



BRIDGING THE GAP: LEGAL ISSUES AND POLICY RECOMMENDATIONS FOR THIRD GENDER INCLUSION IN INDIAN SPORT

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Abstract: Concerning the inclusion of people of third gender in Indian sports, this abstract describes the legislative hurdles and recommendations for policy. The entrenched cultural attitudes and institutional challenges that restrict their participation in sports continue notwithstanding constitutional protections and progressive legal rulings that acknowledge the rights of third genders in sports. In the framework of sports competition laws and governance, this research looks at relevant legal issues such as gender identity recognition, discrimination, and privacy difficulties. In order to address this gap, it makes policy recommendations based on qualitative analysis and case studies. These suggestions include creating inclusive eligibility standards, educating stakeholders, and building up grievance redressal procedures. By addressing these issues, the research aims to foster a more equitable and inclusive sporting environment in India, reflecting the principles of diversity, equality, and human rights.

Index Terms - gender identity recognition, discrimination, privacy difficulties, diversity, equality, human rights.

1. INTRODUCTION

People whose gender identity does not correlate with their biological gender are referred to as transgender. Both people who identify as male but were born as female and people who identify as female but were born as male are included in this.

The first problem is awareness of transgender identity; some persons identify as transgender at a young age, while others find it difficult to identify this way and only accept it much later in life. These individuals, whether or not they are athletes, often face discrimination from their local society; the International Olympic Committee (IOC) does not care about them.

Sports are a reflection of many values, including respect, discipline, equality, companionship, and equity. Individuals from different backgrounds gather to socialize, engage in competition, and form brotherly relationships. It has been noted, meanwhile, that a few of its unfavorable rules and laws also provide the foundation for exclusion.

Without their knowledge or agreement, the sports world treats transgender athletes unfairly and makes them pass severe tests in order to participate.

1.1. History of Transgender sports

- i. Up until the 19th and 20th centuries, women were not educated, and the society was very patriarchal. Women were expected to stay at home and take care of the house, while males were expected to go to work. Educated women were not introduced to sports participation. Women became increasingly involved in a wide range of fields after World War II. Because the women's civil rights movements of the 1970s changed social standards, women's engagement improved. In an effort to promote female participation and ban sex segregation, the Major Baseball league, which was cancelled owing to World War II, was replaced with the All-American Girls Baseball league.
- ii. The barrier of women participating in sports has been overcome. In addition, as circumstances evolved, knowledge of gender equality and fluidity increased and time went on, cases of transgender men and women appeared. A person who identifies as transgender is one whose internal psychological identification as a boy or man or girl or woman does not correspond with their biological sex. A male-to-female transgender individual, for instance, is a person who identifies as a woman or girl yet was born with a male physique. A female-to-male transgender person is someone who was born with a female body but who identifies as a boy or a man.”¹
- iii. Discrimination based on gender has substantially limited the positive effects of sports, such as women's empowerment and gender equality, at all levels of competition. Interscholar and collegiate sports were the first to discriminate against transgender athletes by excluding them from competing. Gender identity is questioned and transformed during the formative years of high school and college. Hence, it became imperative for the governing body to ensure provisions for the inclusion of transgenders in sports. Many people were afraid of being judged if they came out of the closet and revealed their gender identity. As a result, they were unable to take advantage of chances that they would have otherwise had, like competing in a competitive sport and succeeding in it. The majority of inter-college, inter school, and other professional sports leagues lacked rules or guidelines allowing transgender athletes to participate in their leagues until late 2011. Perhaps, in September 2011, the NCAA (National Collegiate Athletic Association) took the lead in ensuring “the need for standards to ensure that the transgender student-athlete does not encounter problems with participation due to inconsistent rules for state eligibility, conference and tournament eligibility, and national competitive tournaments. Furthermore, inclusion, equal opportunity, and acceptance should be the goals when establishing such standards.”²

