

Title:**“From Visibility to Vulnerability: The Socio-Economic and Legal Struggles of Transgender Women in Modern India”**

Abstract

Across the globe, individuals expressing their sexuality face persistent resistance, resulting in denial of dignity and fundamental rights. In India, LGBTQ+ communities—particularly transgender women—continue to experience marginalization as a “hidden population,” subjected to violence, stigma, and exclusion. The 2011 Census recorded 4.8 lakh transgender persons, though underreporting obscures the real numbers. Despite progressive legal measures, including *NALSA v. Union of India* (2014) and the Transgender Persons (Protection of Rights) Act (2019), the gap between constitutional guarantees and lived realities remains stark. This study aims to examine the socio-economic challenges faced by transgender women in urban India (21st Century), highlighting contradictions between legal recognition and social acceptance. Employing a qualitative, conceptual, and descriptive approach, it draws upon secondary sources—scholarly articles, legislation, Supreme Court judgments, NHRC reports—as well as limited interviews and observations. Findings reveal systemic discrimination in healthcare, education, employment, and housing. Many are compelled into begging, sex work, or low-paid labour due to exclusion from formal opportunities, while family rejection and housing discrimination drive them to seek shelter in hijra gharanas or NGO-supported spaces. The study concludes that true equality requires more than legal recognition: it demands social awareness, policy reform, and empowerment initiatives ensuring dignity, education, employment, and housing access. By integrating legal analysis with lived experiences, this research contributes to bridging the gap between rights on paper and their realization in practice.

Objective

This study seeks to critically analyze the socio-economic challenges addressing the transgender woman community in urban India, with particularly emphasizing on their lived experiences of marginalization, systemic barriers, and partial social acceptance. It augments the dissonance between constitutionally and legally enshrined rights and their effective implementation in real world. The research specifically emphasizes on urban transgender woman populations, thereby delineating the study’s scope from the broader LGBTQ+ spectrum.

Introduction

In every society, the diversity of human experiences is reflected in the multiplicity of voices and identities it encompasses. Yet, structural inequalities, social hierarchies, and entrenched prejudices have historically marginalized certain groups, depriving them of the dignity and recognition they inherently deserve. This research examines how culture, social norms, historical narratives, and human interactions shape understandings of identity, emphasizing the critical importance of inclusivity, equity, and social awareness. By centring the experiences of marginalized communities, particularly transgender woman, the discussion fosters empathy, encourages informed dialogue, and bridges academic inquiry with real-world social relevance. A transgender woman is an individual assigned male at birth that identifies as female, while transgender individuals may identify as heterosexual, homosexual, or bisexual. The Transgender Persons (Protection of Rights) Act, 2019 defines "Transgender person", as a person whose gender does not match with the gender assigned to that person at birth and includes trans-man or trans-woman (whether or not such person has undergone Sex Reassignment Surgery or hormone therapy or laser therapy or such other therapy), person with intersex variations, gender queer and person having such socio-cultural identities as Kinner, Hijra, Aravani and Jogta. Globally, the LGBTQ+ community remains among the most stigmatized and marginalized populations. Although global LGBTQ+ communities remain highly stigmatized, recognition of these identities in India is relatively recent and influenced by Western discourse. Historical Indian texts, however, demonstrate nuanced understandings of transgender women identities: Sanskrit, Prakrit, and Tamil texts refer to terms such as *napunsaka*, *kliba*, *pedi*, *kinnara*, and *pandala*, documented in the Vedas, Puranas, and Natya Shastra. Epic literature also acknowledges transgender and fluid identities, with Shikhandi in the Mahabharata challenging binary distinctions and the Puranic figure Budh recognized as part of the LGBTQ+ spectrum. Despite historical acknowledgment, modern India has struggled to fully accept these communities. Temple art often omits LGBTQ+ representations, though exceptions exist, such as the Khajuraho temples. During medieval times, transgender women received patronage under Hindu and Muslim rulers as singers, dancers, musicians, and attendants in royal quarters, referred to as *Ranivas* or members of the *Harem*. British colonial rule criminalized transgender individuals as "criminal tribes" and penalized same-sex acts under Section 377 of the PC (1860). Post-independence, landmark judicial and legislative interventions—including the NALSA judgment (2014) and the Transgender Persons (Protection of Rights) Act (2019)—formally recognized transgender rights and promoted equality in education, employment, and public

services. Nevertheless, systemic barriers persist in education, employment, and societal acceptance, while controversies remain over medical procedures for gender recognition and the continued criminalization of same-sex sexual activity. These challenges underscore the urgent need for legal reforms, cultural transformation, and broader social inclusion.

