

Marriage Equality for LGBTQ+ Community: Constitutional Guarantees, Legislative Gaps, and Implications for Social Inclusion

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ABSTRACT:

Marriage equality for LGBTQ+ persons in India raises a broader question about whether constitutional protections are matched by legislative recognition and meaningful social inclusion. In this review, the relationship between constitutional guarantees and gaps in marriage and family law and its social consequences when there is unequal recognition was examined. The method of integration was systematic integrative review, doctrinal legal analysis and thematic synthesis. Constitutional provisions, Supreme Court judgments, statutes, government documents, international reports and peer reviewed socio-legal studies were considered. The analysis revealed an evolving trend of constitutional jurisprudence in India that has increasingly reinforced equality, dignity, privacy, autonomy, gender identity and partner choice. However, current marriage and family laws and regulations remain largely gendered and heteronormative, leaving gaps in regards to marital status, inheritance, maintenance, parental recognition, reproductive rights, healthcare decision making, etc., and spousal benefits. Empirical and institutional evidence also suggested that legal recognition can impact psychological wellbeing, family legitimacy, economic security, institutional access, and perceptions of social belonging, but that marriage equality is not enough to eradicate broader stigma and discrimination. The review, therefore, revealed a gap in the constitutional-legislative-social inclusion that is characterized by the separation or unequal recognition of the family in the enjoyment of its rights. Future reform should link marriage and family-law recognition to anti-discrimination protection, welcoming administration, available services and improved population-level statistics of LGBTQ+ communities.

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1. Introduction

Marriage has implications that go past merely the recognition of an intimate relationship. Establishes a legally defined family and can often affect the rights and entitlements of inheritance,

maintenance, adoption, parental recognition, healthcare decision making, insurance, pensions, property rights and more, that come with spousal status. It also has social significance since it establishes a relationship as a legitimate family

relationship in public. This inequitable access to recognition can then have an impact on the legal rights and lived experience of belonging concerning sexual and gender minority individuals (including lesbian, gay, bisexual, transgender, queer). Over time, international human rights frameworks have started naming protection from discrimination on the basis of sexual orientation and gender identity under the umbrella of the principles of universality, equality, dignity, and non-discrimination (OHCHR, 2019).

This is a significant issue in the context of the Indian Constitution and the recognition of families. Official demographic data itself highlights one of the drawbacks in the knowledge of the population in question. According to Census 2011, there were 487,803 persons, who were classified under the category of “Others (TG)” in the country, out of which 137,465 were in Uttar Pradesh, 43,769 in Andhra Pradesh, and 40,891 in Maharashtra. These are official statistics on the diversity of genders but do not provide a representation of the total LGBTQ+ community in India, as sexual orientation and all the gender identities were not established as such (Department of Social Justice and Empowerment, 2026). The resulting data gap is also indicative of why legal inclusion can only be measured in terms of more than just numbers.

The debate on identity recognition in India has shifted from the mere identification to a larger debate of equal participation in social and institutional life. Stakeholder consultations undertaken by UNDP India, recorded on legal and social issues that continue to impact the lives of LGBTQI+ people and highlighted the need for actions focused on advancing equality and welfare (UNDP India, 2024). A place for marriage equality in this broader discussion because denial of a recognised couple or family status can result in implications in a range of areas of law and

social life. The question is not just about the right of two adults to formally marry, however, but what rights and protections are accorded to couples who are officially recognized as a family, as well as what forms of institutional recognition are extended to them.

This is in line with the broader concept of inclusion. The UNDP measure of inclusion – LGBTI Inclusion Index – measures 51 indicators in five different strategic areas, and shows that inclusion is more than a single legal right. It was piloted with citizens in 52 countries and resulted in country indices for six country jurisdictions, highlighting an increasing trend of measuring the link between law, institutions, wellbeing and participation (United Nations Development Programme, 2024). This is relevant to marriage equality because the legal recognition of equality can have an impact on health, economic security, education, civic participation, and personal wellbeing.