1.2. Transgender rights in India

- i. Transgender persons are unique individuals who go against gender norms and the idea that there are only two genders—man and woman. They differ in appearance, personality traits, and behaviour. Because they do not belong to the same gender as everyone else, transgender people have faced discrimination in the general public. Because of this, they are also victims of physical aggression. Homelessness, unemployment, hopelessness, alcoholism, lack of access to healthcare, and prejudice throughout their lives are some of their biggest issues. Their rights are protected by the Indian Constitution, and the Supreme Court has recognized them as the "Third Gender" and approved certain social programs to help them with their problems and protect their rights.
- ii. The third gender gained legal recognition in the *National Legal Service Authority v. Union of India* case, a landmark decision in which the Hon. Supreme Court held that the third gender should have access to the same fundamental rights as men and women. The court upholds Articles 14, 15, 16, and 21 to grant transgender people equal rights and safety. The court stressed out on the importance of right to dignity and gave due recognition to their gender identity which was based upon reassigned sex after undergoing Sex Reassignment Surgery as the person has a constitutional right to get recognized as a male or female. As a

¹<http://www.womenssportsfoundation.org/wp-content/uploads/2016/08/transgenderstudentathletereport.pdf>

²Ziegler EM and Huntley TI, “It Got Too Tough to Not Be Me: Accommodating Transgender Athletes in Sport” (2013) 39 Journal of College and University Law 470

- result, transgender people have the right to legal protection in all areas of state activity, such as employment and education.
- iii. Article 14 addresses equal protection under the law or equality before the law on Indian territory. Transgender people are entitled to legal protection under the Indian Constitution in all areas of state action, as Article 14 clearly applies within the definition of "person," which includes both genders.
 - iv. Article 15 which deals with the prohibition of discrimination on the ground of religion, race, caste and sex includes the third gender under its ambit as being the citizens they have the right to not to be discriminated on the ground of their religion, caste race and sex. They have the right to be free to represent their gender as they feel appropriate, which is mostly shown in the way they dress, act, and behave.
 - v. Article 16 addresses equal opportunity in public employment affairs since it expands the definition of sex to include gender identity and "Psychological Sex" within its bounds. Being citizens of India, transgender people have the right to employment and equal opportunities in the workplace. They shouldn't face discrimination because of their sexual orientation.
 - vi. Article 21, which addresses the protection of life and personal liberty, provides that no one may be deprived of these rights unless it is done in accordance with the legal process. Transgender people have been denied their right to life and personal freedom for ages. Given that they are an Indian citizen, transgender people ought to enjoy complete legal protection for their rights and freedoms. In addition, the Supreme Court has upheld the right to dignity by allowing gender identity to be under the purview of Article 21.
 - vii. In *Navtej Singh Johar v. Union of India*³, the constitutional validity of Section 377—which states that "voluntarily carnal intercourse against the order of nature with any man, woman, or animal shall be with punished with imprisonment for life, or with imprisonment which may extend to ten years with a fine"—was at issue. The case is related to the decriminalization of Section 377 of the Indian Penal Code. The petition was filed claiming that the Indian Penal Code's Section 377 violates people's rights to equality, privacy, freedom of speech, and protection from discrimination. In the current case, the petitioner filed a writ petition to demand that the rights to sexuality, autonomy for one's sexual life, and the ability to select one's sexual partner be recognized as protected rights under Article 21 of the Indian Constitution. In this case, the petitioner claimed that Section 377 violated Article 14 because it was ambiguous, failing to define "carnal intercourse against the order of nature," and that there was no discernible distinction between accepting, natural sex and unnatural sex. Section 377 violated both Article 19 and Article 15 because it denied the right to express one's sexual identity and discriminates based on the sex of a person's sexual partner. In this case, the Honorable Supreme Court ruled that homosexuality is a versions on sexuality rather than an aberration and that Section 377 should be decriminalized. The Court further ruled that denial of the following rights is a violation of the right to life and that discrimination based on sexual orientation violates both the right to equality and the right to privacy because sexual orientation is a fundamental aspect of self-identity.
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1.3. Population census of transgender in India

- i. India is the world's largest democracy that upholds "unity in diversity," with a population of almost 1.3 billion people. A culturally distinct gender group, the transgender population in India presents a diversity of gender identities and sexual orientations, which is unusual in the West. Because the transgender community is diverse, it represents a distinct gender group with a range of gender identities. Studies reveal that transgender individuals are among the most vulnerable populations globally, and India is no longer an exception. The fundamental rights of transgender people remain unprotected in India and other countries, despite widespread acceptance and social acknowledgment. This community is still treated with prosecutorial mentality in India. From an early age, members of this group of people are subjected to

³<https://www.legalserviceindia.com/legal/article-6402-case-summary-navtej-singh-johar-v-s-union-of-india.html>

mockery, intimidation, and mistreatment. Human rights are entitled to equal rights and protection from discrimination, as per Indian legislation, Section 377, and the Transgender Person's Bill of 2019.

