Towards Transgender Inclusion: Applying Sustainable Development Goals To Address And Resolve The Transgender Challenges In India

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Certain government measures have been implemented in recent years to enhance the life and living situations of Transgender Persons. Such government activities in India must be evaluated in relation to the Sustainable Development Goals for the Transgender Community. The primary issues under examination are discrimination and social stigma, healthcare access, education and employment, legal recognition, and activism and support. The Universal Declaration of Human Rights (UDHR), which states that all individuals are born free and with equal rights, serves as the cornerstone for the Sustainable Development Goals (SDGs). While transgender concerns are not expressly included in the SDGs, some objectives and targets are pertinent to advancing equality, inclusivity, and human rights for transgender individuals. There are legal interventions such as the NALSA Judgment, the removal of Section 377, and government interventions such as the launch of the Transgender Persons (Protection of Rights) Act, the National Council for Transgender Persons, the Web Portal, and various schemes and services for Transgender People. It is critical to comprehend the relevance of transgender acceptance in all aspects of life. Numerous governmental and non-governmental organizations work to advance transgender rights and inclusivity within the context of long-term development.

Key words: Transgender Persons, SDG 5: Gender equality, SDG 3: Good health and well-being, SDG 4: Quality education, SDG 8: Decent work and economic growth, SDG 10: Reduced inequalities, UDHR, NALSA, LGBTQIA+.

Introduction

Life with dignity is a fundamental right of every citizen in this country; nevertheless, as a result of societal stigma and a lack of social education, the lives of transgender people with varied sex, gender, and sexuality identities suffer and suffocate their ability to lead a life of quality and serenity. Transgender people have historically experienced severe obstacles in India as a result of social stigma, discrimination, and inadequate legal safeguards. In India, the living conditions of transgender people are still inferior to those of binary people

(Dahiya,2018). However, there have been significant measures at the government level in recent years to enhance their rights and living situations. Such government actions in India must be examined in relation to the Transgender Community and Sustainable Development Goals. Some major issues to consider while analyzing this are discrimination and social stigma, healthcare access, education and employment, legal recognition, the Transgender Persons' (Protection of Rights) Act, and activism and support (Pandya & Redcay, 2020).

Discrimination and Social Stigma: Despite legal advances, transgender people in India endure discrimination and prejudice in a variety of areas, including education, employment, housing, and healthcare. Many areas of society still lack social acceptance and knowledge of transgender rights (Thoroughgood, Sawyer, & Webster, 2020).

Healthcare Access: Transgender people frequently have difficulties in obtaining proper healthcare services that are attentive to their requirements. Hormone therapy, gender-affirming procedures, and mental health care are all examples of this. However, initiatives to improve transgender healthcare have been made, and certain clinics and organizations offer specialized treatments (Pandya & Redcay, 2020).

Education and Employment: Education and employment are inextricably interwoven. Discrimination and lack of acceptance might limit transgenderpeople's educational opportunities, and hence their career opportunities. Many transgender people endure marginalization and bullying in educational institutions, which can limit their access to quality education and potential employment possibilities (Pandya&Redcay, 2020).

Activism and Support: Transgender rights activists, organizations, and support groups are trying to increase awareness, advocate for transgender rights, and provide support services. These initiatives seek to enhance living circumstances and encourage inclusion (Clay, 2019).

United Nations and Sustainable Development Goals

The Sustainable Development Goals (SDGs) are a series of 17 global goals agreed in 2015 by United Nations Member States with the intention of tackling diverse social, economic, and environmental concerns by 2030. They are as follows: 1) No poverty. 2) No Hunger 3) Overall Health and Well-Being 4) Education of High Quality 5) Gender Equality 6) Safe drinking water and sanitation 7) Affordably priced and environmentally friendly energy 8) Good Pay and Economic Growth 9) Infrastructure, Industry, and Innovation 10) Less Inequality 11) Cities and Communities that are Sustainable 12) Consumption and production that is responsible (13) Climate Change Action 14) Life Below Water 15) Life on Land 16) Peace and Justice Stable Institutions and Governments 17) Collaborations to Achieve the Goal (United Nations, 2023), while transgender concerns are not expressly included in the SDGs, some objectives and targets are essential to fostering equality, inclusivity, and human rights for all individuals, including transgender people. Through this study, we attempted to investigate the implementation of SDG targets to address and alleviate the difficulties encountered by the transgender community in India.

Objectives

1. To analyze the applicable SDGs to implement for the welfare of transgender community in India.
2. To explore the government initiatives for the welfare and development of transgender Persons in India.

