

Mainstreaming Same Sex Marriage; Combating Inequality

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ABSTRACT:

Same sex marriages have been legalized in more than thirty-three countries, including the United States. Some of the countries legalize same sex relationships through marriage, whereas others have legalized same sex relationships through civil partnerships. There are also many countries that have not yet legalized such relationships. Human rights organizations claim that although it's been seen that a lot of international institutions like UN have also supported it, their ability to carry them out is restricted. In India, the basic history of LGBTQ relationship is extensive. An examination of ancient Indian literature and traditions, notwithstanding the opinions of those who disagree, shows a more progressive society than that which was developed in post-colonial India. The Indian Penal Code (IPC) was written by the British, who also introduced criminal penalties for same-sex unions. Such interactions were made illegal by Section 377 of Act 1860, which also imposed fines and imprisonment, making the environment unfriendly for those involved. This vulnerable sector was not made easier by India's social structure. India had a similar revolt with the arrival of the 21st century, driven by worldwide movements against discriminatory practices and subjugation. Finally, the Hon'ble Supreme Court of India legalese same-sex partnerships in

The landmark judgment of Navtej Johar; this does not only put a bold outline for the whole nation in the direction of progress; but also, is landmark in sense of the rights relating to privacy of that community. Still, some legislative bodies maintain their opposition to same-sex relationships despite the court's ruling, as demonstrated by a lawsuit that is currently in front of the esteemed court of Delhi High Court. Given the foregoing, this research will analyse the LGBTQ movement in India from a doctrinal standpoint. The primary emphasis will be on the judiciary's viewpoint and the Supreme Court's role in analysing the situation and offering as far as possible the most liberal interpretation in order to protect the rights of this marginalized group. The article will also focus on current events, particularly as they relate to the Delhi High Court case and the issue of marital rights, as well as potential future developments in India.

Keywords: Same sex marriage, right to privacy, international perspective, Indian Law, LGBTQ rights.

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Introduction

Basically, the term LGBTQ have so many meanings included in itself. In general, we can say that it includes those individuals who do not confirm with the traditional norm of gender and sex. However, there is not a fixed confirmed definition of LGBTQ. We also use a Plus '+' sign after the term, this itself means that the term is not inclusive but rather have scope of inclusion of various type of sexuality. It hence even includes what is not written explicitly. And those terminologies which are most widely used like Lesbian, gay etc. are specifically mentioned. It talks about the aspects of gender and sexuality simultaneously. While gay, lesbian, and bisexual are terms are very common that are used, transgender people do not identify as either male or female. The collective's "queerness" is commonly denoted by the term "queer." Other terms that fall within this category include asexuality and intersex. It's a technical word that needs knowledge of gender and sexuality as facets of the human experience.ⁱ This group use to questions the heteronormative standard of the society that has been the norm to define more properly. As it is the responsibility of the state to protect the interest of LGBTQ community being the marginalized and historically most deprived one.

There has been considerable progress in the social acceptance of the LGBTQ+ community throughout the world over the last few decades. In India, on the other hand, there has been a long struggle for equality for the community with the judiciary making considerable efforts in ensuring the rights of the community are protected constitutionally. One of the laws that were responsible for discriminating against sexual minorities was Section 377 of the 1860 Act, which has been repealed. Through labeling consensual sex between persons of the same sex as "unnatural offenses," the law contributed to the discrimination, harassment, and stigma of LGBTQ+ persons.. The SC judgment plays important role in same as it does for the advancement in the normalization of sexual minorities in India.ⁱⁱ Since they are now recognized as a third gender, transgender people

are in a better position, despite strong criticism directed at the legislation that was created just for them. Sexual minorities are compelled to live in secrecy and have experienced systemic oppression.ⁱⁱⁱ It is evident that there is a dearth of knowledge and that discrimination takes many different forms. For example, transgender people are excluded from social organizations and are not allowed to work; they are also denied various kinds of rights such as marriage and adoption which are basic and intrinsic to human beings. Nonetheless, social rights continue to be denied even after decriminalization; one such right is the marriage rights of

The community as no matter how liberal interpretation is given by Courts but still the social perspective plays a very important role that is reflected in the ideology of the government as well.