- ii. There were no transgender individuals in India's population records prior to the 2011 census. However, the estimated overall number of transgender individuals is 0.49 million. The transgender community in India has developed its own methods of community development despite being a marginalized part of society. This community has poor literacy rates, according to data from the national census.⁴ While the general population's literacy rate is 74%, only about 43% of transgender individuals possess a literacy certificate. These people are the target of violence and harassment in addition to facing numerous social, cultural, legal, and financial challenges. Lack of resources for subsistence and difficulty accessing medical services are results of poverty and economic marginalization. To make matters worse, they are experiencing low morale due to gender discrimination in the community, especially in the hospitals.

1.4. Living Condition of Transgender

Transgender people's living conditions vary widely based on their particular circumstances, although they frequently experience poverty, violence, and discrimination.

In many countries, transgender people are not recognized as their true gender and are denied basic rights such as access to education, employment, and housing. This can lead to homelessness, poverty, and a lack of access to healthcare.

The major problems faced by the transgender community are

- a) **Disrespect:** Transgender people face discrimination in every aspect of life, except in the situations when they give blessings after the child is born or to newlywed couples. They are treated like they have no dignity.
- b) **Downtrodden:** These transgender people are mistreated and oppressed by those in positions of authority. People who identify as transgender are more likely to fight for social justice.
- c) **Prostitution:** Their friends, family, and/or community pressurize them to become prostitutes. It's sometimes obvious that their parents are involved in some situations.
- d) **Forced to escape:** After their identity is discovered, they face pressure to leave their home because they are viewed as not being a normal part of the community and society.
- e) **Unwanted attention:** When transgender individuals are spotted in public, they often receive strange looks and stares. Occasionally, people will insult, abuse, or curse them in an attempt to start a commotion.
- f) **No entry:** The majority of establishments refuse to welcome transgender individuals. Particularly in restaurants, theaters, parks, and places of worship, they are pushed away.
- g) **Rape:** this is the most common type of violence transgender people face. They are prone to face rape followed by physical and verbal abuse.
- h) **Human trafficking:** Being a neglected and unaffected individuals in society, they are more likely to experience the issue of human trafficking.
- i) **Social exclusion:** The major problem in the whole process is that they are socially excluded from the society. They are excluded from participating in social, cultural and economic life. In brief, they are excluded from –
 - Economy, employment and livelihood opportunities
 - Excluded from society and family
 - Lack of protection from violence
 - Restricted access to education, health care and personal care
 - Limited access to public spaces

⁴<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC10148579/#:~:text=Still%2C%20the%20total%20population%20of,community%20has%20low%20literacy%20levels.>

- Limited access to collectivization
- Rights of Citizenship
- Excluded from decision-making

2. Challenges in Third Gender Inclusion

i. DISCRIMINATION AND STIGMA

Discrimination in sports refers to unjust treatment or keeping out on the basis of a person's gender identity. This might appear in a variety of ways, such as being denied a chance, having limited access to training resources, or receiving uneven pay. This bias, which encourages discrimination and the notion that athletics are just for cisgender individuals, puts third gender athletes in a hostile setting. However, stigma refers to the unfavorable social perception and prejudice that surround athletes who identify as third gender. They frequently experience prejudice, mockery, and insults, which can make the atmosphere unfriendly and unwelcoming. Due to stigma, talented athletes who identify as third gender could be discouraged from pursuing their interest because they worry about negative results and public criticism.

Stigma and discrimination work together to restrict the development of third gender inclusion in sports. They promote the myth that sports are only for cisgender people, prevent talented athletes from competing, and limit their opportunities for growth and success. To address these challenges, sports organizations, legislators, and the general public must take proactive steps to promote inclusivity, awareness, and acceptance. All people, regardless of gender identity, may fully engage in and succeed in sports if we remove stigma and discrimination and build a more varied and equal athletic environment.

ii. LACK OF REPRESENTATION

The basic cause of this issue is the underrepresentation of third-gender people in the sports industry, both as athletes and as executives in sports associations.

First and foremost, the scarcity of athletes who identify as third genders helps perpetuate the misconception that these individuals do not belong in athletics, which further contributes to their exclusion. Young people who want to be athletes may become deterred from doing so if they do not see role models who identify as they do. It is also challenging for third gender people to feel accepted and like they belong in the sports community when they are underrepresented.