Methodology

This study investigates the socio-economic conditions of transgender women in the urban context, with a specific focus on the city Bangalore. Adopting a mixed-methods design, the research incorporates qualitative and quantitative approaches to achieve a comprehensive analysis. The qualitative dimension involved content and discourse analysis of government reports, published research, and relevant literature, enabling a critical evaluation of policies, narratives, and societal perceptions surrounding transgender communities. Complementing this, the quantitative dimension employed survey methods with selected transgender women, documenting their lived experiences in relation to education, employment, housing, healthcare, and social acceptance. The synthesis of both methods not only highlights statistical patterns but also foregrounds the depth of lived realities, thereby ensuring an analysis that is both empirically grounded and contextually nuanced.

Content Analysis / Discussion

As an integral constituent of the broader LGBTQ+ spectrum, transgender women in India continue to face unique social and economic challenges. These challenges manifest across multiple dimensions, including access to education, employment, healthcare, housing, and the right to dignity. A comparative perspective highlights disparities between rural and urban contexts: while urban spaces may provide relatively greater visibility and access to institutional resources, rural settings often reinforce traditional hierarchies and stigma, thereby intensifying exclusion. Thus, the lived experiences of LGBTQ+ individuals in India are shaped not only by their gender and sexual identities but also by the socio-spatial divide that structures their access to rights, opportunities, and social acceptance.

| <u>Rural</u> | <u>Urban</u> |
|--|---|
| • Transgender women in rural areas experience greater isolation , due to rigid customs and traditional norms. | • Urban societies provide relatively better opportunities , like: - access to education, employment, and healthcare. |

| | |
|---|--|
| <ul style="list-style-type: none"> • Misunderstandings of gender and sexual diversity reinforce narrow-minded attitudes and social prejudice. • Limited access to education and scarce employment opportunities further marginalizes them. • The absence of support systems or advocacy networks leaves them vulnerable to exclusion, discrimination, and insecurity. | <ul style="list-style-type: none"> • Support groups, pride collectives, and advocacy organizations are more visible, creating empowerment. • Despite these advantages, social stigma persists, leading in subtle discrimination in workplaces, housing, and healthcare. • Prejudice and exclusion remain embedded in urban society. |
|---|--|

All urban cities of India

Despite India's rich cultural heritage and historical recognition of transgender women, widespread misconceptions and prejudices regarding their inclusion persist, even within highly urbanized cities. While urban centres have witnessed major transformations in infrastructure, industry, education, healthcare, legal frameworks, and lifestyles, these developments have not been accompanied by a corresponding shift in their perception and societal attitudes. Consequently, transgender women from both marginalized and affluent backgrounds in urban India continue to face socio-economic challenges rooted in systemic inequalities and reinforced by entrenched cultural biases. Extending from education, employment, healthcare, and social recognition, these barriers underscore a persistent gap between structural progress and social acceptance, providing a strong foundation for the subsequent analysis.

