and Health* (2011).

⁹ *National Legal Services Authority v. Union of India*, (2014) 5 SCC 438.

¹⁰ *Transgender Persons (Protection of Rights) Act, 2019* (India).

which is not a legal obligation but the spirit of the promise of democracy in India.

2. Transgender Equality - A Disputable Right

When considering the constitutional guarantee of equality in India, the issue of the equality of the genders tends to be brought up for consideration. Gender equality denotes a state where members belonging to all genders have equal rights, opportunities, and are not discriminated against¹¹. It includes equal involvement in economic life, equal representation in the decision-making process, the right to access basic needs, and the right to follow personal preferences and manifestations. Essentially, gender equality is achieved when society offers equal rights, accountability, opportunities, and protection to the human family as a whole regardless of gender.

The core of gender equality has become one of the greatest human rights issues in the modern global discourse. Interaction at the international, regional, and national level even after a long period of time, has not led to an all-inclusive understanding of the concept of equality. This in great part is deeply rooted in social norms that served in the past to delineate and limit gender roles. In India, the initial conceptualizations of gender equality were limited to a strict male-female divide¹². Therefore, the first legal and social changes were aimed at ending the structural oppression of women who were exposed to sati, child marriage, and deprivation of property rights, among others. These habits grossly infringed the basic rights of women to life, dignity, and autonomy and gave way to the reformist movements, which aimed to intervene legislatively and socially to curb gender injustice¹³. Reformers were found to recognize such inequalities as the violation of fundamental human rights and were lobbying the legislature to ensure that women were not met out with injustice in society.

The other stages of the gender equality movement increased to cover matters pertaining to the education of women, their employment, legal protection, and equal opportunity. Nonetheless, this development was not fully achieved because it still defined gender in terms of biological categories. As psychology, medicine, and social sciences advanced, it became clear that gender identity is not limited to the binary model of male or female which redefined today, gender is perceived as a continuum that is influenced by various identities, experiences, and social contexts¹⁴.

In this contextualized sense, transgender equality has become a very controversial and misconstrued aspect of equality in India. Despite the fact that the Constitution provides equal opportunities to everyone, the realities that transgender people have to face daily expose a systematic stratum of exclusion and discrimination. The concept of transgender identities is a challenging theme to conventional societal norms, which brings resistance in legal, social, cultural, and economic aspects. Although transgender communities, including Hijras and Kinnars, had been part of the Indian society in the historical context, these communities were almost not addressed in the general discussions of equality, and did not have significant legal status¹⁵.

Therefore, the issue of transgender equality is not that of the constitution or statutory law but rather an issue of a deep societal nature. It involves evaluation with utmost revaluation of deep-seated conceptions of gender not based on binary categories, but guarantees the substantive ethos of constitutional equality

¹¹ UN Women, *Gender Equality Glossary* (2020).

¹² Flavia Agnes, *Law, Justice and Gender* (2018).

¹³ Lata Mani, *Contentious Traditions: The Debate on Sati in Colonial India* (1998).

¹⁴ World Health Organization, *Gender and Health* (2011).

¹⁵ Serena Nanda, *Neither Man nor Woman: The Hijras of India* (1990).

when enacted in practice.

3. Trans Person

To etimologically understand about gender identity and equality, one should clearly conceptualise knowledge of the term trans person. There are psychological, biological, cultural, and legal configurations of gender identity, which is a complex concept. Section 2(k) of the Transgender Persons (Protection of Rights) Act, 2019, in India, gives a statutory definition of transgender persons. According to the Act, a transgender person is any person born in a sex that is not his or her actual gender¹⁶[4]. Notably, this definition does not make recognition dependent on medical interventions like hormone therapy or surgery, which in turn recognizes that gender is an internal and highly personal part of personhood as opposed to a result of physical traits¹⁷.

The Act of 2019 is now considered to encompass transgender men, transgender women, people with intersex variations, gender-queer, and people in traditional socio-cultural groups of gender diversity. Such communities as Hijras, Kinnars, Aravanis, and Jogappas have lived in India for centuries and played different cultural and ritual performances. Although these communities are not new to history, they have often experienced social rejection, stigma, and marginalization¹⁸.