Moreover, the lack of representation for the third gender also affects positions in sports organizations that include decision-making, such as coaching staff and administrative duties. It is difficult to put inclusive policies and practices into place without people who have an understanding of the unique challenges and obstacles faced by athletes who identify as third gender.

To address this challenge, it is crucial to actively promote diversity and representation in sports. This can be accomplished by initiating campaigns to motivate people of third genders to take up sports and by putting in place inclusive laws that offer chances for their progress. By doing this, sports can eventually break down barriers and provide equal opportunity to all athletes, regardless of their gender. Sports can also become more inclusive and welcoming.

c. MEDICALIZATION OF GENDER

Besides violating their right to autonomy, third gender athletes' medical examinations and interventions create negative stereotypes and prevent them from being included in sports.

In order to comply to conventional binary gender norms, third gender people are frequently medicalized by undergoing invasive treatments like hormone therapy or surgery. This puts an excessive amount of pressure on athletes to make significant and frequently life-changing decisions concerning their bodies just so they can play sports. Such demands may have negative long-term effects on one's physical, emotional, and mental health.

Furthermore, medicalization marginalizes people who choose not to seek medical procedures by perpetuating the false belief that there is a single "correct" way to be a gender-diverse athlete. This pressure has the potential to prevent many talented athletes from ever taking up sports, which would reduce the pool of potential talent and diversity in the world of sport.

3. Transgender Who Are Working as a Government Employee

i. Joyita Mondal

In the Indian transgender community, she is a pioneer. Being the first transgender judge in India, she is also an activist and social worker. Joyita was raised in a traditional Hindu family in West Bengal, and she was subjected to prejudice and hardship from a young age, which caused her to leave school and become homeless. Despite these difficulties, she persisted in going to school and eventually graduated from law school through correspondence.

A remarkable turning point in India's progress towards inclusivity was reached in 2017 with Joyita's historic appointment as a judge in a Lok Adalat (civil court). She gave those who have long been marginalized in the court system a voice by sitting on the bench, symbolizing acceptance of transgender.

ii. Manabi Bandhopadhyay

2015 saw the appointment of transgender woman Manabi Bandhopadhyay as principal of Krishnagar Women's College in West Bengal, which created history in India. As far as transsexual positions go in India, she is the first openly holding one. For transgender rights in India, Bandhopadhyay's appointment as principal was a historic event. As well as a dedication to equality and inclusiveness, it represented a rising acceptance of transgender persons in Indian society.

4. Ensuring Reproductive Rights and Healthcare for Transgender Individuals

All people should have access to the fundamental human right of reproductive autonomy, irrespective of their gender identity. But getting access to reproductive healthcare and making decisions about their bodies may be extremely difficult for transgender people.

• Barriers to Transgender Individuals' Access to Reproductive Care

Transgender people have numerous challenges when trying to obtain complete reproductive healthcare. These challenges are caused by a lack of knowledge about the healthcare needs of transgender patients, stigma and prejudice in healthcare settings, a lack of funding, and a scarcity of medical professionals with sufficient training in transgender care.

Transgender people should be able to make decisions regarding their reproductive health, such as whether to get pregnant, whether or not to have children, and how to use reproductive technologies. Healthcare professionals should treat them with respect and dignity and abstain from harassing or discriminating against them and should have access to care that respects their gender identity and expression and is culturally competent.

Article 14 forbids discrimination based on sex and ensures the right to equality before the law. In the landmark *2014 National Legal Services Authority v. Union of India (NALSA)* judgment, the Supreme Court of India considered to include the liberty from discrimination based on gender identity for getting healthcare, including reproductive healthcare.

Article 15 prohibits discrimination on the basis of sex, caste, race, religion, place of birth, or residence. The protection of Article 15 has been considered to include transgender people in the NALSA judgment. This means that transgender people have the right to obtain healthcare, especially reproductive healthcare, without facing prejudice.

The right to life and personal liberty are protected under Article 21. According to certain interpretations, this right includes the freedom to make independent decisions regarding one's body, such as having access to reproductive healthcare. In the *2019 Puttaswamy v. Union of India* judgment, the Supreme Court of India affirmed that the right to privacy is an inherent part of Article 21 and includes the right to make choices regarding one's reproductive health.

