Polity & Governance · GS - II

How can constitutional principles of equality, dignity and personal liberty guide the resolution of debates concerning transgender rights and sex-based protections in public spaces? Discuss.

EXAM YEAR	PAPER	SUBJECT
DAILY PRACTICE 29/10/2026	GS - II	Polity & Governance

MARKS	WORD LIMIT
10	~150 words

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Answer Hint

Constitutional equality; transgender rights; dignity and privacy; safety in public spaces; competing rights and interests; evidence-based policymaking

Model Answer

Introduction

Debates concerning transgender rights and sex-based protections in public spaces involve questions of equality, dignity, privacy and safety. A constitutional approach must protect individual rights while addressing legitimate concerns through fair and evidence-based policies.

Constitutional and Legal Framework

Article 14 guarantees equality before the law, while Articles 15 and 21 protect against specified forms of discrimination and safeguard life and personal liberty. In *NALSA v. Union of India* (2014), the Supreme Court recognised transgender persons' constitutional rights and dignity.

Balancing Rights and Interests

First, public institutions should prevent discrimination and harassment against transgender persons. Second, concerns relating to privacy, safety and fairness in facilities such as shelters, bathrooms and sports should be

assessed in their specific contexts. Sports eligibility, for example, may require sport-specific evidence and transparent rules rather than assumptions about individuals.

Way Forward

Policymaking should involve affected communities, legal experts and relevant institutions. Safe and accessible facilities, clear anti-harassment procedures, privacy safeguards and effective grievance-redress mechanisms can help reduce conflict. Restrictions should be lawful, proportionate and supported by relevant evidence.

Conclusion

A rights-based approach should avoid treating equality and safety as inherently incompatible. Fair, context-sensitive policies can protect dignity, prevent discrimination and address legitimate privacy and safety concerns.

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