A trans individual can, or can opt not to take medical procedures to change their gender through surgery or hormonal therapy. Physical transformation is not a pre requisite to receive legal and constitutional recognition, but rather self-identified gender. The Supreme Court of India has supported this principle with the international human rights standards and confirmed it in *National Legal Services Authority v UOI* that self-determination of gender identity is a key aspect of dignity, autonomy, and personal freedom was recognized¹⁹ [2].

In addition to legal definitions, the everyday life of transgender people is subjected to systemic problems. Most of them experience family rejection, peer harassment at school, work-related discrimination, and limited healthcare and housing. Not only is their legal status under stress, but also their desire to have a dignified life without fear, exclusion, and violence²⁰. As the attitude towards gender diversity in society is still shaped, it is necessary to see transgender people not as those who break the social conventions but as people who should be given full recognition, respect, and human rights.

In this connection, the term trans person is broad, which is characterized by a shared need to be regarded by the law and to be able to live freely with dignity, and the need to be socially included, along with the right to protection.

4. Human Rights & Transgender

The issue of marginalisation of transgender individuals is deeply connected with such aspects as poverty, violence, social exclusion, and institutional support²¹.

Most of the transgender people who declare their gender identity at a tender age have faced rejection in their families. In a few cases, they are displaced, which causes broken education and poor physical and

¹⁶ Transgender Persons (Protection of Rights) Act, 2019, § 2(k) (India).

¹⁷ World Health Organization, *Gender and Health* (2011).

¹⁸ Serena Nanda, *Neither Man nor Woman: The Hijras of India* (1990).

¹⁹ *National Legal Services Authority v. Union of India*, (2014) 5 SCC 438.

²⁰ *National Legal Services Authority v. Union of India*, (2014) 5 SCC 438.

²¹ UNDP India, *Hijras/Transgender Women in India: HIV, Human Rights and Social Exclusion* (2010).

psychological health²².

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The right to self-perceived gender identity which is a statutory guarantee under act of 2019 when exercised, is usually met with aggression by society and other institutions. This lack of awareness and sensitivity in social service systems results in environments that do not meet the needs of transgender individuals specifically, and it is very dangerous to both their lives and their health. Repeated marginalization denies them education and job prospects, which results in vulnerability in the long run, homelessness, and poverty. The rates of high school dropping out and access to higher education are also barriers to socio-economic mobility of the transgender community²³.

Workplace crises, exposes gender identity when revealed leads to rejection of employment opportunities, harassment at the workplace, inequity in recruitment and training, and loss of employment benefits. Mostly, the disclosure of identity is a form of fear which exposes trans people to discrimination and exploitation who are mostly left homeless or on low-income whereby tending to find a safe stay at vulnerabilities of mistreatment and humiliation.

Though the legal system intends to protect the rights of transgender persons, both at the national and international level, their basic human rights are mostly subjected to violence, and the trans are often denied such protection under practical state obligations²⁴.

Further, in case of any criminal context, the legal system commonly subjects them to extortion, abuse, and violence, punishing them for unnatural sex, burglary, homosexual propaganda, etc. Even the missionaries who are responsible for the implementation of the legal protection are sometimes known to violate the same by threat and blackmail, especially for the transgender community²⁵.

Understanding outlines fullest gender equality on protection of the following rights:

4.1 The Right To Gender Recognition

The very basic right or a legal guarantee, is the right of being recognized as a human being, and in the case of transperson they are to be given the right of self-perceived gender identity²⁶.

The global commission on HIV and law rightly pointed out, **“In many countries, from Mexico to Malaysia, by law or by practice, transgender persons are denied. Acknowledgement as legal persons or a basic part of their identity - gender is unrecognized.”**²⁷ [8]

When this right to identity or recognition is denied, the very basic right of social inclusion is vis-a-vis denied.

This right to recognition of a trans person requires respecting the right of a person's identity, irrespective of the sex assigned to that person at the time of birth. This core essentiality helps them attend to their personhood and citizenship as a whole.²⁸

²² Human Rights Watch, *India: Barriers to Education for Transgender Youth* (2016).

²³ National Human Rights Commission (NHRC), *Study on Transgender Persons in India* (2018).