Constitutional doctrine is not the only focus, though, as the social ramifications of legal exclusion must be discussed as well. Discriminatory laws and practices against LGBTI people can lead to social and economic exclusion, to ill health, to pressure on families and communities and to a lack of equal participation (World Health Organization et al., 2015). In this context, the current review explored marriage equality for the LGBTQ+ community along three interconnected prongs: constitutional provisions that guarantee equality, dignity, privacy, liberty and autonomy; limitations on marriage and family law; and the implications of these limitations for social inclusion. The review combined legal and socio-legal evidence in order to gauge the space that can still exist between constitutional protection and legislative recognition and lived experiences of equal citizenship.

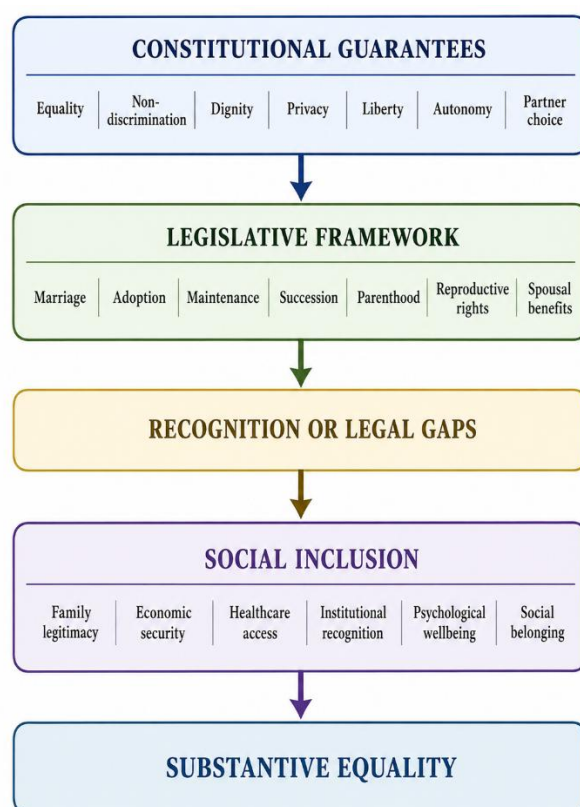


Figure 1. Analytical Framework Linking Constitutional Guarantees, Legislative Recognition, and Social Inclusion

2. Methodology

2.1 Review Design

The research in this study used systematic integrative review design with doctrinal legal analysis and thematic synthesis. The method was chosen to allow for the various kinds of evidence relevant to marriage equality, such as the constitutional provisions, judicial decisions, legislation and policy documents, institutional reports, and peer-reviewed socio-legal research. Doctrinal analysis was employed for analyzing constitutional rights development and analysis and integrative analysis employed legal and empirical evidence. Legal recognition, legislative gaps and social inclusion were then thematically synthesized to identify the common relationships between these three dimensions.

2.2 Search Strategy and Sources

A systematic literature search was carried out in key academic and legal information sources such as Scopus, Web of Science, PubMed, Google Scholar, public legal and government repositories.

LGBTQ+-related searches included such concepts as same-sex marriage, marriage equality, constitutional rights, dignity, privacy, legislative gaps, family rights, and social inclusion. The primary legal sources were obtained from official sources, including the Supreme Court of India, India Code, and government websites. Where relevant, legal, policy or social evidence from reports produced by recognised national or international institutions were also examined.

2.3 Eligibility and Study Selection

Sources were included when they directly addressed LGBTQ+ marriage equality, constitutional protections, relationship recognition, family-law entitlements, legislative exclusion, or the social consequences of legal recognition and non-recognition. The following sources were taken into account: peer-reviewed articles, constitutional materials, judicial decisions, statutes, government documents, policy reports

and reports of recognised international organisations. Special focus was given to English language resources that were relevant to India, and that, when relevant, offered useful comparative or empirical evidence on social inclusion, international studies were retained. After the title, abstract and full-text assessment, duplicate, inaccessible, only opinion, and substantively unrelated records were excluded.

