

Masri-Zada, T., Martirosyan, S., Abdou, A., Barbar, R., Kades, S., Makki, H., ... & Agrawal, D. K. (2025). The impact of social media & technology on child and adolescent mental health. *Journal of psychiatry and psychiatric disorders*, 9(2), 111.

Ramadani, Rafik (2024), The Impact of Technology Use on Young People: A Case Study of Social Media and Internet Usage, *Asian Journal of Research in Computer Science*, 17 (8), 13-23

Uhls, Y. T., Michikyan, M., Morris, J., Garcia, D., Small, G. W., Zgourou, E., & Greenfield, P. M. (2014). Five days at an outdoor education camp without screens improves preteen skills with nonverbal emotion cues. *Computers in Human Behaviour*, 39, 387-392.

<http://junaid988.blogspot.in/2015/09/technology-hurts.html?m=1>

<http://www.independent.co.uk/news/education/education-news/child-smart-phones-cocaine-addiction-expert-mandy-saligari-harley-street-charter-clinic-technology-a7777941.html>

<https://kashmirmonitor.in/Details/136717/how-poor-sleep-effects-your-brain>

<https://kashmirmonitor.in/Details/137106/boosting-brain-activity-may-protect-from-anxiety>

---

**Dr Rupesh Kumar Singh** is Associate Professor, Department of Social Work, Dr Shakuntala Misra National Rehabilitation University, Lucknow

**Email: rupeshlucknow@rediffmail.com**

---

**Dr. Shivani Agarwal** is Assistant Manager (Impact - Evaluation), Haqdarshak Empowerment Solutions Pvt. Ltd., New Delhi.

**Email: shivani.wid@gmail.com**

---

## Article History

Received: 10 – 10 – 2025

Revised: 30 – 11 – 2025

Accepted: 01 – 12 – 2025

## Transgender People In India: Status, Challenges and Path Forward: An Overview

Archana Singh & Nilya Srivastava

**Abstract:** *Transgender individuals are persons who identify differently from the sex which is biologically assigned to them when they are born. Although the discourse on gender has undergone a change in contemporary society moving beyond rigid binary of male, female to more inclusive, yet the transgender persons, like other marginalised groups, continue to face widespread discrimination and numerous challenges. This paper is an attempt to examine the status, challenges, and welfare measures concerning transgender individuals in India. It highlights their historical recognition, demographic presence, and significant contributions to society, while emphasizing their continued marginalization. The paper explores a range of social, economic, and psychological challenges, including discrimination, unemployment, mental health issues, and family rejection. It further analyses international frameworks such as human rights principles, along with national legal measures including the NALSA decision and the Transgender Persons (Protection of Rights) Act, 2019. Additionally, it discusses various government initiatives and recent policy developments, underscoring the urgent need for inclusive policies and greater societal acceptance to ensure dignity, equality, and empowerment of transgender individuals.*

**Keywords:** Transgender, Marginalization, Discrimination, Challenges, Identity, Acceptance.

### Introduction

Traditionally, society has confined recognition and respect to only two genders that is, men and women, disregarding the existence of diverse sexes or third gender. Contemporary society is more inclusive and diverse, thus recognizing other genders, covering whole LGBTIQIA+. The term LGBTIQIA+ is an inclusive umbrella term which represents a diverse range of gender based on biological aspect as well as sexual orientation and gender identities. Genders are classified on the biological basis as male, female and intersex. With regard to sexual orientation, people can be asexual, bisexual, lesbian, gay, pansexual or fluid. Categorization of gender based on gender identity includes transgender, transvestites, transsexuals, non- binary or queer individuals.

Focusing on specific subset of diverse community, Transgender people are predominantly marginalised and misunderstood coteries across the globe. The term ‘Transgender’ was introduced by a psychiatrist of Columbia University in 1965, namely **John F. Oliven**, in his reference work ‘Sexual Hygiene and Pathology’. Trans, abbreviation for transgender, are those individuals who identify and prefer to live in a way that differs from the sex which is assigned to them when they are born. Many feel as though they are in the wrong body, with a soul that aligns with a different gender: male or female-while some remains non- binary or undecided. It includes Trans men (those individuals who remain female at birth but identify themselves as male), Trans women (those individuals who remain male at birth but identify themselves as female), non-binary and genderqueer (those individuals who do not identify themselves strictly as male or female). Both can include identities like agender, bigender and gender fluid.

