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A SOCIO LEGAL ANALYSIS ON THE PERCEPTION/ ATTITUDE TOWARDS THE SAME SEX MARRIAGE IN INDIA

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ABSTRACT

Each individual's journey through life is unique some will make this journey alone, others in loving relations may be in marriage or other forms of commitment. The term Gay marriage is a marriage between the partner of same sex. Same-sex marriage alludes to the lawful acknowledgment of the relationship between two men of a similar sex by which freedoms, obligations, and honors concurred to wedded hetero couples are reached out to their equivalent sex partners. As of same-sex marriage can be tracked down in 35 states and DC, and is sanctioned in 17 nations across the world. Equality marriage is marriage between individuals who are of the same legal or biological sex. Same sex marriage as well as marriages were quite prevalent in early medieval times. In Asia same sex attraction has been recorded from ancient times in east, usually between "MEN". In India, the lopsided speed of legitimizing same-sex marriage has pessimistic outcomes on same-sex families with small kids, exposing them to unjustifiable monetary and profound weigh. Gay marriage is the threat to the institution of marriage. It is believed that same sex marriage undermines the sanctity of marriage. It is an untried social experiment. The main objective of this research is to find out what are all the pros and cons if the sex marriage was legalized in India. There are 200 samples were collected through simple random sampling method. The findings is that the recognition of gay marriage as a human right is gaining increasing support among the activist and the Indian government has not taken any steps to legalise them at the national level.

KEY WORDS: emotional burden, same-sex, negative consequences, equality, families.

INTRODUCTION

The Supreme Court in no uncertain terms held that "an inherent aspect of Article 21 of the Constitution would be the freedom of choice in marriage. Such offences are resultant of the States incapacity or inability to protect the Fundamental Rights of its citizens." Article 21, which deals with the right to life and personal liberty, is an all-encompassing provision which includes within its fold the inherent right to marry someone of the same sex. The word homosexuals literally means as 'of the same sex, being a hybrid of the Greek prefix homo- meaning 'same' and Latin root meaning 'sex'. Homosexuality is a sexual orientation

characterized by sexual attraction or romantic love exclusively for people who are identified as being of the same sex. People who are homosexual, particularly males are known as 'gay', gay females are known as 'lesbians'. That is homosexual marriages, sometimes referred to as gay marriage, indicates a marriage between two persons of the same sex. The earliest western report concerning gay relationship come from Ancient Greece, where same sex relationship were the cultural standard.

Indeed, even gay relationships have happened with relative recurrence previously, both inside Christian and non - Christian communities.

Researches recommend that the Catholic Church, which has been very vociferous in its resistance to homosexuality as a rule, supported same-sex relationships for more than 1500 years, just failing to perform them in the nineteenth 100 years. Naz Foundation Govt. v. NCT of Delhi Foundation: In July 2001, anxious to squeeze charges under Section 377 of IPC, Lucknow police struck a recreation area and kept a couple of men on the doubt of them being gay people. The police likewise captured nine additional men related with " Bharosa Trust", a NGO which was attempting to make mindfulness among individuals about safe sexual practices and Std's. These individuals were then blamed for running a sex racket and were denied bail. It was then that The Lawyers Collective, a legitimate guide association, approached and laid out that the charges squeezed against these individuals were misleading lastly they were released. After the Lucknow episode, a NGO Naz Foundation alongside Lawyers Collective felt free to document a request under the watchful eye of the Delhi High Court in 2001 testing the protected legitimacy of Section 377 of IPC.

The solicitor contended that Section 377 of IPC abused the principal right to life and freedom, right to security and respect, right to wellbeing, right to uniformity and opportunity of articulation. It was likewise presented that the law sabotaged the general wellbeing endeavors that pointed toward lessening the gamble of transmission of HIV/AIDS, as the feeling of dread toward arraignment under the Section kept individuals from discussing sexuality and way of life. Judgment: Finally, In 2009 on account of Naz Foundation Govt. v. NCT of Delhi, the High Court of Delhi held that Section 377 of IPC forced an irrational limitation of more than two grown-ups participating in consensual intercourse in private. Accordingly, it was in direct infringement of their essential freedoms revered under Articles 14,15,19 and 21 of the Indian Constitution.

Suresh Kumar Koushal vs. Naz Foundation Various Individuals and religious gatherings

eagerly dismissed decriminalizing gay connections, considering India's rich history washed in morals and custom. They further pursued under the watchful eye of the Supreme Court of India to rethink the lawfulness of Section 377. Judgment: When the local area, following eight years of a long fight, was simply letting out a murmur of help, the Supreme Court on eleventh December 2013, toppled the judgment of the Delhi High Court and yet again condemned homosexuality. A seat of Justice GS Singhvi and Justice SJ Mukhopadhaya Court held that LGBT+ people comprised a 'infinitesimal minority' and in this manner didn't merit sacred security and further saw that Section 377 of IPC didn't experience the ill effects of the bad habit of unlawfulness. Repercussions: But the silver lining was that the Suresh Kumar Koushal V. Naz Foundation judgment, rather than putting an end on the LGBT development has rather revived another rush of activism in India. The Supreme Court's maverick judgment confronted enormous analysis from each niche and corner for deleting fundamental common freedoms of gay people.

The outcome was that public talk about LGBT privileges saw an upsurge in India. Since the opportunity to wed is fundamental for keeping up with the freedoms surprisingly and living a beneficial presence, the court framework has seen marriage as a crucial common liberty, represented under Article 21 of the Indian Constitution. Despite the fact that the opportunity to wed, contingent upon a singular's desires, has been broadcasted as an essential right, this right doesn't stretch out to same-sex relationships. Indeed, even the fundamental freedoms of the LGBTQ+ people group are being compromised. Officials are never really safeguarding them from losing their established right to wed. Most progressive countries have acknowledged same-sex relationships in their resolutions to make up for the way that hetero couples get the equivalent sociopolitical support. Potential advantages proposed to hetero companions, like support and progression, are prohibited to gay couples.

Sexual personality is remembered for the expression "sex." Consequently, badgering in light of sexual tendency is unlawful under both common and criminal regulation. Existing family regulation exclusively embraces hetero associations, actually denying gay couples of sociopolitical and legitimate acknowledgment and furthermore of the honors that these regulations put on individuals who are hitched. Bias on the ground of sex is irrefutably an infringement of the basic freedoms concurred by Article 15. Chile: Chile's leader has endorsed a marital equivalent freedoms bill into regulation. Starting around 2015, same-orientation common organizations have been legitimized. Switzerland: The Swiss Senate cast a ballot to pass regulations permitting same-orientation people to wed. A public mandate held in September 2021 found that 64% of individuals support conjugal equity. To study that there was existing laws on same sex marriage are sufficient and the main problems faced by them.

OBJECTIVES

- To examine the difference in the level of agreeability towards the right to marry and start a family under article 14 of the equality and human rights commission.
- To understand the awareness of legality of same sex marriage.
- To find what are all the federal marriage benefits available to same sex couple.
- To determine whether existing laws on same sex marriage are sufficient.

REVIEW OF LITERATURE

Forster and Sagade, 2009, Whether an individual has an option to wed someone else of a similar sex has collected enormous legal, political and academic consideration in the previous 10 years, and it surely will keep on doing as such in the years to come, for such a right is one which sexual minority privileges activists view as a vital part of their battle for equity while rivals of homosexuality and sexual minority freedoms

see it as a definitive obliteration of marriage and society.

Ingrams, In 2017, the Australian Government dispatched a public decision on same-sex marriage regulation, which evoked significant discussions overwhelmed by strict voices. We look at the relationship between strict distinguishing proof, the significance of religion to one's life and recurrence of participation at strict administrations and backing for same-sex couples in such an exceptional setting. We track down high levels of between-and inside bunch heterogeneity on the side of equivalent privileges for same-sex couples, and enormous legalism slopes. Moreover, legalism smothers the changing consequences for mentalities of authentic time, instruction, financial foundation, and city home.

The Case for Lesbian and Gay Marriage 2017, Taiwan's Constitutional Court arrived at a milestone choice that marriage ought to be opened to same-sex couples in something like two years, making Taiwan possibly the main country in Asia to acknowledge marriage equity. How might we make sense of the progress of the LGBT development here? I contend that clarifications in view of social proclivity, general assessment, and linkages to world society, are lacking. This article takes on a "political cycle" clarification by taking a gander at changes in the political setting and how they work with the development for marriage fairness. I keep up with that constituent framework change in 2008, the ejection of the Sunflower Movement in 2014, and the appointive triumph of the Democratic Progressive Party in 2016, animated Taiwan's LGBT activation, permitting it to ultimately defeat resistance from the congregation based countermovement.

Gibson, 1997, "Closeness and Equality," like Sexual Justice, the bigger undertaking of which it is a section, compares terms that don't sit effectively together inside liberal political talk; the feeling of confusion is uplifted by nearness to "lesbian and gay marriage." This section

continues along two tracks: a cross examination of late cases by defenders of lesbian and gay freedoms to one side to wed or in any case lay out lawfully perceived homegrown associations and a basic assessment of the protected right of security as an asset for developments of gay freedom. It exhibits the degree to which even the most cozy relationships between people are arranged inside a lattice of social relations and lawful plans that both compel and uphold them. Given the basic significance of relational connections in characterizing individual personalities and in adding to human bliss, full uniformity for lesbian and gay residents expects admittance to the legitimate and social acknowledgment of our private affiliations.

Naskar 1990, the Journal of the History of Sexuality (JHS) enlightens the historical backdrop of sexuality in the entirety of its appearances, perceiving different contrasts of class, culture, orientation, race, and sexual direction. Spreading over geographic and fleeting limits, JHS gives a truly necessary gathering to verifiable, basic, and hypothetical.

Ruth Vanita, 2005, Before the end of last year the Constitutional Court of South Africa concluded that the prohibition of same-sex couples from the custom-based regulation meaning of marriage and the legal marriage recipe was illegal as it abused the freedoms of such couples to equity. The Court suspended the statement of shortcoming for one year to permit Parliament to establish new regulation to address the imperfections, bombing which certain words would be added something extra to the regulation to oblige same-sex marriage. While the extent of the option to wed might have been expanded, the privileges of homegrown accomplices fall behind, frequently to the burden of ladies in these connections.

Dean and Lane, 2022, In acknowledgment of Professor Andrew Byrnes' commitment to advancing orientation fairness in Hong Kong, this article follows the advancement of equivalent treatment of LGBT in Hong Kong. This advancement is totally court-drove, and the

LGBT people group has been profoundly key in sending off lawful assaults. This approach has effectively expanded the security of LGBT's privileges over the most recent twenty years, and the most noteworthy court in Hong Kong will before long need to defy the defendability of same-sex marriage. Social agreement ought to be given less weight in such a manner, as common organization is to exist close by and not to supplant customary marriage. There is no proof that common organization will undermine customary marriage, as Hong Kong used to perceive the concurrence of various types of marriage for quite a while.

A. Narrain, 2015, Following a milestone administering Hong Kong's Court of Final Appeal, there is valid justification to accept that a future test to regulate confining union with other gender couples will find success. From the perspective of *W v. Recorder of Marriages*, this article contends that the option to wed in Hong Kong is to be perceived as a developing idea and dependent upon a living translation by the courts. The public authority's contention that the courts ought to concede to the lawmaking body's translation of the option to wed, to determine 'cultural agreement', is tested. Moreover, it is contended that the public authority can't outfit valid justifications to legitimize the limitation on the right of same-sex couples to wed. All through the article, both Hong Kong case regulation and important similar law illuminate the conversation.

Narainder Kumar, 2017, Public and political talk around the privileges of LGBTQ individuals have expanded throughout the course of recent years. The emphasis on privileges and fairness have fundamentally centered around accomplishing marriage correspondence (regularly alluded to as 'gay marriage'). Marriage fairness regulations are very restricted in the genuine freedoms they give LGBTQ individuals, and are frequently exclusionary of a wide range of meeting characters. Further, the presence of marriage correspondence regulations don't ensure the end of then segregation and savagery that LGBTQ

individuals face both inside the United States and universally. This paper looks to basically examine the holes inside marriage balance structures both inside the United States and inside worldwide foundations, and challenge the tricky idea of the accomplishment of correspondence through the presence and portrayal of marriage equality regulations.

