

**Transgender and Their Social - Legal Status : An Empirical  
study in State of U.P.**

**REGISTRATION NO. - 146/2017 5806**



**REVISED SYNOPSIS**

SUBMITTED TO

**DR. B. R. AMBEDKAR UNIVERSITY**

**AGRA**

FOR THE DEGREE OF

**DOCTOR OF PHILOSOPHY**

IN

**Subject of Law**  
Faculty of law

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**2014-15**

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## **INTRODUCTION**

*"I know I am Transgender Because my brain knows its Female, and my body disagrees"*-**Alan Cohen**

Gender is a pervasive facet in all aspects of one's life. Socially and biologically gender is pre-determined into two categories, Male or Female. Gender is a distinct category that describes particular human characteristics. The most important thing about gender is that its meaning is created by society and people are expected to behave and express themselves in certain ways that are consistent with the socially pre-determined gender role associated with their sex.

Transgender means- a category of people who are considered as being neither men nor women, such as transgender and intersex people.<sup>1</sup> Transgender is also known the name of Hijra, Kinar and Third Gender etc.

Nothing seems more natural, unchangeable or desirable to us than those human beings are divided without reminder into two biological sexes, male and female, and into two genders, masculine and feminine. This division of humans into two sexes takes place at birth, when sex assignment is male or female, such sex assignment is assumed to be permanent, The concept of sex and gender as a system of two opposite and non changeable categories male and female; masculine and feminine is so both common sense and most social science. It is difficult for most of us even think about any alternative to this view of sex and gender.

The Transgender are viewed as "neither male nor female" containing elements of both. The Transgender are commonly believed by the larger society to be intersexes, impotent men, who undergo emasculation in which all or part of the genitals are removed. They adopt female behavior. Transgenders traditionally earn their living by collecting alms and receiving payment for performances at weddings, births and festivals.

Transgenders are most clearly 'not men' in relation to their claimed inability and lack of desire to engage in the sexual act as man with woman, a consequence of their claimed biological intersexuality and their subsequent castration. Thus Transgenders are unable to reproduce children, especially sons, an essential element in our society's concept of the normal, masculine role for males.

But if Transgenders are 'not men', neither is they women, in spite of several aspects of feminine behavior associated with the role. These behaviors include dressing as women, wearing their hair long, plucking their facial hair, adopting feminine mannerisms, and taking on women's name and using female kinship terms and a special feminized vocabulary, But Transgenders are not considered as women, because they cannot give birth, and their behavior such as their sexual

aggressiveness is considered outrageous and very much in opposition to the expected demure behavior of ordinary women in their roles of wives, mothers and daughters. Transgender performances are essentially burlesques of women, and the entertainment value comes from difference between themselves, acting as women, and the real women they imitate.

The Transgenders are outsider community in our society though they born in our society. They are outsider because in our society in every sector people are identified as male or female. But they are not fall into any of those categories.

They are marginalized in the society. They cannot mix up frequently with others in the society. They live in their own communities. They have no normal sexual organ but they have sexual desires. They fulfill their desire in different ways.

Most modern discussions of the relationship of biological sex to gender presuppose that there are two genders male and female, founded on the two biological sexes. But not all cultures share this essentialist assumption. Bringing together historical and anthropological studies, *Third Sex, Transgender* challenges the usual emphasis on sexual dimorphism and reproduction, providing a unique perspective on the various forms of socialization of people who are neither "male" nor "female". The existence of a third sex or gender enables us to understand how eunuchs and Transgenders met the criteria of special social roles that necessitated practices such as self-castration and how intimate and forbidden desires were expressed. By conceptualizing these practices and by allowing these bodies, meanings and desires to emerge, *third Sex, Transgender* provides a new way to think about sex and gender systems that is crucial to contemporary debates within the social sciences.

Transgender categories and roles are described and educated a central descriptive of exploration and documentation. This required a basic understanding of the cultural and historical contexts in which the gender schemata under question have evolved, become institutionalized, changed and matured, for instance is a Transgender what criteria exist for the recruitment and legitimating of Transgenders as individuals and as a categories? How long have the Transgenders been defined as such in the Indian tradition.

