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## **THE PORTRAYAL OF TRANSGENDER IN INDIAN CINEMA**

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### **ABSTRACT**

This research study aims to highlight the inclusion of Hijra viz-a-viz Transgender population in India who face multiple form of exclusions and deprived of their basic human rights in almost all sphere of their life. Transgender are part of our society's diversity and have the same gender, sexual and citizenship rights, as other citizens have. These rights need to be promoted and protected.

The focus of this research is to identify the level of inclusions and exclusions faced by the Transgender community and examine the various factors contributing to exclusionary practices in the context of Indian Cinema, Cultural and Human Rights. It is well-recognized that Transgender people face human rights abuses on a daily basis; especially, they are denied the right to an adequate standard of living, the right to freedom from discrimination, the right to social security, the right to the highest attainable standard of health, the right to participate in political processes and the right to equality before the law. The research has been conducted through empirical study trying to find the position which is being portrayed through the movie.

Keywords: Transgender, Hijra, Indian Cinema, Human Rights, Mahabharata.

## 1. INTRODUCTION

Hijras belong to a distinct socio-religious and cultural cult, now recognized as a ‘third gender’ (Transgender) by the government of India. The current term “Transgender” was introduced in 1990s by the Transgender community and activists. Nowadays, the term Transgender has become an “umbrella” term which is used to define a broad variety of identities and experiences, which includes but not limited to transsexual; male and female cross-dressers (also known as “transvestites,” “drag queens” or “drag kings”); intersexed people; and men and women, irrespective of their sexual preference, whose appearance or characteristics are perceived to be gender atypical”.

The Hijra/Transgender community is an ancient community in the Indian subcontinent classified as the third sex and have their own unique gender role. Therefore, Hijras as a separate identity can fit into either category, with aspects of both genders with very limited intervention for the Hijra/Transgender community and mostly limited to STI/HIV prevention or condom and lubricant distribution, Transgender and Hijra was part of the sub categories of Men having sex with Men (MSM). This, has had a negative connotation towards the behaviour and attitude of society towards this one of the complex gender identities in India. “What is significant about the Hijras/Transgender population is that they are so intensely rooted in Indian culture that it can accommodate a wide variety of temperaments, characteristics, sexual needs, gender identities, cross-gender behaviours, and levels of commitment without losing its cultural meaning.” (Nanda, *Neither Man nor Woman: The Hijras of India*).

Historically, Hijras were able to identify with different figures in Indian mythology and much respected as the third sex. The traces of Hijras can be found in the Indian epic the Mahabharata when Arjuna had to undergo a disguise to hide him for a year. He dresses as a woman because he thought of his warrior status will best hide his masculinity.

Among the Hijras and Transgender population, there are emasculated (castrated) men, nonemasculated men and inter-sexed persons (hermaphrodites). While a group of Hijras/Transgender are involved in blessing and gracing during births, marriages and ceremonies; another group is involved in begging and; a third group is involved in sex work. Hijra/Transgender communities have existed in most parts of the world with their own local identities, customs and rituals. They are known as Baklas in the Philippines, Berdaches among

American Indian tribes, Serrers in Africa and Hijras, jogappas, jogtas, shiv-shaktis and aravanis in South Asia.

The Hijra community in India, which has a recorded history of more than 4,000 years, used to enjoy special powers because of its third-gender position. It was part of a conventional `eunuch customs in many societies, especially in West Asia, and its members held legitimate positions in stately courts. Hijra (often translated as Eunuch or kinnar) means those individuals who voluntarily seek initiation into the Hijra community, whose traditional occupation is Toli badhai (blessing people on auspicious occasions) but due to the widespread socio-economic cultural setting, a considerable section is engaged in begging and sex work for existence. These people survive in conformity to the cultural practices, traditions and rituals which is diverse from the region to region.

## **2. INDIAN CINEMA**

Cinema has been the most important entertainment and the largest business in India. It was only a few months after the Lumiere brothers introduced cinema in Paris in 1895, they introduced cinema in India on July 7, 1896. Cinema has become the most popular culture and simple entertainment for a century in India. Indian films are marketed in over 90 countries for commercial and festival screening to become a global enterprise. The top foreign studios have been investing in film production in India as the result of the 100% foreign direct investment policy of the Indian Government. As Gokulsing & Dissanayake (1998), the Indian-ness can be found in the unique genres and the themes of the films, which are produced in India. The primary difference between Indian films and the films of other countries is that Indian films are mostly melodramatic and circular narratives accompanied with song, dance, fight, exaggerated humour, and three hours long. The songs are sung by professional playback singers and synchronized with the actors. More than 1500 feature films are produced per year in 24 different languages/dialects (CBFC 2015) in the country. The largest number of films are produced in Hindi (Bollywood) followed by Tamil (Kollywood) (CBFC 2015) make Mumbai and Chennai are the two main regional production industries representing the north and south regions of India. South India alone consists of four states, each state has a different official language, and films are made in all four languages and are dubbed from one language to another as the result of commercial success.