2.4 Evidence Extraction and Synthesis

Structured analytical framework was used to record the information related to the source type, jurisdiction, constitutional principle, legal provision, recognition area of family law, legislative limitation, and social implication of the law. Judicial and statutory material on equality, dignity, privacy, autonomy, non-discrimination, partner choice and family recognition was explored. Empirical and institutional sources were analyzed to identify and take into account data on stigma, wellbeing,

economic security, health, family acceptance, and social participation. The evidence extracted was then analysed and grouped into themes to look for links between constitutional guarantees, gaps in the laws, and the substantive social inclusion.

3. Constitutional Foundations of LGBTQ+ Marriage Equality

The constitutional argument for LGBTQ+ marriage equality in India has grown and evolved over time as the judiciary has increasingly understood the concepts of equality, dignity, privacy and personal preference. The main constitutional bases for equality before the law, protection from discrimination, individual freedom and life and personal liberty are articles 14, 15, 19 and 21. Together, these guarantees put intimate identity and personal decision-making within the framework of rights, not just relying on the dominant social norms (Government of India, Ministry of Law and Justice, Legislative Department, 2026).

A significant change took place when the Supreme Court awarded transgender people the right to identify themselves based on their gender identity and linked this right with dignity, equality and their personal choice (National Legal Services Authority v. Union of India, 2014). The constitutional concept of private life has been further expanded with the nine-judge Bench, in 2017, unanimously affirming that privacy is a fundamental right, which includes decisional autonomy and intimate personal choices, in Justice K. S. Puttaswamy [Retd.] v. Union of India, 2017. Later, the Court struck down the criminalisation of consensual same-sex relationships between adults and said that constitutional morality could not be set aside by the majority's social morality (Navtej Singh Johar v. Union of India, 2018).

These decisions were made in the context of the protection of partner choice. In Shafin Jahan v. Asokan K. M (2018), the Court ruled that an adult's decision to choose a partner is part of his liberty and privacy. It also found that interference in consensual relationships was an offence and directed preventive and remedial measures to prevent honour-based violence (Shakti Vahini v. Union of India, 2018).

This constitutional development, however, did not end with the courts affirming a right to marry the same-sex partner. In Supriyo @ Supriya Chakraborty v. Union of India (2023), the five-judge Constitution Bench refused to make significant amendments to the Special Marriage Act to achieve marriage equality, reserving that power for the legislature. This created a stark contrast between the existing constitutional rights on the one hand to recognise queer identity, queer intimacy, dignity and partner choice, and the lack of equivalent rights to recognise marriage. At an international level, these disparities still have relevance in the context of the general commitments to tackle sexual orientation-based and gender identity-based discrimination (UNHCHR, 2015).

Table 1. Constitutional and Judicial Foundations Relevant to LGBTQ+ Marriage Equality in India

Constitutional/legal authority	Core principle	Relevance to marriage equality
Constitution of India, Arts. 14, 15, 19 and 21	Equality, non-discrimination, freedom, life and personal liberty	Provides the constitutional foundation for evaluating unequal treatment in intimate and family relationships
NALSA v. Union of India (2014)	Gender identity, dignity, equality and autonomy	Recognised self-determined gender identity as constitutionally protected
Justice K. S. Puttaswamy v. Union of India (2017)	Privacy and decisional autonomy	Located intimate and personal choices within constitutional protection
Navtej Singh Johar v. Union of India (2018)	Sexual autonomy, dignity and constitutional morality	Decriminalised consensual same-sex relations between adults and rejected majoritarian morality as the measure of constitutional rights
Shafin Jahan v. Asokan K. M. (2018)	Choice of partner	Affirmed adult autonomy in choosing an intimate partner
Shakti Vahini v. Union of India (2018)	Protection of consensual relationships	Condemned coercive interference with adult partner choice
Supriyo @ Supriya Chakraborty v. Union of India (2023)	Queer relationships and institutional limits	Did not establish same-sex marriage through judicial reinterpretation of the existing statutory framework, leaving legislative reform unresolved

Note: The authorities are presented according to their relevance to the constitutional development discussed in Section 3 rather than as an exhaustive chronology of LGBTQ+ jurisprudence.