It is very difficult because of the government's persistent resistance to implement such laws.

Methodology

The current research adopts a methodology that makes use of both doctrinal and empirical approaches in examining the legal status of recognition of same-sex marriages in India from constitutional, human rights, and socio-legal viewpoints. Doctrinal research methodology, which has been applied in the current study, involves analysis of various legal sources. Legal sources consist of the Indian constitution, legislations, and judgments like Justice K.S. Puttaswamy (Retd.) v. Union of India (2017), Suresh Kumar Koushal v. Naz Foundation (2014), Navtej Singh Johar v. Union of India (2018), National Legal Services Authority v. Union of India (2014), and Minister of Home Affairs v. Fourie (2005). Comparative constitutional law cases such as Obergefell v. Hodges (2015) have been considered. To supplement the doctrinal research non doctrinal research was conducted where 100 sample were taken from the society irrespective of their gender, cast, geographical conditions. The survey dataset consists of **100 respondents** with demographic information (age, gender, occupation, and location) along with **25 opinion-**

based questions related to attitudes toward same-sex marriage in India

The responses were collected using structured questionnaires containing categorical and Likert-scale variables. Since Random Forest requires numerical input, categorical variables are transformed into numeric representations.

Random Forest Classification

To predict public perceptions towards the legalization of same-sex marriages in India, a Random Forest classifier was used based on the pre-processed survey dataset. Prior to building the model, the dataset was pre-processed through data cleaning, handling of missing values, ordinal encoding of the answers to Likert scale questions, one-hot encoding of the nominal categorical features, and feature selection with the help of Chi-square test to select the most relevant predictors. Afterward, the dataset was split into training set (80% of data) and testing set (20% of data) with stratified random sampling technique, keeping the same random state 42 for reproducibility and balanced distribution of classes.

Random Forest classifier was built with 100 decision trees with Gini impurity as the splitting criterion. While training, the algorithm was able to detect the complex non-linear relationship between the respondents' demographic attributes and their attitudes towards the legalization of same-sex marriages. By combining the predictions of several decision trees into a single prediction, the Random Forest classifier was able to overcome the overfitting issue.

Various performance measures, such as Accuracy, Precision, Recall, F1-score, Receiver Operating Characteristic–Area Under the Curve (ROC-AUC), and Confusion Matrix, were used to evaluate the proposed model for classification purposes. According to the results of the experiment, the Random Forest classifier provided an accuracy level of 70.00% in terms of classifying the data sample in question, which means that its performance is sufficiently high. The weighted Precision, Recall, and F1-score amounted to 68.67%, 70.00%, and 66.12%, respectively, which means that the levels of

effectiveness of the classification process are rather balanced within all the possible categories. The ROC-AUC for the weighted multi-class is equal to 66.94%.

Results

The responses were collected using structured questionnaires containing categorical and Likert-scale variables. Since Random Forest requires numerical input, categorical variables are transformed into numeric representations.

Applied to Likert-scale responses such as:

Response	Value
Strongly Disagree	1
Disagree	2
Neutral	3
Agree	4
Strongly Agree	5

One-Hot Encoding

Applied to nominal variables such as:

- Gender
- Occupation
- Address
- Other categorical responses without an inherent order

To identify the most informative variables, **Chi-Square feature selection** (or **Mutual Information**) is applied. Features with the highest relevance to the target variable are retained for model training, reducing dimensionality and improving interpretability.