²⁴ National Human Rights Commission (NHRC), *Study on Transgender Persons in India* (2018).

²⁵ UNHRC, *Report on Police and State Violence Against Transgender Persons* (2011).

²⁶ *National Legal Services Authority v. Union of India*, (2014) 5 SCC 438.

²⁷ Global Commission on HIV and the Law, *Risks, Rights & Health* (2012).

²⁸ Yogyakarta Principles, Principle 3 (2007).

The UN Treaty bodies have acknowledged this vital right of recognition.²⁹

The UN High Commissioner has recommended “**legal recognition of the preferred gender of trans persons and establish arrangements to permit relevant identity documents to be re-issued, reflecting preferred gender and name without infringement of other human rights.**”³⁰ [3]

4.2 The Right To Be Free From Violence & Discrimination

To minimize violence against the trans people, a set of integrated actions should be taken, such as avenues to effective legal assistance and other overall policy changes ensuring the dynamic needs of the community. Effective protection is possible when there is a high level of political commitment and regular enforcement of standards as stipulated in the frameworks of international human rights on the national level. The legislation and policies dealing with transgender individuals must be reviewed regularly to make sure that they keep up with the changing social conditions³¹. The protection of the rights of the transgender community is mainly in the provision of equal access to housing, education, communal areas, employment, and justice. The legal and administrative frameworks should ensure the safety, security, and equality of transgender individuals in all areas of their lives of the population. The acknowledgement of transgender people as human beings and the protecting them against violence and discrimination is not a policy option, but one of the primary responsibilities of the State, inclusive of the right to health. The above mentioned rights can be assured only when the services provided to the community are non-stigmatising, non-discrimination and creation of proper awareness³². This can be further achieved by educating the members of the health sector about gender identity and the right to expression of the same. The WHO recommendation in relation to stigma and discrimination of countries to introduce rights-based laws and policies, and advice, monetary and oversight to ensure the standards of safety are implemented and maintained³³ [7]. Additionally, it also adds mechanisms to be established for trans persons protection from discrimination inclusive of open access to health services. The establishment of a stigma free environment at its very self protects their health and safety as it statistically reported HIV remains to be the major public health issue having 40,400,000 lives subjected to the same.³⁴ thus, it stressed on systematic HIV education given to the trans community³⁵.

5. Transgender Equality and India

In order to protect and promote the rights of transgender persons, the Republic of India has enacted the Transgender Persons Protection of Rights Act 2019, with the intent to facilitate better protection of the rights and welfare of transgender persons³⁶ [4]. This act was passed following the judicial decisions made by the Hon’ble Supreme Court of India in the NALSA case:

- **NALSA case (NALSA vs UOI)2014**

Issues raised:

1. To identify trans people as a third gender for the protection of their rights
2. The question of identity of a person who has changed his or her sex by surgery, or whether a person

²⁹ UN Treaty Bodies Compilation on Gender Identity, OHCHR (2011).

³⁰ UN High Commissioner for Human Rights, *Born Free and Equal* (2012).

³¹ Amnesty International, *Transgender People and State Violence in South Asia* (2017).

³² UNDP & USAID, *Being LGBT in Asia: India Country Report* (2014).

³³ World Health Organization, *Addressing Stigma and Discrimination in Health Settings* (2016).

³⁴ UNAIDS, *Global HIV & AIDS Statistics — Fact Sheet* (2023).

³⁵ UNDP India, *Hijras/Transgender Women in India: HIV, Human Rights and Social Exclusion* (2010).

³⁶ Transgender Persons (Protection of Rights) Act, 2019 (India).

born male with female orientation has the right to be identified as a female

3. A person, not having the identity as a male or a female, has the right to be recognized as transgender.
4. The Supreme Court keenly observed by making a distinction between the biological sex and psychological sex, as it held transgender individuals fall within the purview of the Indian Constitution, and are fully entitled to the rights guaranteed therein³⁷.

Recommendations by the Supreme Court

It is recommended that the state and the central government are to grant full recognition to transgender individuals in the eyes of the law for entitlement to rights without any discrimination. Further decided to treat Hijras and eunuchs as a third gender. It further passed directions to operate the HIV-0 surveillance Centre, provide separate public toilets, and appropriate medical care³⁸.