4. Marriage and Family Law: Legislative Gaps

India's family-law system exposed a huge gap between the rights granted through marriage and the autonomy that was constitutionally recognized by and for LGBTQ+ individuals. The Special Marriage Act allows for marriage between “any two persons”, but the operative provisions of the Act specify minimum age of 21 years for the male and 18 years for the female and husband and wife (Government of India, 1954). Further, the Hindu Marriage Act has a similar hierarchy with marriage defined as that of a bridegroom and bride, and no

explicit provisions for the same-sex marriage (Government of India, 1955).

The consequences extended beyond marital status itself. The Hindu Adoptions and Maintenance Act continued to structure adoption and maintenance in terms of gendered and marital categories, making it difficult to fully understand that a wide variety of family configurations exist (Government of India 1956a). Similarly, marriage is an important aspect of economic security following death, because succession law also provides significant inheritance implications of

legally recognised family ties (Government of India, 1956b). The Juvenile Justice Act made it easier for the adoption to ensure the right of the child to family, but the way it was structured was through a set of statutory provisions which decided who could be adopted and who would be the parents (Government of India, 2015).

The Transgender Persons (Protection of Rights) Act (Government of India, 2019) banned discrimination based on transgender status in education, employment, healthcare, access to public services and in housing, but failed to provide transgender persons with the same right to marry as everyone else or to recognise a transgender person's partner as a spouse. This lack of marriage status was further exacerbated by the accompanying Rules, which enhanced steps for recognition of identity and implementation of

welfare (Government of India, 2020).

Similar restrictions were seen in reproductive law. The Assisted Reproductive Technology (Regulation) Act (Government of India, 2021a) established access through a set of specified women and commissioning couples, establishing a marriage-based concept of couples. The Surrogacy (Regulation) Act, 2021 (Government of India, 2021b) introduced a more limited definition of intending couples and for who is eligible to receive surrogacy. The lack of equal recognition of marriage can therefore be carried over to adoption, parenthood, inheritance and maintenance, reproductive decision making, financial protection and other benefits typically associated with legal marriage.

Table 2. Selected Indian Legislative Frameworks and Their Relevance to LGBTQ+ Family Recognition

Legislative framework	Area governed	Issue relevant to LGBTQ+ equality
Special Marriage Act, 1954	Civil marriage	Uses sex-specific conditions and gendered marital terminology within its operative framework
Hindu Marriage Act, 1955	Hindu marriage	Structures marriage through the categories of bridegroom and bride
Hindu Adoptions and Maintenance Act, 1956	Adoption and maintenance	Organises important rights through gendered and marital categories
Hindu Succession Act, 1956	Inheritance and succession	Spousal/familial recognition affects succession and economic protection
Juvenile Justice (Care and Protection of Children) Act, 2015	Adoption	Adoption eligibility and parental recognition operate through the statutory and regulatory framework
Transgender Persons (Protection of Rights) Act, 2019	Equality and protection of transgender persons	Prohibits discrimination in several spheres but does not independently establish equal marital recognition
Transgender Persons (Protection of Rights) Rules, 2020	Identity recognition and implementation	Supports identity and welfare processes without resolving marriage recognition
Assisted Reproductive	Assisted reproduction	Eligibility operates through

Technology (Regulation) Act, 2021		specified statutory categories of women and commissioning couples
Surrogacy (Regulation) Act, 2021	Surrogacy	Defines intending couples and eligibility through a comparatively restricted statutory framework

Note: The table identifies provisions relevant to the review's analysis and should not be interpreted as an exhaustive account of all Indian personal, family, succession, taxation, pension, or administrative laws.

5. From Legal Recognition to Social Inclusion

The legal recognition of same-sex relationships will have an impact on social inclusion, given marriage's role as a legal status and a marker of social familiarity. Evidence from the Netherlands demonstrated not only that marriage equality had a positive impact on the mental health of sexual minorities, but that the impact of marriage equality would extend beyond the immediate population of same-sex couples who had married, suggesting that broader social recognition may also have an impact (Chen & van Ours, 2022). In contrast, the exclusion from the institution has been linked to quantifiable damage. In states that adopted same-sex marriage bans, there were higher rates of psychiatric comorbidity (36.3%) and alcohol-use disorders (41.9%) and a significant increase in generalized anxiety disorder (248.2%) and mood disorders (36.6%) between survey waves (Hatzenbuehler et al., 2010).