The heterogeneousness of film production of India to be recognized and determined as 'cinemas of India' by the way the film industries function across India rather than the notion of Indian cinema

Indian film has come matured as far as its discernments, understandings and portrayals of the transsexual personality. A few movies, inside the narrative and subsequently the component organization, public and territorial, uncover social, social and enthusiastic development as far as acknowledgment of the transsexual nearly coordinated into the standard in genuine world. There are endeavors, where the transsexual personality has been depicted not just thoughtfully and seeing yet in addition with the persons urgent aching to have a place, to be acknowledged for what the individual is. In spite of the very truth that there are various kinds of amusement springing up pretty much every other day as a consequence of innovative headways, film as a medium keeps on appreciating a genuine fan following of its own. Films actually impact psyches to very huge degree, as an after effects of which, portrayals and depictions - be it of individuals or segments of society, become pivotal. At the point when it includes the third sex, huge loads of Indian motion pictures are called call at the past for uncaring and additionally off base depictions of their lives. Cut of life portrayals of these from the transsexual local area are by and large difficult to return by, which results in the continuation of shameless generalizations.

A lot of movies are made with transgender characters in them, globally. Movies like *Transparent*, *Boy Meets Girl*, and *New Girls at the Block* have had Tran's humans painting Trans characters inside the films, thereby lending authenticity to their roles. Such films obtained top evaluations for the portrayal of the trans network via the one's characters. However, on the alternative hand, films like *Ace Ventura: Pet Detective*, *Dallas Buyers Club* got here beneath assault from transgender activists for his or their portrayals and for permitting cis-gender (non-transgender) humans to paint the position of a trans person. the very truth that now no longer many cis humans have interaction or speak with humans from the trans network, the manner they are represented or portrayed in Indian movies turns into crucial.

Tamil cinema, or Kollywood, is considered one of the maximum essential sales-making industries inside the country. People throng theatres and movie stars achieve cult status, inspiring heightened tiers of fandom. In this kind of scenario, unnecessary to mention, Tamil films and the manner they painting trans humans turns into essential. In the majority of the movies, transgender characters are given minor, pivotal roles without any substance and

consequently, the characters don't in reality upload fee to the plot of the movies. they are used for comedian alleviation and consequently, the characterizations are written in such how on match the relaxation concept of humour. Sometimes, male characters in the course of a film get dressed up as and fake to be a girl. That is frequently once trickier as it would not truly constitute a transgender and could truly simply be a case of transvestism. Crossdressers are those who put on garb it's typically associated with the different gender. this can be visible in pretty few films starring Vadivelu, Vivekh's individual in Guru En Aalu (directed via way of means of Selva) additionally due to the fact the lately launched Remo (directed via way of means of Bakkiyaraj Kannan) in the course of which the male lead simply dons the clothing of a girl nurse to decide an extensive bond with the feminine lead<sup>1</sup>.

### **3.       REPRESENETAION IN SOCIETY**

Gender performs a huge attribute in every feature of our lifestyle. It bears and imposes incredible installation thinking and convention on humans and most of them have a take a study it intentionally or accidentally. It seems to be unavoidable, as it is sincerely embedded with inside our society that the human being lives in. It is resolute out, predictable, and hardly questioned. The convention and viewpoint willing of for each gender are inculcated in childhood itself, even as the child begins off evolved to study the conduct and appearance displayed and strong-minded through manner of the elders of varied sex, follows it as a cue to be a part of that gender, or equally than that to be conservative.

These convictions and regulations are found and found out through way of move toward of the child, and it is entrenched during their reality during several reasserts early from media, governmental issues, interpersonal organizations, one's incredibly own family, and particular societal establishments. The convictions and regulations ultimately recreate into generalization interior one's common public. It impacts all sexual orientations throughout the way of advance of developing.

Supremacy battles, they're generally in arrangement as a man inside perception the common public, their independency, and a need to shape a behaviour consistent with their tremendously own will. Tentative the generalizations and searching out the clarification toward the rear of their formation can assist us with sympathetic their realism, and as a result, it'll discontinue us from perceiving the world and all that we are accessible to, during gendered discernments.

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<sup>1</sup> <https://eh.net/encyclopedia/the-economic-history-of-the-international-film-industry/>

Sexual orientation generalizations, additional now and once more than now done in regards to women and the LGBT association, and its case inside perception the Indian setting can be alluded to under, exemplify during the way of several seen communication, which clearly comprise movies and notices, and also well-known material<sup>2</sup>.

