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# THE GENDER GAZETTE

Paving the Way to Gender Equality  
(Newsletter of Centre for Gender Justice Studies MNLU, Nagpur)

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**Theme:**

Pride Month

**Inside:**

- Informative Bite
- Judgements
- State at Work
- Society- The Lens of Gender Justice
- International Gender Events



The Centre for Gender Justice Studies presents to you the first edition of Gender Gazette, a newsletter aimed at forwarding the goal of Gender Equality. This edition looks at various nuances involved in the arena of Gender Equality and also includes an Article on the theme of the **Pride Month**



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"A strong woman knows she has strength enough for the journey, but a woman of strength knows it is in the journey where she will become strong"

## **A. DROUPADI MURMU APPOINTED AS 15<sup>TH</sup> PRESIDENT OF INDIA**

The skies of 25th July were clearer, the sun's wavering was exhilarating and the moon's smile was enchanting. Well, they say that, beauty lies, in the eyes of the beholder! On 25th July the Will of the Indian diaspora witnessed jubilation, the one which absolves the struggles and transcends the anomalies of the past. India has managed for seven decades consensus on how to manage without consensus. The one-day seemingly utopian ideals of equality and acceptance surpassing caste, gender, race embodied themselves when Shri. Droupadi Murmu has been elected as the 15th President of India, the first tribal woman to be elected to the position. That night breeze felt to be the sights of our constitutional forefather, for utopias do become true especially in a country like India.



## **I. INFORMATIVE ANECDOTE**

### **GENDER IDENTITY**

Issues of equality and acceptance of transgender and nonbinary people along with challenges to their rights have become a major topic for discussion. These issues can involve words and ideas and identities that are new to some. The objective of this article is to put together a glossary of terms relating to gender identity. Our goal is to help people communicate accurately and respectfully with one another. Proper use of gender identity terms, including pronouns, is a crucial way to signal courtesy and acceptance. It is a way of respecting them and referring to them in a way that is consistent and true to who they are.

When a child is born, he is unaware of the distinctions that have been established in a society. Is an infant able to ascertain the beauty of an individual based on the skin shade? Eventually, when an individual discovers related traits from his environment, he subsequently constructs these distinctions and categories. Still, these distinctions are shaped by majoritarian views, and customs among the plethora of other variables. The concept of gender is extremely expansive and there are infinite ways people can identify, especially outside of the gender binary. The idea that only two genders exist is wholly false and erases the history of people who have long rejected the biological and psychological binaries of sex and gender.

## THE GENDER GAZETTE

Now the question which begets attention revolves around a person who is unable to fit himself into the “constructs” of society. How will you know that you are someone when you are not even aware that someone exists in the first place? This is one such story, which revolves around Amanda, a transgender girl. As per the constructs she was declared to be a boy, though when she grew, she realized that her characteristics resembled those of her female friends. Amanda also felt herself to be distinct from her brother Stephen, who is a cisgender boy. Stephen’s birth was in a way similar to that of Amanda, in the sense that when he was born everyone thought that he was a boy, though the futures of both diverged, as when Stephen grew older, it turned out that he was indeed a boy, his gender identity. Well, how can we define Amanda? Non-binary is a helpful word that can describe a kid who doesn’t exactly feel like a boy or a girl. Amanda enjoys walking down the subway with her friend Richard. Wondering what everyone thought when he was born? Well, Richard is both a boy and a girl, and everyone thought he is a girl which partially explains Richard’s gender identity, the other half pertains to the fact of him being a boy. Richard and Amanda are often accompanied by Joseph, who is neither a boy nor a girl. He was unable to fit himself in either of the blocks, he just felt like “himself”. One day surfing the web, Joseph realised that there are many ways to be non-binary which cannot be encompassed in a book. He also realized that gender identity is fluid and may change for an individual. One day sitting in the garden his sister told him that there are a plethora of ways to be yourself. A person’s gender identity is defined by how he feels about himself, it is contingent neither on social constructs nor the declaration at the time of his birth. Amanda’s bodily



### GenFacts

On September 16, 1910, [Bessica Raiche](#) made a solo flight in a Wright-type plane of bamboo and silk that she and her husband built in their living room, earning her a gold medal as America’s first woman aviator.



features may signal her perspective on gender identity but in no way can prove it. You may feel like a boy, or like a girl, or like either and neither of the two, only your feelings can define your gender identity nothing else. Be Yourself. Moreover, It is

always a good idea to ask about pronouns and share yours as well if you feel comfortable doing so. If you misgender someone, do not fret and just apologize and correct your mistake without making a big deal out of it. There is no need to make someone feel like they have to explain themselves or justify their gender. If a friend or partner decides to come out to you, it is important to create a safe, judgment-free space. Coming out is a hard thing to do, and it is important to make your friend or acquaintance feel fully accepted and supported. Another way you can support your gender-expansive friend or partner is by fighting for their rights.

Hence, it is important for us to make sure to let all the brave hearts who come out know that we see them, we affirm them, we accept them and let them know that they are loved during a time when they are being targeted by so many discriminatory anti-trans state laws and policies.

## II. JUDICIAL PRONOUNCEMENTS

### A. RIT Foundation v. The Union of India

**Citation:** (2022) 3 HCC (Del) 572

**Decided on:** 11-05-2022

**Hon'ble Judges/Coram:** Justice Rajiv Shakti and Justice C. Hari Shankar

**Issue:** Constitutional validity of Exception 2, affixed to Section 375 of the Indian Penal Code, which serves as an exemption given to the husband in cases of marital rape.