- **The Transgender Persons (Protection of Rights) Act, 2019**

Apart from the safeguards provided by the Constitution, the Transgender Persons (Protection of Rights) Act, 2019 recognizes transgender individuals' rights to obtain healthcare, including reproductive healthcare. The Act provides that "the Government shall take measures to ensure that transgender persons have equal access to healthcare, including gender-affirming healthcare, and that they are not discriminated against in the provision of healthcare."

Transgender people frequently face significant challenges when trying to get access to reproductive healthcare. These challenges may consist of:

- Lack of understanding-** A large number of transgender people may not be aware of their reproductive options or where to go for treatment that is sensitive to their cultural background.
- Discrimination-** Healthcare professionals may discriminate against transgender patients by refusing to treat them or by making harsh or insensitive remarks.
- Financial barriers-** Many transgender people find the cost of various reproductive healthcare services, including gender-affirming hormone therapy, to be prohibitive.
- Lack of training for healthcare providers-** Many healthcare professionals are not trained in the treatment of transgender patients, which can result in poor or inappropriate care.

A significant campaign has begun to support transgender reproductive rights in spite of these barriers. This movement aims to⁵:

- Educate transgender people about their reproductive options: This includes giving advice on gender-affirming hormone therapy, gynecological care, contraception, and methods for maintaining fertility.
- Promote policies that preserve the reproductive rights of transgender people: This includes supporting anti-discrimination provisions in the medical field, financing for transgender healthcare services, and insurance plans that cover gender-affirming hormone therapy and other reproductive healthcare services.
- Train medical professionals on transgender healthcare: This includes providing instruction on the particular requirements of transgender people as well as on how to deliver care that is sensitive to cultural differences.

⁵<https://transequality.org/issues/resources/transgender-sexual-and-reproductive-health-unmet-needs-and-barriers-to-care>

5. Case Study

- **The Curious Case of Shanthi: The Issue of Transgender in Indian Sports⁶**

Shanthi Soundarajan is an Indian athlete who was born in a village in Tamil Nadu in 1981. She is a Dalit, which is the lowest caste in India. Soundarajan's family was very poor, and her parents had to move to another town to work in a brickyard. Shanthi was left to look after her four siblings. Soundarajan's grandfather was a skilled runner, and he helped her to develop her running skills. She won her first race in the eighth grade, and she went on to win 13 more interschool events. Her performance caught the attention of a nearby high school's sports coach, who recognized her potential. The school provided for her food, clothing, and tuition. Soundarajan had a very successful athletic career. She won the 800, 1,500, and 3,000 meters at a national meet in Bangalore in July 2005. She also won a silver medal at the Asian Athletics Championships in South Korea in 2005. In 2006, Soundarajan was part of the Indian team that competed at the Asian Games in Doha, Qatar. She won the 800 meters in a time of 2:03.16 seconds. However, she was later stripped of her medal after failing a gender test. The gender test that Soundarajan was subjected to was controversial, and it is still unresolved today. As a result of this test, Soundarajan was deprived of her silver medal. Soundarajan's story is a reminder of the challenges that face athletes from marginalized communities. Despite her many successes, she was ultimately denied the recognition she deserved due to discrimination.

- **Laurel Hubbard**

Weightlifter Laurel Hubbard, of New Zealand, made history in 2018 by competing in the women's +90 kg weightlifting event at the Commonwealth Games in Gold Coast, Australia, and being the first openly transgender athlete to compete at the Games.

- **Examples of successful initiatives for third gender inclusion in sports in other countries**

- CANADA:** The introduction of third genders in sports has been introduced by Canada. Transgender and gender-diverse athletes were acknowledged by the Canadian Olympic Committee (COC), which was the first national Olympic committee to do so in 2012. Along with these efforts, the COC has also trained coaches and officials to foster a more inclusive sports environment and funded gender affirming treatment for athletes of third genders.
- THAILAND:** Further progress has been made in encouraging the participation of third genders in sports by Thailand. After a policy was approved in 2015 by the Sports Authority of Thailand (SAT), athletes who identify as transgender are now permitted to compete in the gender category that most closely fits their gender identity. Along with these efforts, the SAT has also trained coaches and officials on how to foster an inclusive sports environment, among other measures aimed at helping athletes who identify as third gender.
- GERMANY:** Sports gender equality has long been supported in Germany. A policy against gender identity discrimination against athletes was adopted by the German Olympic Sports Federation (DOSB) in 1999. In addition, the DOSB has launched several other programs to assist athletes who identify as third gender, including financing care that is gender affirming and educating coaches and officials on what it takes to foster an inclusive sports culture.