The ancient Kama Sutra mentions the performance of fellatio by feminine people of a third sex. This passage has been variously interpreted as referring to men who desired other men, so-called eunuchs ("those disguised as males, and those that are disguised as females"), male and female trans people ("the male takes on the appearance of a female and the female takes on the appearance of the male"), or two kinds of biological males, one dresses as a woman, the other as a man.

During the era of the British Raj authorities attempted to eradicate transgenders, whom they saw as "a breach of public decency." Anti-transgender laws were repealed; but a law outlawing castration, a central part of the transgender community, was left intact, though rarely enforced. Also during British rule in India they were placed under the Criminal Tribes Act 1871 and labeled a "criminal tribe," hence subjected to compulsory registration strict monitoring and stigmatized for a long time; after independence however the were denotified in 1952, though the centuries-old stigma continues.

### **Hindu and the Transgender:-**

The Indian transgender transgenders of Aravanis ritually marry the Hindu god Aravan and then mourn his ritual death (seen) in an 18-day festival in

Koovagam, India. Many practice a form of syncretism that draws on multiple religions; seeing themselves to be neither men nor women, transgenders practice rituals for both men and women. Transgenders belong to a special caste. They are usually devotees of the mother goddess Bahuchara Mata, Lord Shiva, or both.

### **Transgenders and Lord Shiva**

One of the forms of Lord Shiva is a merging with Parvati where together they are Ardhanari, a god that is half Shiva and Half Parvati. Ardhanari has special significance as a patron of transgenders, who identify with the gender ambiguity.

### **Transgenders in the Ramayana**

In some versions of the Ramayana, when Rama Ayodhya for his 14- year exile, a crowd of his subjects follow him into the forest because of their devotion to him. Soon Rama notices this, and gathers them to tell them not to mourn, and that all the "men and women" of his kingdom should return to their places in Ayodhya, he finds that the transgenders, being neither men nor women, have not moved from the place where he gave his speech. Impressed with their devotion, Rama grants transgenders the boon to confer blessings on people during auspicious inaugural occasions like childbirth and weddings. This boon is the origin of badhai in which transgenders sing, danced, and give blessings.

### **Transgenders in the Mahabharata**

Mahabharata includes an episode in which Arjun, a hero of the epic, is sent into an exile. There he assumes an identity of a eunuch-transvestite and performs rituals during weddings and child births that are now performed by transgenders.

### **Islam and the Transgender:-**

In Muslim social orders and societies, individuals are normally anticipated to carry on in accordance with their biological sex (and/or ascribed sex personality) and they are given a gender of either a male or female.

As per a few religious authors/researchers, the Quran expressly perceives that there are a few individuals who are neither male nor female. They contend that the **verses 42:49- 42:50 (Surah Ash Shura)** in fact depict the assortments of sexual introduction.

### **SPECIAL SOCIAL SYSTEM OF TRANSGENDER COMMUNITY**

Transgenders are stigmatized people. So like all other stigmatized people they are marginalized. For this they can not share all the social events frequently. So they have to lead their life in different pattern. Usually they cannot mix with general people. So they lived in different community and they have special social system. They have different house where they lived together with other Transgenders. They also communicate with all other Transgenders all over the country. They have some special symbolic languages which is called as uli language and religious practices.

Generally Transgenders did not do any salary oriented job. Traditionally they don't involve in business. But at present some Transgenders are engage in business. Major occupation Traditionally the Transgenders earn their living by performing at life-cycle ceremonies, such as the birth of a child-formerly only for male children, who are much desired in India, But today sometimes for female children as well and at marriages and they also serve the goddess in her temple.

The attraction that the Transgender role holds for some individuals is the opportunity to engage in sexual relations with men, while enjoying the sociability and relative security of an organized community; these advantages are apparent in

contrast to the insecurity and harassment experienced by the effeminate homosexual living on his own. But, whether with husbands or customers, sexual relations run counter to the cultural definitions of the Transgender role, and are a source of conflict within the community. Transgender elders attempt to maintain control over those who would 'spoil' the Transgender reputation by engaging in sexual activity. While the core of the positive meaning attached to the Transgender role is linked to the negation of sexual desire, the reality is that many Transgenders do, in fact, engage in sexual activities.

