

Status of Nalsa Judgement Implementation: A Case Study of Kerala

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Abstract

Presence of transgenders have been marked since the ancient periods. Mention of transgenders in ancient epics like Mahabharata and Ramayana substantiate this. Although transgenders had a strong cultural history, they were declared as ‘criminal tribes’ and isolated from the society by the colonial regime.

NALSA judgement of 15th April 2014 by the Supreme Court of India was a landmark judgement in the Indian history recognizing the existence and rights of Transgender community in the country. It was a very comprehensive and inclusive judgement by a two-judge bench comprising justice K.S Radhakrishnan and justice A.K Sikri. It underlined the importance of protecting the fundamental rights granted by the constitution to the citizens of India and directed the Central and State governments to take out the steps necessary to uplift the community in every aspect of life. Kerala is the first state in India to introduce a policy for Transgender Community.

Through this paper, I have tried to understand the status of NALSA judgement implementation and the reasons for transgender suicides in Kerala, the most literate state and the state holding first position in the Human Development Index in India.

Keywords: education, health, inheritance, policies, transgenders