The Transgender is an umbrella term that include a variety of gender identities and expressions such as through different forms of dressing known as ‘transvestites’ (or cross- dressers), ‘drag- kings’ or ‘drag-queens’. A conundrum often rises between the terms- intersex and transsexuals, yet they are fundamentally different. Intersex is born with biological variations in sex characteristics (hermaphrodites or

chromosomal issues), whereas transsexual persons consciously transition from their assigned sex- either through cross- dressing or hormonal surgeries to correspond to their gender identity, thus reflecting the diversity within gender- variant communities (Kaur, 2018).

In India, transgenders have been recognized since ancient times and are known by various names such as *Hijras*, *Eunuchs*, *Satla-kothis*, *Aravanis*, *Jogappas*, *Shiv- shaktis*, *Kinnar*, *Aradhis*, *Sakhi*, *Joktas* etc. (Rao & Nikhita, 2023).

### History Of Transgenders

Transgender persons have existed across cultures and civilizations for centuries. In India, they have been a part of social and cultural traditions.

In Hindu cosmology, there are four Yugas (ages): **Satya yuga (or krita)**, **Treta yuga**, **Dwapara yuga** and **Kali yuga**. Across these ages, transgenders have been consistently regarded as embodiments of divine power and spiritual significance. References to their presence can be found in Hindu epics and scriptures.

The great epic **Ramayana** narrates that when Lord Rama departed for his 14 years of exile from Ayodhya, a larger number of people followed him out of devotion. He asked his followers that “men and women please return to the city”. After his instructions, there were individuals who did not conform themselves as either male or female, stayed back, waiting for his return from his exile. Impressed by their loyalty, Lord Rama blessed them with the unique role of participating in all auspicious occasions, that is practiced till date. This story is considered a symbolic recognition of non- binary identities. The **Mahabharata** contains some of the most powerful representation of gender diversity in ancient Indian literature. The story of Shikhandi who is believed to be a reincarnation of Amba, a princess who had been wronged by Bhishma. Shikhandi is often seen as transgender or gender- fluid figure. Also, the Mahabharata mentions the period of Pandavas’s exile where Arjuna took on the identity of Brihannala, a eunuch/ transgender person. The story demonstrates the fluidity of

gender roles. Even in the Hindu philosophy, the concept of '*Ardhanarishwara*', the union of Lord shiv and Goddess Parvati, embodying both masculine and feminine energies- further symbolizes the recognition of gender diversity. In **Kama Sutra** literature that is, the Puranic or Vedic Literature, they are described as '*Tritiyaprakriti*' or '*Napunsaka*' (impotent) due to their inability to reproduce, yet they are considered as the integral part of traditional and cultural activities. They continue to hold a revered cultural role, especially during events such as childbirth and marriage, where their blessings are regarded as auspicious (Kapoor, 2024).

During the Mughal Empire, transgender individuals, commonly referred to as '*Hijras*', (especially used in South Asia), but basically the term '**Hijra**' originates from the Hindustani language, held a distinctive and respected position within the royal courts. They have played significant role in various ceremonial and social settings, such as participating in celebrations and rituals through music and dance. In addition, many served as trusted attendants and special assistants to the Mughal queens within the Royal Harem, where they were often entrusted with responsibilities related to administration, communication and security. In English, the term **Hijra** is known as '*Eunuchs*' or '*hermaphrodites*'. In the 21<sup>st</sup> century, they were led by a 'Guru' and work as sex- workers. They have also played a vital role during Hinduism, Jainism, British period.