Healey, 2011, At present, the most polarizing issue in the United States with respect to the gay and lesbian local area is gay marriage. The predominant plan in the lesbian and gay (L/G) development is the fight for lawful acknowledgment of same-sex couples. The topic of gay marriage is by and by on the ascent, with inclusion of political exhibitions, weddings and responsibility services, and social liberties court procedures. The most vital representation of the gay marriage issue in mainstream society is its significance in the 2005 US official political decision. However, why now? Gays and lesbians have been testing society and the courts for the option to wed since the mid 1970s. What is so one of a kind about the ongoing social environment that marriage is the main gay issue.

Mohr, 2001, This article involves public discussions over same-sex marriage in Hawaii to address holes in the outlining viewpoint on friendly developments. Drawing on both tip top and nonelite talks in the discussions over same-sex marriage, the examination shows the predominance of the social liberties outline among allies of same-sex marriage yet finds that elective talks arose among nonelite entertainers because of developing political circumstances. The case likewise recommends that prevailing expert approaches that illuminate the talks regarding social developments might oblige the outlining endeavors of activists inside unambiguous issue spaces

Ruth Vanita, 2013, Notwithstanding race, identity, or religion, people across the world are ensured under global regulation the potential chance to go into marriage with each other.

Toss sexual direction in with the general mish-mash, be that as it may, and the right to marriage is at this point not all around relevant. Marriage between couples of similar sex, a significant wellspring of dispute in current United States governmental issues, is disallowed by a larger part of the world's countries. As per both deal regulation and global standard regulation, states are obliged to perceive all people's key right to marriage. Declining same-sex couples the option to wed disregards the rule of nondiscrimination and the singular's more right than wrong to protection, marriage, affiliation, and nobility.

Chiroma and Magashi, 2022, This article follows the advancement of equivalent treatment of LGBT in Hong Kong. This advancement is totally court-drove, and the LGBT people group has been profoundly vital in sending off legitimate assaults. This approach has effectively expanded the security of LGBT's privileges over the most recent twenty years, and the most elevated court in Hong Kong will before long need to face the lawfulness of same-sex marriage. The disavowal of same-sex marriage unexpectedly reinforces the case for common association. Social agreement ought to be given less weight in such a manner, as common organization is to exist close by and not to supplant customary marriage. There is no proof that common organization will undermine customary marriage, as Hong Kong used to perceive the conjunction of various types of marriage for quite a while.

R. Vanita Rajendran, 2019 This article grills the reason that the security of conventional marriage comprises an explanation against the acknowledgment or execution of same-sex marriage with regards to Hong Kong. Through a basic assessment of the legitimate and political talks on marriage uniformity in the domain, it exhibits that the people who contend against same-sex associations for the sake of 'conventional marriage' partake in what the student of history Eric Hobsbawm calls an 'creation of custom', by which a fantasmatic past is evoked as an approach to opposing the

powers of social, social, and lawful change. It further demonstrates the way that Hong Kong's Time permitting.

Srikanth. Narainder Rao ,2015, Adversaries of equivalent privileges for gay individuals, and especially gay marriage, predicate their resistance on oblivious originations of human science, and unsupportable dependence on strict statutes. Really conclusive? We should talk about the matter.

(S. Narrain; "Gay Playwrights, Gay Husbands, Gay History")., 2022, In the Nigerian Bar Journal of (2021) Volume 11, Issue 1, 173 – 187, Emmanuel Umbu and Joseph Agada analyzed "the right to marriage in Nigeria opposite the worldwide pattern of stretching out the right to same sex couples", and whether the Same Sex Marriage (Prohibition) Act 2014 (SSMPA) disregards the freedoms of lesbian, gay, transsexual and intersex (LGBTI) individuals in Nigeria. From a jurisprudential investigation of central freedoms arrangements and worldwide common liberties standards, this article recognizes the support and decides the defendability of the SSMPA. It finishes up by proposing a standard for the discussion on the right to same sex marriage in Nigeria and the defendability of the SSMPA.

Khanikar, 1998, Namibia has a populace of c. 1. 5 million individuals of which it is by and large assessed that pretty much somewhere in the range of 5 and 10 percent are gay". This comprises an enormous level of our populace, taking into account we are a little gathering. In spite of the way that our gay local area is extensive, they have barely any privileges in many region of our regulation. Family regulation is one of these areas in which gay people and their connections should not have existed as it just provides food for the necessities of the hetero local area. Part VIII arrangements with the far ahead, what change estimates should be taken by the Namibian Parliament and the change approach embraced by nations like Sweden, Denmark and the USA. At last, the end is illustrated in Part VIII.

Moscowitz 2020, The law precluding Same Sex Marriage in Nigeria is censured for denying same sex individuals the option to wed and certain essential opportunities as heteros. Predisposition against same sex practice is pushed by strict and social convictions on marriage as between other genders. Be that as it may, see danger to coherence and endurance of the family relationship framework encourages renunciation of same sex individuals in the public eye. An objective assessment of the Nigerian same sex marriage circumstance uncovers strict narrow mindedness and rough fanaticism as variables equipped for conjuring emergency and demonstrations of psychological warfare in same sex issues thusly, the work sees the need to safeguard lives and public safety as adequate reason for restricting the option to wed and opportunity of relationship between same sex individuals. Utilizing the obligation privileges approach, it shows how a few regulations which are norms in the public eye can struggle and bring about differentiating obligations that become an issue for the specialist which can't complete the two obligations simultaneously. It holds that State's advantage to get public trustworthiness and lives can't be thought twice about the ground of privileges.

Clum 2006, This Article analyzes patterns in general assessment and media inclusion on gay union with assess the case that the Supreme Court's choice in Lawrence v. Texas and the Massachusetts Supreme Judicial Court's choice in Goodridge v. Division of Health catalyzed an enemy of gay "kickback." We find that in the prompt repercussions of Lawrence a bigger portion of the American public communicated unfriendly mentalities on questions tapping conclusions on gay sex and gay marriage. That backfire went on through the two Goodridge choices and the 2004 political race, however seems to have evened out and, surprisingly, got back to pre-Lawrence levels by the late spring of 2005. Over that equivalent period general society seems to

have become all the more pointedly partitioned along philosophical lines with respect to gay marriage. Another significant contrast is that a developing portion of the public currently communicates good perspectives toward same-sex common associations. We close for certain fair warnings on the understanding of surveying information and with general contemplations concerning the effect of court choices on poplar assessment.

Girgis et al. 2013, In this article, Cris Mayo looks at the relationship among against LGBTQ approaches, gay marriage, and sexuality schooling. Her anxiety is that since gay marriage is deficiently not the same as hetero marriage, adding it as an issue to educational program or more extensive culture banter omits instead of addresses sexual contrast. At the end of the day, marriage might be an assimilative yearning that shuts down conversations of what sexuality is and can mean, that avoids other related social issues, for example, medical services for all, hat builds up sexuality and orientation way of life as privatized, not political,

ANALYSIS:

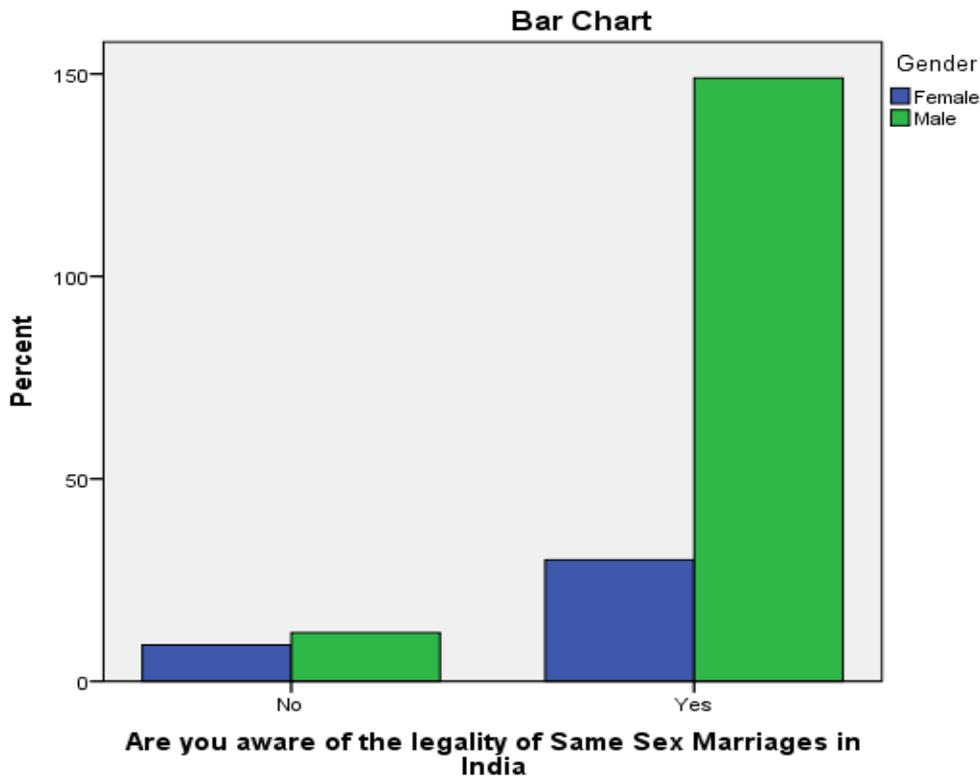
FIGURE – 1:

concerns. Mayo inspects various strands of LGBTQ history that confound the implications of sexuality and that study an assortment of antigay or heterosexist strategies for their prohibitions. She closes by recommending that the potential outcomes of sexuality are not served by backing for one gay relationship development and requiring a sexuality instruction that is rather aimed at sexual variety

METHODOLOGY:

The research method followed here is empirical research. The Total number sampled samples are 200 have been taken out of which is taken through convenient sampling. The sample frame taken by the researcher is from the public area and market .The independent variable taken here is age, gender, occupation Marital status and education qualification. The dependent variables are whether every individual has the right to marry and has the right to choose their partner to start a family. Are you aware of the legality of same sex marriage .The statistical tool used by the researcher is graphical representation.