#### **4. Hijras as a device of amusement and ridicule**

Hijras have made a look inside the films as an instrument of diversion and are believed to be scorned or derided in a couple of means or the further. For example: In the movie *Pyar Kiya to Darna Kya*, the Hijra entity has been ridicule his quirk concurrently as he is approached to participate in a sport with young men's crowd. Also, in *Dil Ne Jise Apna Kaha*, the person of transgender Bobby Darling has been exhibiting in a comedian role. She attempts to allure men and men pay no regard to her who raises snapshots of chuckling. This is a totally interesting plot in a movie concurrently as a hijra speaks sacrilegiously to a celebrity or he pursues a celebrity.

Why all hijras are obsessed with men from top to heels, no person knows. They utilize it horizontal to make the aim commercial centre snicker. Journalists can't appear to choose whether or not or now no longer they require portraying a transgender and finish up through the hijra person frequently flirting with the saint or the male human being. Various occurrences of Cross Dressing has been also impersonate in diverse action movies like *Rafoo Chakkar*, *Apna Sapna Money Money*, *Golmaal* and so on the rundown is interminable. Dressing in drag is a vital piece of a transsexual's life and society now not having the cap potential to take delivery of them is something awful and surely pleasantly truly definitely worth being made them mindful about. The Hijras endeavor to uncover their delicate factor more prominent to zero in regarding the matters they esteem however don't have. Hijras have made a look with inside the films as a device of amusement and are believed to be scorned or derided in a couple of way or the other mindful about<sup>3</sup>.

#### **5. Hijras as Criminals**

A many of Hijra characters, during the time, were portrayed in disgraceful jobs portraying that the requirement of their gendered ID has pushed them to periphery of academic illness & so

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<sup>2</sup> <https://www.monkprayogshala.in/blog/2016/4/25/representation-of-gender-in-indian-society>

<sup>3</sup> Ibid

far come to be lawbreakers. Another rationale in them to come to be crooked is that they're socially unaccepted and terrible and accordingly dedicate to wrongdoings. These terrifying photos of Hijra characters have conveyed an assortment of awful comments about their lives. Children are being told to take care in some other case they may be snatched with the guide of utilizing a Hijra. Films like *Sangharsh (1999)*, where in Ashutosh Rana grabs a immense contract of Hijra characters, during the time were portrayed in repulsive jobs portraying that the discrimination of their gendered ID has pushed them to peripheries of intellectual ineffectivity and however come to be lawbreakers. Another intention in them to come to be lawbreakers is that they're socially unaccepted and terrible and subsequently dedicate to wrongdoings. These startling photos of Hijra characters have conveyed an assortment of horrible comments about their lives.

Children are being told to take care in some other case they may be kidnapped with the guide of utilizing a Hijra. Films like *Sangharsh (1999)*, where in Ashutosh Rana hijacks a adolescent and desires to give his rim and blood to Bahuchara Mata. Such a portrayal is so terrifying and merciless. Likewise, withinside the film, *Murder 2 (2011)*, the essential lowlife is transsexual. He calls whores and kills them. He does as such as to give their bodies to Evil God. In a more established Bollywood movies, *Sadak* had a hijra entity as the necessary criminal, who holds the female direct in custody<sup>4</sup>.

## 6. The Voiceless Hijra Characters

Hijras are verified as both extremely terrible or in the end voiceless. There isn't any in among for them. No customary Hijra man or lady has at any point arisen to make an imprint at the forefront of open's thoughts. The voiceless-ness of hijras comes from the veracity to they've had roughly no rights withinside the state. Even after the worthy S.C agenda approved them the human rights and chance to be a third-sexual orientation, they're themselves now not, at this point mindful about the rights of the one. The Champa (a Hijra) is sentenced for unlawful to she does now at this point don't submit. The police remember it, the own circle of family members knows about it anyway no individual effectively shop her. She is overpowered up through the police and put away in jail for quite a long time. She appreciated and wedded the child of a clergyman and has been going through the repercussions of it because of the way that then, at that point. "Dattani" states that even hijra's protracted for poise and keeping in

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<sup>4</sup>[https://www.krishisanskriti.org/vol\\_image/03Jun201901063957%20%20%20Paridhi%20Chaudhary%20%20%2020102-104.pdf](https://www.krishisanskriti.org/vol_image/03Jun201901063957%20%20%20Paridhi%20Chaudhary%20%20%2020102-104.pdf)

mind that it's far denied to them, they are attempting to intrude on the traditions through dissenting, anyway their accent is stifled during the predictable call for that succeeds within the common community."

## **7. Transgender and the Indian Law Protection Of Transgender In The Constitution Of India**

The prelude to the constitution commands each resident Justice: - social, monetary, political equity of status.