**Arguments:** Pertaining to the case, Advocate Karuna Nundy, representing RIT foundation and All India Democratic Women's Association put forth the argument that the Exception to Section 375 of the Indian Penal Code, further referred as 'IPC', is violative of Article 14, that is, Right to Equality along with Article 15 and Article 19(1)(a) of Constitution of India, owing to the reasoning that the affixed Exception to the provision of IPC discriminates women on the basis of their marital status,

that is married, non-married, married but separated, live-in and divorced. Moreover, the classification is not founded on a reasonable nexus with the object of the provision, that is Section 375, which criminalises



the offence of rape. Furthermore, the petitioner argued that Exception 2 is violative of Article 21 of the Constitution of India, that is, Right to Life and Personal Liberty, as it infringes upon a woman's right to dignity, personal and sexual autonomy. The respondent, NGO Hridey, represented by Advocate RK Kapoor, in the rejoinder submission put forth an objection to the criminalisation of marital rape on the reasoning that an intercourse between a husband and a wife in a marital relationship cannot fall within the ambit of 'rape' with regard to Section 375 of IPC. Additionally, such an offence shall be construed as 'sexual abuse', as also laid down under The Protection of Women from Domestic Violence Act, 2005, and not rape. Subsequently, Men Welfare Trust, respondent to the case, argued that Exception 2 to Section 375 of IPC is an epitome of a special and specific treatment in the statute which is founded upon the notion of marriage as an institution. Further, the respondent contended that the Courts, on the ground of unconstitutionality, cannot intervene with the Government's authority and power to conduct social experiments. Ms. Nandita Rao, ASC for State, argued against the criminalisation of marital rape owing to the reasoning that the Exception does not compel a wife to have a forceful sexual intercourse with her husband and the wife, subsequently, the wife can seek remedy of divorce or various other remedies under the criminal law, as the case may be.

**Held:** The Hon'ble High Court of Delhi put forth a split verdict pertaining to the question of constitutionality of Exemption 2 of Section 375 of the Indian Penal Code. Justice Rajiv

Shakdher held that Section 198B, Exemption 2 to Section 375 and Section 376B of the Indian Penal Code are violative of Article 14, Article 15, Article 19(1)(a) and Article 21 of the Constitution of India, consequently, struck down. Further, Justice Rajiv Shakdher emphasized the need for recognition of a married woman's right to bring the offending husband to justice. Justice C. Hari Shankar, however, delivered a dissenting opinion, wherein, he held that the challenge to the vires of the aforementioned provision must fail. Justice Hari Shankar acknowledged that there can be no compromise when it comes to the sexual autonomy of a woman. He also put forth that conjugal rights end where bodily autonomy begins. Justice C. Hari Shankar differed with the Counsel for the petitioners, wherein, he held the distinction between a married and a non-married woman to be founded on an intelligible differentia having a rational connection with the object of the statute. Thereby, the classification is not violative of Articles 14, 15, 19(1)(a) and 21 of the Constitution of India. Conclusively, the Hon'ble High Court of Delhi granted the Certificate of Appeal to the Supreme Court as the aforementioned case involved substantial questions of law.

## B. Kantaro Kondagari v. State of Odisha

**Citation:** 2022 SCC OnLine Ori 1960

**Decided on:** 20-05-2022

**Hon'ble Judges/Coram:** Justice A.K. Mohapatra

**Facts:** The petitioner in the case, Kantaro Kondagari, had filed a petition before the Hon'ble High Court of Orissa under Article 226 and 227 of the Constitution of India. The petitioner's father, Late Balaji Kondagari, was a Government Servant, wherein, he had served under the Executive Engineer RW Division of the Rural Development Department, Rayagada. After his death, the petitioner's mother, named Binjama Kondagari, was accredited with the family pension in accordance with the provisions laid down in Odisha Civil Services (Pension) Rules, 1992. However, the petitioner's mother expired on July 11, 2020, owing to poor health issues. Subsequently, the petitioner sought the disbursement of the family pension owing to the provisions laid down under Rule 56 of the Odisha Civil Services (Pension) Rules, 1992 by

### GenFacts

Access to education is life-changing. Sending girls to school leads to improved literacy, higher wages, and faster income growth. It reduces the chance of premarital sex, lowers the chance of early marriage, delays first births, and helps mothers learn about how to plan and space their births apart

writing to the Executive RW Division, Rayagada. About the aforementioned Rules, Rule 56(5)(d) puts forth the eligibility of an unmarried daughter to receive the pension amount as "In the case of an unmarried daughter even after attaining the age of twenty-five

years till her marriage or death whichever is earlier...". The exception to the said provision is that the monthly income of the daughter must not exceed Rs. 4,444 every month. The petitioner is a transgender (woman), wherein, the respective authorities of the Rural Development Department were also cognisant of the fact. The petitioner was accorded the legal recognition of a transgender (woman) owing to the issuance of the certificate by the District Magistrate as laid down under Rule 5 of the Transgender Persons (Protection of

Rights) Rules, 2020. Despite the petitioner's compliance with the Pension Rules, the Principal Accountant General, Odisha, had failed to take the petitioner's application into consideration and had not disbursed the funds in favour of the petitioner. Furthermore, the Rural Development Department had discriminated against the petitioner on the basis of gender as the petitioner belonged to the transgender community. Such discrimination was put forth as violative of Rule 56(5)(d) of the Odisha Civil Services (Pension) Rules, 1992 as well as the Transgender Persons (Protection of Rights) Act, 2019 and Transgender Persons (Protection of Rights) Rules, 2020. The discriminatory behaviour of the Department is also considered to be violative of Articles 14 and 21 of the Constitution of India.

**Issue:** Whether the transgender woman, petitioner in the case, as an unmarried daughter entitled to receive a family pension under Orissa Civil Services (Pension) Rules, 1992?

**Held:** The Hon'ble High Court of Orissa held that the petitioner has every right to choose the gender of her own choice, subsequently, has the right to apply for a grant of family pension as a transgender (women) in accordance with the Odisha Civil Services (Pension) Rules, 1992. The Bench of the High Court took the judgement delivered by the Hon'ble Supreme Court of India in the case of *NALSA v. Union of India* into consideration, wherein, the Hon'ble Court had held that the word 'person', laid down in Article 14 of the Constitution of India, is inclusive of the individuals belonging to the transgender community, thereby, are entitled to receive legal protection by the State. Furthermore, the High Court also quoted the NALSA Case, wherein, the Hon'ble Supreme Court had directed the Central and the State governments to grant legal recognition to the right of transgender persons to choose a self-identified gender. Therefore, the petitioner as an unmarried daughter is entitled to receive the family pension under the Pension Rules irrespective of her gender, that is, a transgender (woman) in the respective case. Conclusively, the Hon'ble High Court directed the respondent to conduct an expeditious consideration of the petitioner's application, thus, granting relief to the transgender woman.