Education

In contemporary India, several landmark legal and policy enactments have sought to promote educational equity and social inclusion for marginalized communities, particularly transgender women. The Supreme Court's NALSA judgment (2014) formally recognized the "third gender" and affirmed their rights to equality, including access to education. Complementing this, the Protection of Rights Act (2019) and the Right to Education Act (2009) mandate 25% reservation in private schools for children as a part of Economically Weaker Sections (EWS) as "Disadvantaged group", implemented in states such as Delhi and Tamil Nadu. Several states, including Karnataka, have introduced reservations for

transgender individuals in higher educational Institutions. The legislative efforts, including a bill passed in the **Lok Sabha**, aim to secure at least **1% reservation** for transgender students across all government-funded educational institutions, while the **University Grants Commission (UGC)** has advocated a **5% reservation** and recommended that institutions incorporate a “third gender” category in admission processes. The National Education Policy (2020) further strengthens these measures through the Gender Inclusion Fund (GIF), ensuring equitable access for women and transgender students. However, disparities remain stark. Government has implemented “**Support for Marginalized Individual for Livelihood and Entrepreneurship**” (SMILE). The **Census of 2011** records literacy rates of states ranging from **87.14% in Mizoram, 84.6% in Kerala, and 75.51% in Daman & Diu, compared with 58.82% in Karnataka and only 44.35% in Bihar, with marginalized communities consistently below these averages**. While many children from marginalized communities initially enroll in schools, barriers such as lack of family support, economic hardship, abuse, and discrimination, often compel them to discontinue their education. In some cases, supportive families nurture the educational aspirations of them, enabling them to pursue higher education. However, **such instances are exceptions**, as entrenched caste and religious based restrictions, social pressures, and enduring prejudices continue to hinder the educational attainment, underscoring the vulnerability of transgender women within the educational sphere.

Employment

Transgender women in India participate across diverse spheres of employment, including **self-employment, informal wage labour and limited salaried occupations**. Despite progressive legal interventions such as the **NALSA judgment (2014)** and the **Transgender Persons (Protection of Rights) Act (2019)**, access to dignified and sustainable work remains severely restricted, reflecting a persistent disjuncture between legislative guarantees and socio-economic realities. Some states have attempted to bridge this gap through affirmative action: **Karnataka pioneered a 1% horizontal reservation in public employment exclusively for transgender persons**, while **Tamil Nadu and Madhya Pradesh incorporated them into** existing categories such as EWS, OBC, and MBC. At the national level, initiatives including the **Pradhan Mantri Kaushal Vikas Yojana (PMKVY)**, **National Apprenticeship Promotion Scheme (NAPS)**, **PM-DAKSH within SMILE scheme** aim to enhance vocational capacities and foster entrepreneurship among marginalized groups. Despite these measures, exclusion remains systemic. According to **the**

NHRC (2018), only about 4% of transgender persons are employed in the formal sector, while the overwhelming majority remain confined to insecure, stigmatized, and unregulated work such as daily-wage labour, begging, or sex work. Nevertheless, individual success stories particularly among those accessing higher education demonstrate the transformative potential of institutional support, as transgender persons increasingly enter fields such as medicine, engineering, academia, corporate sectors, and creative industries. Bridging the gap between policy and practice, however, requires not only institutional reforms but also a broader societal shift toward equity, recognition, and acceptance.

Healthcare

Organizations like **SMILE** provide comprehensive healthcare services to transgender individuals, including general medical care, support for gender-affirming procedures, and assistance with sexual health. State-sponsored programs further enhance healthcare access. For instance, transgender persons in certain states are eligible for **health insurance coverage of up to ₹5 lakh**, which can be utilized across both public and private hospitals under the **Ayushman Bharat Pradhan Mantri Jan Arogya Yojana (AB PM-JAY)**. Marginalized transgender individuals often rely on initiatives such as SMILE and the **AB PM-JAY** portal to access medical care, availing benefits like financial coverage and assistance for hospitalizations. Despite these provisions, they continue to face **discrimination, stigma, and systemic barriers** in healthcare settings. In contrast, transgender individuals from higher socio-economic backgrounds frequently access private healthcare facilities, which are generally perceived to be more **inclusive and transgender-friendly**. These disparities highlight the persistent socio-economic and structural inequalities in healthcare access for transgender communities, underscoring the need for continued policy interventions, awareness programs, and sensitization of healthcare providers to ensure equitable and inclusive medical services for all.