The deterioration of the transgenders began during the **British colonial period (1858- 1947)**. The conditions of transgender communities, especially the Hijra community, declined sharply due to oppressive colonial laws. In the 1850s, they were increasingly criminalized, particularly under Section 377 of the Indian Penal Code. Further, they were stigmatized through the Criminal Tribes Act of 1871. They were labeled as "abominations" and seen as social outcasts. Restrictions were imposed on their identity and traditional roles, disrupting their means of earning that lead to loss of livelihood and exclusion from family and social life, often denied the right to live with or raise children. The period also saw a rise in violence and harassment against them and were systematically marginalised and pushed out of society (Hijra, South- Asia).

In the **postcolonial era, from 1947 to the present**, the transgender community—especially the Hijra community—has increasingly received recognition and greater attention. From the late 20th to the early 21st centuries, more progressive laws were introduced, and their lives and experiences have been documented through documentaries, monographs, and ethnographies. They are now being represented in mainstream media, including popular films, and gradual inclusion within society is taking place (Hijra, South- Asia).

We are now witnessing that many transgender individuals have made history in India. As detailed by (Nair & Manjula, 2023), several transgender individuals have set remarkable benchmarks by establishing their presence and recognition in society. Their achievements have not only challenged prevailing social stigmas but have also served as a powerful source of inspiration for other transgender persons to openly embrace their identity and live with dignity. Some are mentioned below:

**Lakshmi Narayan Tripathi** was the first transgender person from India to represent the Asia- pacific region at the United Nations. She is also the founder of the Astitva Trust, which she established in 2007 to advocate for the rights, dignity and welfare of the transgender community.

Similarly, in the field of media, **Padmini Prakash** made history on the television as first transgender prime- time news anchor on Lotus TV, based in Coimbatore, marking a significant milestone.

In the field of Politics, **Shabnam Mausi** has set a benchmark to be elected as the first transgender Member of the Legislative Assembly (MLA) from the state of Madhya Pradesh. Also, **Madhu Kinnar** is the first trans person to become Mayor from Chhattisgarh.

In police services, **Prithika Yashini** is the pioneering first transgender police officer in Tamil Nadu, marking an important step towards transgender inclusion in investigation.

In the field of law and judiciary, **Sathyasri Sharmila** is the first recognized transgender lawyer from Tamil Nadu whereas **Joyita Mondal** is the first documented transgender judge in West Bengal, strengthening the participation in law enforcement.

Also in education, **Manabi Bandopadhyay** became the first transgender PhD holder and Krishnagar Women's College principal in West Bengal. Her biography is *A Gift of Goddess Lakshmi*. She also introduced India's first transgender magazine *Abomanob*.

Moving forward to the industry of film and entertainment, **Anjali Ameer** became the first transgender woman to play a lead role in a Malayalam film *Peramb*.

In the area of fashion and beauty industry, **Nitasha Biswas** is the first transgender woman to win the title of Miss Trans queen India in 2017. Another emerging figure is **Ella D' Verma**, a young transgender model and activist.

Talking about sports and bodybuilding, **Aryan Pasha** is a well-known transgender man who has gained recognition for his achievements in bodybuilding championship.

One notable figure is **Menaka Guruswamy**, a senior Supreme Court advocate, who became one of the first openly queer individuals to be elected as the Rajya Sabha member from West Bengal on 16<sup>th</sup> March, 2026. She has fought to remove **section 377 in 2018**.

### Status Of Transgender People

Most of the countries in the world have not provided specific legal recognition to transgender individuals till date. Because of this lack of recognition and limited data collection, an accurate global population count of transgender people is not yet available. Most available figures are therefore only estimates. According to some studies, less than one percent of the global population are identified as transgender, with estimates generally ranging between **0.1% and 0.6%** of the total world population. Additionally, in several countries, individuals also identify themselves as non-binary, which further reflects the diversity of gender identities beyond the traditional male-female binary.

According to **William Institute, UCLA School of Law**, approximately 2.8 million adults and youth ascertain themselves as transgender in United States. Among 2.1 million adult transgenders, 32.7% are those who identify themselves as transgender women, 34.2% identify themselves as transgender men and approx. 33.1%

identify themselves as transgender non-confirming (Herman & Flores, 2025).