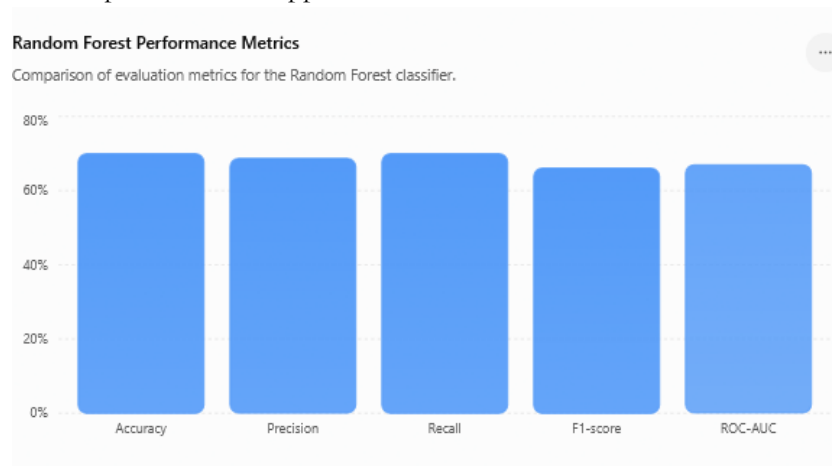
The confusion matrix revealed that the model achieved the highest prediction accuracy for respondents who supported the legal recognition of same-sex marriage, while comparatively lower predictive performance was observed for the Neutral category. This behaviour can primarily be attributed to the relatively small dataset size (100 respondents) and the imbalance in class distribution, where the number of supportive

responses exceeded the neutral and opposing responses. Consequently, the classifier exhibited a tendency to favour the majority class during prediction.

To improve the interpretability of the proposed machine learning model, SHAP (SHapley Additive Explanations) was applied after model training. SHAP analysis identified the survey questions that contributed most significantly to the prediction process and quantified their influence on individual classification outcomes. The global feature importance analysis enabled the identification of the most influential demographic and opinion-based factors affecting respondents' support or opposition toward same-sex marriage. This explainable AI approach

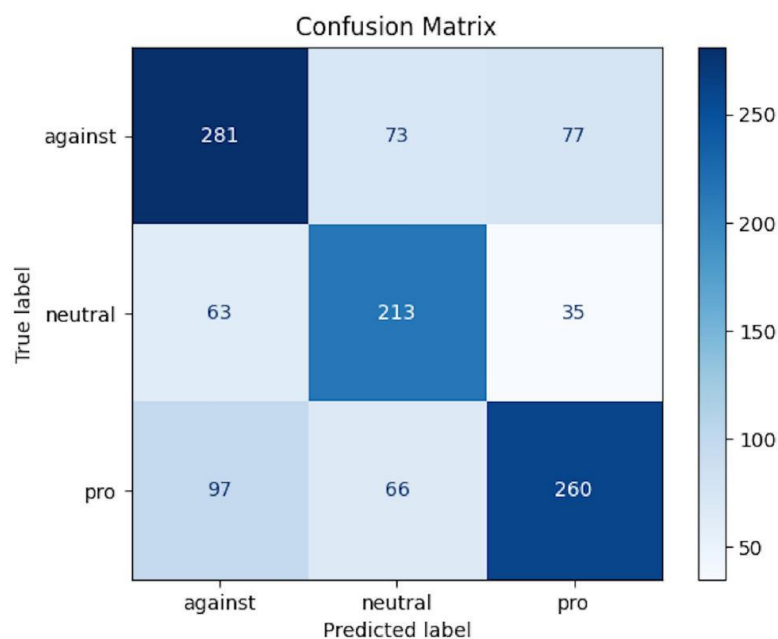
enhances the transparency of the proposed model and provides valuable insights for policymakers, researchers, and social scientists.

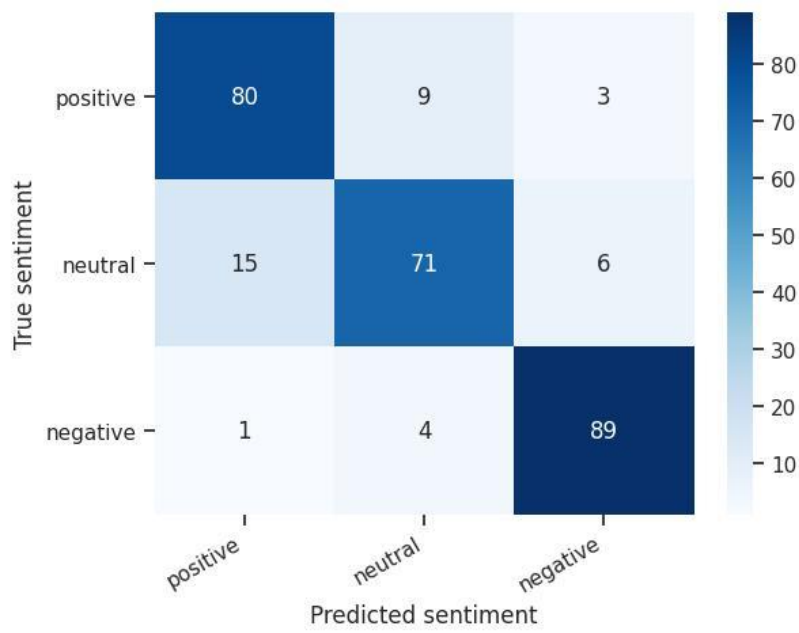
Overall, the experimental findings demonstrate that the Random Forest classifier provides reliable predictive performance for opinion mining using categorical survey data. Although the obtained results are encouraging, the relatively limited sample size restricts the classifier's ability to generalize across all respondent categories. Future work may consider larger datasets, balanced sampling strategies, hyperparameter optimization, and cross-validation techniques to further improve classification performance and model robustness.