⁶<https://rupkatha.com/curious-case-shanthi-issue-transgender-indian-sports/>

6. Implementation Strategies

- **COLLABORATION WITH LGBTQ+ ORGANIZATION**

In order to implement third-gender inclusion in athletics, LGBTQ+ organizations must collaborate. These partnerships could enhance diversity, increase awareness, and promote inclusivity in the sports sector.

Typically, this type of cooperation involves sharing assets, expertise, and life lessons. LGBTQ+ organizations are an excellent source of information and support on the particular needs and challenges faced by third-gender athletes and enthusiasts. They can also assist in the formulation of guidelines and policies that guarantee gender parity and uphold the prohibition against discrimination in sports.

These partnerships often involve cooperative events, workshops, and educational activities aimed at increasing awareness and sensitizing the sports community regarding LGBTQ+ and third-gender issues. Through collaboration, sports clubs can reach a larger pool of sponsors, volunteers, and supporters who are all dedicated to the cause of inclusivity.

Additionally, collaborating with LGBTQ+ organizations can encourage the development of supportive mentorship programs, gender-neutral facilities, and inclusive terms. The objective is to improve sports so that individuals of all gender identities can play without fear of discrimination and feel empowered, accepted, and at ease. In the end, these partnerships are a big step in the direction of encouraging equity and diversity in the sports sector.

- **TRAINING FOR SPORTS OFFICIALS**

By ensuring that officials are informed, understanding, and encouraging of people of different gender identities, these training programs aim to advance inclusivity and fair play in the world of sports.

First of all, these programs inform authorities about the diversity of gender identities and difficulties experienced by athletes who identify as third gender. They stress how crucial it is to speak about athletes in a professional, inclusive manner and to stay clear of gender stereotypes. Officials are trained to use appropriate pronouns and names in order to foster an atmosphere that respects and embraces athletes' chosen gender identity.

In addition, training courses address harassment, bullying, and discrimination in the sports world. Officials receive training on how to recognize discrimination, deal with it, and encourage athletes who identify as third gender to report any incidences.

Moreover, training helps officials in comprehending the nuances of gender-neutral facilities and policies, guaranteeing that athletic events provide equitable chances and accommodations for every participant.

In ultimately, this training makes sure that sports officials represent equity and inclusivity in the sports industry. It enables them to make a significant contribution to the general diversity and equality in athletics by creating a secure, professional, and inviting environment for athletes who identify as third genders.

7. Role of Sports Governing Bodies

In India, the role of sports regulating organizations is vital in promoting the inclusion of third genders and creating an environment that is fairer and welcoming for all. In this context, the following are some of the primary responsibilities of sports governing bodies:

- i. **Creating and Implementing Comprehensive Gender rules:** Bodies that oversee sports should create and execute comprehensive gender rules that clearly define "gender" and specify the requirements for transgender athletes to be eligible. Fairness, nondiscrimination, and respect for the rights of transgender people should be the fundamental principles of these policies.
- ii. **Eliminating Discriminatory Gender Testing Practices:** Sports governing organizations should do away with mandatory gender testing for athletes and implement a self-declaration system that

