

JOURNAL FOR LAW STUDENTS AND RESEARCHERS**HOMOSEXUALITY AND HOMOPHOBIA****Shristi Sharma****Manipal University, Jaipur**

Individuals across the earth confront ferocity and disparity – and in some instances trauma, even execution – in light of who they love, what they appear like, or their identity. Sexual orientation is a personal choice of ourselves and ought to never give rise to dissociation or mismanage. Lesbian, gay, bisexual and transgender abbreviated as LGBT, people encounter exceptional wellbeing aberrations. In spite of the fact that the acronym LGBT is utilized as an umbrella term, and the wellbeing needs of this group are frequently gathered together, each of these letters speaks to an unmistakable populace with its own wellbeing concerns. Moreover, among lesbians, gay men, swinger men and ladies, and transgender individuals, there are subpopulations in light of race, ethnicity, financial status, geographic area, age, and different elements. These category of individuals tend to bear the brunt of their sexual orientation globally – involving severe torment, slaughtering and executions, captures under vile laws, inequality, prohibition in society, therapeutic misuse, discrimination in medical facilities, housing and employment opportunities, disparaging behaviour by family, unacceptable approach, refusal of family rights and no acknowledgment by the dear ones. They are denied of their essential thing rights and in a way are restricted to experience their lives in their most normal shape.

Homosexuality is primarily the most unthinkable topic of social importance in the Indian common society and for the lawmakers. Section 377 of the Indian Penal Code refers sex with people of a same gender as a crime. There might be considerably higher rates of people in this country who have covered their character, gone in shadow since various gay Indians are living in a closed box because of dread of discrimination and prejudiced behaviour by the public. Gay people are not prepared to acknowledge their genuine characteristic way of life as they are not satisfactory in the way of life and society of India; this is on the grounds that they confront extreme backfire and viciousness from individuals.

Homophobia is opprobrium of LGBTQ individuals- that is, lesbians and gay men, also bisexuals and transgenders- once in a while prompting demonstrations of ferocity and

articulations of antagonistic vibe. Homophobia isn't exclusive to any one particular portion of society, it is like a deep-rooted evil mentality and can be found in individuals from all walks of life and backgrounds be it rich-poor or literate-illiterate etcetera. Sorted out detest bunches have shown violence and aggression resulting in assaulting gay people and have used particularly derogatory language in order to oppress and scare them from coming out. Oppressing gay people comes in many structures. Every now and then homophobic behaviour lead individuals towards indulging in partial activities at workplace, at schools, at clubs and in numerous other sectors too. Homophobia makes people believe that they are superior better to say 'pure' than LGBTQ individuals, in an ethical sense. Homophobia is most unpalatable when it engulfs in as the ability to act out barbaric against LGBTQ people. Of late assaults and agitation towards gay people have risen even though there are laws against such acts. While the violence rate in numerous territories keeps on dropping, against LGBTQ section is moving the other way. Homophobia is pervasive in India. Opening up and accepting that homosexuality is natural in India has been hindered. As of late, be that as it may, mentalities towards homosexuality have moved towards the conservative side. Specifically, there have been more delineations and discourses of homosexuality in the Indian news media and in silver screen. Non-governmental organisations, namely the Naz Foundation (India) Trust, the National AIDS Control Organization, Union Health Ministry, National Human Rights Commission of India, Law Commission of India and the Planning Commission of India have worked for decriminalizing homosexuality in India i.e. Section- 377 of IPC, and propel for resistance and social equality for LGBTQ individuals. Our nation has an exceptionally unique and dynamic Constitution which in a way lays down the foundation of this extremely vast country intertwined with wide range of complexity issues. It is the inherent duty of the State to guarantee that no individual is victimized by some trivial issue like their choice of sexual orientation. Sexual orientation of individuals is an extremely personal choice. These vulnerable and victimised section of people are in minority hence they are dominated by the majority portion who does not accept that being a homosexual is natural. Rather these dominant intolerant section considers homosexuality as a mental disorder, a disease. LGBTQ also are entitled to fundamental rights prescribed by the constitution of India, they are also protected by the rights. Be that as it may, their entitlement to fair and just society to get equivalent treatment and dignity in the public are dishevelled on normal premise in this country. Society at whole treats them in a manner which morally and legally not acceptable, particularly police. LGBTQ bear the brunt of casualty of rights infringement on daily basis. Their fundamental

human right are infringed as well as ideal to life which incorporates appropriate to appreciate life legitimately.

India, prospering in 21st century is endeavouring to wind up plainly as a super power and the world pioneer; in truth it has all the possibility to end up plainly one. Be that as it may, this potential would not be acknowledged until and unless the general public won't open its eyes to this miscarriage of justice and ill-treatment towards certain groups of human beings. Its high time that the people uninhibitedly acknowledge and discuss about suppressed forbidden issues, for example, homosexuality. For a wind of change to blow, most importantly the perspective of the general population should be altered. The foremost step is sex education in schools and at homes. A child must feel comfortable and ease to talk about his or her issues or issues identified with sexual aspect and even their sexual decisions with their parents or educators whomever they find comfortable to express to. In addition to that it is very crucial that parents or educators completely value and thoroughly understand their child's circumstance and guide them through such turmoil in like manner. Law authorization offices, for example, police likewise require improvement so they will have the capacity to welcome the bona fide worries of LGBTQ individuals.

Thus, our media and film brotherhood are also required to be more circumspect while portraying such individuals in their shows and movies separately. Moreover, they can take up an imperative part in imparting learning and dispersing genuine statistics relating to LGBT individuals and their decisions regarding their sexual orientation pertaining to peacefully existing in the society. Such an important step could get a genuine scenario of the discriminatory circumstance and conditions faced by LGBTQ individuals.

Aside from all these, the most vital single step in dispensing with the disgrace over LGBT individuals is already taken that is decriminalization of section 377 of the IPC so they could have an ordinary general life like others and exercise their human rights without any seclusion from the society. Ideally the system would soon start working upon their legitimate supplication and provide with important improvements in the law regarding the injustice and disdain from the society.

But still there remains a big question that large majority of society in India consider the concept of homosexuality to be threat to cultural and social integrity as well as moral fibre of the nation.

Decriminalisation of section 377 is only the beginning towards altering the cast of mind of each and every individual. These individuals whose idea of sexual orientation does not pan out parallel to that of others does not justify that they should not be at the receptive end of respect, dignity and fair treatment.

