



# CSGMR

Coalition for Sex Workers',  
Sexual and Gender  
Minorities' Rights

csgmrkarnataka@gmail.com  
@csgmr\_karnataka

## Public Statement on the Transgender Persons (Protection of Rights) Amendment Bill, 2026

16 March 2026, Bengaluru: The Coalition for Sex Workers', Gender and Sexual Minorities' Rights firmly opposes the Transgender Persons (Protection of Rights) Amendment Bill, 2026, which was introduced in the Lok Sabha on 13 March 2026. This bill marks a significant erosion of queer rights in India, seeking to undo years of work by transgender and queer communities. The proposed Amendment will erase the right to self-perceived gender identity, restrict the definition of transgender identities, and increase medical scrutiny and state surveillance on trans lives.

In an unconstitutional move, the Amendment aims to strip Indian citizens of a fundamental right—the right to determine one's own gender identity—which was affirmed by the Supreme Court in *NALSA v. Union of India (2014)*. The court acknowledged that gender identity is a crucial component of personal autonomy, dignity, and privacy, and upheld the right of individuals to identify their gender without the necessity of external medical certification.

The Amendment seeks to institute a very narrow definition of who is transgender: socio-cultural communities like Hijra, Kinner, Aravani and Jogati; eunuchs and intersex persons. This creates a state approved category of trans-communities who can access legal protection while excluding and erasing the legal identities of transmen and transmasculine persons, genderqueer and gender non-binary persons, and others who identify as transgender without belonging to the aforementioned socio-cultural communities. Moreover, this exclusion of self-identification from the legal definition of transgender creates barriers in accessing fundamental rights, legal recognition, and social welfare schemes.

Further, it limits transgender persons' power over their lives and their bodies. The Amendment makes certification from a government appointed medical board mandatory to the process of being recognised as transgender. By introducing externally verified or medicalized definitions of transgender identity, the bill compromises the constitutional values of equality, liberty, and dignity enshrined in Articles 14, 19, and 21 of the Constitution. This risks substituting a rights-based approach with a bureaucratic or medical framework that curtails the autonomy of transgender people. Gender identity is not a medical disorder. Requiring medical approval for identity recognition subjects transgender persons to unnecessary scrutiny, delays, and discrimination.

It also makes medical institutions obligated to report every person who undergoes gender affirmation surgery to the District Magistrate, a measure which reminds us of the colonial Criminal Tribes Act (1871) under which transgender people were forcibly registered with local police stations in order to surveil them.

That the Amendment was not developed in consultation with transgender communities, that it demonstrates an insufficient understanding of the difference between sex, gender and sexuality, and that it presents a misconception on how marginalization, oppression and discrimination intersect at varying levels in the lives of transgender persons are some of its other glaring problems.



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India has made significant progress in recognizing the rights of transgender individuals through judicial decisions, community activism, and progressive policies. Any new legislation must enhance these achievements rather than diminish them.

### We therefore appeal to the Government of India and Members of Parliament to:

1. Uphold the right to self-determination of gender identity.
2. Withdraw the Transgender Persons (Protection of Rights) Amendment Bill, 2026.
3. Ensure that transgender persons are actively consulted in the formulation of policies.
4. Align legislation with constitutional guarantees and international human rights standards.
5. Safeguard the dignity, autonomy, and equal citizenship of transgender individuals.
6. Respect diversity and guarantee that every individual, regardless of gender identity, can live with dignity, equality, and freedom.
7. Stand for equality, stand for dignity, and uphold the constitutional rights of transgender persons.

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### For Media Enquiries:

Uma: +91 95917 75020

Kumar B: +91 63636 86814

Christy Raj: +91 81057 62890

Siddarth S Ganesh: +91 8722031067

### About CSGMR:

The Coalition for Sex Workers', Sexual and Gender Minorities' Rights (CSGMR) is a collective advocating for rights, dignity, and justice for LGBTQIA+, sex worker, and marginalized communities in Karnataka.