Furthermore, according to **World Population Review**, the highest proportion of transgender individuals is 2.77% of the population that has been reported in Washington, D.C. of the United States. In contrast, states such as North Dakota, South Dakota, Iowa, Montana and Wyoming have lowest proportions with approximately 0.3%. If we look at European countries, such as Germany and Sweden, they assert 3% of their total population as transgender individuals. In countries such as Spain and United Kingdom, they assert approximately 2% of the total population are transgender individuals. Meanwhile, countries including Italy, France, Belgium, and Poland assert that about 1% of their total population consists of transgender individuals.

In India, the third gender is now officially recognized. According to the **2011 census**, the Ministry of Social Justice and Empowerment collected and published the data on transgender persons. According to the figures released by the **Census Department, approximately (4,87,803) 4.88 lakh** transgender persons were recorded as part of India's total population.

Mentioning 28 state-wise and 7 union territory-wise list of transgender persons in India below:

Sr. No.	State/UT wise Population of Others (TG) as per Census 2011	Number of Transgender Individuals
1.	Uttar Pradesh	1,37,465
2.	Andhra Pradesh	43,769
3.	Maharashtra	40,891
4.	Bihar	40,827
5.	West Bengal	30,349
6.	Madhya Pradesh	29,597
7.	Tamil Nadu	22,364
8.	Orissa	20,332
9.	Karnataka	20,266

10.	Rajasthan	16,517
11.	Jharkhand	13,463
12.	Gujarat	11,544
13.	Assam	11,374
14.	Punjab	10,243
15.	Haryana	8,422
16.	Chhattisgarh	6,591
17.	Uttarakhand	4,555
18.	Delhi	4,213
19.	Jammu and Kashmir	4,137
20.	Kerala	3,902
21.	Himachal Pradesh	2,051
22.	Manipur	1,343
23.	Tripura	833
24.	Meghalaya	627
25.	Arunachal Pradesh	495
26.	Goa	398
27.	Nagaland	398
28.	Puducherry	252
29.	Mizoram	166
30.	Chandigarh	142
31.	Sikkim	126
32.	Daman and Diu	59
33.	Andaman and Nicobar	47
34.	Dadra and Nagar Haveli	43
35.	Lakshadweep	02

**Source:** Ministry of Social Justice and Empowerment as per Census (2011)

### Transgenders: Issues And Challenges

The blend of social stigma, economic marginalization, institutional barriers, and health vulnerabilities contributes to the continued

exclusion and marginalization of transgender individuals in Indian society.

### Exclusion By Family

Family response plays a crucial role in shaping the lives of transgender individuals. At birth, families generally expect children to conform to the gender assigned to them. When individuals express a gender identity that differs from these expectations, they are often pressured to live according to socially imposed gender roles. Due to feelings of shame and concerns about family honor, many families fail to accept or support their transgender members. A considerable number of trans persons are forced to leave their homes and families in search of acceptance, safety, and livelihood (Rao & Nikhita, 2023).

### Social Stigmatization

Transgender individuals in India face a plethora of contemporary challenges that significantly affect their social, economic, and psychological well-being. One of the most pressing issues is the lack of acceptance within the society. Many transgender individuals experience rejection from family members, which often leads to social exclusion and marginalization. In society, they are frequently stigmatized and treated as outsiders, and are sometimes perceived as an abomination (Chakrapani, 2010).

### Psychological Distress

Transgender individuals face numerous mental health challenges and vulnerabilities in comparison to cisgender individuals. They often experience significant emotional and psychological difficulties. Among the most commonly observed mental health issues are anxiety and depression. These problems frequently arise when transgender people are excluded from their families, lack of employment opportunities, no educational opportunities or struggle to gain acceptance within society, are some of the persistent issues. Due to such exclusion and discrimination, such people are repeatedly marginalised and overlooked, becoming a largely ignored community. Many trans individuals strive with questions of identity and continuously search for recognition and validation, yet they often fail

to receive it. They seek acceptance for who they are, but such acceptance is rarely granted (Upadhyay, 2024).