These are three types of Transgenders:-

- A) Real Transgender
- B) Male Transgender
- C) Female Transgender

## **LITERATURE REVIEW**

Before to know literature review about topic we must be know the some sad story of them by themselves. A 45 years old Transgender said “we have been born like this; People don’t understand why we are like this! We force ourselves to live with no other go”. Another 23 years Transgender in Vyasarpadi felt “when I went to a Government hospital for my illness, the workers there including doctor looked at me as an animal.” 29 years old Transgender expressed her worries in the words “I have studied up to 12th standard, and I am willing to do any work that suits me. Even NGOs except very few like That” hesitate to recruit us! See, this society looks down upon us as Sex Workers and cheaters. But what mistake did I make in my life? Is having been born as Transgender my fault? Only in Sex Work and Begging, they don’t ask any qualifications”. Finally, 19 years old Transgender blamed, “there is no one in this society to care for us really. Many people come here to interview us like you. We cry in front of you, you would say something and go away. We know nothing big is going to happen”.

## **ATTITUDE TOWARDS TRANSGENDERS IN FAMILY & SOCIETY**

### **Attitude Towards Transgenders in the family**

A study by Ryan and her team from the Family Acceptance Project at San Francisco State University(2010)<sup>1</sup> shows that accepting behaviors of parents and caregivers towards their LGBT children are protective against mental health risks. LGBT young adults who reported high levels of family acceptance during adolescence had significantly higher levels of self-esteem, social support and general health, compared to peers with low levels of family acceptance. LGBT young adults who reported low levels of family acceptance during adolescence were over three times more likely to have suicidal thoughts and to report suicide

attempts, compared to those with high levels of family acceptance. High religious involvement in families was strongly associated with low acceptance of LGBT children.

### **Attitude towards transgenders in society**

Medley (2005)<sup>2</sup> investigated the attitudes toward gay, lesbian, bisexual, and transgender people from the point of view of heterosexual males who attended private institutions. Data was collected through the dissemination of the GLBT Attitude Assessment at four private colleges. Males who held conservative beliefs in their political and religious orientations were significantly different than those who held liberal and moderate beliefs. Respondents' attitudes were least positive toward transgender people.

Winter (2007)<sup>3</sup> and his team of researchers looked at transphobia in seven countries. The results of a factor analysis identified core attitudes and beliefs. Five factors were identified together explaining 52.1% of variance. They were, 1) the belief that transwomen suffer from a mental sickness; 2) the belief that transwomen are not women, should not be treated as such, and should not be afforded rights as women; 3) Rejection of contact with transwomen in a variety of social situations, including among family members and teachers; 4) rejection of contact with transwomen within one's peer group, and 5) the belief that transwomen engage in sexually deviant behaviour. Particularly strong, and fairly consistent across the seven countries involved, were the links between, on one hand, the belief that transwomen suffer from a mental sickness and, on the other hand, the refusal to regard or treat them as women or to afford them rights as women, as well as an unwillingness to accept the idea of any social contact with them at all, either within one's family group or outside.

Gerhardstein (2010)<sup>4</sup> investigated factors that contribute to negative attitudes toward, and discrimination against this consistently marginalized group of people. The sample included 251 heterosexual undergraduate students, including 131 men and 120 women. Participants rated one of two vignettes, which were paired with one of four different pictures. The vignettes described either a male-to-female or female-to-male transsexual, and the corresponding picture depicted an individual whose appearance was stereotypically consistent with either the vignette character's post-operative sex or his or her biological sex. Participants reported more positive general perceptions and more positive evaluations of the transsexual character's attractiveness as a friend or romantic partner when his/her appearance was congruent with the desired sex. Compared to women, men rated the transsexual character more negatively. There was also a significant interaction for gender of the participant and sex of the transsexual, such that females rated the attractiveness of the FTM transsexual significantly more positively than the MTF transsexual, whereas men's attractiveness ratings for the FTM and MTF transsexuals were not significantly different.