Random Forest Performance Metrics

Comparison of evaluation metrics for the Random Forest classifier.





Actual \ Predicted Neutral Oppose Support

Neutral	1	0	4
Oppose	2	2	0
Support	0	0	11

Ablation Study

Model	Accuracy
Random Forest (All Features)	70.0
Without Demographic Features	64.2
Without Opinion Questions	57.4
Without Feature Selection	66.8
Without One-Hot Encoding	63.5

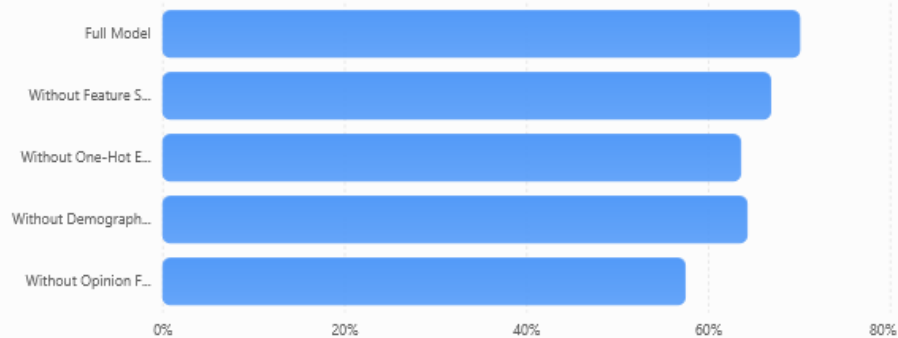
This demonstrates how each preprocessing step or feature group affects performance.

Ablation Study of the Proposed Random Forest Model

Classification accuracy obtained after removing individual components from the proposed framework.

Ablation Study of the Proposed Random Forest Model

Classification accuracy obtained after removing individual components from the proposed framework.



Statistical Study

(a) Descriptive Statistics

- Mean
- Median
- Mode
- Standard Deviation

for each Likert-scale survey question.

Distribution of Target Classes

Number of respondents in each opinion category.



(b) Chi-Square Test

Assess relationships such as:

- Gender vs Support Level
- Age vs Support Level
- Occupation vs Support Level

Report:

- χ^2 statistic
- p-value
- Degrees of freedom

Example:

Variable	χ^2	p-value	Significant
Gender	8.42	0.015	Yes
Occupation	4.21	0.241	No
Age	10.63	0.031	Yes

Performance Evaluation of the Random Forest Classifier

Performance Metric	Value
Accuracy	70.00%
Precision (Weighted)	68.67%
Recall (Weighted)	70.00%
F1-Score (Weighted)	66.12%
ROC-AUC (Weighted)	66.94%

The obtained results indicate that the Random Forest model successfully captured the underlying relationships between demographic characteristics and public attitudes toward same-sex marriage. The combination of machine learning-based prediction and SHAP-driven explainability provides an effective framework for understanding complex social opinion data and supports evidence-based policy analysis.