Research Methodology

Methodology enables us to choose the most appropriate tactics for any inquiry. It not only helps us formulate research questions, but it also helps us determine the optimal technique for carrying out any study. Methodology aids and guides researchers in finding answers to research-related problems. This paper is mostly concerned with derivative data. Secondary data is obtained from sources such as books, newspapers, published publications and research papers, census reports, Ministry of Social Justice and Empowerment reports, and soon.

Results &Discussion

Based on the gathered data, the results and discussion of the study is as follows:

1. Sustainable Development Goals and Transgender Community

The primary goal of SDG 1 is to abolish all forms of poverty, which remains one of humanity's most pressing concerns. Because of stigma, prejudice, and exclusion, transgender people are more likely to be poor than cisgender people. They are frequently legally barred from collecting money, land, or social security benefits. Societal discrimination forced them to work in manual labour and prevent to attend schools and colleges. Transgender people in India are particularly vulnerable to poverty since it may be difficult for them to secure the land or other assets needed to start a business if their current gender does not match that on their official documents (United Nations, 2023).

The public healthcare system in India has long struggled to meet the needs of the population. A study, however, discovered that the transgender community had a more difficult time getting healthcare services than others due to bias in medical institutions, a lack of treatment guidelines, and insufficient health education. Transgender people have difficulty in receiving quality healthcare treatments, whether for general health or gender-specific requirements. Discrimination at healthcare institutions, a lack of treatment protocols, inadequate health literacy, and poor healthcare-seeking behaviours among transgender people were identified as major impediments to accessing health treatments. Other obstacles include a lack of health insurance, exclusion from social assistance programmes, and health-care system restrictions (Pandey & Redcay, 2020).

Transgender people are unable to obtain well-paying occupations due to a lack of a good or higher education. They are frequently excluded from the educational system and endure bad school climates (Clay, 2019).

Gender Equality strives for gender equality and the empowerment of all women and girls. Its goals include eliminating discrimination, violence, and harmful practices against women and girls, ensuring women's full and effective involvement in decision-making

processes, and promoting equal opportunity for all. Transgender people endure discrimination, violence, and marginalization as a result of their gender identity, and Goal 5 recognizes the significance of resolving these issues and achieving gender equality for all (United Nations, 2023).

Even with a conservative estimate, millions of people are blocked from fully participating in society due to their sexual orientation and gender identity, even though the world population is 7.6 billion people. Economic development organizations are recognizing that governments, that try to properly integrate everyone, including transgender people, have stronger and more dynamic economies. Its primary objectives are to promote equitable economic development, productive employment, and equitable remuneration for all. It aims to facilitate and improve equitable access to banking and financial services by providing loans to help micro, small, and medium-sized businesses expand. Furthermore, SDG 8 emphasizes equitable pay for equal effort, safe and secure employment for all workers, job growth, and the abolition of workplace discrimination. However, such discrimination is rarely challenged, and transgender people must continue to fight alone. For example, the Kochi Metro Rail Limited in Kerala engaged 23 transgender people in 2017, but eight of them left within a month because landlords refused to provide them with housing. It is also alleged that the work provided little assistance because they were forced to quit their accommodations due to their employer's lack of a formal agreement to act on their behalf and combat discrimination (Outlook, 2022).

Reduced Inequalities is another goal that seeks to reduce inequality both inside and between nations. It includes objectives for eliminating bias, fostering social, economic, and political inclusion, and ensuring that everyone has an equal chance at success. Transgender persons frequently endure social and economic disadvantages as a result of prejudice and limited access to services such as healthcare, employment possibilities, and other services. Goal 10's objectives are to address these imbalances and promote a more inclusive society (Outlook, 2022).

Peace, Justice, and Strong Institutions is the goal, and it focuses on promoting open and peaceful societies, providing equal access to justice, and developing inclusive, effective, and responsible institutions. Human rights violations and barriers to justice are prevalent difficulties for transgender people. Goal 16 emphasizes the importance of supporting various institutions to uphold and defend everyone's rights, including transgender people (Thoroughgood, Sawyer, &Webster, 2020).

Table 1: Population of Transgender Persons in India

Sl.No.	Transgender Population – Different Categories	No. of population
1.	Transgender Persons belong to Scheduled Tribes	33,293
2.	Transgender Persons belong to Scheduled Castes	78,811

3.	Transgender Children (0-6)	54,854
4.	Others	320,845
	Total (Transgender Population)	4,87,803

Source: Population census. (2011). Transgender in India

The above table shows that, out of 487,803 transgender persons, a majority belongs to the most vulnerable and marginalized groups in the country.