In several cases, serious psychological conditions such as schizophrenia, bipolar disorder, and suicidal tendencies have also been observed. These issues reflect the broader reality that transgender individuals are often not allowed to live freely and authentically. Furthermore, low self-esteem and a lack of self-confidence are commonly reported among them, largely due to persistent social stigma and discrimination. (Dhejne et al., 2016)

### **Physical Challenges**

Health-related concerns are also significant within the transgender community. Due to social stigma, inadequate access to healthcare services, and vulnerability to violence, transgender individuals frequently face serious health risks. Studies indicate a higher prevalence of HIV/AIDS among transgender populations. This vulnerability is often linked to discrimination, victimization, and hate crimes, which push many transgender individuals toward precarious means of survival, including sex work (Chakrapani, 2010).

### **Educational Challenges**

Transgender individuals also face discrimination in educational opportunities. As per the law, every person has the right to receive education up to the age of eighteen, and this right is equally applicable to transgender persons. However, in reality, they are often not accepted in educational institutions. They are subjected to bullying, either by classmates or even by school staff. As a result of this continuous harassment and lack of acceptance, many transgender students are forced to drop out of school (Kapoor, 2024).

### **Economic Challenges**

Transgender individuals face severe economic challenges. Access to regular employment opportunities remains limited due to discrimination in hiring practices and workplaces by the employers even if they are qualified. They are often discriminated at various public places such as limited access to proper washroom facilities. As a result, many transgender individuals struggle with unemployment,

financial insecurity, and economic marginalization due to discrimination (Rao & Nikhita, 2023).

### **Measures For The Protection And Welfare Of The Transgenders**

#### **International Measures**

In recent decades, there has been awareness and endorsement for rights of trans persons worldwide. Even though numerous measures, laws, and policies have been introduced for the protection and welfare of transgender individuals, they remain exposed to discrimination and stigmatization in many spheres of life.

At the international level, one of the most significant frameworks is the **Universal Declaration of Human Rights, which was adopted on 10 December 1948 by the United Nations General Assembly in Paris under Resolution 217 A**. This declaration consists of 30 articles that emphasize the inclusion and equality of all human beings, regardless of sex or gender. It clearly states that no individual should face discrimination of any kind and guarantees protection against inhuman treatment, torture, or cruel and degrading practices.

The **2011 report by the Office of the United Nations High Commissioner for Human Rights (OHCHR)**, highlights that discrimination owing to sexual orientation and gender identity should not occur under any circumstances. The study emphasizes that all persons, irrespective of their sexual orientation or gender identity, are entitled to equal rights and must be protected from discrimination.

The **Yogyakarta Principles** is a document that addresses issues of sexual orientation and gender identity within the framework of human rights. It was originally developed and adopted between 6–9 November 2006 at Gadjah Mada University in Yogyakarta, Indonesia, during an international meeting of human rights experts. The principles were further expanded in 2017. These principles emphasize key features such as equality and non-discrimination. They call for the protection of lesbian, gay, bisexual, transgender, and intersex (LGBTI) individuals from violence, abuse, and discrimination. Additionally, they highlight that everyone is entitled to fundamental human rights, including access to education, healthcare, and employment, without

any form of discrimination. The principles also place responsibility on states to ensure the protection and promotion of these rights.

The **Sustainable Development Goals** consist of 17 goals adopted by the United Nations in 2015 as a global agenda for development. A total of 193 countries, including India, agreed to and adopted these goals.

Among these, certain goals are particularly relevant to the welfare of transgender persons. **SDG 5**, which focuses on gender equality, promotes inclusion of all gender identities, including gender non-conforming individuals, and aims to ensure equal rights and opportunities. **SDG 8** It also supports inclusive economic growth by encouraging equal employment opportunities for marginalised groups such as the transgender community. Additionally, **SDG 10** focuses on reducing inequalities by promoting social, economic, and political inclusion without any form of discrimination. It emphasizes the need to uplift marginalised communities, including transgender persons, and ensure their equal participation in society.