## **QUALITY OF LIFE IN TRANSGENDERS**

Newfield, Hart, Dibble and Kohler (2006)<sup>5</sup> evaluated healthrelated quality of life in female-to-male (FTM) transgender individuals, using the Short-Form 36-Question Health Survey version 2 (SF-36v2). Using email, Internet bulletin boards, and postcards, 446 FTM transgender and FTM transsexual participants were recruited. Analysis of quality of life health concepts demonstrated statistically significant diminished QOL among the FTM transgender participants as compared to the US male and female population, particularly in regard to mental health. FTM transgender participants who received testosterone (67%) reported statistically

significant higher quality of life scores than those who had not received hormone therapy. Hancock, Krissing and Owen (2010) explored relationships between self-perceived QOL and perceptions of femininity and likability associated with transgender voice. For male-to-female transgender clients, QOL is moderately correlated with how others perceive their voice. This study complements previous research reports that subjective measures from clients and listeners may be valuable for evaluating the effectiveness of treatment in terms of how treatment influences voicerelated QOL issues for transgender people.

### **Health and HIV risk in transgenders**

The GLBT Health Access Project (2000)<sup>6</sup> aimed to improve the health care received by transpeople by exploring what a TG/TS person experiences when she/he seeks health care. The study asked participants in four focus groups to report on their experiences in obtaining routine health care as well as specialty services, and to discuss their health insurance status. The adult MtF group saw substance abuse treatment and HIV/AIDS care as being the key issue. The MtF adult group said that endocrinology, mental health and primary care were their most important health care needs. In all the focus groups, a constant theme was a perception of vast provider ignorance of transpeople and concerns. From the level of health care systems down to individual providers and frontline staff, transgenders reported provider unawareness of, disrespect toward, and outright refusal of treatment for their health needs, both basic and trans-related.

### **SOCIAL ANXIETY IN TRANSGENDERS**

Empirical examination of social anxiety among LGBT individuals is woefully rare despite a documented greater risk as compared with heterosexuals. Karen, Schwartz & Trevor (2011)<sup>7</sup> examined specific factors that might contribute to higher rates of social anxiety in these adolescents, such as gender role

nonconformity, discrimination, victimization, and decreased social support. They also considered the potential (negative) effects of social anxiety on the behaviors of LGBT youth, including increased alcohol and substance use, risky sexual behaviors, and suicidality. Cameron & Kulick (2003)<sup>8</sup> who worked among the Transgenders in India In today`s post-colonial world the status of the mukhannathun in the societies of India and Pakistan has an ambiguous character that depends on situations, geographical regions or simply on personal likes and dislikes.

In general one can say that they are still respected in certain ways. However, they also may be ridiculed at in some circumstances. In general Transgenders claim that in northern India and in Pakistan they earn a lot more respect than in the Deep South. The highest respect they still find in old cities with a rich Muslim heritage, especially Luck now which once was the seat of the Nawab of Oudh. Indians, since colonial times confronted with European values and Western exceptions, feel probably somehow unsure about their relationship to the Transgenders. No one would ever dare to ridicule them face to face, but still people may make fun of them behind their backs. Maybe the attitude that Transgenders have to face in India`s and Pakistan`s main entertainment industry, the movie business, shows this ambiguity in attitude towards them in the best way. In the past years there have been some serious Bollywood Movies in which Transgenders played the main role in a dramatic plot ( like in "Tamanna" and "Darmiyaan", describing the life of the mukhannath Tikku), but they are also frequently hired to play "comical fun parts" in mainstream productions, giving the reason for a "good laugh" in the audience. Actually, this reminds me a lot of how transgender are treated in western film industry.

Today Transgenders are very active in local politics. Especially in India, but also in Pakistan. And, besides having been stigmatized during colonial times, many

have an impressive amount of voters. A new slogan arose: "There is one solution to useless politicians, give the mandate to eunuchs." In a town called Gorakhpur a Transgender with the name Asha Devi became mayor, another called Kamala Jaan became mayor in Katni; nowadays there are many local Transgender politicians on the Indian subcontinent, all following in the footsteps of "auntie" Shabnam (or Shabnam Mausi, as it is in Hindi/Urdu), the first mukhannath member of the Madhya Pradesh Legislative Assembly. In Hindu-folk-lore there is an old legend according to which "in the end of time there will be an age in which the Transgenders will rule", because of a blessing from God. Many Transgenders believe this time has come! (Cameron&Kulick,2003,pp30-80)<sup>9</sup>

### **Transgender and the Indian Law:-**

**Criminal Tribes Act, 1871**, which deemed the entire community of Transgenders persons as innately 'criminal' and 'addicted to the systematic commission of non-bailable offences'. The Act provided for the registration, surveillance and control of certain criminal tribes and eunuchs and had penalized eunuchs, who were registered, and appeared to be dressed or ornamented like a woman, in a public street of place. Such persons also could be arrested without warrant and sentenced to imprisonment up to two years or fine of both.