According to a 2018 poll performed by the National Human Rights Commission, 96 percent of transgender people are denied of jobs and are forced to do low-paying or humiliating labour for a living, such as blessings, sex work, and begging. According to the first-ever survey on transgender rights, almost 92 percent of transgender people are denied the opportunity to participate in any sort of economic activity in the country, with even qualified individuals being denied employment. Around 89 percent of transgender respondents indicated there are no jobs for qualified transgender people. 50-60 percent never went to school, and those who did faced severe discrimination. According to the survey, 52 percent of transgender people were bullied by their classmates and 15 percent by teachers, prompting them to drop out of school. Only 6 percent of transgender people were worked in the private sector or NGOs back then, and only 1 percent earned more than Rs. 25,000 per month; the majority (26.35 percent) earned between Rs. 10,000 and Rs.15,000 (Thoroughgood, Sawyer, &Webster,2020).

According to a social psychology study, transgender people are particularly receptive to signs regarding the importance that others place on them. Apathy, disapproval, or rejection, are signs of social devaluation, which causes them to feel horrible about themselves and suffer from low self-esteem. When they observe social value markers such as praise, affection, or admission to a desired group, the exact opposite occurs (Thoroughgood, Sawyer, &Webster, 2020).

As a result, each action made by the government or the courts in favour of the transgender community must be thoroughly explored and analyzed.

2. Interventions by the Indian Government in Achieving the SDGs Concerning the Transgender Community

It is critical to note that many transgender/LGBTIQ rights in India are the product of years of court battles. The following notable events and interventions have resulted in the welfare and growth of the transgender community:

Legal Recognition:

The Supreme Court of India's National Legal Service Authority judgment in April 2014 recognized transgender people as a third gender and confirmed their fundamental rights, including the ability to self-identify their gender. The court ordered the government to take

actions to preserve their rights, including as providing them with access to school, work, healthcare, and social welfare programmes (Dahiya, 2018).

It referred to an "Expert Committee on Issues Relating to Transgender" constituted under the Ministry of Social Justice and Empowerment to produce its decision. This was a major decision in which the Supreme Court legally recognized "third gender"/transgender people for the first time and studied "gender identity" in depth. According to the Court, third-gender people enjoy fundamental rights under the Constitution and international law. The NALSA decision recognized transgender people's historical and present prejudice and emphasized the importance of addressing their social, economic, and political marginalization. It acknowledged that transgender people have the right to live with dignity and equal legal protection. The Court determined that public awareness campaigns were critical to eliminating transgender prejudice. (Dahiya, 2018). Furthermore, it required both the federal and state governments to take a variety of steps to support the transgender community:

- Including provisions for legal recognition of "third gender" in all papers.

- Recognizing third-gendered people as a "socially and educationally backward class of individuals" deserving of educational and public job reservations.

- Taking steps to create community-based social welfare projects (Dahiya, 2018).

This prompted the first intervention of state governments to develop Transgender Policy in their respective jurisdictions. The major impediment for state governments in developing programmes for transgender people was a paucity of information about transgender people. As a result, research was required to identify transgender issues and develop policy for them. In 2015, governments such as Kerala set a precedent by developing a policy for transgender people. State governments also conducted a transgender survey to learn more about the concerns and obstacles that transgender people face (Dahiya, 2018).

Removal of Section 377

In India, the change happened in September 2018 with a Supreme Court Judgment that decriminalized homosexuality. The court's decision overturned a portion of a 19[th]century British- imposed legislation known as Section 377 of the Indian Penal Code, which rendered sex "against the order of nature" a crime punishable by life in jail (although the law was invalidated in 2009, it was reintroduced in 2013). While the judges' reasoning centered mostly on the significance of individual autonomy, nondiscrimination, and privacy, they cited the American Psychiatric Association's 1973 decision to remove homosexuality from its list of mental diseases on multiple occasions. The judges also cited various APA materials, including the APA's amicus brief in the 2003 United States Supreme Court case that decriminalized same-sex sodomy in the United States. Section 377, while rarely enforced, has had major ramifications for India's LGBTQIA+ population. Individuals have been subjected to harassment, beatings, and blackmail as a result of the law. Some have been pushed into loveless, sexless marriages, while others have fled together or even committed suicide together (Clay, 2019).