Relationship status itself may shape feelings of recognition. Earlier, a dyadic study of 100 same-sex couples (total $n = 200$) revealed that those who were legally married experienced less unequal recognition of their relationship than those who were not (LeBlanc et al., 2018). In a similar study, with 498 partnered men who have sex with men, researchers examined how perceptions of social inclusion changed across the country when marriage equality was implemented, but they noted that discrimination and the political climate remained an important factor in what men experienced when it came to social inclusion

(Metheny & Stephenson, 2019).

Legal recognition can also influence access to institutions traditionally based on the basis of spouse. Since *Obergefell v. Hodges*, the implications of granting recognition to same-sex marriage in the United States have reached far beyond the symbolic to the material, including health insurance, health care benefits, protection of caregivers, and other spousal-dependent benefits (Perone, 2016). There were also state-level findings of a 7% relative decline in high-school students reporting attempted suicide after enacting state same-sex marriage policies, and the decline was even stronger among sexual-minority adolescents (Raifman et al., 2017).

Yet marriage equality did not erase social inequalities automatically. In longitudinal studies in the United Kingdom, the level of family support for lesbian, gay, and bisexual people was shown to be one factor that influenced mental-health functioning after the changes in the law (Teo et al., 2022). A similar study in California reported that the group of lesbian, gay and bisexual people who lived with a legal marriage had less psychological distress than similar groups of those who were in other legally less recognised relationships (Wight et al., 2013). The findings indicate that substantive inclusion was linked to the interplay of legal recognition, family acceptance, institutional access and protection from ongoing stigma.

Table 3. Selected Empirical Evidence on Marriage Recognition, Structural Exclusion, and Social Wellbeing

Study	Setting/sample	Main evidence relevant to the review
Chen and van Ours (2022)	Netherlands	Marriage equality was associated with improved mental-health outcomes among sexual minorities
Hatzenbuehler et al. (2010)	United States	Same-sex marriage bans were associated with increases in several psychiatric disorders among LGB adults
LeBlanc et al. (2018)	100 same-sex couples; 200 individuals	Legal marriage was associated with lower perceived unequal recognition and better mental health
Metheny and Stephenson (2019)	498 partnered MSM, United States	Nationwide marriage equality was associated with perceived improvement in social inclusion, although discrimination remained relevant
Perone (2016)	United States	Marriage equality had implications for spouse-linked healthcare, insurance and caregiving protections
Raifman et al. (2017)	U.S. high-school population	Same-sex marriage policies were associated with a 7% relative reduction in reported adolescent suicide attempts
Teo et al. (2022)	United Kingdom	Mental-health effects of legislative change varied according to family support
Wight et al. (2013)	1,166 LGB adults, California	Legally married respondents showed lower psychological distress than groups with less recognised relationship status

Note: The studies were conducted outside India and were used as comparative empirical evidence. Their effect sizes and social contexts should not be assumed to transfer directly to the Indian population.

6. Discussion: The Constitutional–Legislative–Social Inclusion Gap

The evidence this study reviewed revealed that there was a mismatch between constitutional recognition and the conditions for substantive equality. Indian conceptions of dignity, identity, privacy, autonomy and intimate choice have become more robust in the Constitution, but the substantive benefits of these protections will be realized only when laws and institutions secure

them as enforceable rights. The gap between rights and inclusion lay in the study conducted by the National Human Rights Commission on 900 transgender people in Delhi and Uttar Pradesh. Nearly 96% of those surveyed reported being excluded from the job market, and 89% felt that jobs were not available for qualified and skilled transgender individuals. The same study revealed

that only 1.11% had a monthly income of more than ₹25,000. The findings highlight the possibility of a parallel economy of rights and significant economic and institutional disadvantage (National Human Rights Commission, 2017).