In pursuance to the same, the Trans Person Act of 2019 which was enacted to provide for the right to identity, such as the right to recognition and to hold a self-perceived gender identity whereby, further statutorily affirming all the rights guaranteed under part three of the Constitution, known as the fundamental rights, without any dispute³⁹.

Thus, this act intends to protect the transgender community as a whole. Despite the present statutory step the enforcement and accreditation of it remains a paradox as reflected in the NCRB Records is reported at **6,241,569 cases** targeting the trans community [2]. This has made the author reckon to work on the practical lacuna of the present act by proposing an amendment to the act as follows:

5.1 The Transgender Persons (Protection Of Rights Amendment) Act, 2025

Bill No. 20 of 2026

A Bill to Amend the Transgender Persons Protection of Rights Act 2019

Provisions To Be Amended

- Section 6: Issue of certificate of identity
- Section 9 Non-discrimination in employment
- Section 11 Grievance redressal mechanism
- Section 12 Right to residence
- Section 13 Obligations of educational institutions to provide inclusive education to transgender persons
- Section 18 Offences and penalties
- Section 21 Protection of action taken in good faith

5.2 Reasons For The Amendment Act, 2026

5.2.1 Navtej Johar vs Union of India, 2018

The Honorable Constitution bench of the Honorable Supreme Court of India ruled that the LGBTQ community is to be treated as equal citizens and underlined that there cannot be discrimination in law based on sexual orientation and gender [5].

5.2.2 Swati Bidhan Baruah vs Union of India, 2021

The Supreme Court declared that the government is to provide reservations for transgender persons in public employment and education [6].

³⁷ *National Legal Services Authority v. Union of India*, (2014) 5 SCC 438.

³⁸ *Id.*

³⁹ INDIA CONST. preamble. & art. 14–21.

5.3 The Proposed Amendment

- **Section 6**

Section 6 (4) The failure to application of this certificate shall be subjected to a penalty not less than Rs. 5000 and not exceeding Rs. 50,000, as the case may be, for which demands such a certificate of identification.

- **Section 9**

No, establishment, either public or private, shall discriminate against any transgender person in any matter relating to employment, including equal payment of remuneration, but not limited to recruitment, promotion, and other related issues.

- **Section 11**

11 (1) Every establishment shall designate a person to be a complaint officer to deal with the complaints relating to the violation of provisions of this act

11(2) The complaint officer shall include a panel of an investigating officer, not below the rank of a sub-Inspector of police, and the social welfare activist of the proposed locality where the cause of action of the complaint arose.

- **Section 12**

12 (4) No person protected under this act, including tenants, is subjected to a forceful eviction from their place of residence. Violation of the same shall be subjected to punishment u/s 18.

12(5) The appropriate government is to establish hostels specially for transgender persons in the district and states, respectively.

- **Section 13**

13(2)-In case of educational institutions with hostels, transgender persons are to be admitted in the same without discrimination on an equal basis.

- **Section 18**

18 (d) Shall be punishable with an imprisonment for a term not less than six months, but which may extend to 3 years and with a fine not less than Rs. 15,000, but not exceeding Rs.1,00,00 as the case may be.

18 (e) In case of any offences classified under the IPC or any special legislation being committed against trans persons. The punishment applies as under that legislation.

- **Section 21**

No suit, prosecution, or any other legal proceeding shall lie against the appropriate government or any local authority or any officer of the government in respect of anything which is done in good faith or in exercise of their statutory duty, with reasonable justification and cause to show that the public servant has acted in good faith.

5.4 Supporting Arguments

Section 6

- As the act guarantees a right to self-perceived gender identity, the same is mandated by making it a statutory obligation for the beneficiaries.

Section 9

- To remove ambiguity and provide express mention, preventing the defence of silence.

Section 11

- To provide express qualifications of the complaint officer to provide redressal without bias.

Section 12

- Inclusion of tenants provides the right to every transgender person protected under the act.

Section 13

- To cover hostellers, who are moving from their place of residence to seek education, as safe stay at the place of study is also a duty of the institution.

Section 18

- As law is necessarily backed by sanction adequate punishment is also required for the enforcement of law. Specification of the same is very much essential to prove the consequence of contravention or violation of the law in force, and commission of an offence is to be penalized.