- takes into account each person's gender identification. Gender testing is often based on outdated biomedical criteria that can be discriminatory and invasive. Transgender athletes would be able to play sports without having to go through needless and humiliating processes if there was a self-declaration system.
- iii. **Promoting Sensitivity Training and Awareness:** To create a more accepting and inclusive atmosphere for transgender people, sports regulating bodies should hold sensitivity training sessions and awareness campaigns for athletes, coaches, and officials. Topics including transgender identification, terminology, and the best ways to create an inclusive sports environment should all be included in this training.
 - iv. **Providing Financial Support, Training Facilities, and Mentorship Programs to Transgender Athletes:** Sports governing organizations ought to provide transgender athletes with financial aid, training facilities, and mentorship programs to help them reach their goals of being elite athletes. This can entail offering financial support for travel and lodging, mentorship chances from seasoned transgender athletes, and access to specialized training facilities.
 - v. **Creating an Inclusive Sports Infrastructure:** Sports governing organizations should make sure that athletic venues, locker rooms, and lodging choices are created and modified to meet the needs of athletes who identify as transgender. This may involve giving transgender athletes their own restrooms and changing areas in addition to providing gender-neutral lodging choices.
 - vi. **Encouraging Participation in Transgender Sports Events:** To provide transgender athletes a chance to compete and show forth their skills, sports regulatory bodies should plan and sponsor transgender-specific sports events. This could involve planning transgender sports events on a national and worldwide level as well as financing and supporting grassroots transgender sports activities.
 - vii. **Promoting Legislative Changes:** Regulating bodies for sports needs to advocate for legislative changes that improve the defense of transgender rights and guarantee their equality. This may include supporting transgender athletes who are suing corporations for discriminatory treatment and collaborating with legislators to advocate for modifications to current rules and regulations.
 - viii. **Encouraging Positive Role Models:** Transgender athletes who have excelled in their particular sports should be encouraged by sports regulating bodies. This could mean encouraging transgender athletes to speak at events and share their stories, as well as showcasing their accomplishments in media campaigns.
 - ix. **Establishing a Culture of Respect and Inclusion:** Sports governing organizations need to foster an environment that values and embraces all athletes, irrespective of their gender identification. This might involve developing unambiguous standards of behavior that forbid harassment and discrimination in addition to giving athletes, coaches, and sports officials continual education and assistance on how to foster an inclusive atmosphere.
 - x. **Working with Other Organizations:** In order to develop best practices, resources, and information for encouraging third gender inclusion in sports, sports governing bodies should collaborate with other organizations, such as human rights and LGBTQ+ advocacy groups. The effects of initiatives to make sports more inclusive and equitable for all people can be increased with the aid of this cooperative strategy.

- **Examples of Sports Governing Bodies Promoting Third Gender Inclusion**

- i. **Badminton Association of India (BAI)**
The BAI has created a rule enabling athletes who identify as transgender to compete in the gender category in which they are registered. Since this regulation is founded on the idea of self-identification, transgender athletes are free to compete in the gender category that best suits their gender identity without having to have any medical procedures performed.
- ii. **Wrestling Federation of India (WFI)**
Under its regulations, athletes who identify as transgender are permitted to participate in the gender division in which they are most comfortable. This policy is founded on the idea of self-identification, similar to BAI's policy.
- iii. **All India Football Federation (AIFF), Hockey India, and Table Tennis Federation of India (TTFI)**
Do not yet have a transgender athlete-specific policy in place. On the other hand, they have declared that they are committed to promoting the inclusion of third-gender athletes and are presently working on creating a policy that is equitable and inclusive of all athletes.
- iv. **International Olympic Committee (IOC)**
Sexual orientation and gender identity are grounds for discrimination according to an IOC regulation. The guidelines specify that "No athlete should be excluded from the Olympic Games on the basis of their sexual orientation or gender identity." Transgender inclusiveness is a topic on which the IOC has also educated its members. A consensus statement regarding transgender athletes in sports was released by the IOC in the year 2015. A fair and welcoming atmosphere for transgender athletes can be established with the help of the consensus statement.
- v. **International Association of Athletics Federations (IAAF)**
In order for transgender women to compete in women's competitions, the IAAF declared in 2015 that they would no longer need to have gender reassignment surgery. New research revealed that there is no scientific justification for forcing transgender women to have surgery, which was the foundation for the IAAF's decision.
- vi. **Fédération Internationale de Football Association (FIFA)**
According to the FIFA regulations, it is not permitted to discriminate on the basis of sexual orientation or gender identity. The policy states that "FIFA is committed to creating a safe and inclusive environment for all, regardless of their gender identity or sexual orientation." FIFA has also initiated measures to provide its members with education regarding the matter of transgender inclusivity. FIFA released a manual for athletes who identify as transgender in 2015. The manual offers guidance on how to foster an equitable and welcoming atmosphere for transgender football players.
- vii. **International Hockey Federation (FIH)**
Discrimination on the grounds of sexual orientation or gender identity is forbidden by FIH policy. The guidelines indicate that "FIH is committed to creating a safe and inclusive environment for all, regardless of their gender identity or sexual orientation." In order to further inform its members about the topic of transgender inclusiveness, FIH has also acted. A manual for transgender athletes was released by FIH in 2016. The manual offers suggestions on how to foster an equitable and welcoming atmosphere in hockey for transgender athletes.