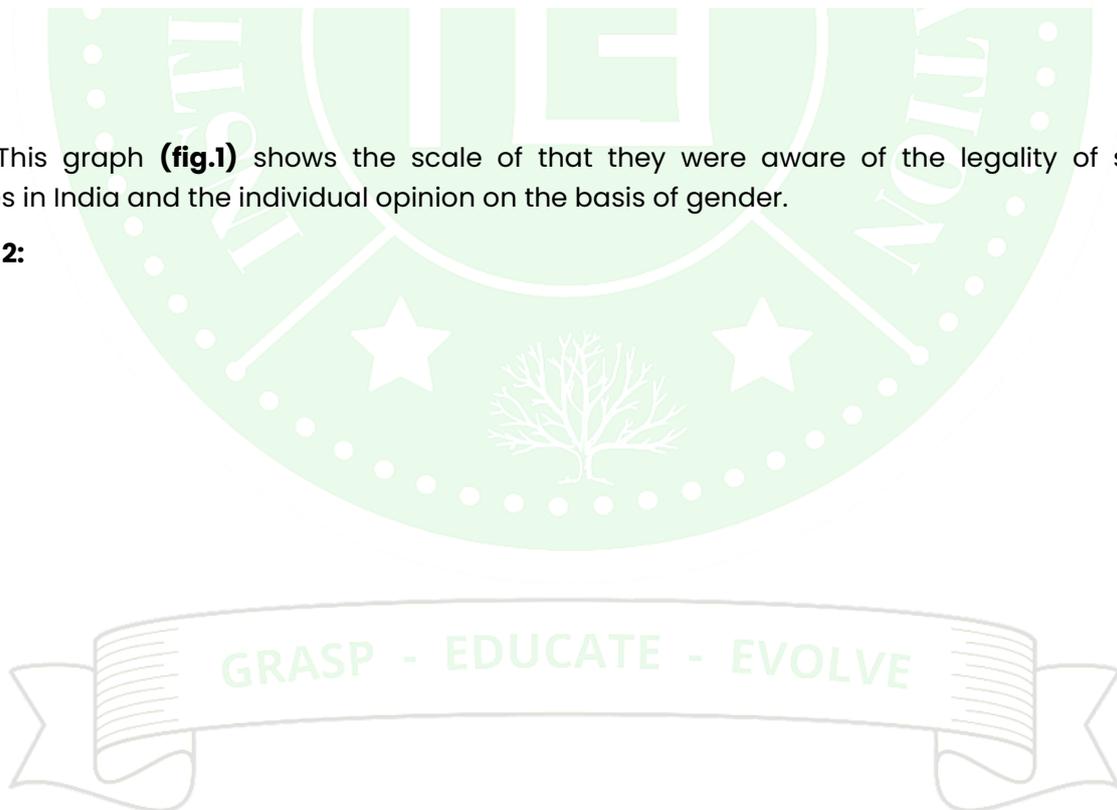


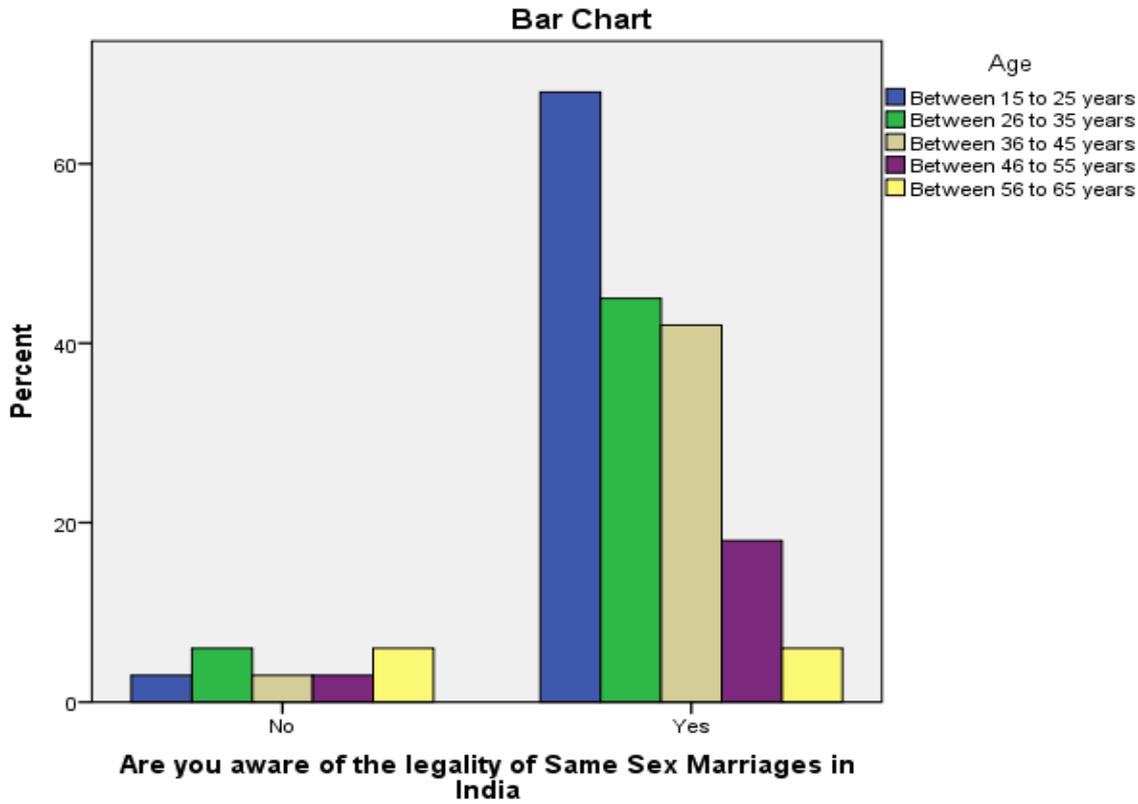


LEGEND:

This graph (fig.1) shows the scale of that they were aware of the legality of same sex Marriages in India and the individual opinion on the basis of gender.

FIGURE - 2:





LEGEND:

This graph (fig.2) shows the scale of that they were aware of the legality of same sex Marriages in India and the individual opinion on the basis of age.

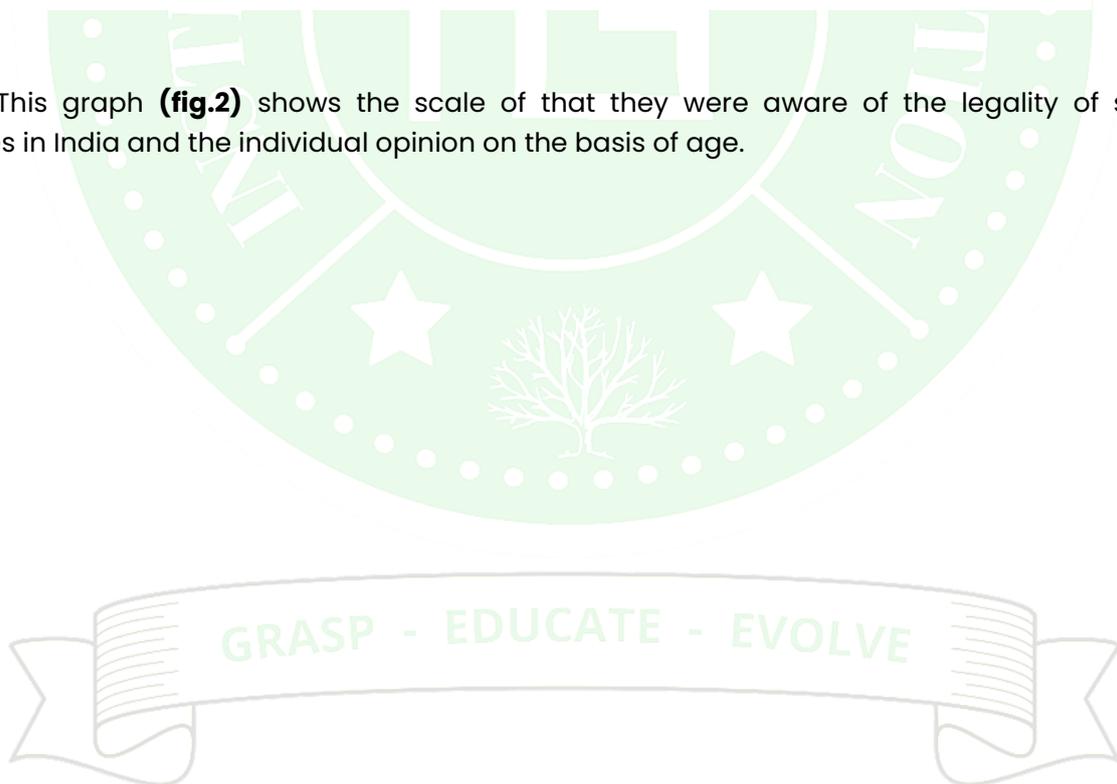
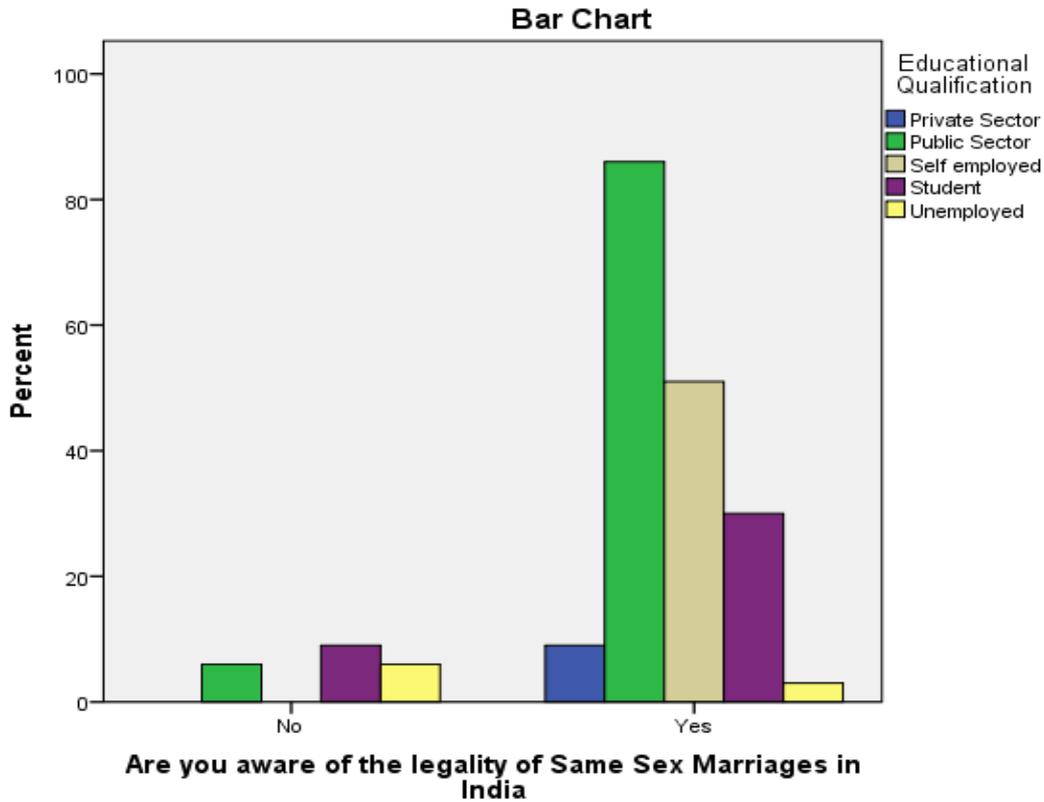


FIGURE - 3:



LEGEND:

This graph (fig.3) shows the scale of that they were aware of the legality of same sex Marriages in India and the individual opinion on the basis of educational qualifications.

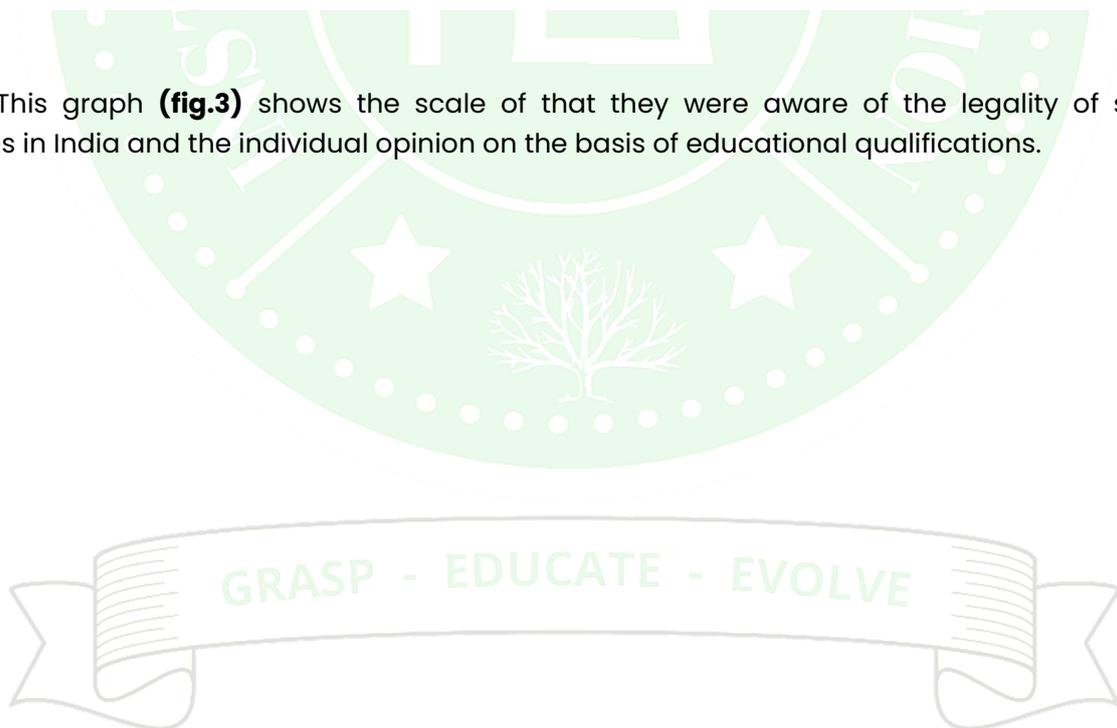
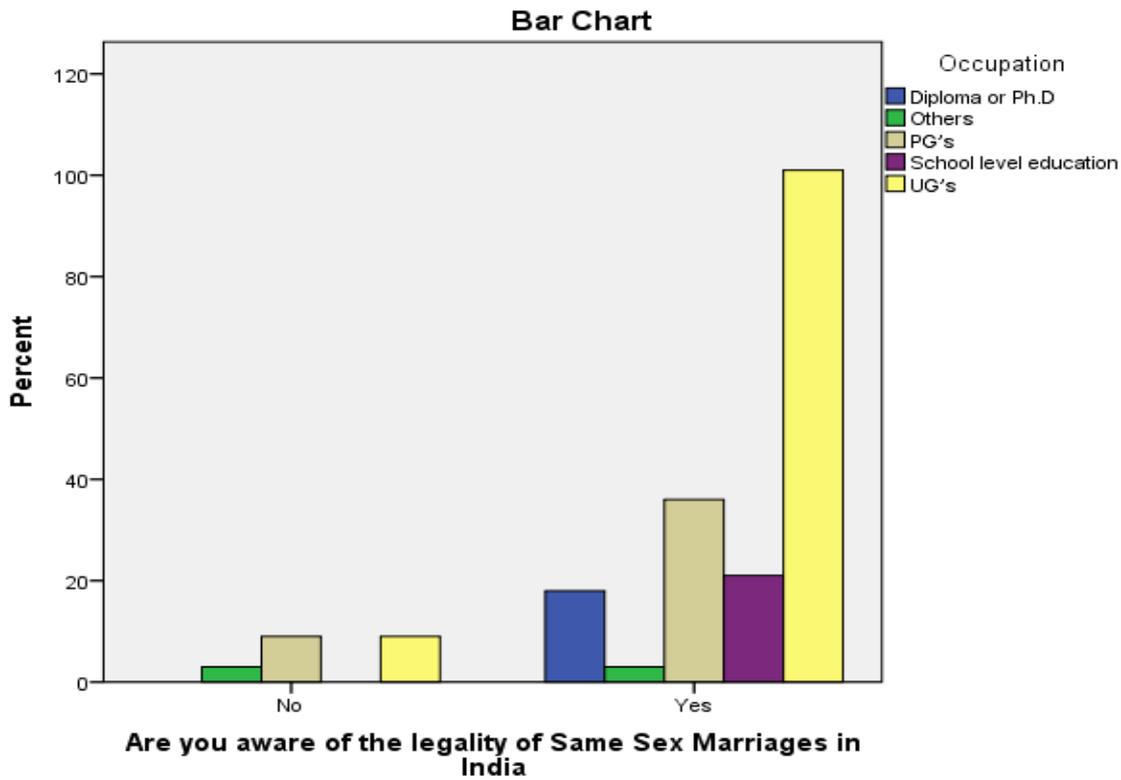