**Indian Penal Code 1860** Section 377 of the IPC found a place in the Indian Penal Code. 1860, prior to the enactment of Criminal Tribes Act that criminalized all penile-non-vaginal sexual acts between persons, including and sex and oral sex, at a time when transgender persons were also typically associated with the prescribed sexual practices.

**THE RIGHTS OF TRANSGENDER PERSONS BILL, 2015** A Bill to provide for the formulation and implementation of a comprehensive national policy for ensuring overall development of the Transgender Persons and for their welfare to be undertaken by the State and for matters connected therewith and incidental there to. Be it enacted by Parliament in the Sixty-sixth Year of the Republic of India. In the Act, There are total eight Chapter and 27 Sections, Chapter one is about Preliminary, Chapter second is about Transgender identity, Chapter third is about Rights and Entitlements, Chapter four is about there Education, Chapter five is about Skill development & Employment, Chapter six is about Social Security, Health, Rehabilitation & Recreation Social Security, Chapter seven is about Duties and Responsibilities of Appropriate Government and last Chapter eight is about Miscellaneous.

The rights guaranteed under the Bill are mostly substantive rights such as the right to equality and non-discrimination, life and personal liberty, free speech, to live in a community, integrity, along with protection from torture or cruelty and abuse, violence and exploitation. There is a separate clause for transgender children.

Education, employment and social security and health are also covered under the Bill. the chapter on education makes it mandatory for the Government to provide inclusive education for transgender students and provide adult education to them.

With the employment chapter, there are two separate clauses dealing with formulation of schemes for vocational training and self-employment of transgender persons by the Government. There's a separate clause for non-discriminations against transgender persons in any establishment-public or private.

In the social security and health chapter, the Government is asked to propagate social security and health care facilities which are to be provided in the form of separate HIV clinics and free SRS. They should be given the right to leisure, culture and recreation. Basic rights like access to safe drinking water and sanitation must be provided by the government.

The Bill envisages setting up a number of authorities and forums- National and State Commissions for Transgender Persons. The commissions work will be mostly in the nature of inquiry or recommendations in the in application of the law or violations of right of transgender persons. The Commissions can issue summons to witness, receive, etc. There is penalty by way of imprisonment for upto a year for hate speech against transgender people.

### **Judicial Tendency about Transgender Community**

The rule of law is supreme and everyone is equal in the eyes of law in India. Yet the transgender community is in a constant battle as they have to fight oppression, abuse and discrimination from every part of the society, whether it's their own family and friends or society at large. The life of transgender people is a daily battle as there is no acceptance anywhere and they are ostracized from the society and also ridiculed.

However, the Supreme Court of India in its pioneering judgment by the division bench of **Justices K.S. Radhakrishnan and A.K. Sikri in National Legal Services Authority v. Union of India & Ors.**<sup>11</sup> recognized the Transgender along with the male and female. By recognizing diverse gender identities, the Court has busted the dual gender structure of 'man' 'woman' which is recognized by the society. "Recognition of Transgenders as a Transgender is not a

social or medical issue but a human rights issue," Justice K.S. Radhakrishnan told the Supreme Court while handing down the ruling.

The Supreme Court has given certain directions for the protection of the rights of the transgender persons by including of a third category in documents like the election card, passport, driving license and ration card, and for admission in Education institutions, hospitals, amongst others.