## C. X v. The Principal Secretary, Health & Family Welfare Department.

**Citation:** 2022 SCC OnLine SC 905

**Decided on:** 21-07-2022;

**Hon'ble Judges/Coram:** Hon'ble Justice D.Y. Chandrachud, Hon'ble Justice Surya Kant and Hon'ble Justice A.S. Bopanna

**Facts:** The petitioner to the case, a permanent resident of Manipur, was living in Delhi. The petitioner was an unmarried woman and was living in the absence of a source of livelihood. Further, The petitioner stated before the Hon'ble Court that she was in a consensual relationship. In the month of June, the petitioner became cognisant of her pregnancy, wherein, the ultra sound scan, on July 05, revealed her pregnancy to be of a term of twenty-two weeks. Deductively, the pregnancy of the petitioner arose out of the consensual relationship. The petitioner was deserted by her partner in the month of June, consequently leading to the causation of mental agony and trauma to the petitioner. Subsequently, the petitioner decided to terminate her pregnancy owing to her inability in raising the child due to the absence of a livelihood source. Subsequently, the petitioner filed a writ petition under Article 226 of the Constitution before the Hon'ble High Court of Delhi. However, The Hon'ble High Court by an order passed on July 15 declined to grant interim relief to the petitioner. The petition constituted of three prayers, namely, Prayer A, Prayer B and Prayer C. In prayer A, the petitioner sought the permission to terminate her ongoing pregnancy in accordance with the provisions of the Medical Termination of Pregnancy Act along with the Rules. In prayer B, the petitioner sought to restrain the respondent, that is, The Principal Secretary, Health & Family Welfare Department, from initiating criminal proceedings against the Petitioner or any Registered Medical Practitioner terminating the pregnancy of the petitioner. Furthermore, in prayer C, the petitioner sought issuance of directions to the respondent to include 'unmarried woman' within the scope of Rule 3B of the Medical Termination of Pregnancy Rules 2003 that provides for the eligibility criteria for termination of pregnancy up to twenty-four weeks in



### GenFacts

The Nordic countries consider it a priority to achieve gender equality on the Labour market. The uneven distribution of part-time work has become a key issue. The fact that women are more likely to have part-time jobs than men have consequences for women's wages, for their pensions and the economy as a whole.



pursuance of Section 3(2)(b) of the Medical Termination of Pregnancy Act. With regard to the petition, the Hon'ble High Court issued notice pertaining to prayer C only, whereas, prayer A and prayer B stood rejected. The Hon'ble High Court put forth that Rule 3B was violative of Article 14 of

the Constitution of India on the ground that it denied the right to terminate pregnancy up to twenty-four weeks to an unmarried woman. However, as of the date of the order, the inclusion of an unmarried woman was beyond the application of the provisions laid down under Rule 3B. Conclusively, the Hon'ble High Court while exercising its jurisdiction under Article 226 held that the petitioner's case was not covered by the clauses of Rule 3B,

consequently, Section 3(2)(b) of the Act was not applicable herein. The petitioner then filed a Special Leave Petition in the Hon'ble Supreme Court of India.

**Issue:** Whether Section 3(2)(b) of the Medical Termination of Pregnancy Act, 1971 include unmarried women within its ambit or not?

**Held:** The Hon'ble Supreme Court held that denying an unmarried woman a right to safe abortion was equivalent to denying her the right to personal autonomy and freedom. By the virtue of Article 21 of the Constitution, a woman's right to reproductive choice, that is, her right to procreate or to abstain from procreating, falls within the ambit of her right to lead a life with dignity and her right to privacy. Forcing a woman to continue with an unwanted pregnancy was a violation of Article 21, further, causing mental agony to the woman. The Hon'ble Supreme Court put forth that the High Court had given a restrictive interpretation of the expression "change of marital status during the ongoing pregnancy" wherein the category is not to be restricted to "widowhood and divorce". The rule is to be interpreted in a purposive manner, that is, by taking the entire context, scheme and intent of the Act into consideration while interpreting a provision of the Act. The Medical Termination of Pregnancy Act, 1971 was amended in 2021, wherein, the expression 'married woman or her husband' in Explanation II of the original Act was replaced with 'woman or her partner' and inserted in Explanation I of the amended act. However, the category of "unmarried woman" as an expression was not envisaged in Rule 3B of the Medical Termination of Pregnancy Rules, thus, creating a gap in the law. To this, the Hon'ble Supreme Court held that the intent behind the amendment, when interpreted in the totality of the Act, was aimed at the inclusion of unmarried and single women within the scope of the Act. The Hon'ble Supreme Court held that there was a gap in the Act when read with the Rules, however, there is no basis to deny the right to abortion to an unmarried woman. It was put forth that the exclusion of unmarried and single women from Rule 3B was against the intent and purpose of the legislation and was also violative of Article 21 of the Constitution. Conclusively, the Hon'ble Supreme Court passed an ad interim order granting relief to the petitioner.

### Other Relevant Pronouncements

- SC has ordered that no criminal action should be taken against consenting adult sex workers as they are entitled to fundamental rights of dignity and equal protection of the law. According to the National Aids Control Organisation, a division of the Ministry of Health & Family Welfare, there are approximately 9 lakh sex workers in India.
- SC has ordered the Central Government and the Amicus Curie to finalise the guidelines that were proposed by the Hon'ble Supreme Court in the case of *Budhadev Karmaskar v. State of West Bengal* in 2011 pertaining to the creation of conducive conditions for the sex workers and prostitutes to work with dignity, guaranteed as such by the virtue of Article 21 of the Constitution of India.