FIGURE - 4:



LEGEND:

This graph (fig.4) shows the scale of that they were aware of the legality of same sex Marriages in India and the individual opinion on the basis of occupation.

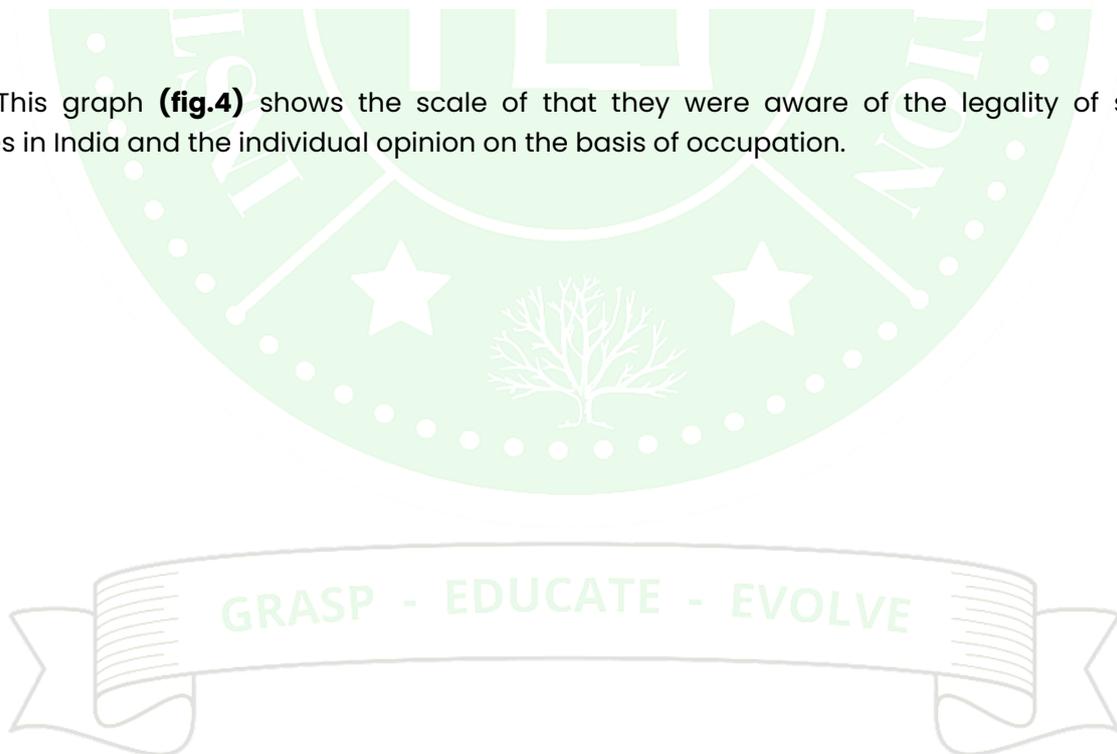
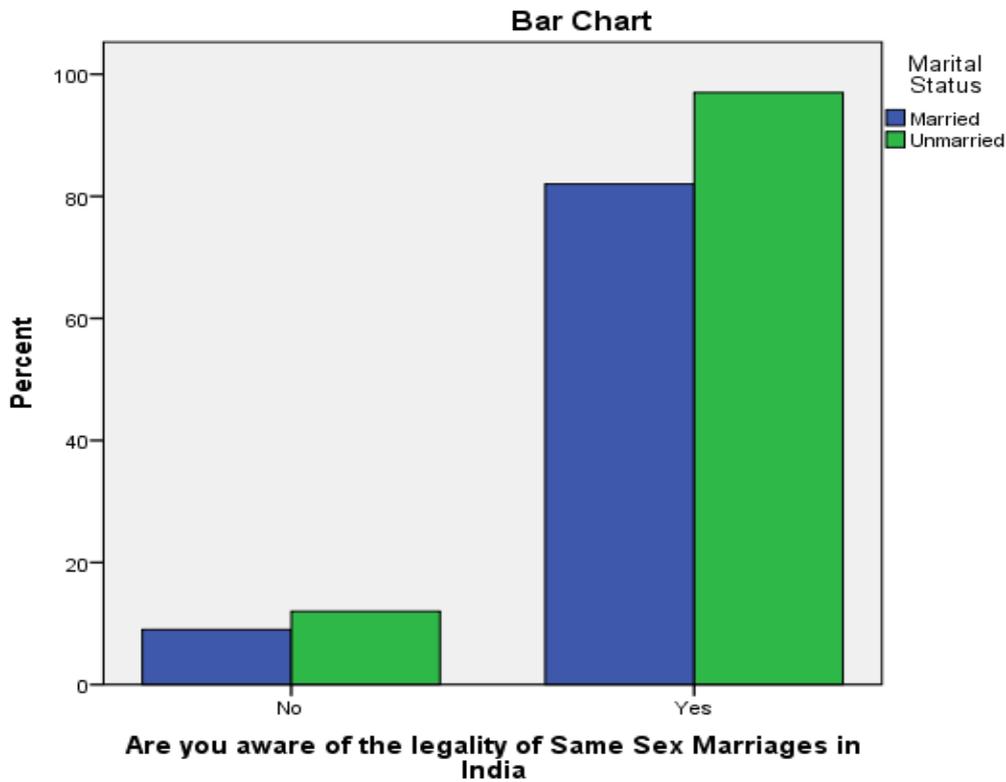


FIGURE - 5:



LEGEND:

This graph (fig.5) shows the scale of that they were aware of the legality of same sex Marriages in India and the individual opinion on the basis of marital status.

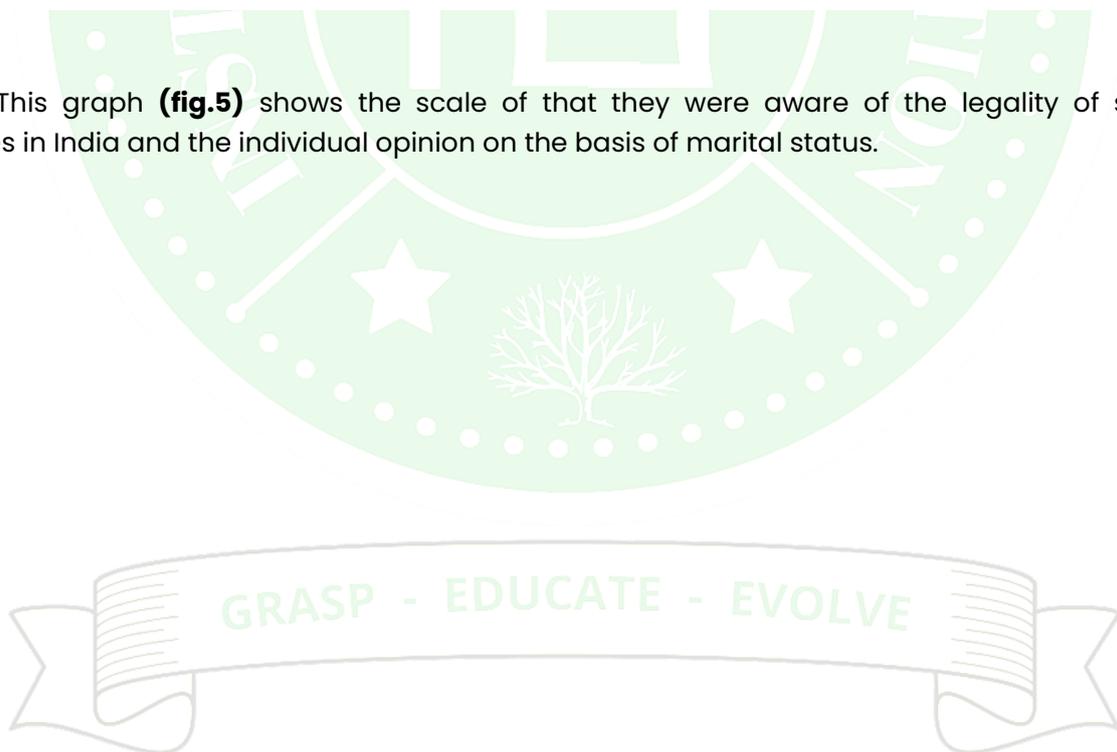
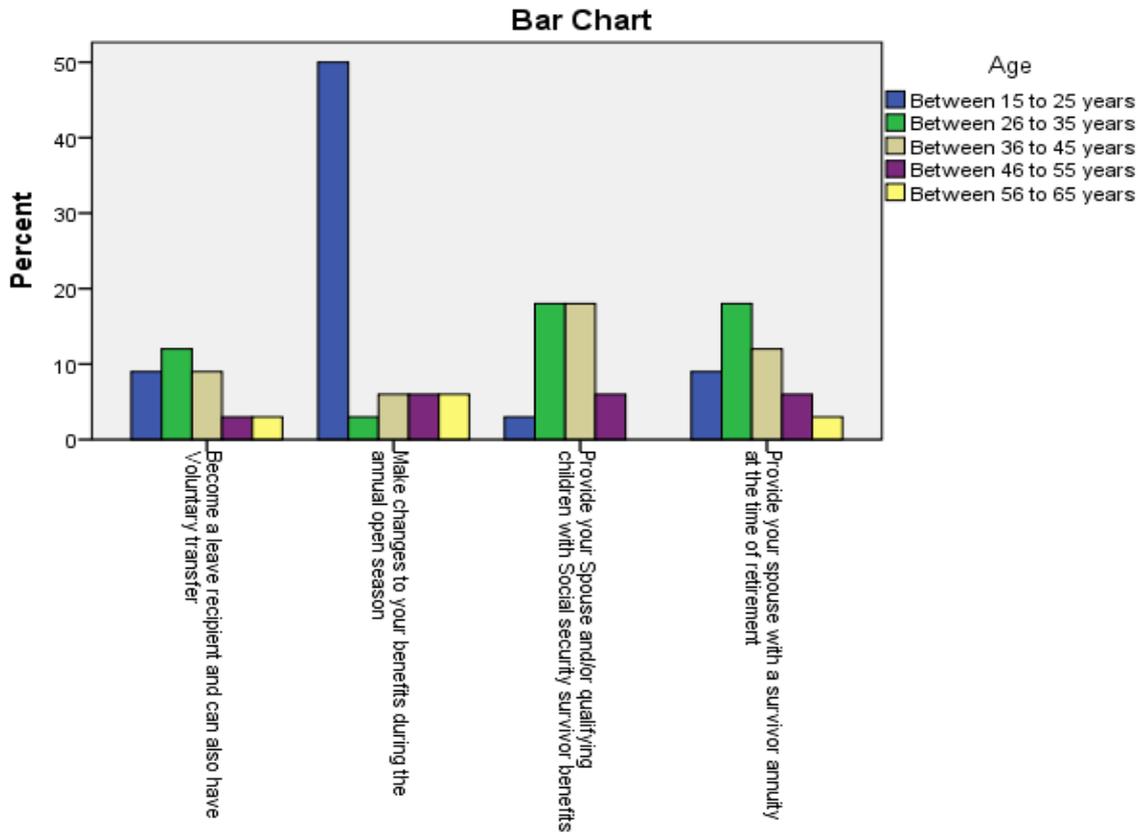


FIGURE - 6:



LEGEND:

This graph (**fig.6**) shows the scale of the major benefits given by the government on the actualization/consumption of marriage by Same Sex couples and the individual opinion on the basis of age.