This is especially important in the context of marriage equality. Family status, the economic security, healthcare, housing, welfare and social protection are linked to the legal recognition of a relationship. In the absence of equivalent statutory recognition of family relationships, a rights framework that does recognize gender identity or personal autonomy can therefore lead to partial inclusion. The concept of wellbeing as a multi-componential challenge that needed coordinated attention to education, employment, health, social protection and participation, and not just legal recognition, was also reflected in UNDP's framework for transgender-inclusive India (United Nations Development Programme India 2021).

The same idea is highlighted when inclusion is not just defined as 'not criminalised', but 'measured participation'. UNDP's LGBTI Inclusion Index measures inclusion in five strategic areas: health, education, personal safety and violence, civil and political participation and economic empowerment. By 2026, the project had reached 14 countries, demonstrating a global trend of the question: do formal rights have substantive effects on institutions and everyday life? (United Nations Development Programme, 2026). This wider perspective is important for the marriage equality movement because exclusion from recognised family status could affect multiple of these areas.

The constitutional-legislative conflict came to the fore in India in this marriage-equality ruling in 2023. The Supreme Court rejected the idea of

reinterpreting the law to provide legal recognition to same-sex marriage and thus devolved much of the duty of reshaping marriage law onto the legislature. But the effects of the institutional constraint are not limited to the concept of marriage. Subsequent health equity analysis suggested that lack of marriage recognition was linked to broader structural inequities that impact LGBTQ+ individuals such as healthcare and legal protection/social legitimacy (Weiss Goitiandia et al., 2024). The issue is not just whether courts or Parliament should change the law, but what will happen to communities that are affected when constitutional ideals and rights are not aligned.

Ultimately, it is not enough to recognize people in the constitutional law to ensure social inclusion. WHO has correlated sexual and gender diversity with the right to health and with wider human-rights conditions that influence access to sexual- and gender-diverse services, dignity and wellbeing (World Health Organization, 2024). The evidence that has been reviewed combined suggests that the process can be understood as three stages: constitutional

guarantees, the normative promise of equality, and legislation that either extends or delimits the promise of equality into enforceable family recognition, and social institutions that either realize or fail to realize legal equality into lived inclusion. In the second stage where the second stage is not completed, LGBTQ+ people may have constitutional protection of identity and intimate choice, but they are still treated unequally in family recognition, and other institutional contexts. The legal call for marriage equality should thus be considered in conjunction with a larger process of formal constitutional citizenship to substantive social citizenship.



Figure 2. The Constitutional–Legislative–Social Inclusion Gap in LGBTQ+ Marriage Equality

7. Legal and Policy Implications

The findings suggested that the path to LGBTQ+ inclusion should focus on both the legal recognition and institutions that are charged with implementing rights. Reform of the law on marriage and family should be thought of in conjunction with the inheritance law, adoption, maintenance, parental recognition, healthcare decision making, pensions, insurance and other benefits connected to spousal status. Any legislation would have to consider the impact of existing gendered provisions and whether these resulted in unequal outcomes for same sex and gender diverse couples, rather than simply focusing on marriage as a legal institution.

Implementation continued to be a concern. Garima Greh was assessed by the National Human Rights Commission (NHRC) in 12 shelters in 9 States and Union Territories and 2 shelters had stopped functioning. It also found

that funding was delayed, documentation was an issue, healthcare support was not adequate, workplace exclusion was an issue, and there were monitoring weaknesses. The results indicated that formal welfare measures may be ineffective if there is no continuity, coordination or accountability in the administration of welfare systems. The Commission thus proposed to strengthening monitoring, timely funding, better documentation support, linkages with health and employment, and updating public documents (National Human Rights Commission, 2025).

Legal reform should also be accompanied by increased measures to combat discrimination. International human-rights research has highlighted that restrictions on the freedom of expression, peaceful assembly and association of LGBTQ+ people can make it difficult for them to participate in the public sphere and promote

their interests. Inclusive policy is not only about private tolerance, it is a policy where sexual and gender minorities are able to participate in civic and institutional life without discriminatory restrictions (Office of the United Nations High Commissioner for Human Rights, 2024).