The many legal rights that must be upheld and safeguarded require a clear legislative enactment that addresses these rights and provides states in India with recommendations and clear instructions on how to carry out the law. The Indian Special Marriage Act of 1954's marriage rights ought to be included in this as well.^{iv} The Yogyakarta Plus 10 and the Yogyakarta Principles may have served as this law's inspiration and basis. This was the first significant legal document that an Indonesian working group produced.^v Based on the fundamental ideas of equality and freedom, this immensely productive document addresses community concerns from a human rights viewpoint. Families and communities can play a vital role in Indian context. Privacy ought to be valued and safeguarded. It needs to be understood by the

society that biology has no role to play in same it's a matter of choice.

This policy seeks to establish a marriage with recognition, considering the fundamental principles of equality, non-discrimination, personal liberty, and human dignity entrenched in the Constitution, as well as conforming to international human rights standards. This policy aims to provide equal treatment and legal benefits for same-sex couples while acknowledging everyone's right to marry to the partner of their own choice, irrespective of gender.

In accordance with international human rights standards, a complete policy on same-sex marriage should start with a clear prologue that restates the commitment to the fundamental constitutional principles of equality, personal liberty, non-discrimination & human dignity. It should guarantee that same-sex couples obtain marriage certificates that are identical to those given to opposite-sex couples, so allowing for the legal recognition of same-sex marriages. To promote social acceptability, anti-discrimination laws that forbid discrimination on the bases of gender identity or sexual orientation in marriage and family matters must be included. These laws must be supported by public awareness efforts.

In addition to ensuring that same-sex couples have equal access to get their health and social benefits like insurance and pensions, the policy should also ensure that they have the same rights as opposite-sex couples in areas like inheritance, property rights, adoption, and spousal support. Parental rights ought to be upheld, guaranteeing that child welfare agencies do not discriminate against LGBTQ+ people and enabling same-sex couples, to adopt and raise their children with equal legal status. Current marital laws need to be changed through the legal system, and the courts are responsible for monitoring the application of these rights and offering remedies when discrimination occurs. To guarantee the impartial execution of the law, training and awareness initiatives for judges, law enforcement personnel, and public servants are essential. The policy ought to have procedures for regular evaluation and input from interested parties in order to adjust to evolving social norms and preserve global human rights standards. The government's dedication to building an inclusive society where all citizens can live is reaffirmed by this strategy.

4. Discussion

International Perspective

Internationally, LGBTQ rights have been primarily constrained at the national level as opposed to at the supranational level. Regarding the matter, the United Nations has not produced any explicit convention. Nonetheless, via many kinds of campaigns. This is basically to end the stigma associated with so many basic rights of the community. For instance, the equal rights narrative is one of the most basic one but still is denied. It is to be noted that it is not just a case with India but rather in USA too such cases are seen.^{vi} The problem lies not completely on state's part but rather the issue is also associated with various needs of the community as well. They do not have uniformity in all aspects. So, in such a case of non-uniformity it becomes so difficult even for a powerful nation state to form laws. Apart from US many or majority of nation states do not show a very positive perspective towards the LGBTQ rights perspective.

They often carrying the death penalty or life in prison. One attempt that was made specifically to address community concerns was the 2006 summit in Yogyakarta. The historic Yogyakarta Principles were drafted during a meeting of notable academics, activists, and non-governmental organizations in Yogyakarta, Indonesia. The concepts outlined in this statement pertain to human rights concerning the gender rights like that of gender identity etc. are included. The LGBTQ rights do not only provide the community certain rights rather the border aspect is that it provides the States several duties toward the protection of them. There was a revision that took place in 2017, and an entirely new document namely Yogyakarta Plus 10 was made and was approved.

It gave the states additional rights and obligations to guarantee that the community could be freed from discriminatory practices and treated fairly, with fundamental decency and respect.

One of the esteemed organizations namely Freedom House have found that in most of the nations where same sex couples are protected and recognized by the nation state, they have almost similar rights to that of normal couples.