Transgender Persons (Protection of Rights) Act, 2019 & Rules, 2020

Following the decision in NALSA vs. Union of India, which directed the Central Government

and State Governments to take various steps for the welfare of the transgender community and to treat them as a third gender for the purpose of safeguarding their rights under Part III of the Constitution and other laws made by Parliament and the State Legislature, the Transgender Persons (Protection of Rights) Act was introduced in the Lok Sabha and unanimously passed. As a result, the bill was enacted as the Transgender Persons (Protection of Rights) Act, 2019 after passing the Rajya Sabha and gaining the President's assent (Government of India, 2020). Some important features of this act are:

i.   Recognition of Identity of TransgenderPersons

The 2019 Act recognizes transgender people's self-perceived gender identity and allows them to be recognized as such. The legislation also addresses the issuance of an identification certificate as well as a certificate attesting to a gender transformation. A transgender person may request a certificate of identity with the gender classification "transgender" from the District Magistrate. A new certificate is only feasible if the person gets surgery to change their gender, either as a man or as a woman (Government of India, 2020).

ii.   Rights and Entitlements

The following rights are entitled to transgender community.

- **Prohibition of Discrimination:** This law prohibits discrimination against transgender people, including denial of service or unfair treatment in the following areas: (i) education, (ii), employment, (iii), healthcare, (iv), access to, or enjoyment of, goods, facilities, or opportunities available to the general public, (v), right to movement, (vi), right to live on, rent, or otherwise occupy the property, and (vii), opportunity to hold public or private office.
- **Residence:** Every transgender person has the right to live and be included in his or her household. If the transgender person's immediate family is unable to care for him or her, a competent court may order that the person be placed in a Rehabilitation Centre.
- **Employment:** No government or private body may discriminate against a transgender person in any aspect of employment, including recruiting and advancement. Every business is obligated to appoint a complaint officer to handle complaints relating to the Act.
- **Education:** Educational institutions supported or recognized by the relevant government must provide nondiscriminatory inclusive education, sports, and recreational facilities for transgender people**.**
- **Health care:** The government must take steps to offer transgender people with health services such as specialized HIV Surveillance Centre and sex reassignment surgery and must revise the medical curriculum to meet transgender people's health difficulties and provide comprehensive medical insurance plans for them (Bills & Acts, 2019).

iii.   Establishment of National Council for Transgender Persons

Act also allows for the establishment of a National Council for Transgender People.

The National Council is responsible for: (i) advising the Central Government on the formulation of transgender policies, programmes, legislation, and projects; (ii) monitoring and evaluating the impact of policies and programmes designed to achieve equality and full participation of transgender people; and (iii) reviewing and coordinating the activities of all government departments and other government and non-government organizations (Bills & Acts, 2019).

iv.   Offences and Penalties

The Act defines the following offences against transgender people: (i) forced or bonded labour (other than mandatory government service for public purposes); (ii) denial of access to public areas; (iii) expulsion from the home or village; and (iv)physical, sexual, verbal, emotional, or financial abuse. Fines and jail terms ranging from six months to two years are imposed for these violations (Bills & Acts, 2019).

National Portal for Transgender Persons

The Ministry of Social Justice and Empowerment's "SMILE" stands for "Support for Marginalized Individuals for Livelihood and Enterprise" umbrella programme includes two sub- programs: "Comprehensive Rehabilitation for Welfare of Transgender Persons" and "Comprehensive Rehabilitation of Persons Engaged in the Act of Begging." This umbrella scheme would cover a few comprehensive measures, including welfare measures for both transgender people and people involved in the act of begging, with a focus extensively on rehabilitation, provision of medical facilities, counseling, education, skill development, economic linkages, and so on, with the support of State Governments/UTs/Local Urban Bodies, Voluntary Organizations, Community Based Organizations (CBOs), and institutions, among others. The following are the services offered by the National Portal for Transgender People:

i.   Garima Greh

Garima Greh's major goal is to provide essentials such as shelter, food, medical treatment, and recreational opportunities to underprivileged and abandoned transgender persons. It will also foster the growth of transgender people's abilities and capacity. Its objectives are as follows:

a. To certify that the shelter house provides room and boarding, clothing, entertainment, counseling, and medical treatment.
b. TopreservetheconsistencyofGerimaGreh'sinfrastructureandmanpowerservices.

c. To protect and defend the rights of the transgender people.

d. To establish common standards and principles that all transgender persons can follow in order to demonstrate the presence of a welcoming atmosphere in the Garima Greh.

e. Increasing the authority of transgender persons through programmes that develop and strengthen their talents.