### III. State at Work

- The Union Territory of Ladakh has recorded the highest sex ratio at birth in 2020, followed by Arunachal Pradesh, Andaman and Nicobar Islands, Tripura and Kerala, according to the annual report of Vital Statistics based on the 2020 Civil Registration System Report.
- The Registrar General of India has proposed an amendment to the Registration of Births and Deaths Act, 1969. This amendment will enable it to maintain the database of registered birth and deaths at the national level. According to the proposed amendment, the database may be used to update the Population Register, Electoral Register, Aadhar, Ration Card, Passport and Driving License databases. The government is planning to revamp the Civil Registration System through an IT-enabled system to ensure the registration of birth and death in real-time with minimum human interface.

- According to the Centre for Monitoring Indian Economy, as of December 2021, the male Labor Force Participation Rate was 67.4 per cent and the female Labor Force Participation Rate was as low as 9.4 per cent. Even data from the World Bank shows that India's female labour force participation rate is around 25 per cent when the global average is 47 per cent.

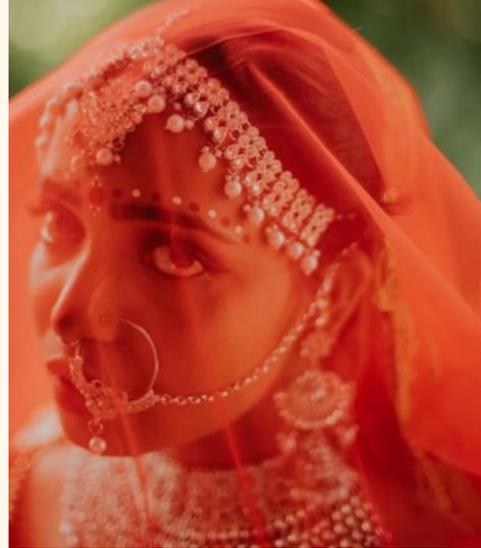


- The Central government has extended the Prime Minister's Special Scholarship Scheme (PMSSS) for students from Jammu and Kashmir and Ladakh for another five years in the wake of the encouraging response it has received. This shall ensure education access to children including girls, which shall later lead to an increase in the literacy rate.
- According to the Ministry of Labour and Employment, as of March 2022, more than 270 million workers have registered on the e-Shram portal, out of which nearly 53 per cent are female and 47 per cent are male. The large presence of the female workforce is seen in the agriculture sector followed by domestic and household workers, construction, and apparel sectors. States Tamil Nadu, Meghalaya, and Kerala have the highest registrations of female workers. About 62 per cent of workers are in the age group of 18 to 40 years.
- The Ministry of Home Affairs issued guidelines for the implementation of the Modernisation of Prisons Project. A report on 'Women in Prisons' by the Ministry of Women and Child Development in 2018 was published to ensure the safety of women in prisons. United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders, also known as Bangkok Rules give guidance to reducing unnecessary imprisonment of women and meeting the specific needs of women who are imprisoned.

## IV. Society through Lens of Gender Justice

### Kshama Bindu

In today's fast-moving world, where people sometimes forget to take care of themselves, it becomes very important to remind them of self-love during this pride month. The institution of marriage is what makes people believe in love and companionship. Following this thought and idea, sologamy or marrying one's own self reminds people to love themselves and understand themselves better. Sologamy refers to a person who is going to marry and spend the rest of their lives with themselves. We have seen instances of it in the TV series Sex and the City where Carrie Bradshaw marries herself. Contrary to popular belief, this relationship is not isolating or lonesome but according to accounts, it is liberating; from the ties that people expect them to be bound to, an expanded sense of self is realized.



Such an example of self-love and acceptance was depicted by Kshama Bindu, twenty-four, in an act of India's first sologamy or self-marriage on June 8, 2022. A controversy erupted after Kshama

announced her plans to marry herself and faced backlash from politicians, who used religion to deter her and stated that Hinduism doesn't permit such marriages and that the young woman shouldn't be allowed to marry in a temple.

Undeterred by the row, Kshama went ahead with the wedding ceremony solemnized at her home, complete with Haldi and Mehendi rituals, sans the priest. Kshama, who identifies as bisexual, says she is motivated to inspire those who are tired of being made to feel incomplete, if not married. Kshama's marriage was supported and accepted pan-India and was appreciated for the efforts made towards promoting self-love. Further, Kshama's sologamy and the acceptance of the same by her family is something that needs to be made known to everyone so that people are more convinced and satisfied about themselves and further have the courage to stand up to anyone who says otherwise.

As described by Kshama, self-marriage is a commitment to be there for oneself and love themselves unconditionally. It's also an act of self-acceptance. People marry someone they love, Kshama loves herself and hence the marriage. Although sologamy is not legal in India, since the Hindu Marriages Act mentions the presence of two individuals to constitute a marriage, Kshama still chose to marry herself as a promise to love and take care of herself. This pride month was made more special and became a lesson for years to come with a single lifestyle choice made by Kshama Bindu who loved herself more than others and married herself as India's first sologamy on June 8.

## Dr. Trinetra Haldar Gummaraju

The month of June, or Pride Month as many call it now, is one which sparks a desire in people to learn about the LGBTQ+ community, the challenges faced by it, and also the will to support this noble cause. Such desire and supportive drive of the society is promoted and instigated by the many pioneers in this field. One such pioneer is Karnataka's Dr Trinetra Haldar Gummaraju, who has become an inspiration for the world at a very young age.

Trinetra Haldar Gummaraju, an openly-transgender doctor, activist, artist and content creator has made it to the list of the renowned "The Forbes 30 Under 30 Asia List 2022," for her exceptional personality and endeavours. Trinetra was born as Angad Gummaraju to Bengaluru-based parents and underwent a gender confirmation surgery (GCS) abroad in order to feel comfortable and accept her own body. But this journey from Angad, a boy, to Trinetra, an openly female transgender doctor was not one without struggle. The story of Dr Trinetra is one of courage, perseverance and self-discovery. Despite being harassed and mocked by classmates and teachers alike, Trinetra still did not lose her drive, focused all her determination on her studies and went on to become Karnataka's first trans-woman doctor.