### National Measures

One of the most important national measures for transgender rights in India is the landmark judgment adhered by the Supreme Court of India in 2014, known as **National Legal Services Authority (NALSA) v. Union of India**. This decision recognizes transgender persons, particularly those identifying themselves as the “third gender,” as a distinct legal category. The judgment emphasized that transgender individuals are entitled to equality, dignity, and all fundamental rights guaranteed under the Constitution of India. It directed the government to ensure their legal recognition, protect them from discrimination, and promote equal access to education, employment, and healthcare. Overall, the NALSA judgment marked a significant step toward ensuring inclusion and non-discrimination for the transgender community in India.

### Constitutional Provisions`

#### Fundamental Rights

The landmark judgment of National Legal Services Authority v. Union of India is grounded in key constitutional provisions of the

**Constitution of India**, particularly **Articles 14, 15, 16, 19, and 21**, which ensure the safeguarding of transgender rights.

Article 14 guarantees equality before the law and equal protection of the laws to all persons, including transgender individuals.

Articles 15 and 16 prohibit discrimination on various grounds and have been interpreted to include gender identity, thereby ensuring equal access to opportunities, especially in education and employment.

Article 19 provides the freedom of expression, which includes the right of transgender persons to express their gender identity through appearance, dress, and behavior without fear or restriction.

Article 21 guarantees the right to life and personal liberty, which has been expanded to include the right to live with dignity, privacy, and self-identity, ensuring inclusion of all genders.

### Directive Principles Of State Policy

Under the Directive Principles of State Policy (DPSP) of the Constitution of India, provisions support the welfare of transgender persons. **Article 38** promotes social, economic, and political justice to ensure equality and dignity. **Article 39** ensures adequate livelihood and equal pay for equal work without discrimination. **Article 47** focuses on improving public health and providing accessible and inclusive healthcare, including transgender individuals.

### Transgender Persons (Protection Of Rights) Act, 2019

One of the major laws for the well being of transgender persons is the **Transgender Persons (Protection of Rights) Act, 2019**, assented on 5 December 2019 and came into force on 10 January 2020. The Act has several key features. It prohibits all forms of discrimination against transgender persons in areas such as education, employment, and healthcare. It also ensures the right to dignity and identity, including the provision of a certificate of identity. Further, it mandates the government to provide healthcare facilities and guarantees the right to residence, ensuring access to shelter. The Act also prescribes punishment for offences such as abuse, violence, and harassment against transgender persons.

Further, the **Transgender Persons (Protection of Rights) Rules, 2020**, published on 29 September 2020, provide for the establishment of protection mechanisms for transgender persons. These rules emphasize the creation of appropriate systems at the state level under rule 10(1), such as **Transgender Welfare Boards**, constituted to safeguard the rights and interests of transgender persons and to support the effective implementation of welfare schemes designed for them. Under rule 11(5), the creation of **Transgender Protection Cells** that ensures protection against offences towards transgender individuals are properly monitored and registered.

### **Initiatives (Schemes) By The Government Of India**

As mentioned by the **Press Information Bureau**, there are several initiatives taken by the Government of India for the welfare of transgender persons through the Ministry of Social Justice and Empowerment.

One important initiative is the establishment of the **National Council for Transgender Persons**, on 21 August 2020. It was reconstructed on 16<sup>th</sup> December, 2023. It works towards safeguarding and promoting the rights of transgender persons in India. The National Council comprises of five members from transgender community, along with members from NHRC and NCW, representatives of State Governments, union territories and experts from NGOs. Its primary role is to assist the Central Government in formulating policies, programs and regulations in accordance with the needs of transgender persons. It also monitors and evaluates the implementation of these policies and programs. In addition, the Council addresses grievances of transgenders and performs other functions as may be prescribed by the Central Government.