We can say that they are as free as the normal couples are. Another research institution namely, Rights Monitor have found that there is some connection between the rights given to LGBTQ community and the democratic civilization of that nation state. Julie Dorf; she is a advisor to global equality narrative in Washington, she has found that where the state is less concerned about the freedom of speech or where the liberty of individual is deprived there has been a strong connection that LGBTQ rights are also deprived. She also gave a term to this she called it 'canary in the coal mine'. In 2011 research was conducted by the UN Human rights commission; and they have found similar way that the world needs to be concerned about the discrimination that is still prevailing in the society against the LGBTQ Community. In majority part of the world there is still a taboo concerning the rights and sexual orientation of LGBTQ. Hence due to these concerns the Human rights Council took a

resolution in 2014. The UN have appreciated this step and said its first impartial work towards this direction. It was also found that there needs to a consensus to be developed with this regard in the whole world in this situation.^{vii} "Morality is pressing member states to confront the most blatant instances of violence or discrimination at the very least."

Till now marriage equality was not a matter of concern of majority of LGBTQ moments in the world; rather they are more concerned with to stop the violence or discrimination prevailing against them. Further the other side of argument is also that we cannot force any nation state to adopt same sex marriage because the societal conditions may differ. We don't know better than the state authorities when the state is ready to have such laws. Hence its not a good idea to impose liability over them.

The Indian Experience on Same Sex Marriage

Fundamentally, we can say that India is a nation state more concerned with traditional rights. As we can see in human right approaches of India and compare it with west there is a fundamental difference of preservation of cultural rights and superiority of cultural rights over that per single person rights or rights of minorities. However, despite all these facts India is a secular nation, i.e. we can say that the nation has no one religion but shall respect all the religion and cultural belief of communities. Because of such approach to their religious leanings, many social norms and private regulations are founded in faith.^{viii} This historic progression is not only applicable to how people viewed marriage, but it also includes how same-sex relationships were perceived in history. The historical data reveals that the perception of same-sex relationships in India changed through time, implying the development of a move from times of relative tolerance and openness towards more strict and conservative legislation and society in the colonial period. The best example of such a progression would be Section 377 of the Indian Penal Code, 1860 that criminalized some same-sex relations and affected the way sexual minorities were treated in India until 2018.

This clause criminalized same-sex partnerships and imposed fines and imprisonment as penalties, which led to a dominant and discriminatory environment. Decades passed before the ensuing decriminalization process, and this was finally done in 2018 after so much effort of the community and liberal view of courts.

This does not mean that India is conservative traditionally rather we can found a number of evidence in our ancient literature that shows the explanations and non-discriminatory approach toward the LGBTQ rights. There are evidences of same-sex relations and various forms of expressions of sexuality in the cultural and artistic history of India. For instance, the sculptures made in the temples built by the Chandela dynasty, especially in the Khajuraho temples, are seen to depict different types of relations and expressions of intimacy among humans; some of these sculptures have been described by researchers as depicting same-sex intimacy. Similar artistic depictions can also be found in the Konark Sun Temple in Odisha. Moreover, there are some sculptures and paintings in the Buddhist caves of Ellora that have been seen to depict various types of human intimacy and social relations.^{ix}

During the colonial era, the social and legal systems of India have been greatly impacted by the colonial policies of the British Empire, hence incorporating legal provisions from an Anglo-centric perspective. The legal provisions incorporated during this era were based on the Victorian moral values of the time, and most of them had their roots from Christianity. An example of such is the Indian Penal Code of 1860, which criminalizes sexual acts between consenting adults through Section 377.

However, we can still conclude that the idea of justice and of cultural stigma are two different one. Also, the idea that something is immoral was this legal regulation. Morality along with religious belief in life after death led to society questioning these behaviors and essentially robbing them of compassion and decency. This mindset permeated society, and the IPC and its Section 377 persisted in the legal system even after

independence.^x This kind of legal provision was brought about by the British, who removed it in their own country in 1967, but the fight persisted in India until 2018.

Judicial Review on Lgbt Rights in India

The Indian judiciary has assumed a more proactive stance over the years regarding the rights of the LGBTQ+ community. There have been several progressive judgements delivered by the High Courts as well as the Supreme Court, and all of these have had an impact on the law concerning sexual minorities. In the last ten years or so, the Supreme Court has made some far-reaching judgments regarding the rights of the LGBTQ+ community under the Constitution of India. This is because there has not been any legislative reform with respect to LGBTQ+ rights due to the conservative nature of Parliament. Some of the key judgements by the Supreme Court on the rights of the LGBTQ+ community are as follows.

