

- Police officers were apprised about the Central law and the Supreme Court's ruling on transgenders.
- Training capsules were prepared for police training institutes with the help of transgender members of the Welfare Board.
- Further, after the announcement of vacancies, the police helped transgender members in preparing for the written examination.

What are the legal provisions in this regard?

- The Transgender Persons (Protection of Rights) Act was enacted in 2019.
- It paved the way for issuing a certificate of transgender identity.
- This is in spirit with international conventions, particularly, -
 - i. the Universal Declaration of Human Rights, 1948
 - ii. the International Covenant on Civil and Political Rights, 1966
 - iii. the Yogyakarta Principles, 2006
- The Act recognises that transgender persons have a legal right to self-perceived gender identity in accordance with the principle of the "Psychological Test" instead of the "Biological Test".
- According to law, transgender persons cannot be discriminated against in any matter relating to employment by any establishment.
- Recently, the Kerala High Court allowed a petition moved by a transwoman seeking admission into the National Cadet Corps based on her self-claimed gender identity.
- The court held that the provisions of the NCC Act cannot preclude the operation of the Transgender Persons (Protection of Rights) Act.
- Thus, this new protective Central legislation has given a new lease of life to the whole community.

3.2 Muslim Women's Right to Initiate Divorce

Why in news?

A recent judgement of a division Bench of the Kerala High Court recently clarified the Muslim women's right to initiate divorce.

What are the currently available options for Muslim women to divorce?

- One of the methods is divorce by mutual consent, through the process called Mubaaarat.
- Another right of a Muslim woman to divorce is by way of Khula, wherein she decides to terminate the marriage.
- This process may be called wife-initiated Talaq.
- Till now, Ulemas, particularly of the Hanafi School, have interpreted that Khula can be exercised only when the husband accedes to the wife's request.
- So, without the intervention of courts, a Muslim woman can unilaterally divorce her husband, only if, by contract, he has delegated the right to divorce to his wife.
- If he refuses, the woman has no option but to approach courts of law under the provisions set out in the Dissolution of Muslim Marriage Act of 1939.

What is the present case for?

- A Division Bench of the Kerala High Court was dealing with the issue of conditions in "Khula", divorce initiated by the wife.
- The legal issue before the Court was -
 - whether a Muslim wife, on deciding to leave the marriage for reasons that she feels are appropriate, has the right to pronounce unilateral extra-judicial divorce through Khula against her husband.

What are the court's observations?

- Compelling the wife to go to court for Khula undermines the right guaranteed to her in the personal law.