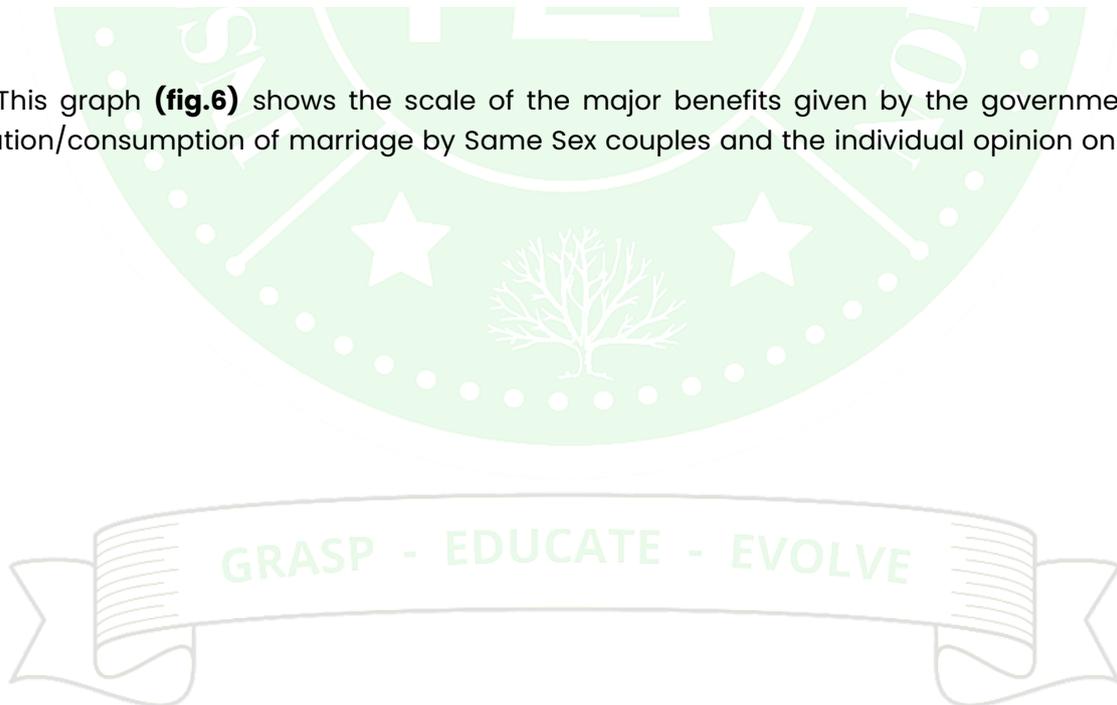
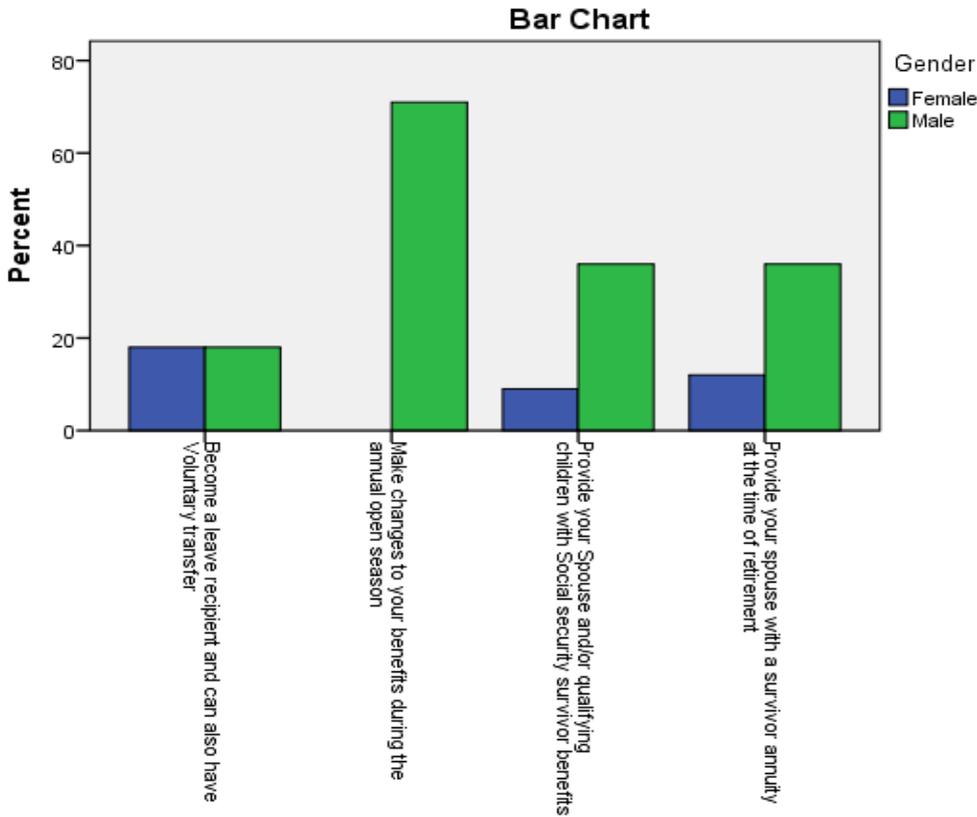


FIGURE - 7:



LEGEND:

This graph (**fig.7**) shows the scale of the major benefits given by the government on the actualization/consumption of marriage by Same Sex couples and the individual opinion on the basis of gender.

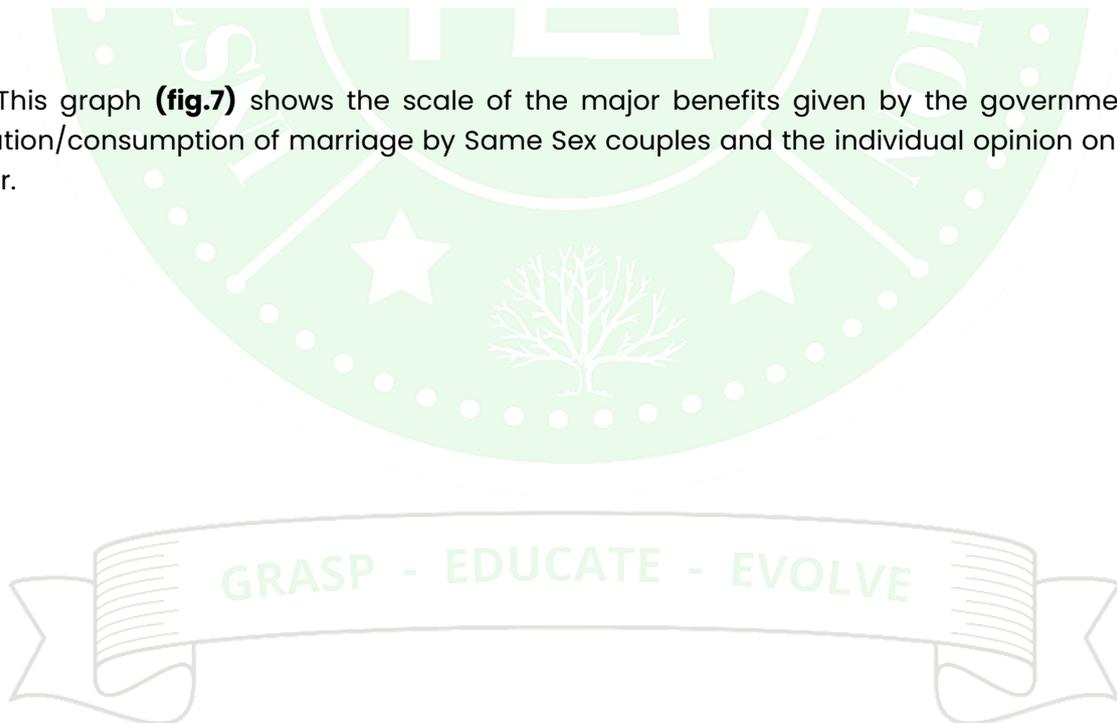
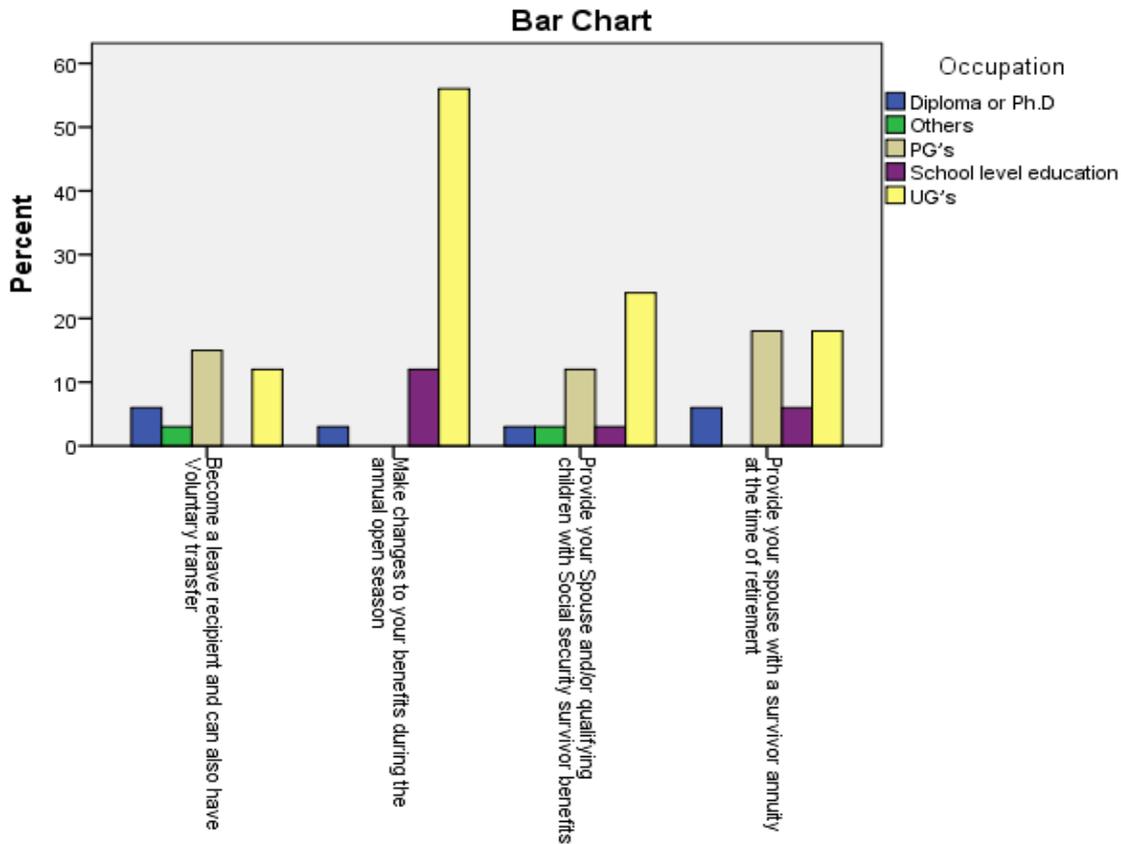


FIGURE – 8:



LEGEND:

This graph (fig.8) shows the scale of the major benefits given by the government on the actualization/consumption of marriage by Same Sex couples and the individual opinion on the basis of occupation.