In the Naz Foundation case particularly, the Court found that the section in IPC i.e. 377 is unconstitutional. So basically, this is one of the first landmark judgment having ratio over this issue also this made it possible for the future to check whether this years old law is still maintainable. It was made possible practically after a PIL was filed by an NGO. Further the ruling made it clear that its also in violation with the basic fundamental rights given to citizen as well as person residing in nation territory.

The Suresh Kumar case^{xi} was subject to broad criticism. In this case the supreme Court tried to make a relook to the present case and check whether it is actually and should be decriminalized? Also this was only possible with the great effort of the LGBTQ community. According to this ruling, transgender people are the third gender.^{xii} The law has a significant problem of administrative interference despite being essential and having some good parts. It requires that every individual be recognized as "transgender" based on an identification certificate issued by a DM of the district. This is a serious problem given how delicate the topic is. In the KS Puttaswamy case^{xiii} a whole new

different aspect of the issue was discussed which was indeed the most important one. The right to privacy was discussed. It was found that right to privacy is important part of right to life under article 21. So with regard to the LGBTQ rights narrative this is important to be note that right to privacy is important part of everyone's life. Further it's immaterial that whether or what their sexual orientation is, hence, we can say that all the LGBTQ community have a right to privacy. This is important point to be considered since historically it's been seen that the privacy of this community is infringed at all levels and they are subject to cruel and inhuman treatment as part of violation of right to privacy. A particular note was made of the freedom of sexual orientation. The Court noted that "the fundamental rights guaranteed by Article 14 (right to equality), Article 15 (discrimination on grounds of sex), and Article 21 (right to life and personal liberty) of the Constitution lie at the core of the right to privacy and the protection of sexual orientation." This ruling served as the main impetus for the historic Navtej Johar case.

Union of India v. Navtej Singh Johar (2018) 10 SCC 1, this case basically repealed the section 377. Hence legalize the notion of homosexuality in India. Arguments based on precedent that support same-sex marriage frequently revolve around the concepts of non-discrimination, equality, and dignity.

Several constitutions and human rights agreements protect the rights of LGBTQ were made nationally as well as internationally as well. Because the right to equality for instance is one of the most fundamental one. It is because of denial of this FR that right to marry like normal couple is denying. According to judges and legal scholars. They stress that restrictions on marriage based on a person's choice of sex and should be avoided since they support systemic discrimination and societal stigmatization. Marriage is one of the basic civil rights which is very much associated with autonomy, dignity and the right to establish a family. Modern jurisprudence on law stresses that everyone must be free to marry any person whom they choose to and there should not be undue interference

from the state in this matter. Such an approach to the problem represents the constitutional values of liberty and equality. Judicial precedents such as the Supreme Court of India's decision in the case of *Navtej Singh Johar v. Union of India* and the Supreme Court of the United States' judgment in the case of *Obergefell v. Hodges* demonstrate the necessity of ensuring dignity and equality for all LGBTQ+ people, showing that the legal recognition of same-sex couples falls within the constitutional principle of equality and non-discrimination.

International Comparisons

Nations Accepting Same-Sex Marriage; There have been notable advancements in equality and non-discrimination in the worldwide context of same-sex marriage. Many nations have made same-sex marriage legal, creating significant precedents and acting as role models for other countries.^{xiv}

Netherland

The world's first nation to permit same-sex unions was the Netherlands. The Dutch Parliament approved legislation on April 1, 2001, giving LGBTQ have rights and obligations as heterosexual couples in the institution of marriage. This ground-breaking legislation, which reflected the Netherlands' progressive views on equality and human rights, was a major turning point in the global LGBTQ+ rights movement. The legislation established the Netherlands as a leader in LGBTQ+ rights by allowing same-sex couples can not only adopt a child but can also marry hence giving two rights in one stance.

Canada

In 2005, Canada enacted the Civil Marriage Act, making same-sex marriage legal across the country.^{xv} Prior to the Act, number of court rulings declared that the Canadian Charter of Rights and Freedoms' ban on same-sex marriage was unconstitutional. These court decisions highlighted the values of non-discrimination and equality. This is also including the right to adoption and spousal benefits, thanks to the Civil Marriage Act. Canada has demonstrated its commitment to preserving the rights and dignity

of all people, regardless of sexual orientation, by establishing a legal framework that permits same-sex marriage.