Housing

Securing safe and supportive housing remains a significant challenge for transgender individuals in India. **Section 12(3) of the Transgender Persons (Protection of Rights) Act (2019)** mandates that courts direct appropriate authorities to provide immediate shelter to transgender persons denied residence by family members or facing displacement. Organizations such as **SMILE operationalize these provisions**, offering temporary accommodation, guidance, and essential services. **By 2021, pilot initiatives had established**

12 shelters, with plans to expand to 18, including “Garima Grehs” across multiple states, providing safe homes and support facilities. Despite these efforts, challenges persist due to limited funding, staffing, and management capacity within government departments, including the Department of Social Justice & Empowerment. NGOs initiated “Hijra Gharanas” by establishing shelters to meet the growing demand. Marginalized transgender individuals, particularly **hijras and those from lower socio-economic backgrounds**, rely heavily on such shelters after displacement due to familial rejection, social stigma, or economic vulnerability. In contrast, transgender persons from higher socio-economic strata often access private accommodations, reflecting disparities in societal acceptance and resources. These gaps underscore the urgent need for enhanced government initiatives, sustainable funding, and inclusive policies to ensure dignified housing for all transgender individuals.

Access to Public Transportation, Washrooms and other public areas

The government of India has implemented measures to ensure that transgender individuals can access public services with dignity. Under provisions such as the **Transgender Persons (Protection of Rights) Act, 2019**, individuals identified as “**third gender**” are entitled to receive official identity documents reflecting their self-identified gender. These identity cards are issued through platforms like the **National Portal for Transgender Persons**, which helps facilitate recognition across government and public systems. The **Supreme Court of India** has further emphasized that public authorities, including transportation services, must respect these identity documents. Courts in states such as Karnataka and Delhi have directed officials to allow transgender individuals to use their preferred gender markers in public spaces, including **gender-designated facilities and transportation services**. Despite these directives, transgender persons frequently face discrimination, harassment, and denial of access in buses, trains, and other public services. They are often forced to use facilities designated for males or females, like: - the public washrooms and trial rooms in the dressing stores, which does not correspond with their gender identity, exposing them to humiliation and social stigma. Transgender individuals from higher socio-economic backgrounds may face less overt harassment due to social privilege and non-stereotypical appearance, but stereotypes and biases persist even when official identification reflects their gender identity. These challenges highlight the on-going need for **policy enforcement, public sensitization, and inclusive infrastructure** to ensure safe and equitable access to public transportation for transgender communities across India.

Marriage, Abuse, and Legal Protections

The question of marriage rights for transgender persons and same-sex couples in India remains fraught with legal, social, and cultural complexities. While the **NALSA judgment (2014) and the Transgender Persons (Protection of Rights) Act (2019)** advanced recognition of transgender rights, they remain largely silent on issues of marriage and family. To provide redress for gender-based harassment, the government has **introduced the “Transgender Protection Cell” to address grievances**, offer counselling, and provide legal assistance nationwide. However, these mechanisms remain underutilized due to stigma, limited awareness, and systemic bias. Marriage laws in India continue to reflect a **heteronormative framework**. While advocacy for same-sex marriage has grown, the Union Government has consistently opposed such recognition, citing cultural traditions and societal morality. The **Supreme Court’s, 2023 verdict upheld LGBTQ+ persons’ Right to cohabit** but refrained from granting marriage equality, leaving legal recognition to legislative action. Consequently, transgender marriage is generally recognized only when partners conform to traditional gender binaries, with non-binary or same-sex unions excluded from inheritance, adoption, medical consent, and spousal benefits. Beyond legal barriers, social challenges persist. Many transgender and queer individuals face familial and community rejection, manifesting as physical, emotional, or economic abuse, forced eviction, and denial of property rights. Higher socio-economic status may afford some tolerance or privacy; yet social stigma, psychological abuse, and discrimination remain pervasive. Across socio-economic strata, LGBTQ+ persons continue to navigate a legal and social environment that limits marital recognition and perpetuates exclusion and vulnerability.