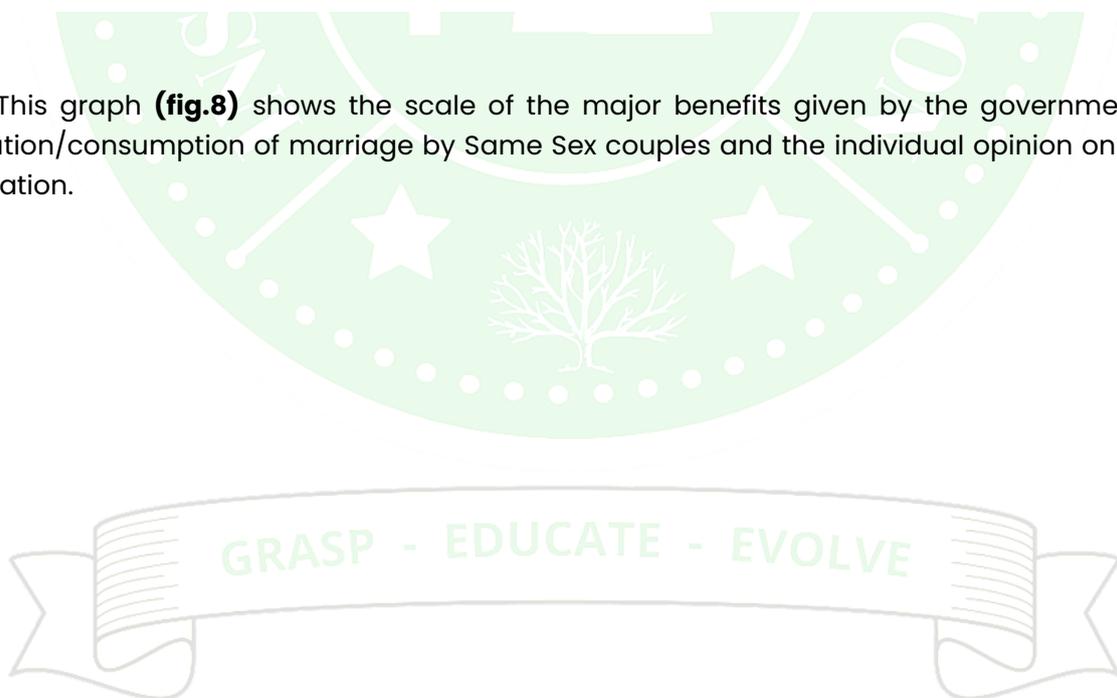
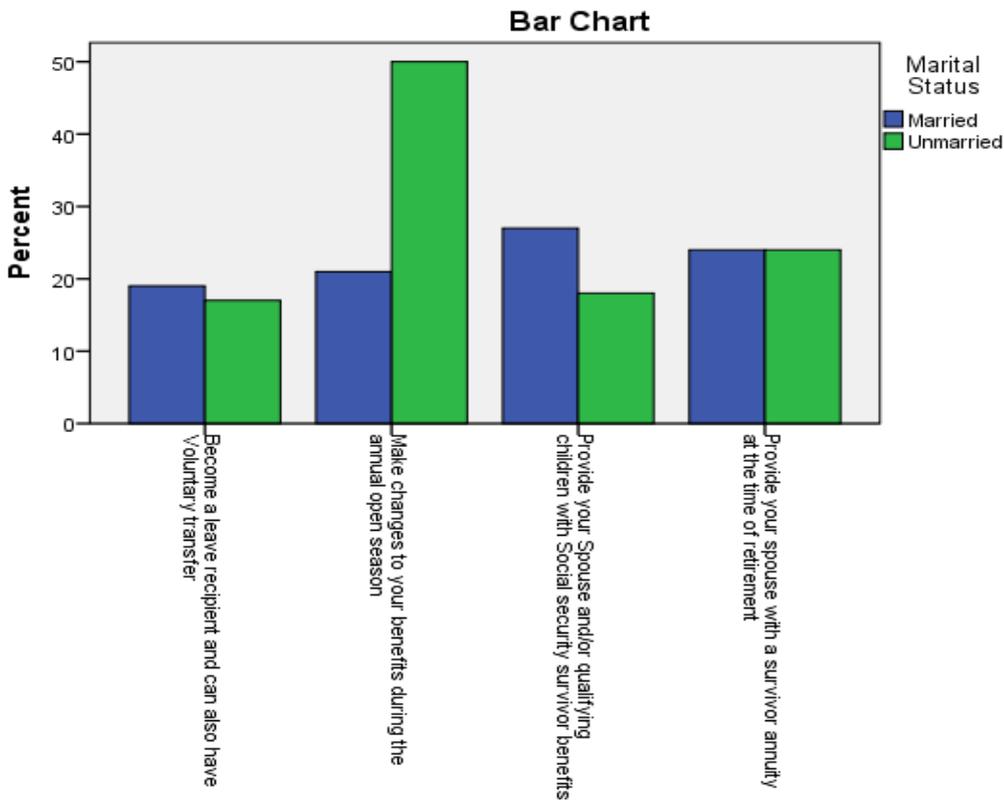


FIGURE – 9:



LEGEND:

This graph (**fig.9**) shows the scale of the major benefits given by the government on the actualization/consumption of marriage by Same Sex couples and the individual opinion on the basis of marital status.

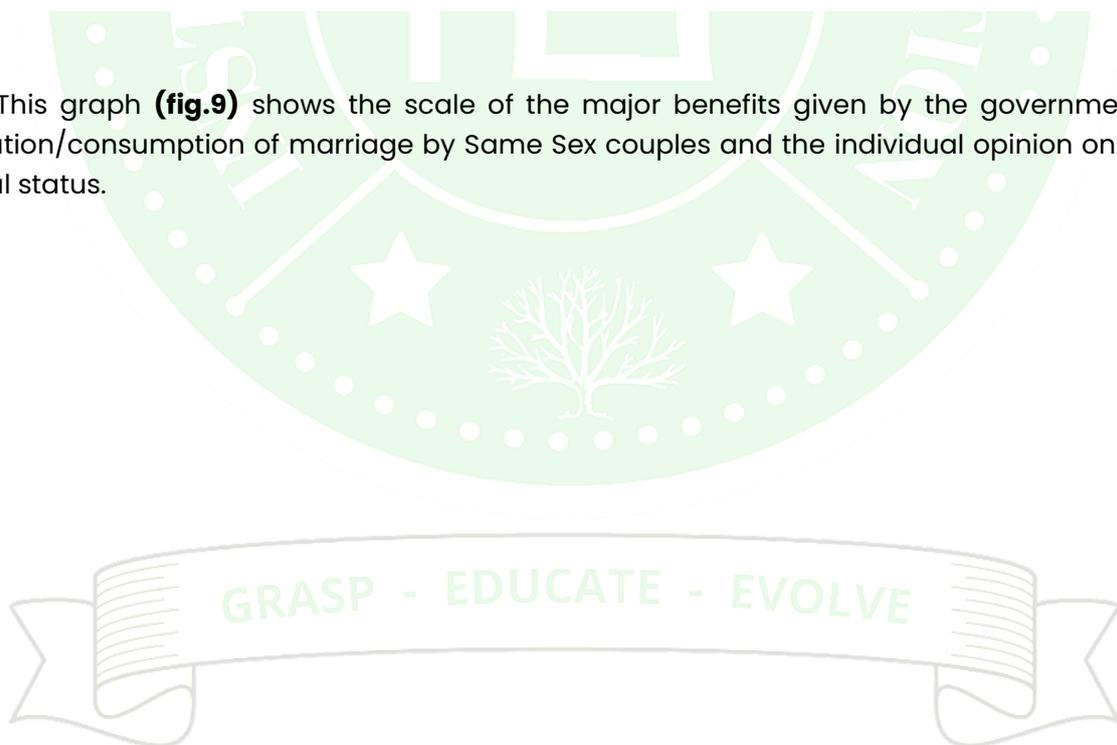
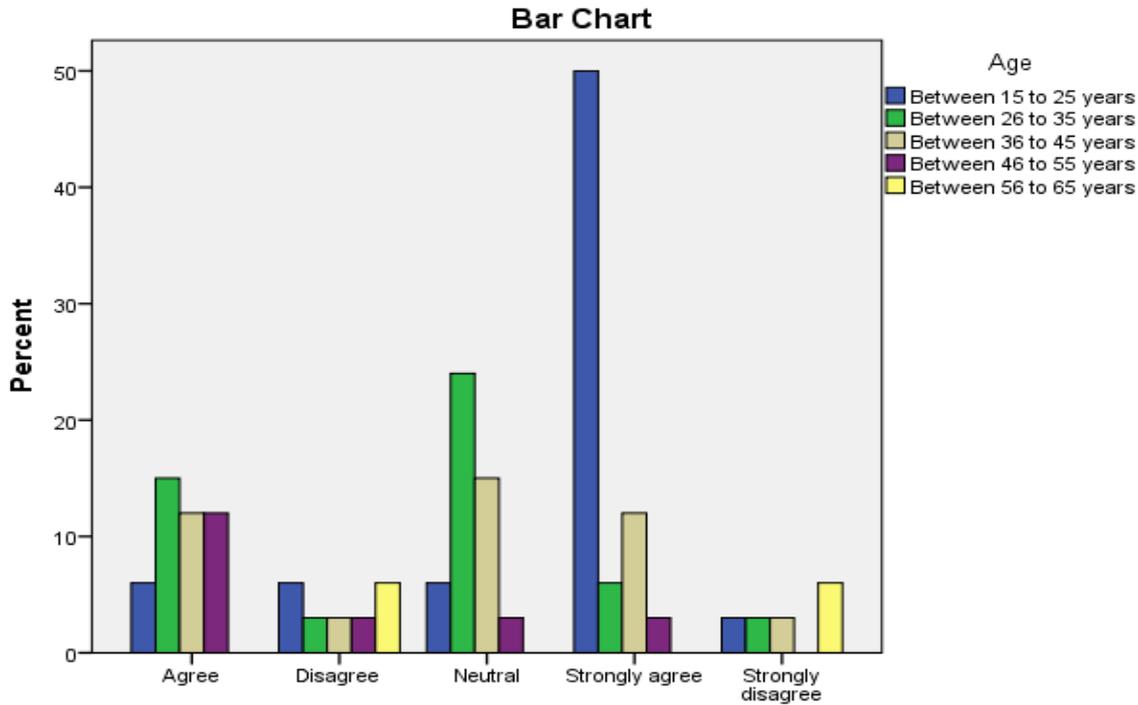


FIGURE – 10:



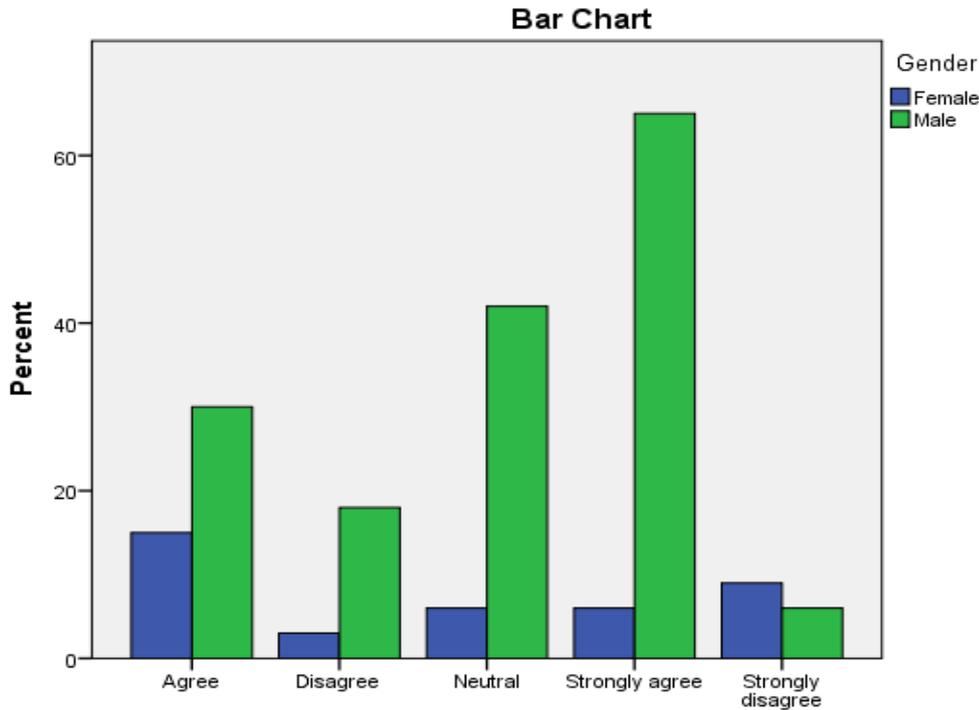
The freedom to marry anyone is currently acknowledged as a fundamental right in India as the person has the right to choose over their marriages.