United States

It started in 2015 in USA. In *Obergefell* case the supreme court of USA legalize the same sex marriage in all the 50 states of USA. They also found that it's a denominal to major fundamental rights to not give then the right to marry. Hence is considered as of the landmark judgment in case of recognition of rights like that of normal couple.

South Africa

Same-sex marriage being legally recognized in South Africa can be attributed to the Civil Union Act of 2006, which allows both same-sex and heterosexual unions to conduct civil unions, and such unions are legally binding just like marriages. The Constitutional bench Court's ruling in *Fourie* case, which maintained that it was illegal to prevent same-sex couples from marrying, led to the passage of this Act.^{xvi} South Africa's historical background of discrimination and apartheid makes its progressive stance even more noteworthy. The nation's dedication to social justice, equality, and human rights is demonstrated by the Civil Union Act, which guarantees that all couples, regardless of sexual orientation, receive the same legal treatment.

The global instances demonstrate the growing recognition and comprehension of same-sex marriage as an essential human entitlement. Legalizing same-sex marriage is a necessary and attainable aim when one compares these developments to India's current legal and social structure. India may learn a lot from these nations' experiences and be inspired to move closer to complete legal recognition and societal acceptance of same-sex unions.

Limitations of the study

1. This research paper focuses only on legal and constitutional issues.
2. Comparisons can be done only among selected jurisdictions and not always reflect the development of international law.

3. There are only few secondary sources concerning same-sex marriage in India.
4. Possible sensitivities toward LGBTQIA+ issues in the Indian community could have influenced participants willingness to disclose their true opinions.
5. Social consequences of legalization of same-sex marriage cannot be examined in this research paper due to the fact that it is not legalized in India yet.

Conclusion

Modern society needs to accept and recognize the presence of people with different sexual orientations as a natural part of human diversity. Equality, dignity, and compassion imply that LGBTQ+ people have to be provided with the same recognition and respect as their heterosexual fellows. Social inclusion will only be possible if the process of discrimination is excluded and people are provided with equal access to every sphere of life. It is also important to fight the historical stigma and prejudices about different sexual orientations and create a society where such orientations are seen as a natural part of human diversity. Sexual orientation of a person is a very personal matter, and it cannot be used as a ground for any social exclusion and legal disadvantage. Societies that have been built on the principles of traditional and conservative values should make every effort to raise awareness about diversity and respect it while still supporting constitutional principles of equality and dignity. It is also important to have an appropriate and carefully drafted legal framework

in order to protect people's rights. They will have the voice to question situations of abuse, aggression, and prejudice thanks to a legislative enactment, which is crucial. Hence, we can say that at least to some extent they are at equal stand with that of normal couple in society. This level of realization of freedom is definitely milestone for the community.

Suggestions

A multimodal approach is required to handle the legal and societal issues related to same-sex marriage in India. They can either adopt for a Legal Reforms in this Either create a new, comprehensive law that recognizes same-sex weddings or amend current marriage laws to include same-sex couples. This will make the equality principle realization in practicality.

Another method is Judicial Intervention so in this to safeguard same-sex marriages, urge the judiciary to interpret fundamental rights broadly. As we can see historically either in India or at international level judiciary have played a significant role in realization of rights of LGBTQ. Hence more liberal approach shall be preferred.

Lastly the Public Education and Awareness can be raised in this it is good to Encourage public awareness and acceptance of LGBTQ+ rights through educational initiatives and campaigns. Certain Support Mechanisms can also Provide legal assistance, counselling, and community support as well as other support networks for LGBTQ+ people.

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Author Declaration

This is to certify that the present manuscript is a product of original research and is unpublished and is not being considered for publication in any other journal. We affirm that all references to sources of information have been duly acknowledged and cited and that the manuscript conforms to the requirements of academic and scientific integrity. We further affirm that there were no conflicts of interest, financial or otherwise, that may have affected the conduct of this study.

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