

## [Public Statement on the Transgender Persons \(Protection of Rights\) Bill, 2026](#)

### [Members of the State Transgender Welfare Board, Government of Assam](#)

We, the nominated members of the State Transgender Welfare Board, Government of Assam, take note of the Transgender Persons (Protection of Rights) Bill, 2026.

Following consultations among the nominated members of the Board and with community stakeholders, we wish to express our concerns regarding certain provisions of the Bill in its present form, which may have significant implications for the rights and well-being of transgender and gender-diverse communities.

#### **Our key concerns are:**

##### **1. Definition of Transgender Identity**

The proposed Bill appears to adopt a reduced and non-inclusive approach to defining transgender identity. While the Transgender Persons (Protection of Rights) Act, 2019, acknowledges gender diversity, the current Bill risks narrowing this scope, potentially excluding several gender-diverse identities from recognition and protection. Gender-diverse identities may include, but are not limited to, trans men, trans women, non-binary persons, genderqueer persons, gender non-conforming individuals, and persons who do not identify within the binary framework of male and female. This Bill will erase transgender identities in the context of Assam and the wider Northeast, where gender diversity is also expressed through lived socio-cultural realities and community-based identities.

##### **2. Right to Self-Identification**

The Bill also raises concerns regarding its alignment with the **NALSA v. Union of India** judgment delivered by the Supreme Court of India in 2014, which affirms the right to self-identification of gender.

##### **3. Medical Requirement on Certification:**

The Bill proposed medical and administrative intervention in the process of certification which violates the core of self identification for transgender individuals and reduces transgender individuals to understanding only from a medicalised point of view. This will further create procedural barriers and raises important questions relating to privacy, dignity, and personal autonomy.

##### **4. Access and Implementation of Rights**

There is a need to further strengthen provisions relating to: healthcare, education, social security, livelihood opportunities, protection from discrimination and violence. A more comprehensive and implementation-oriented approach would better address the lived realities of transgender persons, particularly those in marginalized and rural contexts.

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In light of the above, the nominated members of the State Transgender Welfare Board, Government of Assam, puts forward the following:

1. The Transgender Persons (Protection of Rights) Bill, 2026, must be reconsidered in its current form.
2. A more inclusive and participatory consultation process should be undertaken, involving: transgender-led organizations, community representatives, grassroots stakeholders, experts etc.
3. Any amendments to the Transgender Persons (Protection of Rights) Act, 2019, should aim to: strengthen existing protections, uphold dignity, autonomy, and rights, ensure inclusive and accessible implementation.

The nominated members of the Board remain committed to constructive engagement with all stakeholders to ensure that any legislative framework is inclusive, rights-based, and reflective of the needs and lived realities of transgender and gender-diverse communities.

In Solidarity.



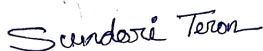
Rituparna Neog, Associate Vice Chairperson



Sarthak Sangh Mazumdar, Member



Arpana Choudhury, Member



Sundori Teron, Member

**State Transgender Welfare Board, Government of Assam**