LEGEND:

This graph (fig.10) shows the scale of the freedom to marry anyone is currently acknowledged as a fundamental right in India as the person has the right to choose over their marriages and the individual opinion on the basis of age.



FIGURE – 11:



The freedom to marry anyone is currently acknowledged as a fundamental right in India as the person has the right to choose over their marriages.

LEGEND:

This graph (fig.11) shows the scale of the freedom to marry anyone is currently acknowledged as a fundamental right in India as the person has the right to choose over their marriages and the individual opinion on the basis of gender.

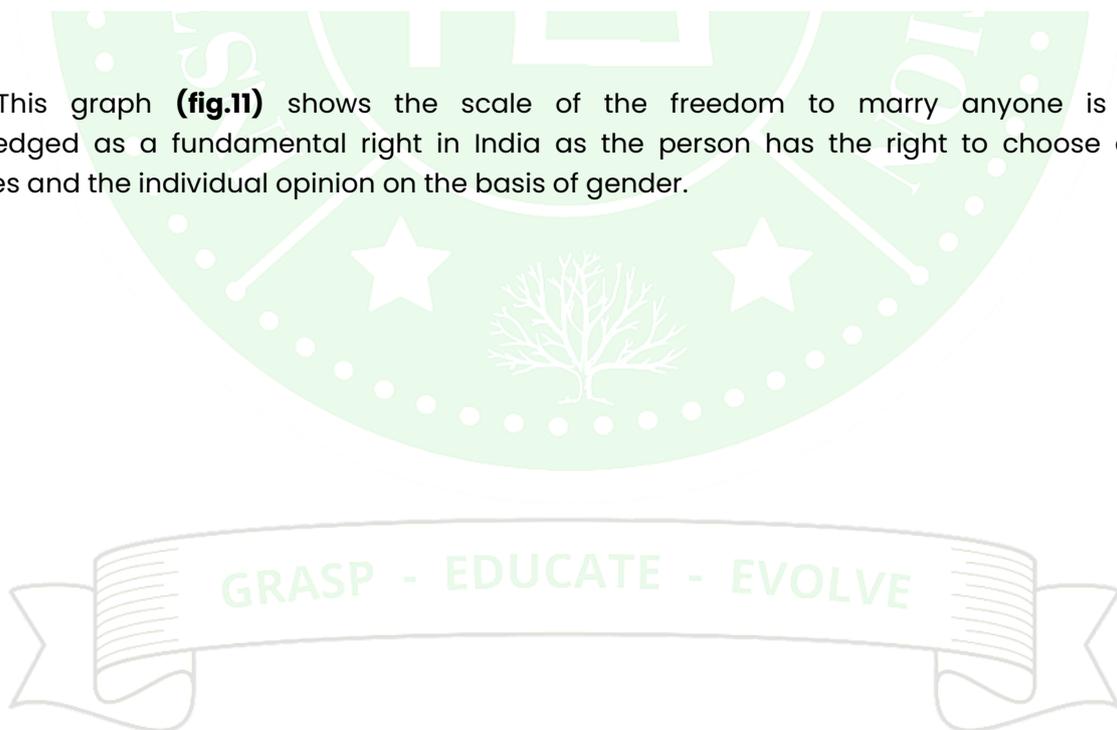
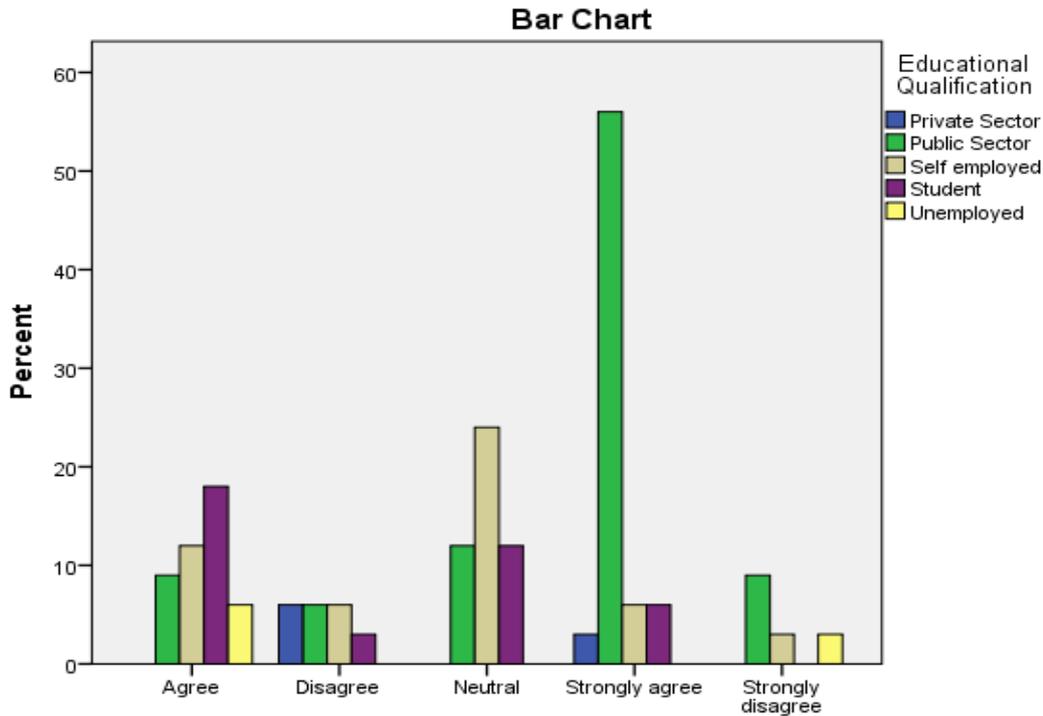


FIGURE – 12:



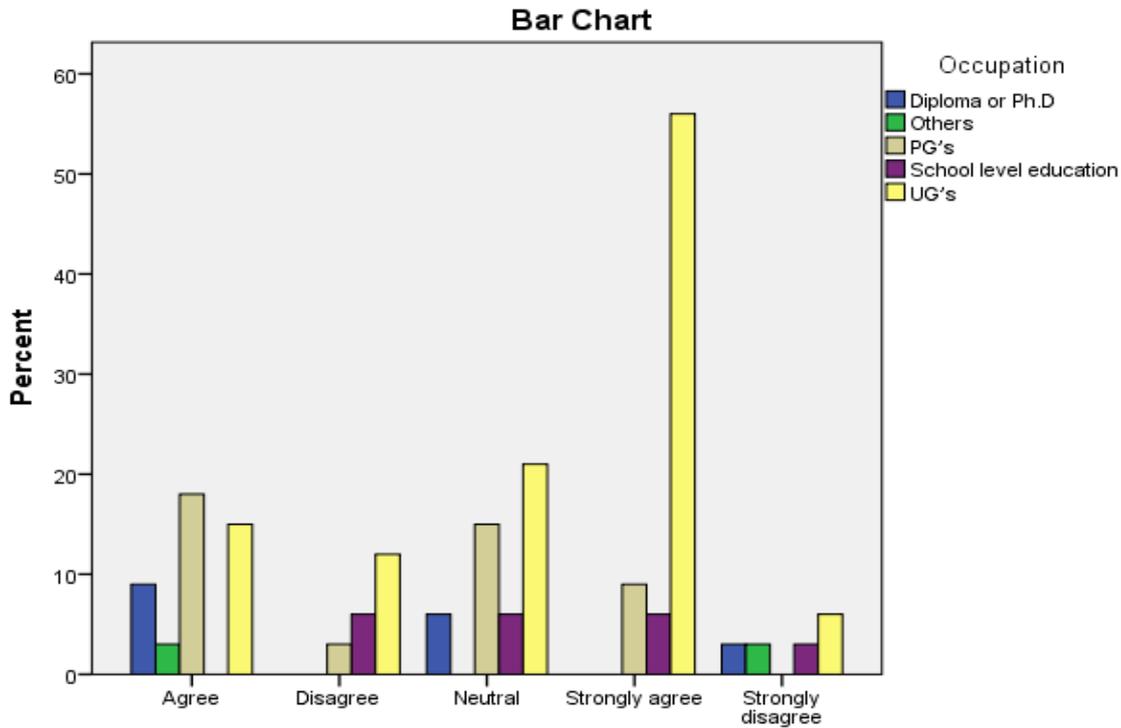
The freedom to marry anyone is currently acknowledged as a fundamental right in India as the person has the right to choose over their marriages.

LEGEND:

This graph (fig.12) shows the scale of the freedom to marry anyone is currently acknowledged as a fundamental right in India as the person has the right to choose over their marriages and the individual opinion on the basis of educational qualifications.



FIGURE – 13:



The freedom to marry anyone is currently acknowledged as a fundamental right in India as the person has the right to choose over their marriages.

LEGEND:

This graph (fig.13) shows the scale of the freedom to marry anyone is currently acknowledged as a fundamental right in India as the person has the right to choose over their marriages and the individual opinion on the basis of occupation.