Further, the **SMILE Scheme (Support for Marginalised Individuals for Livelihood and Enterprise)**, introduced on 12 February 2022, works along with the Transgender Persons (Protection of Rights) Act, 2019. It also reflects important Fundamental Rights under the Constitution of India, especially Articles 14, 15, and 21, which ensure equality, non-discrimination, and the right to life and dignity. The SMILE scheme focuses on skill development and employment by providing educational support, training programs, and

scholarship opportunities. It also provides comprehensive healthcare facilities. Under **Ayushman Bharat TG Plus**, transgender persons are given health insurance coverage of up to ₹5 lakh per year. In addition, the scheme provides shelter facilities through **Garima Greh** homes for those in need. It also includes **transgender protection cells** to address cases of violence or discrimination. Through integration with national systems, transgender persons can also file complaints, register FIRs, and seek legal protection whenever required.

Another key initiative is the **National Portal for Transgender Persons**, which was launched on 25 November 2020. This portal provides identity certificates and ID cards to transgender persons for national recognition and helps them access various government services.

Source: **Press Information Bureau**

### **Conclusion and Suggestions**

The journey of transgender people in India symbolizes a gradual transformation from historical recognition to colonial marginalization and now towards empowerment. Although remarkable progress has been achieved through legal interventions and judicial measures, challenges still persist in achieving real dignity and equality. Beyond legal barriers, social challenges remain deeply rooted. Family acceptance continues to be limited due to prevailing patriarchal mindsets in Indian society, with only a few families offering inclusive and supportive environments. In everyday life, especially in public spaces, transgender individuals are frequently subjected to ridicule, judgment, and stereotyping based on their appearance and behaviour. They are often treated as objects of mockery rather than as individuals deserving dignity and respect. This reality stands in stark contrast to India's own cultural and spiritual traditions. The concept of Ardhanarishvara, symbolizing the union of Lord Shiva and Goddess Parvati, represents the harmony of masculine and feminine energies and reflects gender diversity. While such forms are worshipped as divine, society often fails to extend the same respect and acceptance

to transgender individuals in real life, overlooking the idea that the divine resides within every human being. Despite these adversities, transgender persons continue to strive for recognition, acceptance, and a rightful place in society, aspiring to be treated as equal and respected human beings with the same right to live with dignity as any other individual. Some suggestions are highlighted below:

- Uphold transgender person's right to self-determined gender identity, as upheld by the Supreme Court in 5 SCC 438 (NALSA v Union of India 2014), across all welfare schemes and public policy of the Union, State/ UT, and local self-governments in the country. This requires mandating no additional legal or medical proof of gender identity other than the transgender person's self-declaration.
- Implement horizontal reservation for transgender persons in public education and employment.
- Ensure adequate representation of transgender persons in all legislative and executive bodies of the Union, State and local self-government.
- Evolve a framework for legal protection of transgender people against social discrimination and domestic violence in consultation with the National Council for Transgender Persons.
- Ensure that membership to the National Council for Transgender Persons and the Transgender Welfare Boards reflect the full range of trans and intersex experience as recognized in the NALSA judgment and as upheld by the definition of the 2019 Act, including diversity of language, caste, region and religion.
- Update the statutory definition of family and kin to include transgender persons' chosen family and kin network.

- Ensure that public healthcare facilities are sensitized and equipped to provide free gender affirming healthcare to transgender persons including but not limited to gender affirming medical and hormonal procedures.