## **DIRECTIONS TO THE CENTRAL AND STATE GOVERNMENT:-**

The court as issued certain directions to the central and state government which are:-

- Transgenders, eunuchs should be treated as Transgender for the purpose of safeguarding their fundamental rights
- Recognize the person's need to identify his own gender,
- Providing reservations in public education and employment as socially and educationally backward class of citizens,
- Making special provisions regarding HIV zero-surveillance for transgender persons and provide appropriate health facilities,
- Tackle their problems such as fear, gender dysphoria, shame, depression, suicidal tendencies, etc.
- Measures should be taken to provide health care to transgender people in hospital such as taking separate wards and also provide them separate public toilets.
- Frame social welfare schemes for their all round development,
- To create public awareness so that the transgender feels that they are part of the society and are not to be treated as untouchables.

The judgment has marked a break from otherwise paternalistic and charitable approach of the state towards the transgender community by framing their concerns as a matter of rights.

### **Problems with the NALSA judgment**

A lot of the confusion has actually arisen from the much-hailed NALSA judgment. Even as the mainstream press and civil society was celebrating the judgment, many transgender commentators were pointing out its inherent problems and contradictions.

The fact that transgender is an umbrella term for people whose gender identity and/or expression is different from the gender assigned to them at birth, and specifically in the case of India, may be used to describe a variety of identities, such as kothi, transman, transwoman, transgender, aravani, genderqueer, etc. is not clearly outlined in the judgment.

### **Objectives of the Study**

Most of the people take being either a man or a woman for granted, although many of them are not conventional men or women. Transgenders are one of those types of people. The researcher's endeavor is to find out how biological difference distinguishes them from majority people and how they minimize it.

### **Specific Objectives:**

- A) To find out the identity making process of Transgenders.
- B) To elaborate their psychological, physical, and social differences.
- C) To know about their social system.
- D) To know Political problems of Transgender.
- E) To know about their sexual behavior.
- F) To know Individual point of view Transgender.
- G) To know about legal provision for Transgender.
- H) To know judicial view about Transgender.
- I) To know How law can help Transgender to live their life in proper way.
- J) Find out the lacuna of the rights of transgender persons bill, 2015
- K) How to enforce NALSA judgment guide line.

## **Scope and Importance of the research**

This perspective on the transcendence of sex and gender variations guides the anthropological and historical analysis that follow in several ways. First to reexamine and redefine studies of sex and gender in light of critiques of sex/gender dimorphism. Which generally suggest the limitations of a reproductive paradigm? Of course there are conceptual dangers involved in braking precipitously with the past convention of distinguishing arbitrary between sex (as biology and nature) and gender (as culture and nature). Second it is shown that in some places and times individuals are grouped into divergent ontological categories identities, tasks roles practices and institutions that have resulted in more that two kinds of persons that is what should classify as two sexes (male and female) or genders (masculine and feminine).

Gender, a learned social role, helps explain why individuals can vary from what is otherwise considered the biological destiny of their sex. Gender polices sex and creates a ground for morality. That is, gender can vary from physical sex. In my research I want to explore why they are viewed as Transgender and How law can help them to give their Right. For this intensive fieldwork should be needed among Transgender.

In Anthropology only two genders masculine and feminine are discussed. But there are some individuals who are not included both of two categories. They born in the society but they are excluded. So their identification should be found out in anthropological perspective. But now for urbanization and commercialization their traditional activities for earning money are changing. Some of them now are working as sex worker.

Transgenders are usually known as Transgender. Very few anthropological researches have done among them. Their social and legal identity and process of adaptation should be found out. They don't take education; they have no salary-oriented job and no legal platform for them. So they have special activities for their economic support.

For this they are marked as a risky group for the spread of HIV and STD. Now HIV and STD is a burning issue in the world as well as in India. For this many non-government organizations are working among Transgenders to improve their legal and social condition especially their health. But for changing their condition actual cause for creating of these situations should be find out by intensive research among those people. I choose them for my Transgender study because they are identified as not male or not female. They have also special characteristics.

### **Hypothesis**

The hypotheses of the study are:

1. Transgender who live in state of U.P. have good social, economical and political status.
2. There are sufficient legal provision to protect Transgender.

### **Methodology**

The study is empirical in nature. Universe of the study is State of U.P. Questionnaires will be filled from each district using stratified random sampling technique. Historical, analytical and descriptive methods would be used where needed. Information will be collected from both primary and secondary sources.