Section 21

- Good faith is not to be used as a ground for defence by the state or any public authority for violations under the act by misuse of power and its negligence.

Conclusion

The assurance of equality as in the Indian Constitution is not just a token of the fancy but an ethical and constitutional obligation that enforces the dignity, self-determination, and value of each person⁴⁰. Article 14, the promise of equality before the law, gives an idea of a society where not a single individual is marginalized because of his or her identity, appearance, or social bias. This promise in the constitution, however, is not frequently close to experience among transgender persons. They live in the world in continuous conflict with social stigma, institutional discrimination, and cultural invisibility, which are directly opposed to the values of justice and equality embodied in the Constitution.

The complexity of interaction among psychological, biological, and hormonal factors that override choice is a determinant of gender identity. Therefore, transgender identity cannot be doubted or negated according to specific or rigid gender norms. Scientific knowledge and compassion should then inform law and policy and see to it that transgender individuals are not forced into binary categories that do not reflect who they are⁴¹. The legal system as a protector of rights has to be sensitive, adaptable, and inclusive in identifying and defending transgender identities.

The State has a constitutional duty to formulate effective mechanisms that will facilitate the provision of redress in a timely manner to transgender individuals. This involves effective implementation of anti-discrimination laws, easy redressing of grievances, and institutional responsibility. Further marginalization of transgender communities, which is reflected through large unemployment rates, homelessness, lack of access to proper healthcare, and violence exposure, serves as a sign of the necessity of social reform and legislative involvement. Safeguarding transgender rights is not necessarily just the duty of the government but the task of the entire society, which needs more awareness and change in social perceptions⁴².

The paper has indicated the overlapping of transgender rights with international human rights standards, the increased susceptibility of transgender communities to poor health, especially with HIV, and the significance of transgender inclusion in social and economic development programs. The absence of violence and discrimination is not only a question of the survival of transgender people but the necessity to create a more just, compassionate, and progressive society⁴³. The society that practices democracy cannot morally act right by sidelining or pushing a part of the population.

⁴⁰INDIA CONST. art. 14.

⁴¹ American Psychological Association, *Guidelines for Psychological Practice with Transgender People* (2015).

⁴² National Human Rights Commission (NHRC), *Study on Human Rights of Transgender Persons in India* (2018).

⁴³ National Human Rights Commission (NHRC), *Study on Human Rights of Transgender Persons in India* (2018).

Another essential point in the given paper is the need to empower the Transgender Persons (Protection of Rights) Act, 2019, and improve it. Although the Act is a significant move in the right direction, there are still some aspects of the Act that could be improved, including its clarity, enforcement, and empowerment of the transgender population. Improving the aspects of penalties, fostering the grievance redressal systems, not discriminatory access to education and employment, and self-identification without unreasonable procedural impediments are the key reforms that are going to make the Act achieve its purpose.

To conclude, the transgender rights recognition and protection is a greater constitutional vision test of India. By accepting the transgender community in the country with dignity and respect, the country is reaffirming its vision of justice, inclusiveness, and human dignity. Gender justice will only be realized when all transgender individuals are capable of living with pride, safety, and autonomy; that is, with full recognition as an equal citizen of the largest democracy in the world ⁴⁴[1].

Reference

1. Constitution of India, Article 14, Government of India, 1950.
2. National Legal Services Authority v. Union of India, (2014) 5 SCC 438.
3. United Nations High Commissioner for Human Rights, Discrimination and Violence Based on Sexual Orientation and Gender Identity, 2015. <https://www.ohchr.org>
4. Transgender Persons (Protection of Rights) Act, Government of India, 2019.
5. Navtej Singh Johar v. Union of India, (2018) 10 SCC 1.
6. Swati Bidhan Baruah v. Union of India, Supreme Court of India, 2021.
7. World Health Organization, Stigma and Discrimination in Health-Care Settings, WHO, 2017. <https://www.who.int>
8. Global Commission on HIV and the Law, Risks, Rights and Health, UNDP, 2012. <https://www.undp.org>

⁴⁴ Transgender Persons (Protection of Rights) Act, 2019 (India).