

To

Letter No. - NCTP/V/06/2026

**Hon'ble Dr. Virendra Kumar**  
**Union Minister**  
**Ministry of Social Justice & Empowerment**  
**Government of India**

**Date – 21.03.2026**

**Subject: Urgent Recommendations for Amendment in the Transgender Persons (Protection of Rights) Act**

**Respected Sir,**

We, members of the transgender community, respectfully submit the following key recommendations for consideration in the proposed amendment. These are essential to ensure dignity, equality, and effective implementation of the law:

**Key Recommendations**

**1. Self-Identification & Definition**

Transgender identity must be based on self-declaration, as upheld by the Hon'ble Supreme Court (NALSA Judgment). The 2019 definition must be retained without restrictive changes.

**2. Medical Board Reform**

Mandatory medical boards should be removed. If required, they must include psychologists/counsellors only, and no physical examination should be conducted.

**3. Healthcare Rights**

Free and accessible gender-affirming healthcare (including SRS) must be ensured in all major government hospitals within a fixed timeframe, along with dedicated help desks.

**4. Reservation & Inclusion**

At least 1% horizontal reservation in education and public employment must be provided to ensure real inclusion.

**5. Protection from Violence & Discrimination**

All forms of violence, abuse, discrimination, forced eviction, workplace harassment, and online abuse must be treated as cognizable offences with strict punishment (minimum 2 years imprisonment and fine).

**6. Sexual Violence & Murder**

Sexual offences against transgender persons must attract minimum 10 years punishment, and murder cases must ensure life imprisonment.

**7. Consent & Bodily Autonomy**

Any gender-affirming procedure with consent of an adult must be legal; forced surgery must be treated as a punishable offence.

**8. Social Security & Welfare**

Government must ensure scholarships, pensions, housing, and livelihood support for transgender persons.

## 9. Institutional Strengthening

A National Commission for Transgender Persons must be established, and State TG Boards must be strengthened with proper offices and implementation powers.

## 10. Dignity, Participation & Recognition

Community consultation must be mandatory in policymaking. Government should promote sports, cultural platforms, and national recognition programs for transgender persons.

Additional Key Recommendations

### 11. Additional Weightage for Surgery:

Transgender persons who have undergone gender-affirming procedures (top/bottom surgery) should be given additional 10 marks (weightage) in education and employment under the transgender reservation category, considering the social and structural challenges faced by them.

### 12. Protection of Intersex Children:

Any non-consensual surgery or hormonal intervention on intersex children below 18 years must be treated as a punishable offence, with a minimum of 5 years imprisonment.

### 13. Time-bound Implementation & Monitoring:

All provisions of the Act and Rules must be implemented within one year. The nodal Ministry at the Centre should ensure annual review through Chief Secretaries of all States for effective implementation.

Conclusion

These recommendations are essential to uphold constitutional values of equality, dignity, and non-discrimination, and to ensure that the Act truly empowers the transgender community rather than restricting their rights.



Sincerely,

Vidya Rajput & Raveena Bariha

Member & Exparct - National Council for Transgender Persons

Ministry of Social Justice and Empowerment

Government of India