Dr Trinetra does not let her struggle deter her and instead now uses her story as a way to inspire and support others like her, and fight for their rights in society as equal and free individuals. The ever-increasing influence of social media is a great catalyst in spreading her story and inspiring many

others to come forward. What initially started as a personal space where she dealt with her thoughts and emotions, has turned into a space for activism and community engagement. "To have people that relate to you, and understand your journey means everything. That's so important for a queer person because many a time your family doesn't accept you. That's what got me into content creation and it's what keeps me going," Trinetra said in an interview with Forbes India. Her ambition and determination are unparalleled and it is what gives other people like her feel free to be what they want to be. Dr Trinetra is just one face in an ocean of thousands who have instigated a change in society's perception of the transgender community and helped them achieve the confidence to claim their rights. Pride month is one of the few opportunities where people like Dr Trinetra and their contributions can be appreciated and used to encourage others to come forward in support of the transgender community.

### GenFacts

For centuries, girls have lacked equal educational opportunities. According to the 2020 Global Gender Gap Report, 88% of females worldwide had primary education. That's still lower than boys, whose percentage is at 91%. Millions of girls are still unable to attend school.



### TALMS (funding for SRS surgeries)

This is evident that the legislation is often not enforced in an absolute manner which infringes on the welfare of the common people. One of the acts passed by the Government of India, in 2020 framed The Transgender Persons (Protection of Rights) Rules specified that transgender people might receive gender reassignment surgery at state-run facilities for free. According to the laws, each state must have at least one government hospital that offers gender-affirming or sex reassignment procedures (SRS) at no cost to the patient. However, at present even after the passing of legislation, many queers are void of these surgical facilities. This cast serious doubt on their individuality, existence, and being a citizen of India. TALMS-Trans: Alms Charity Foundation, an India-based charity foundation that helps transgender people across the globe get grants for surgeries through personal and corporate funding. It was founded by Mann Chavan. The organization believes in Transgender equality and that people are free to express their gender identity and sexual orientation with pride. TALMS' vision is to provide cost-effective surgeries to trans people to eliminate the helplessness and struggle that trans people face while opting for surgeries. Organizations like these aid trans people approach times of financial constraints and provide a hurdle-free path to own themselves in their true selves.

### Queerabad, Queergarh, Ya.All (Queer awareness and acceptance)

“Toughest battles make the strongest soldiers. “The LGBTQ+ community throughout its struggle has faced many atrocities including unjustified hatred, humiliation, abuse, and even death for their identity, their choices, their life. However, in these tough storms, some organizations of the society continue to become their ray of hope.

**Queergarh** based out of Raipur is one such initiative that aims to make the State and India as a whole, an inclusive and safe place for all. Due to their efforts, Chhattisgarh hosted its first pride parade three years back. They have also organized queer public workshops and campaigns which are of substantial importance in spreading awareness and gathering support. The youth-led organization recently went out to Marine Drive in Raipur to spread awareness about IDAHOBIT 2022 which stands for International Day Against Homophobia Biphobia Transphobia. “Too much of goodness is still so less.” **Ya\_All (You All)**, means Revolution in Manipuri. This organization was the brainchild of Sadam Hanjabam. It aims to disseminate stereotypes and stigma attached to the LGBTQ+ community. This organization was India's first registered queer and youth-led and focused organization based in the North East. Under their campaign, they have started “Meitram” the first co-working and networking space owned and run by queer individuals in India. **QueerAbad** is an organization based in Ahmedabad. It was founded in June 2016 by Anahita Sarabhai and Shamini Kothari. The objective of this organization is to provide a safe, engaged and empathetic space for the queer community.



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These community organizations with their miniature steps are aiming to bring reform to society. By providing support and visibility, they aim to provide the queer community with all the rights, respect, and identity.

## Captain Abhilasha Barak

It is a common occurrence in today's time that women carve a niche for themselves in almost every field despite the patriarchy and the constant scrutiny during the various stages of their lives. Women continue to leave no stone unturned when it comes to proving their abilities and their might. They have always been ready to combat the greatest tests that life has to offer and come out victorious more often than not. Despite all of their best efforts, women still struggle to achieve equality in the minds of the people they live with and it is a pity that no country today can claim the status of gender equality no matter how many women come forward and make their presence known in history. However, this sting of a harsh reality is soothed to some extent by women such as Captain Abhilasha Barak, who lessen the gap between the genders through their success.

Captain Abhilasha Barak became the first woman officer to join the Army Aviation Corps as a combat aviator. Described as a 'Golden Letter Day' for the Indian Army, Till



now, the Army did not have women officers in the flying branch, unlike the Indian Air Force and the Navy. As a new aviator in the Combat Aviation Squadrons, Barak is now set to receive her posting and will be flying a helicopter soon.

In addition to this, many other women officers have managed to unfurl their wings of freedom by becoming the pride of the Indian Armed Forces. One of them is flying officer Avani Chaturvedi, who scripted history by becoming the first Indian woman to fly a fighter aircraft solo. She flew a MiG-21 bison on her first solo flight. Aside from this, the all-women naval crew of INSV Tarini, wrote history when they became the first all-women Indian crew to successfully circumnavigate the globe.

Such acts of bravery and unprecedented determination are what led to the landmark judgement of March 2020, where the Supreme Court declared that women also have the right to be a part of the armed forces after qualifying for the same tests and requirements that men are subjected to. This single judgement by the Supreme Court spoke volumes about its desire to lead India towards gender equality. Therefore, as examples of women such as Captain Abhilasha Barak continue to break the walls of patriarchy through feminism, the society has hopes that one day the dream of a gender-neutral India will be achieved, an India where talent and determination will matter more than the gender or sexual orientation of an individual.