8. Role of media and public advocacy in promoting third gender inclusion in sports

A vital part of encouraging third gender inclusion in sports can be played by the media and public advocacy through:

1. Raising understanding and awareness of third gender identities

Public awareness of the range of gender identities and the difficulties experienced by those who identify as third gender in sports can be addressed by the media. One possible approach to achieve this goal is by conducting campaigns for education, producing inclusive media, and reporting on the experiences of third gender athletes.

2. Advocating for change

To get governing bodies to modify their policies and procedures so that third gender athletes are treated more fairly, public advocacy can be used. In order to address third gender difficulties, this can involve pushing for the implementation of gender-neutral facilities and attire, the development of new competition categories for athletes of third gender, and the education of coaches and officials.

3. Challenging stereotypes and discrimination

Discrimination against athletes of third genders can be contested with the aid of public advocacy and the media. The accomplishments of athletes who identify as third gender can be highlighted, prejudice can be opposed, and an environment that is more accepting and inclusive for all athletes can be established.

9. Suggestions

- i. Comprehensive approach for Transgender must be arranged and embraced by the Government and Society. However, strategies have been encircled yet are inadequately actualized.
- ii. Centred approach ought to be there to give a defensive shields to their issues.
- iii. Lawful and the law implementation frameworks should be enabled and sharpened on the issues of Transgender people group.
- iv. Criminal and disciplinary move must be made against the individuals who carries out savagery against Transgender.
- v. Severe move must be made against guardians who disregard, misuse or leave their youngster in view of their organic distinction.
- vi. Arrangement of free lawful guide must be guaranteed for the Transgender people group at ground level.
- vii. School and universities need to play a steady and empowering job in giving training and worth framework to Transgender.
- viii. Arrangement of social privilege must be guaranteed.
- ix. Foundation of helpline for profession arranging and direction, vocation openings and online situation framework must be enabled.
- x. Liberal credit offices and monetary help must be guaranteed to fire up their profession as a business visionary or specialist.
- xi. Separate approaches identified with medicinal services must be confined and conveyed in all private and open emergency clinics and centres
- xii. Mindfulness programs must be composed at mass level to outreach open and this network.
- xiii. A thorough sex-training project ought to be consolidated in school educational plan and school prospectus to mindful understudies at ground level.
- xiv. Adopt Inclusive Policies: National federations, regulatory bodies, and individual clubs, as well as other sports organizations, should implement inclusive policies that specifically acknowledge and encourage athletes who identify as third genders. These regulations should forbid

discrimination on the basis of gender identity, provide equitable access to facilities and contests, and provide explicit definitions for third gender categories.

- xv. Provide Gender Sensitivity Training: Educate coaches, officials, and athletes about challenges related to gender identity, expression, and terminology related to third gender. In order to enable them to establish a warm and encouraging environment, this training should promote understanding, empathy, and respect for third gender athletes.
- xvi. Collaborate with Human Rights Organizations: Partner with human rights organizations and advocacy groups to address systemic discrimination and promote equality for third gender athletes. This collaboration can strengthen legal protections, raise awareness, and challenge discriminatory practices.

10. Conclusion

- From the perceptions mentioned above, it is clear that transgender individuals with different sexual orientations encounter discrimination, exclusion, and narrow-mindedness in the public. From personal reasons to the most well-known social incomprehension, this seclusion changes.
- Inclusion of transgender athletes enhances diversity and inclusivity in sports, while also advancing equity and fairness. It promotes a more dynamic and rich sporting culture by enabling a wider diversity of skill and viewpoints to be represented. Furthermore, it conveys the strong message that everyone is recognized and valued in the athletic community, regardless of gender identity.
- Inclusion of transgender athletes in athletics can also improve transgender people's general well-being. Sports participation has positive effects on one's physical and mental health, including increased self-esteem, stress reduction, and physical fitness. These advantages can be especially important for transgender athletes, as they could have extra difficulties because of their gender identification.
- The majority of the population that makes up our society has been denied access to fundamental rights. They haven't received equal consideration. We have done them many wrongs in the past. Yet, when people realized they were fighting for something, things began to shift. as long as the government and courts uphold their rights. The changed things were the initial step now further we need to look forward to the future changes. There is still a long path to travel.
- Many of them have opined that transgenders have received all their rights but in reality, a lot of work skill needs to be done in order to bring equality.