Survey and Personal Observation

So far, we have examined the socio-economic conditions of transgender individuals (particularly Tran’s women) in the urban metropolitan cities of India. Despite the introduction of several legislations and welfare schemes in their favour, it remains important to question whether these measures are truly effective and applicable in a city like Bengaluru. To what extent do governmental initiatives match the *lived realities* of transgender persons? In order to address this, we conducted a personal field-based survey supported by interviews, from which we have drawn valuable insights. The survey was conducted through direct interviews held between **10th August 2025 and 14th August 2025**, during both morning and evening hours, at the Bannerghatta traffic signal, Bengaluru. A total of **10 transgender**

individuals participated in these interviews. And the answers given by them regarding different aspects are described below:-

Education:

Our interaction revealed several critical aspects regarding their socio-economic background, particularly in relation to **educational attainment**:

- **40%** of the respondents reported completing education up to the **10th grade (secondary level)**.
- **50%** had studied only up to the **12th grade (Senior Secondary Level)**.
- **10%** discontinued education around the **7th grade**.

The interviews highlighted the underlying causes for such early dropouts. The major reasons included:

1. **Family rejection and disownment** – Many respondents shared that their families abandoned or distanced themselves once their gender identity became visible.
2. **Discrimination in schools** – Instances of bullying, ridicule, and lack of institutional support led to feelings of alienation and eventual withdrawal from formal education.
3. **Financial difficulties** – Economic marginalization compounded the situation, making it difficult to afford basic education.

Despite government initiatives such as the **SMILE programme** and other educational support schemes, the effectiveness of these measures remains questionable. The ground reality suggests that structural barriers and social stigma continue to obstruct transgender woman from accessing and completing education.

Employment

Our field survey also explored the occupational patterns and livelihood strategies of transgender individuals in Bengaluru. It revealed that despite progressive legal frameworks, a significant proportion of transgender women continue to remain excluded from mainstream and stable forms of employment.

The distribution of employment among the respondents was as follows:

- **20%** were engaged in **spreading pamphlets**.
- **20%** working as helpers in small-scale promotional activities or cleaning work in hotels.
- **10%** reported engaging in begging with **digital QRs**.
- **20%** had secured relatively stable occupations, including roles such as **beauticians** and **tailors**.
- **10%** worked as **daily wage labourers**, performing tasks such as construction assistance and casual labour.
- **10%** reported being compelled to take up **sex work/prostitution**, often citing social exclusion and lack of viable alternatives as the main reasons.
- **20%** were engaged in **multiple marginal jobs simultaneously**, combining occupations such as **begging, small cleaning services, and occasional sex work**, depending on daily circumstances.

Such vulnerability underscores the need for **inclusive employment policies**, affirmative action in workplaces, and skill-development programmes that can integrate transgender persons into the formal economy.

Abuse and Violence

Transgender woman continue to face systemic barriers and violence in their everyday lives. One of the most pressing challenges lies in the **lack of inclusive infrastructure**. Access to basic facilities such as **gender-neutral washrooms** remains severely limited, forcing many individuals into uncomfortable or unsafe situations. Similarly, the absence of **gender-neutral trial rooms** in clothing stores or shopping malls often results in exclusion, embarrassment, or outright denial of access. In public spaces, this structural neglect contributes to heightened vulnerability. Many transgender women report being subjected to staring, ridicule, or social exclusion, reinforcing their experience of social alienation. Beyond this, they are subjected to **sexual harassment and physical abuse**, both from general public and, alarmingly, at times even by law enforcement officials and security personnel. These experiences illustrates how lack of **institutional protections and inclusive design** perpetuates marginalization, rendering everyday activities such as shopping, traveling, or

using restrooms sources of humiliation and harassment. Addressing these gaps is therefore a matter of fundamental dignity, safety, and human rights.

Housing

Housing insecurity remains one of the most critical challenges faced by transgender women individuals. Approximately **60% reported of being rejected by landlords** due to prejudice, harassment, or outright refusal, often reinforced by pressure from neighbours and broader community, indicating entrenched **structural discrimination** embedded in access to housing due to which they live in separate lanes. Around **10% stated that they were allowed accommodation by landlords**, typically under restrictive or discriminatory conditions undermining their dignity and security. A smaller proportion of approximately **10% continue to live with their parents**. Another **10% are forced to live on the streets**, without stable shelter; and there are “**Hijra gharanas**” where other **10% reside**. These figures reveal an alarming situation; despite constitutional protection and NGOs advocating for their rights, many transgender woman remain **critically vulnerable**. The void of familial and societal acceptance perpetuates cycles of homelessness, exclusion, and marginalization. Therefore, housing is not just a matter of shelter, but a fundamental aspect of **social belonging, dignity, and human rights**.