## V. International Gender Events

### The Pro-Life v. Pro-Choice Debate in the United States and How India is Far Ahead

According to a leaked drafted judgement released online by Politico, the US Supreme Court is poised to overturn the landmark *Roe v. Wade* decision, which has safeguarded the right to abortion for over half a century. According to the article, the draft was sent to judges on February 10 and received majority approval among the 9 judges. The draft overturns *Roe v. Wade*, the Supreme Court's 1973 decision enshrining the constitutional right to abortion, as well as *Planned Parenthood v. Casey*, a 1992 judgement that essentially sustained that right. According to reports, Justice Alito believes *Roe v. Wade* was ruled incorrectly and that the difficult issue should be addressed by politics rather than the courts. In the words of the Supreme Court, *Roe v. Wade* established a precedent that guaranteed women's right to a lawful abortion. The Supreme Court has acknowledged limitations on that privilege throughout time, but it has not departed from the fundamental legal principle established by the momentous case. In the words of the Supreme Court, *Roe v. Wade* established a precedent that guaranteed women's right to a lawful abortion. The Supreme Court has acknowledged limitations on that privilege throughout time, but it has not departed from the fundamental legal principle established by the momentous case. Justice Alito made the following observation in the draft opinion: "From the outset, *Roe* was completely erroneous. Its logic was woefully inadequate, and the judgement had disastrous effects. *Roe* and *Casey* have enflamed discussion and increased division rather than bringing about a national consensus on the abortion problem." "Roe and Casey, we believe, must be overturned. It's past time to follow the constitution and restore the debate over abortion to the people's elected officials", concluded the judge. Though this is not the final decision, many people see the leaked paper as a nightmare because it gives US states practically unrestricted ability to legislate as they choose, portending a bleak future. Meanwhile, the situation in India is drastically different for a variety of reasons. Both *Roe v. Wade* and the Medical Termination of Pregnancy Act, 2021 (MTP Act) in the United States and the Medical Termination of Pregnancy Act, 2021 (MTP Act) in India set comparable limitations on abortions. While in India, the right to abortion may only be terminated with the consent of a qualified medical practitioner, states in the United States can ban abortions for non-medical reasons. Over the years, states in the United States have imposed varied levels of abortion restrictions. Some states have enacted trigger legislation that will take effect if and when *Roe v. Wade* is reversed. Meanwhile, other states have enacted harsh abortion laws, such as the infamous Texas Heartbeat Act, which prohibits practically all abortions after 6 weeks of pregnancy. In comparison, in India, debates on legalising abortions began in the 1960s, when only 15 other countries had done so. For its time, the MTP Act of 1971 was progressive, and the 2021 Act eased abortion restrictions even more. The Indian courts have also contributed to the protection of women's rights. In a few

#### GenFacts

For centuries, girls have lacked equal educational opportunities. According to the 2020 Global Gender Gap Report, 88% of females worldwide had primary education. That's still lower than boys, whose percentage is at 91%. Millions of girls are still unable to attend school.



cases, courts have allowed women to terminate their pregnancies much past the statutory deadline. After reviewing the legislation, court rulings, and legislative debates on abortion in the United States and India, it is clear that the United States is more concerned with foetal viability and finding a balance between the rights of the unborn and the mother. India, on the other hand, places a premium on a woman's right to physical autonomy. Casey changed the standard of abortion regulation in the United States to one that was based on foetal viability, i.e., abortion was widely allowed before viability and prohibited after viability. However, 18 states have lately attempted to prohibit abortion before viability, and 26 states are anticipated to prohibit abortion before viability if the US Supreme Court overturns *Roe v. Wade*. This demonstrates how states in the United States have prioritised the rights of the foetus. While the Indian Acts are likewise predicated on foetal viability, the broader conversation has favoured women's reproductive rights. *Murugan Nayakkar v. Union of India* is one example, where abortion was allowed after the statutory requirement of 24 weeks based on rape and the minor's age.

### Need for Separate Women's Council in Women's Cricket

In India, cricket is regarded as the greatest sport, and players are regarded as the finest athletes. Cricket appears to be an appealing career choice because of the attention a player receives from the media, agencies, sponsors, and spectators. This viewpoint is skewed since it does not apply to women's cricket in the country. The Indian men's performance on the cricket pitch may elicit a wide range of emotions. The performance of the Indian women's cricket team, on the other hand, does not elicit the same response. In India, women's cricket receives a pittance of attention compared to its male counterparts. Similarly, on the world platform as well, women's cricket and its poor management had led to several questions being raised against the International Cricket Council and statements such as those of Greg Barclay, independent chair of the ICC, do less to answer those questions. Barclay told the BBC that Test cricket will not be "part of the women's landscape moving ahead," but he also



mentioned the legacy of men's Tests. According to an Australian news article, this has generated anxiety among female cricketers, prompting previous cricketing greats to urge the ICC to relinquish management of the women's game to those who are enthusiastic about its past. Raelee Thompson, a former Australia Test captain, said that the men in charge of the game were unaware of the women's game's history. "To think that Mr Barclay flatly refused to even consider women's tests and that he didn't even acknowledge there was any history," Thompson told the ABC. "I mean, we introduced overarm bowling, and you have to know the backstory to do it justice, and I'm afraid most of the men in charge don't have

any idea." "I believe there is a need for a separate women's council to oversee women's cricket. We'd still have to be part of the ICC, but it would be a lot better fit because the women

understand the requirements of the female players and genuinely cherish the heritage of what our forefathers have accomplished.”