A more comprehensive anti-discrimination framework would further the utility of family recognition. UN human-rights guidance has consistently held that States must take measures to prevent violence and discrimination against individuals based on sexual orientation and gender identity, including in the employment, housing, health sector, education and service fields (Office of the United Nations High Commissioner for Human Rights, n.d.). The reform of marriage in India would thus be best pursued within the context of administrative inclusion, public services readily available to its citizens, non-discrimination guarantees that are enforceable, and recognition of alternate family relationships. This would also facilitate the linkage of formal legal equality with a broader set of social conditions for substantive social inclusion.

8. Limitations and Future Research

There were several constraints in the available evidence that prevented an exhaustive analysis of the impact of marriage non-recognition on LGBTQ+ individuals in India. First, the research base was uneven in terms of sexual and gender minority groups. Out of which, after removing duplicates, 2326 records were reviewed in the Indian context, of which 588 full text articles were assessed and finally 177 studies were included in the Indian context for review. Of these, 55 per cent targeted gay men and other men who have sex with men, 16 per cent targeted transgender women, 14 per cent targeted both groups, while only 4 per cent targeted lesbian and bisexual women and 2 per cent targeted transmasculine people. This imbalance meant that findings only captured a small portion of the experiences of social and family diversity in the LGBTQ+ community. The same review also highlighted geographical gaps, a lack of longitudinal and intervention studies, and an ongoing focus on HIV-related items rather than on broader factors influencing wellbeing (Chakrapani et al., 2023).

Another constraint was measurement of the

demography. While the official statistical architecture in India provides rich population data by sexual and age groups, residence, marital status, and other demographic categories, there are no comparable population tables available regularly on the basis of sexual orientation, a diversity of gender identities, or same-sex relationship status. For instance, indicators of population trends, age distributions and sex ratios have been provided in the Women and Men in India 2024 population series, highlighting the depth of the conventional sex-disaggregated statistics as well as the challenge in deriving comparable estimates of the populations of LGBTQ+ people and couples at the national level (Ministry of Statistics and Programme Implementation, 2024). This limited the opportunity to determine the number of people who were directly affected by legal exclusion due to marriage.

The future research should therefore go beyond the approach of merely looking at LGBTQ+ as a single group. Research into the impact of marriage non-recognition on inheritance, housing, healthcare decisions, caregiving, adoption, economic security, family acceptance, psychological wellbeing in lesbians, gay men, bisexuals, transgender, intersex and other queer communities could be undertaken in both

longitudinal and mixed-method studies. Ethically constructed measures of sexual orientation, gender identity and relationship status and family structure could also be included in a national survey. Comparative socio-legal analysis across Indian States and international jurisdictions would further aid in differentiation of the impact of the marriage recognition from other factors like family support, stigma, socio-economic position and anti-discrimination protection.

9. Conclusion

The issue of marriage equality for LGBTQ+ people in India is a complex interplay of constitutional rights, legislative drafting, and social integration. Progressively, the protections of equality, dignity, privacy, autonomy, gender identity and intimate choice have been incorporated into the judicial developments; however, these principles have not yet been realized in relation to equal recognition such as

that in marriage and family law. This \$300 billion shortfall has impact beyond the formal definition of marriage. It can stretch to inheritance, maintenance, adoption, reproduction, health care, financial provision, family legitimacy and access to benefits based on spousal recognition. Marriage reform also has implications for social acceptance and psychological well-being, institutional treatment and notions of belonging, which have been demonstrated in India and other settings. A meaningful response to the issue of meaningful inclusion is therefore a wider legal/policy response that is related to the recognition of relationships, effective anti-discrimination protection, more accessible public services, administrative reform and recognition of diverse family structures. Lack of nationally representative LGBTQ+ data in India also constrains knowledge of the scope and distribution of these inequalities. The areas that need further research by future legal and empirical studies include the recognition of differences in the LGBTQ+ community while also addressing the gaps. Ultimately, marriage equality should be seen as a part of the broader movement of shifting from formal to substantive and equal participation in social and family life.

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