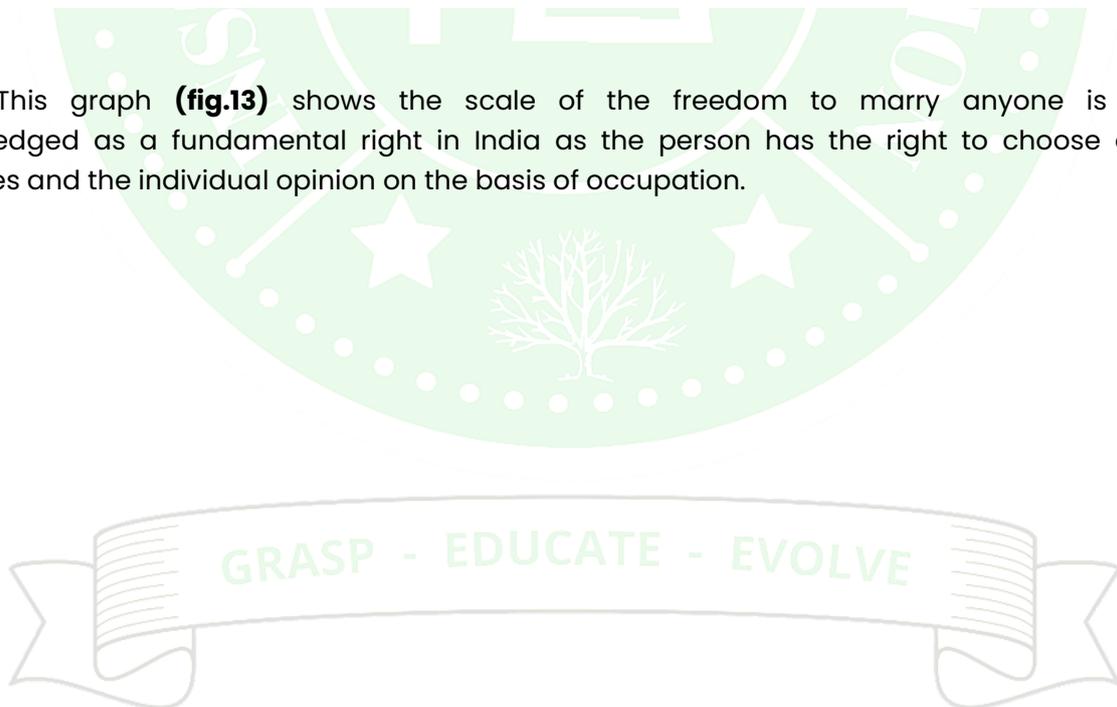
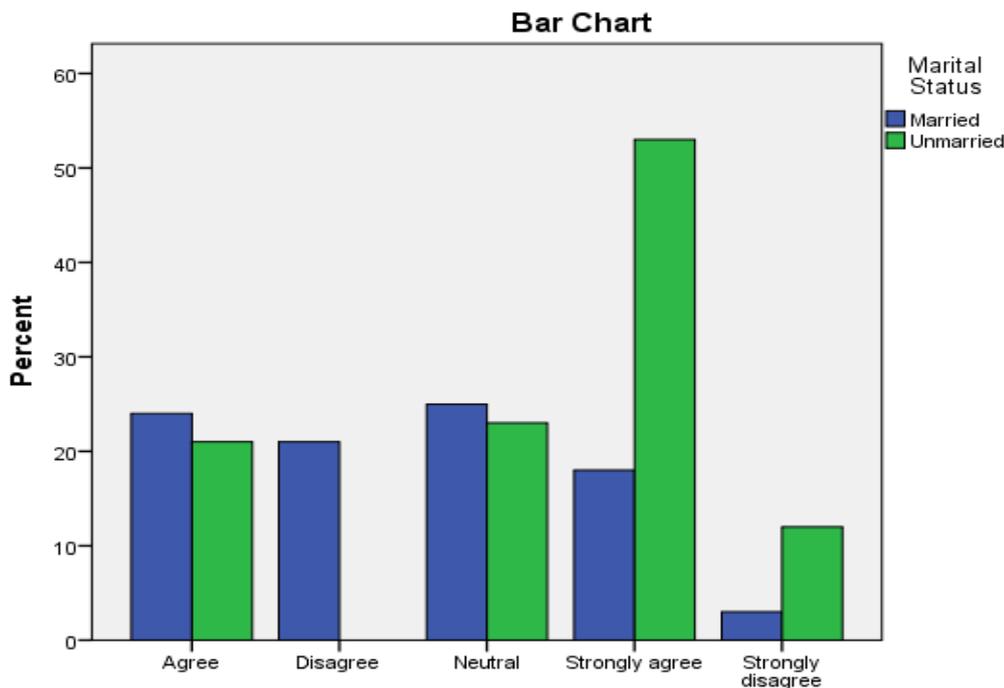


FIGURE – 14:



The freedom to marry anyone is currently acknowledged as a fundamental right in India as the person has the right to choose over their marriages.

LEGEND:

This graph (**fig.14**) shows the scale of the freedom to marry anyone is currently acknowledged as a fundamental right in India as the person has the right to choose over their marriages and the individual opinion on the basis of marital status.

RESULT:

In **fig.1**, the graph says that the people who are male have shown more responses towards the research question that people are aware of the legality of same sex Marriages in India and most stated that they are aware of the legality of same sex Marriages in India. In **fig.2**, the graph says that the people between the age of 15 to 25 years have shown more responses towards the research question that people are aware of the legality of same sex Marriages in India and most stated that they are aware of the legality of same sex Marriages in India. In **fig.3**, the graph says that the people who are studying and graduated with UG's have shown more responses towards the research question that people are aware of the legality of same sex Marriages in India and most stated that they are aware of the legality of same sex Marriages in India. In **fig.4**, the graph says that

the people who are working in the public sector have shown more responses towards the research question that people are aware of the legality of same sex Marriages in India and most stated that they are aware of the legality of same sex Marriages in India. In **fig.5**, the graph says that the people who are Unmarried have shown more responses towards the research question that people are aware of the legality of same sex Marriages in India and most stated that they are aware of the legality of same sex Marriages in India. In **fig.6**, the graph says that the people who are between the age of 15 to 25 years have shown more responses towards the research question about the major benefits given by the government on the actualization/consumption of marriage by Same Sex couples and most stated that making changes to your benefits during the annual open season is the major benefits given by the

government on the actualization/consumption of marriage by Same Sex couples. In **fig.7**, the graph says that the people who are males have shown more responses towards the research question about the major benefits given by the government on the actualization/consumption of marriage by Same Sex couples and most stated that making changes to your benefits during the annual open season is the major benefits given by the government on the actualization/consumption of marriage by Same Sex couples. In **fig.8**, the graph says that the people who are working in public sector have shown more responses towards the research question about the major benefits given by the government on the actualization/consumption of marriage by Same Sex couples and most stated that making changes to your benefits during the annual open season is the major benefits given by the government on the actualization/consumption of marriage by Same Sex couples. In **fig.9**, the graph says that the people who are unmarried have shown more responses towards the research question about the major benefits given by the government on the actualization/consumption of marriage by Same Sex couples and most stated that making changes to your benefits during the annual open season is the major benefits given by the government on the actualization/consumption of marriage by Same Sex couples. In **fig.10**, the graph says that the people who are between 15 to 25 years have shown more responses towards the research question that the freedom to marry anyone is currently acknowledged as a fundamental right in India as the person has the right to choose over their marriages and most of them agreed that the freedom to marry anyone is currently acknowledged as a fundamental right in India. In **fig.11**, the graph says that the people who are males have shown more responses towards the research question that the freedom to marry anyone is currently acknowledged as a fundamental right in India as the person has the right to choose over their marriages and most of them agreed

that the freedom to marry anyone is currently acknowledged as a fundamental right in India. In **fig.12**, the graph says that the people who are studying and graduated with UG's have shown more responses towards the research question that the freedom to marry anyone is currently acknowledged as a fundamental right in India as the person has the right to choose over their marriages and most of them agreed that the freedom to marry anyone is currently acknowledged as a fundamental right in India. In **fig.13**, the graph says that the people who are working in the public sector have shown more responses towards the research question that the freedom to marry anyone is currently acknowledged as a fundamental right in India as the person has the right to choose over their marriages and most of them agreed that the freedom to marry anyone is currently acknowledged as a fundamental right in India. In **fig.14**, the graph says that the people who are Unmarried have shown more responses towards the research question that the freedom to marry anyone is currently acknowledged as a fundamental right in India as the person has the right to choose over their marriages and most of them agreed that the freedom to marry anyone is currently acknowledged as a fundamental right in India.

DISCUSSION:

From the above analysis, we can come to a conclusion that due to the variations in the response is collected from the independent variables of the respondents that are variations in the results, analyzed and found by the researcher. It represents the age that includes age between 15 to 25 years who are male, person graduated UG, people working under public sector and unmarried and people who are working under the public sector have responded more and most stated that they are aware of the legality of same sex Marriages in India as these responses, where it is important to note that attitudes and perceptions towards same-sex marriage are complex and multifaceted, awareness of the legality of same-sex marriages can influence public

opinion, it is just one factor among many that shape people's views on this issue and the Cultural, religious, and individual beliefs also play significant roles in determining attitudes towards same-sex marriage in any given society (**Figure 1, 2, 3, 4 and 5**). By the analysis done, It represents the age that includes age between 15 to 25 years who are male, people working under public sector and unmarried and people who are working under the public sector have responded more and stated making changes to your benefits during the annual open season is the major benefits given by the government on the actualization/consumption of marriage by Same Sex couples as these people assume a hypothetical scenario where the government has extended benefits to same-sex couples in India. However, as of my knowledge cutoff in September 2021, same-sex marriages were not legally recognized in India, and the provision of government benefits to same-sex couples was not in place. The dynamics and impact may vary depending on the specific policies and attitudes prevalent in the country at any given time (**Figure 6, 7, 8, and 9**). (**Figure 10, 11, 12, 13 and 14**).

LIMITATION:

The major limitation of my study is the sample frame. The sample frame is the specific survey which has no root for most accurate samples. It is one among the major drawbacks. Their restrictive draw area of sample size is also another major drawback. The physical factors are the study most impactful and a major factor limiting the study.

SUGGESTIONS:

Retain the current terminology used in federal legislation redefine the terminology in the legislation to include same-sex couples insert a definition 'de facto relationship' and 'defacto partner' following the model definition set out the various definitions and criteria describing same-sex and opposite-sex couples in state and territory laws the various definitions and criteria describing 'interdependence' relationships in federal laws the criteria for a

'marriage-like relationship' used in social security law.

CONCLUSION:

The main issue with the legalization of same-sex marriages is that people start opposing it on the name of various religious and cultural aspects. While arguing in Delhi HC solicitor-general Tushar Mehta said that same-sex marriages are against "our law, legal system, society, and values". It is disappointing that a young democracy is so stiff that it took nearly 24 years (the petition was filed in 1994) just to decriminalise homosexuality and allow people to freely love each other and now it has become so rigid because of values and society that a group of sexual minorities are not given the liberty to marry someone of their own choice. According to section 4 of special marriage it is mentioned that any party can marry it gives a wide interpretation that any person belongs to any gender can marry but the homosexual marriage is not yet recognised in India. Same-sex marriage is not wrong. They should have their freedom to choose the lives they want to live. Gay parents do not have a big impact on children. It all depends on the act of the parent. So my definition of marriage is the union of two people who are in love and agree to bind together legally.

REFERENCE:

1. "3. The Case for Lesbian and Gay Marriage." *The Long Arc of Justice*, 2005, pp. 55–72, <https://doi.org/10.7312/mohr13520-004>.
2. Chiroma, Magaji, and Awwal Ilyasu Magashi. "Same-Sex Marriage versus Human Rights: The Legality of the 'Anti Gay & Lesbian Law' in Nigeria." *International Law Research*, vol. 4, no. 1, 2015, <https://doi.org/10.5539/ilr.v4n1p11>.
3. Clum, John M. "Gay Playwrights, Gay Husbands, Gay History." *The Drama of Marriage*, 2012, pp. 189–207, https://doi.org/10.1057/9781137013101_9.

5. Dean, Tim, and Christopher Lane. Homosexuality and Psychoanalysis. University of Chicago Press, 2001.
6. Forster, Christine, and Jaya Sagade. "Right to Equality in Marriage and Family Relationships." *Women's Human Rights in India*, 2019, pp. 133–63, <https://doi.org/10.4324/9780429320200-6>.
7. "Gay Playwrights, Gay Husbands, Gay History." *The Drama of Marriage*, <https://doi.org/10.1057/9781137013101.0013>.
8. Gibson, Rhonda. "The Opponents: The Religious Right Fights to Save Traditional Marriage." *Same-Sex Marriage and Social Media*, 2018, pp. 102–25, <https://doi.org/10.4324/9781315179773-7>.
9. Girgis, Sherif, et al. *What Is Marriage?: Man and Woman: A Defense*. Encounter Books, 2020.
10. Healey, Justin. *Same-Sex Marriage Debate*. 2013.
11. Ingrams, Alex. "Event Report: Why Black Gay and Transgender Americans Need More than Marriage Equality." *PsycEXTRA Dataset*, 2012, <https://doi.org/10.1037/e681912012-001>.
12. Khanikar, Santana. "Everyday Policing and Legality." *State, Violence, and Legitimacy in India*, 2018, pp. 35–54.
13. <https://doi.org/10.1093/oso/9780199485550.003.0002>.
14. Mohr, Richard. *The Long Arc of Justice*. 2005, <https://doi.org/10.7312/mohr13520>.
15. Moscovitz, Leigh. "Gay Marriage in an Era of Media Visibility." *University of Illinois Press*, 2017, <https://doi.org/10.5406/illinois/9780252038129.03.0001>.
16. Narrain, Arvind. *Queer: "Despised Sexuality", Law, and Social Change*. 2004.
17. Narrain, S. *Same Sex Marriage and Other Queer Relationships in India: A Legal Perspective*. 2020.
18. Naskar, Abhijit. *Either Civilized or Phobic: A Treatise on Homosexuality*. Neuro Cookies, 2017.
19. Vanita, R. *Love's Rite: Same-Sex Marriage in India and the West*. Springer, 2005.
20. Vanita, Ruth. *Queering India: Same-Sex Love and Eroticism in Indian Culture and Society*. Routledge, 2013.