Personal Acceptance

One of the most profound challenges faced by transgender individuals lies in the area of **personal acceptance** the ability to embrace their gender identity with dignity and without guilt.

According to the findings:

- Around **60% reported that they do not feel guilt or discomfort** in expressing their gender identity, indicating a strong sense of self-recognition and inner acceptance.
- Approximately **20% expressed uncertainty**, explaining that their struggles with self-acceptance often arise from **external pressures** such as family rejection, community disapproval, or hostile neighbourhood environments.
- Another **20% admitted to feeling guilt and hesitation**, primarily due to **social stigma, aggressive discrimination, and experiences of abuse**, which negatively affect their ability to accept themselves fully.

This data reveals that, while a majority are moving toward self-acceptance, nearly **two out of every five transgender individuals continue to struggle with internal conflict**. Such struggles are not simply personal but are shaped by the **broader socio-cultural environment**, where lack of familial support, persistent stigma, and systemic exclusion perpetuate feelings of guilt and self-doubt. Ultimately, personal acceptance among transgender persons cannot be seen in isolation; it is deeply tied to the **degree of social acceptance and protection** they receive. Without supportive environments, self-acceptance becomes an on-going struggle rather than an empowering reality.



Results

The transgender community in India continues to face multiple layers of marginalization, rooted in social stigma, institutional neglect, and systemic discrimination. Many individuals come from historically disadvantaged socio-economic backgrounds, compounding their vulnerability.

1. **Education** remains a critical challenge. Transgender women often encounter discrimination, bullying, ridicule, and even violence in schools, colleges, and universities both government and private leading to high dropout rates. This educational exclusion directly limits future employment opportunities and socio-economic mobility.
2. **Healthcare and livelihood** challenges are closely intertwined. Government initiatives, such as the SMILE Scheme, aim to extend services to transgender persons, but gaps in awareness, outreach, and resources prevent effective implementation. Consequently, many remain unable to access basic or gender-affirmative medical care. Educational and healthcare marginalization, combined with social rejection, often forces individuals into precarious forms of livelihood, including begging, sex work, and informal labour, with only a small proportion attaining stable employment or self-employment.
3. **Social rejection and housing insecurity** further exacerbate vulnerability. Transgender individuals frequently face hostility from broader society and even their families, including verbal abuse, physical assault, and harassment by authorities.

Disownment and forced eviction contribute to homelessness, with temporary support from NGOs and community organizations unable to meet the scale of the problem.

These interconnected challenges reinforce cycles of marginalization. Addressing them requires not only robust legal protections but also inclusive policies, social awareness initiatives, and structural reforms across education, healthcare, housing, and employment to ensure dignity, equality, and social inclusion for transgender individuals.

Conclusion

True equality for transgender individuals particularly transgender women can only be realized through a comprehensive approach that combines legal protections, institutional reform, and social acceptance. Symbolic recognition alone is insufficient; empowerment requires equitable access to education, healthcare, housing, and dignified employment opportunities. While progressive judgments and policies exist, their impact remains limited unless reinforced by genuine societal transformation. Bridging the gap between societal perceptions and lived realities requires challenging entrenched stereotypes and amplifying transgender voices. Public discourse must shift from tokenistic representation to an empathetic acknowledgment of their struggles and contributions. Government schemes such as reservations, vocational training, and welfare initiatives should be integrated into mainstream policy frameworks, while grassroots organizations must be supported as catalysts of community empowerment. Ultimately, embracing transgender persons with dignity and respect not only uplifts a marginalized community but also strengthens the social fabric, fostering diversity, inclusion, and collective progress.

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