## Effect of COVID-19 Pandemic on Trade and Gender Mainstreaming

In a Podcast with WTO Director-General Ngozi Okonjo-Iweala, it was discussed how the COVID-19 crisis affected world trade and various other dimensions affected by the Pandemic. One such dimension was to ensure that women and Micro, Small and Medium Enterprises (MSMEs) have access to trade. For this, inclusive trade is an essential factor as most MSMEs are led by women as shown by various studies of the WTO and financial aid to such MSMEs is vital. General Ngozi highlighted an agreement, the Services Domestic Regulation, regulation of domestic services, wherein for the first time, the WTO has included a non-discriminatory rule so that men and women are treated equally in the services trade. These are the kinds of initiatives being taken on a macro level to ensure inclusive trade and economic growth for all. Also, the International Trade Centre, which is an offshoot of the WTO and UNCTAD [UN Conference on Trade and Development], focuses more directly on getting resources into the hands of women entrepreneurs, in micro, medium, and small enterprises, to help them get onto these value chains and be integrated into the trade. However, in the contemporary economic world, trade finance for women has been highlighted as the primary issue. There's a \$1.7 trillion gap now totally in trade finance which affects women as well due to their lower financial inclusion. Now looking forward, three opportunities were identified in trade - Services Trade, Digital Trade and Green Trade. Services trade pre-pandemic was growing much faster than merchandise or goods trade which post-pandemic, will be one of the ways the world economy's going to recover faster. The next is digital trade, which is also helpful to services wherein e-commerce is becoming so important now that we are looking at rules. 86 members of the WTO are currently drafting rules that will underpin digital trade for the world economy. This would also help women as the MSMEs led by them can be included in this digitalization. The third, green trade including green investment is another opportunity to be considered. Keeping in mind these opportunities for India as well, the inclusion of women in trade is essential. The upcoming UK-India and Canada-India Free Trade Agreements wherein a chapter on Trade and Gender Inclusion are expected, can be a platform to avail such opportunities and increase women empowerment.

### GenFacts

Before the pandemic, the world was on track to reach gender parity in around 100 years. The pandemic added more than 35 years. Economic effects are a big reason why. Globally, women occupy more informal, low-paying jobs, which were hit hard by the pandemic. Women occupy more nursing jobs, which come with higher risks. Women also continued to bear most of the world's unpaid labor, which increased as schools and childcare centers locked down.

## **International Islamic Trade Finance Corporation (ITFC) promotes the empowerment of women**

International Islamic Trade Finance Corporation (ITFC) is promoting the empowerment of women in its Financing Agreements Totalling US\$7 Billion at the End of the 47th Annual Meetings of the Islamic Development Bank Group in Egypt. The said meeting witnessed 12 agreements signed by the ITFC with total financing of US\$7 billion. These agreements are geared towards supporting among other social issues, women's economic empowerment in these countries. The first agreement with the Government of Burkina Faso includes a EUR 238 million annual financing plan for 2022 to finance the imports and exports industry of Burkina Faso. The second agreement which entailed US\$50 million in financing was signed by H.E. Mr Isselmou O. MohamedM'Bady, Minister of Finance, IsDB Governor for Mauritania in favour of Mauritania for the purchase of commodities and products, with SOMELEC being the executing agency. Finally, ITFC signed a US\$100 million Terms Letter for the Murabaha Agreement to support the trade finance needs of women entrepreneurs and the private sector in Uzbekistan. These agreements with the aim of the empowerment of women in Trade will immensely catalyse the social and economic growth of women in the concerned regions. This is because, in the contemporary world, women play an essential role in Trade and initiatives such as their financial inclusions, aid to women-led MSMEs and increased investments are becoming essential.



## VI. Thematic Writing

### PRIDE MONTH

#### Background of the Pride Month

We celebrate pride month in June to coincide with the catalyst of the Gay Liberation Movement that was the Stonewall Uprising. It celebrates the lesbian, gay, bisexual, transgender and queer communities. The month of June is celebrated with parades, picnics and parties full of colours representing the communities. It involves people with different identities, races and nations coming together to celebrate their identities. It is dedicated to amplifying LGBTQ concerns, enjoying LGBTQ culture, and pushing for LGBTQ rights. It is safe to say that Pride month in recent years has become a global phenomenon with acceptance flowing from all over the globe.



#### Meaning of Pride Month

Pride Month honours the lesbian, gay, bisexual, transgender, and queer community's years of battle for civil rights and the continued pursuit of equal justice under the law, as well as the accomplishments of LGBTQ individuals. Moreover, it is to commemorate the stonewall uprising.

#### Pride Symbol

The rainbow flag created by artist Gilbert Baker in 1978 is used as a symbol of LGBTQ pride. It contains 6 colours and each colour on the flag has its meaning red is symbolic of life, orange is symbolic of healing, yellow is sunshine, green is nature, blue represents harmony and purple is spirit. In the original eight-colour flag, hot pink was included to represent sex and turquoise to represent magic/art.

#### History of Pride Month Globally

On 28th June 1970 – the world's first Pride Parade took place in New York City. Known then as the *Christopher Street Liberation Day March* the parade began on Washington Place between Sheridan Square and Sixth Avenue and moved up Sixth Avenue, ending with a "Gay-In" in Central Park.

In the year 1969, police raided Stonewall Inn (a famous LGBTQ spot) on June 28. Witnesses to police mistreatment of LGBTQ people have previously stood by silently, but this time the audience jeered the cops and tossed money, and glasses at them, causing the cops to suffer. This revolt was the catalyst for the United States' LGBTQ rights movement and many other events followed.

The President of the USA Bill Clinton announced June 1999 to be "*Gay and Lesbian Pride Month*," later President Barack Obama declared June to be "*LGBT Pride Month*," and Vice

President Joe Biden expanded the celebration to include “Lesbian, Gay, Bisexual, Transgender, and Queer (LGBTQ+) Pride Month.”

#### The emergence of pride month in India

On 2<sup>nd</sup> July 1999, the first parade in India was held in Kolkata it was called the “*Kolkata Rainbow Pride Walk*” as it was the first parade, so, there weren’t a much of participants. In 2008, Bengaluru, Delhi and Puducherry held coordinated marches with Kolkata. The Bengaluru pride parade is known to have participation from corporate companies such as Google, IBM etc. Participants were increased in the aforementioned parade. There have been disruptions by the political parties but mostly they ran smoothly. In 2009, a landmark Delhi High Court decision in the *Naz Foundation v. Govt. of NCT of Delhi case*, was a major push forward.

