

When Will India get Gay Marriage?

Over the past decade, LGBT people have gained more and more tolerance in India, especially in large cities. Although on 6 September 2018, the Supreme Court of India decriminalised homosexuality by declaring Section 377 of the Indian Penal Code unconstitutional, gay marriages are still not legally recognised in India nor are same-sex couples offered limited rights such as a civil union or a domestic partnership.

Way back in 2011, a Haryana court granted legal recognition to a same-sex marriage, involving two women. After marrying, the couple began to receive threats from friends and relatives in their village. The couple eventually won family approval.

Their lawyer said the court had served notice on 14 of Veena's relatives and villagers who had threatened them with "dire consequences". Haryana has been the centre of widespread protests by villagers who believe their village councils or khaps should be allowed to impose their own punishments on those who disobey their rulings or break local traditions – mainly honour killings of those who marry within their own gotra or sub-caste, regarded in the state as akin to incest. Deputy Commissioner of Police Dr. Abhe Singh told The Daily Telegraph: "The couple has been shifted to a safe house and we have provided adequate security to them on the court orders. The security is provided on the basis of threat perception and in this case the couple feared that their families might be against the relationship."

In October 2017, a group of citizens proposed a draft of a new Uniform Civil Code that would legalise same-sex marriage to the Law Commission of India. The voices for these rights are getting louder and stronger.

There are currently several same-sex marriage petitions pending with the courts. As one of the petitioners said: "Decriminalising Section 377 is the first step. Marriage and other civil rights is the second." We can only hope the government body to formulate a position soon so there can be a wider civil rights.