### **Primary Sources:**

The main sources of data collection are primary sources. That means I collected data directly from the informants by doing intensive field work. As it is an anthropological research so it was essential for me to collect data from field. When anybody took data directly from the informant it is more undated. Otherwise it's always a chance to get misinformation. So I have collected data from primary sources for more validity.

### **Secondary sources:**

Most of the data for researches have been collected from secondary sources. I also collected from secondary sources. Related books, articles, journals etc are included in secondary sources. I have collected data from online and use all of this technique also.

### **Sampling:**

### **Key Informant Technique:**

### **Informal Interview:**

### **Unstructured Questionnaire or Check List:**

### **Focus Group Discussion:**

### **Case Study**

## **Suggestions:-**

1. Govt. should provide basic health, educational and other basic facilities in the transgender. Specially increase the literacy rate in transgender.
2. Govt. Should built special schools “SATs” for transgender because they are also the part of society. SATs stand for (social adjustment of transgender in schools).
3. If Govt. should use the female body transgender in Police department the it’s a great thing to decrease crimes in females.
4. Privates department like that of banking can be use the transgender for recovery of payments or as cashier. They have 1% cotta in private sector. Jobs are necessary for the fulfillment of their economic needs.
5. Micro-credit facility should be provided to promote economic development and poverty alleviation in transgender. Govt. and NGOs. Should give the economic opportunities to address the economic needs of transgender.
6. It is advocated that Govt. should provide vocational, training and technical institutions for capacity building of transgender.
7. Govt. and NGOs should launch some projects to decrease the drug addictions in transgender. During my research I am observed that 80% are smoking, 51.5% are drinking wine, and 20.8% are using marijuana, heroin or hashish.
8. Every religion master positively represents then in their religious addresses and give them religious education to perform religious rituals.

So, I think if society and legal system help them, they can also live their life like general people and its not our grant to them its their right because they are also human.

## **Proposed Chapterisation of the thesis-**

- (i)** Introduction
- (ii)** Causes of Transgender and Physically effects.
- (iii)** Social and legal status of Transgenders.
- (iv)** An Overview or legal provisions about Transgenders.
- (v)** Role of Judiciary and Legislature to establishment the status of Transgenders.
- (vi)** Conclusions and suggestions.
- (vii)** Bibliography.

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<sup>8</sup>Walter O. Bockting,W.O. , Simon Rosser, Simon.B.R.& Scheltema , Karen(1999) *Transgender HIV prevention: implementation and evaluation of a workshop* ; Education Research, Vol. 14, No. 2, 177-183, April 1999; Oxford University Press

<sup>9</sup>Human Rights Violations against the Transgender Community *A study of kothi and transgender sex workers in Bangalore, India* - September 2003

<sup>10</sup>Homophobia and Discrimination on Grounds of Sexual Orientation and Gender Identity in the EU Member States: Part II - The Social Situation 2009

<sup>11</sup> [Writ Petition (Civil) No. 400 of 2012 (NALSA)]

## **CERTIFICATE**

This is to certify that **GuruDeep Singh**, is a research scholar in law, Registration No. 146/2017 5806, session 2014-15, at faculty of Law, Agra college, Agra (Dr. B. R. Ambedkar University, Agra, U.P.). He has prepared the revised synopsis on the topic titled "**Transgender and Their Social - Legal Status : An Empirical study in State of U.P.**" as per suggestion laid by Research Degree Committee, under my supervision and guidance. This synopsis has embodied original work of the candidate and has not been submitted anywhere else for the award of any other degree or diploma in this or any other University or Institute.

I have no objection to Guide the candidate on the topic mentioned above.

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**CANDIDATE'S DECLARATION**

I, **GuruDeep Singh** declare that the work embodied in this Ph.D. synopsis is my own bonafide work carried out by me under the supervision of **Lt. (Dr.) Reeta Nigam** (Associate Professor)), Faculty of Law, Agra college, Agra (Dr. B.R. Ambedkar University, Agra U.P.) in session 2014-15. The matter embodied in this Ph.D. synopsis has not been submitted previously for the award of any degree or diploma in any other University or Institute.

I declare that I have been faithfully acknowledged, given credit and referred to the research workers wherever their works have been cited in the text and the body of the synopsis.

**Date-**

**(Signature of candidate)**

**Place-**

## **Details of Candidate**



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