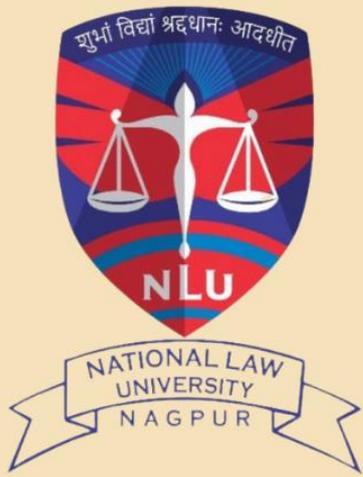
In 2014, the northeast had its first parade in Guwahati, Assam. It came into being as a result of Guwahati’s participation in a Global Day of Rage observed due to the decision in *Suresh Kumar Koushal v. NAZ Foundation* case in 2013, the Supreme Court overturned the Delhi High Court *Naz Foundation* case and reinstated Section 377 of the Indian Penal Code.

In 2017, pride parades across India criticised the proposed Transgender Persons Bill 2016, and Kolkata commemorated Transgender Day of Rage on the same day as its march. In India, 2018 was a particularly celebratory year for pride parades, as the oppressive Section 377 was repealed that year. In 2018, the LGBTQIA+ community marched around the country as fairly free citizens.



#### **Significance**

Pride month is very significant as the LGBTQ+ community is still not widely accepted everywhere, the pride month is a positive step in sensitizing and making people aware of the LGBTQ+ community, which comprises people who are much normal as any of us but still not accepted in some countries and cultures. It further aids an individual in recognizing their own identity. Seeing people coming together to celebrate pride month, celebrate their unique identities and sexual orientation encourages the closeted ones to come out of the closet too, it makes them feel they are not alone in this and it makes them feel normal and accepted, Due to the celebration of the pride month, people are becoming aware of rights in 2021, the flag was altered in solidarity with the Black Lives Matter protests, including black to represent diversity, brown to represent inclusivity and light blue and pink, the colours of the trans pride flag. The people must be supportive, understanding and aware of the individual’s rights, that’s why pride month fosters awareness amongst people all across the globe for the It encourages people to come together, accept and celebrate their identities and celebrate love.



Newsletter

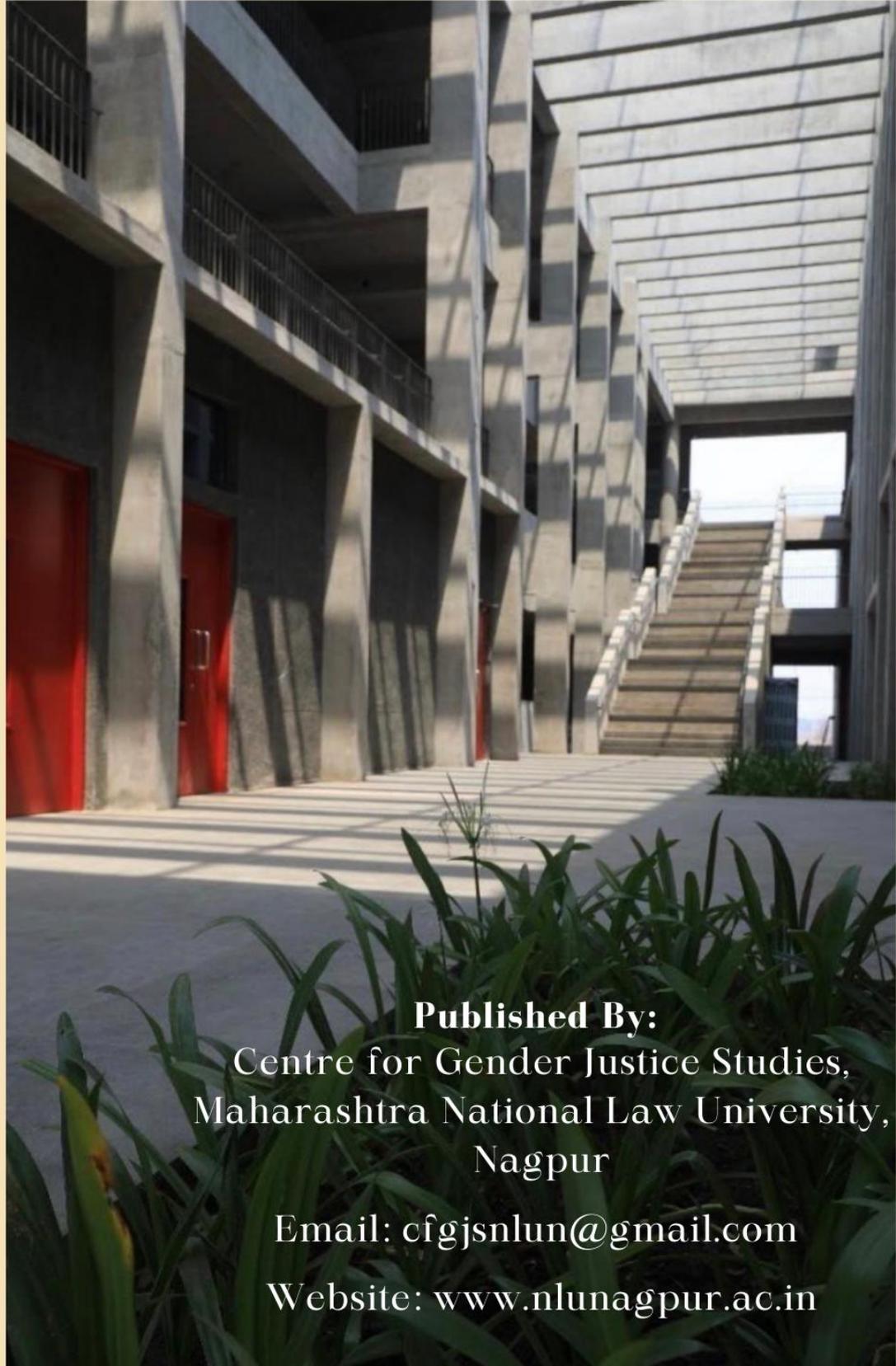
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