The Indian state strategy that previous perceived just two sexes for example male and female has denied the third sex from their few rights similar to an Indian resident, which incorporates rights to cast a ballot, the option to possess property, the option to wed, the correct case a conventional character through an identification and so on and more significant the privilege to training, work, wellbeing so on. The essential rights which they were denied from are their basic right under Article 14, 15, 16 and 21. The privileges of transsexual where the Supreme Court laid accentuation on securing and shielding the privileges of the transsexual individual under the standards of Indian constitution set down in Article 14, 15, 16 and 21.

Article 14, 15, 16<sup>5</sup> gives rights to balance and Article 21 which gives right to opportunity to every single Indian resident however transsexual individual were denied from their fundamental right to opportunity and equity.

Article 14 arrangements with balance under the steady gaze of the law or equivalent insurance under the steady gaze of the law inside the region of India. Article 14 plainly falls inside the articulation "individual" which incorporates the male, female and third sex inside its ambit so the transsexual are additionally qualified for lawful security under Indian constitution in every one of the circles of state movement.

Article 15 which manage the denial of separation on the found of religion, race, standing and sex incorporates the third sex under its ambit similar to the residents they reserve the option to not to be segregated on the grounds of their religion, position race and sex. They reserve the option to ensure their sex articulation which is significantly reflected through their dresses, activity and conduct.

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<sup>5</sup> The Constitution of India



Article 16 arrangements with fairness of chance in the issue of public work as this article is used to widen the idea of sex which incorporates "mental sex" and sexual orientation personality inside its ambit. The transsexual being the residents of India has the privilege to business and equivalent freedom in the matter of work and they ought not be separated based on their sexual direction.

Article 21 which manages the security of life and individual freedom expresses that no individual will be denied of his life and individual freedom besides as indicated by the system of law. The transsexual being the resident of India ought to have full option to ensure their privilege and individual freedom. The Supreme Court has additionally perceived the privilege to pride by perceiving sexual orientation personality inside the ambit of Article 21.

**Criminal Tribes Act, 1871**, this Act directed with tribal communities. It also includes the limiting the rights of transgender and gender non-conforming individuals and communities. This Act also created a category of **EUNUCH** refer too many often unrelated genders on conforming communities in India.<sup>6</sup>

## 8. Indian Penal Code 1860

**Section 377** – Unnatural offences whoever voluntarily has carnal intercourse the order of natural with any man, women or animal, shall be punished with imp. For life or imp. Of either description for a term which may extend to 10 years and shall be liable to fine.

This law has been repealed from the IPC 1860. By the supreme court in the leading case *Navtej Singh Johar v UOI*.

The territories of Tamil Nadu and Kerala were the primary Indian states to present a transsexual govt support strategy. As per the strategy, transsexual individuals can get without charge sex-reassignment medical procedure (SRS) in govt clinics, free accommodation, diverse citizenship documentation, affirmation in govt. university with a full grant for higher examinations, elective wellsprings of the job through the development of self-improvement gatherings (for investment funds) and starting pay age programs (IGP)<sup>7</sup>. Tamil Nadu was additionally the primary state to shape a transsexual government assistance board with delegates from the

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<sup>6</sup> Criminal Tribes Act, 1871, Act No. XXVII of 1871 modified in 1897

<sup>7</sup> Karthikeyan, Divya (25 May 2017). "Tamil Nadu, once a pioneering state for welfare of transgender, now shuns the third gender"

transsexual local area. Kerala began giving free medical procedure in government clinics in 2016<sup>8</sup>.

The **Government of Himachal Pradesh** has situated a medical sheet at the district and state level for help trans-sexual persons. The state has likewise instituted different plans giving annuity, ability improvement, grant, and monetary help for guardians of transsexual individuals<sup>9</sup>.

## **9. Conclusion**

As per the above we can say that the Transgender community has not been portrayed in a fair and correct manner in the history of the Indian Cinema, whereas they have been shamed and ridiculed of in some or the other fashion in a comic scene just make the scene more hilarious, without warrant for the feelings of the community. Further, they have been portrayed as criminals, or have been introduced only in the side roles. Such diminishing showcase of the community is also the reasons for the inefficiencies in enforcement of the enactments and other difficulties faced by the community which are still not addressed shall be covered. The various other factors which adversely affect the betterment of the community shall be dealt by the government seriously, which problems being stated and effective solutions which can form part of a better transformation to help the transgender community in their battle for better life.

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<sup>8</sup> Devasia, TK. "Why Kerala's free sex-change surgeries will offer a new lifeline for the transgender community

<sup>9</sup> "Himachal Pradesh to bring transgender under social security net