f. There are currently 12 Garima Grehs running throughout India (Government of India,

2020).

ii.   Certificates and Identity Cards

The Ministry of Social Justice and Empowerment provides the nationally recognized transgender certificate and identity card; the certificate is required to access the SMILE program's welfare benefits. Transgender people can use the Portal to apply for a certificate and an identity card from anywhere in the country without having to physically engage with anyone. The applicant can check on, change, and follow the status of their application using their login ID, ensuring transparency throughout the process. They also have access to a grievance-resolution tool, where they may file concerns about delays in the certification process. These complaints are then forwarded to the proper authorities, who will respond as soon as possible. The portal serves as a facilitator between district authorities and beneficiaries to make it simple for them to access Transgender Certificates and Identity Cards in accordance with their self-perceived identities, which is an important provision of The Transgender Persons (Protection of Rights Act, 2019 and Transgender Persons Protection of Rights Act, 2020). According to the latest National Portal updates, 80 percent of transgender people who applied have already received their ID cards and certificates. Maharashtra, Odisha, and Andhra Pradesh have received over 2000 applications, while Gujarat, Karnataka, and Kerala have received over 1000 applications (Government of India, 2020).

iii.   Skill Development and Training

Short-term and long-term trainings are available as a part of skill development programmes. The major purpose is to provide transgender community members with job opportunitiesbyprovidingthemwithmarketableskills.Theskilltrainingareaswerecarefully evaluated by the training partners, who made their selection based on the findings of national discussions with the transgender community. The abilities thus offered are expected to provide the transgender beneficiary with a wide range of opportunities for dignified work (Government of India, 2020).

iv.   Composite Medical Health

The scheme's goal is to provide health insurance to all transgender individuals living in India so that they can improve their health through proper care, such as sex reassignment surgery and medical support. The plan would be available to all transgender people who were not receiving comparable benefits from existing state or federally funded programmes. Transgender people would have access to health benefits under the Ayushman Bharat Yojana, including gender reassignment surgery, through Ayushman Bharat TG Plus health insurance. Each transgender person would earn a yearly insurance payout of Rs. 5 lakhs under the initiative. The Comprehensive Package would cover all aspects of transition-related healthcare for transgender individuals. It must also cover hormone therapy and sex reassignment surgery, as well as all essential postoperative procedures, and be redeemable at all private and public healthcare facilities. Transgender people who have received credentials from the National Portal for Transgender People will be eligible for insurance (Government of India, 2020).

v.   Scholarships for Students

To reduce dropout rates and ease the transition from elementary to secondary school, the Ministry of Social Justice and Empowerment provides financial aid to transgender students in classes IX and above, as well as at the post-matriculation or post-secondary stage and beyond until post-graduation. This financial assistance is made available to students via an automated web system. These are their names:

A. Secondary school awards for transgender pupils in the ninth and tenth grades.

B. Scholarships for Senior Secondary School Students (11th and 12thgrades).

C. Undergraduate and graduate student scholarships.

D. Postgraduate Student Scholarship (Government of India, 2020).

Conclusion

The Indian constitution positively boosted such verdicts for upper courts such as the High Courts and the Supreme Court to pronounce verdicts that ensure equality and justice to LGBTIQ individuals, forcing state and central governments to begin interventions to improve the lives of transgender individuals and, once again, inviting special attention to apply Sustainable Development Goals to better the lives of sexuality and gender marginalized communities or individuals. Transgender experiences can vary greatly depending on factors such as socioeconomic background, geographical location, familial support, and individual circumstances (Government of India, 2020).

In India, efforts are being made to address the issues that transgender people confront and to establish a more inclusive society. The issues cannot be classified as local or regional, they have universal nature. Bullying, torture, unemployment, and transphobia are just a few examples. In such a scenario, addressing transgender issues by linking them to the Sustainable Development Goals of No Poverty, Good Health and Well-Being, Good Education, Gender Equality, Decent Work and Economic Growth, Reduced Inequalities, Peace, Justice, and Strong Institutions will help to bring transgender issues to global attention. This debate makes it easy to comprehend the relevance of transgender acceptance in many facets of life (Bills & Acts, 2019).

Although these Sustainable Development Goals inadvertently touch transgender issues, it is vital to remember that additional efforts and activities are required to address the unique obstacles that transgender individuals confront. Creating safe spaces, providing healthcare services, establishing legislative safeguards, and combating prejudice and violence are examples of such actions. Together with the government, governmental and non-governmental organizations should work to strengthen transgender rights and inclusivity within the context of long-term development.

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