## References

- Chakrapani, V. (2010). Hijras/transgender women in India: HIV, human rights and social inclusion. United Nations Development Programme. <https://archive.nyu.edu/handle/2451/33612>
- Dhejne, C., Van Vlerken, R., Heylens, G., & Arcelus, J. (2016). Mental health and gender dysphoria: A review of the literature. *International review of psychiatry (Abingdon, England)*, 28(1), 44-57. <https://doi.org/10.3109/09540261.2015.1115753>
- Government of India. (1950). The Constitution of India. <https://legislative.gov.in/constitution-of-india/>
- Herman, J. L., & Flores, A. R. (2025, August). How many adults identify as transgender in the United States? Williams Institute, University of California, Los Angeles (UCLA). <https://williamsinstitute.law.ucla.edu/publications/trans-adults-united-states/>
- Hijra (South-Asia)-  
Wikipedia <https://share.google/ZEenFJLzWjq96a4h2>  
<https://prsindia.org/billtrack/the-transgender-persons-protection-of-rights-bill-2019>
- Human Life International <https://share.google/8m7E1ugdnmtOp1tjM>
- Kapoor, N. (2024, September 6). Indian Constitution and the Transgender Community: History and Legal Developments-Academike <https://www.lawctopus.com/academike/indian-constitution-and-the-transgender-community-history-and-legal-developments/>
- Kaur, P. (2018). Role of Media in Humanizing Transgender Rights: Issues and Challenges. *International Journal of Interdisciplinary Research in Arts and Humanities*, 3 (Conference Special Issue 1), 40-44.

Leaving no one behind: Transgender inclusion in India's sustainable development [https://www.orfonline.org/expert-speak/leaving-no-](https://www.orfonline.org/expert-speak/leaving-no-one-)

[one-behind#:~:text=It%20is%20intriguing%20yet%20noteworthy,individuals%2C%20like%20the%20transgender%20community](https://www.orfonline.org/expert-speak/leaving-no-one-behind#:~:text=It%20is%20intriguing%20yet%20noteworthy,individuals%2C%20like%20the%20transgender%20community)

Ministry of Social Justice and Empowerment. (2011). State/UT Wise Population of others (TG) as per Census 2011. Government of India. <https://socialjustice.gov.in/common/77891>

Nair, H. R. J., & Manjula, K. T. (2023). Tales of triumph: An analysis of famous transgender personalities from India. *International Journal of Management, Technology, and Social Sciences (IJMITS)*, 8(1), 29–36. <https://doi.org/10.5281/zenodo.7541544>

Oliven, J.F. (1965). *Sexual hygiene and pathology: A manual for the physician and the professions*. Philadelphia: J. B. Lippincott.

Press Information Bureau. (2025, November 19). Rights of transgender persons in India. Retrieved March 18, 2026, from <https://www.pib.gov.in/PressReleasePage.aspx?PRID=2191532>

Rao, N.V., & Nikhita, K. (2023). Transgender persons in India: Problems, Policies and Interventions. *We The People: DSNLU Journal of Social Sciences*, 1(1)

The National Legal Services Authority (NALSA) <https://nalsa.gov.in/social-action-litigation/>

The Transgender Persons (Protection of Rights) Bill, 2019

United Nations Human Rights Council. (2011, November 17). Report of the United Nations High Commissioner for Human Rights on Discriminatory laws and practices and acts of violence against individuals based on their sexual orientation and gender identity. <https://www.refworld.org/reference/themreport/unhrc/2011/84266>

Universal Declaration of Human Rights | United Nations <https://www.un.org/en/about-us/universal-declaration-of-human-rights>

Upadhyay, A. K. (2024, October 1). *Agony of transgender: A journey of grief and mirth*. Bilaspur, Chhattisgarh: Shashwat Publication.

Wikipedia contributors. (n.d.). Yogyakarta Principles. In *Wikipedia, The Free Encyclopaedia*. Retrieved March 18, 2026, from [https://en.wikipedia.org/wiki/Yogyakarta\\_Principles](https://en.wikipedia.org/wiki/Yogyakarta_Principles)

Wikipedia contributors. (n.d.). Transgender. In *Wikipedia*. Retrieved March 18, 2026, from <https://en.wikipedia.org/wiki/Transgender>

---

**Dr. Archana Singh** is Head, Department of Social Work, Dr. Shakuntala Misra National Rehabilitation University, Lucknow

**Email: [archana.singh1329@gmail.com](mailto:archana.singh1329@gmail.com)**

---

**Nilya Srivastava** is Research Scholar, Department of Social Work, Dr. Shakuntala Misra National Rehabilitation University, Lucknow

**Email: [nilyasrivastava2507@gmail.com](mailto:nilyasrivastava2507@gmail.com)**

---