



# medico friend circle

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## STATEMENT ON THE TRANSGENDER PERSONS (PROTECTION OF RIGHTS) AMENDMENT BILL, 2026

23rd March 2026

### About Medico Friend Circle

Medico Friend Circle (MFC) is a voluntary, non-partisan network of people working on health and related issues since 1974. Committed to the principles of equity, justice, and the right to health for all, MFC has consistently advocated for the rights of marginalised communities, challenged unjust health policies, and upheld ethical standards in healthcare. It is in this spirit that MFC expresses its firm opposition to the Transgender Persons (Protection of Rights) Amendment Bill, 2026.

### What does the Bill propose?

Introduced in the Lok Sabha on 13 March 2026, this Bill seeks to amend the Transgender Persons (Protection of Rights) Act, 2019. Its key provisions include:

- Removing the right to self-perceived gender identity (Section 4(2) of the 2019 Act), replacing it with mandatory medical board certification.
- Narrowing the definition of 'transgender person' to exclude trans men, trans women, and gender-queer individuals, restricting recognition to those with specific biological or socio-cultural markers.
- Requiring medical institutions to report details of gender-affirming surgeries to the District Magistrate, enabling surveillance of deeply personal health decisions.

### Impact on Transgender individuals

This Bill strikes at the very core of dignity and personhood. By erasing the right to self-identification, a right affirmed by the Supreme Court in the landmark *NALSA v. Union of India* (2014) judgment, the State is asserting authority over the most intimate dimensions of a person's identity. Over 32,000 transgender persons hold identity certificates issued under the 2019 Act; the Bill's retroactive language could invalidate these overnight. The requirement to navigate a medical board and District Magistrate before being legally recognised as transgender creates an institutional ordeal that will most severely affect those who are already poor, marginalised, or living in rural areas. Broadly worded provisions also risk criminalising shelters, chosen families, and community organisations that support transgender persons.

### Health Consequences

MFC is particularly alarmed by the health implications of this Bill, and by the dangerous assumption embedded within it: that India's existing health system is equipped to make fair, informed, and humane judgements about transgender persons' identities and needs. Most providers in India have no training in transgender health and cannot correctly use basic terminology, confusing gender identity with sexual orientation, or failing to distinguish between a trans man, a trans woman, and a hijra. In clinical settings, transgender persons already face misgendering, ridicule, and outright refusal of care. Empowering this ill-equipped system to certify identity and report intimate health decisions to the District Magistrate is not a safeguard; it is institutionalised gatekeeping. It will deter people from seeking care, push procedures underground, and cause serious psychological harm: denial of self-determined identity is directly linked to depression, anxiety, and suicidality.

### Call to Action

MFC calls upon Parliament to withdraw this Bill immediately. Any legislation affecting transgender persons must centre their lived realities, dignity, and autonomy, not undermine them. We demand:

- Withdrawal of the Transgender Persons (Protection of Rights) Amendment Bill, 2026.
- Meaningful, community-led consultation with transgender persons before any legislative revision.
- Full protection of the right to self-identified gender identity, consistent with the *NALSA* judgment and constitutional guarantees under Articles 14, 19, and 21.
- Health policy reforms that ensure safe, non-discriminatory, and affirming healthcare access for all transgender persons.

**We call upon civil society members and all those committed to justice to stand with the transgender community and oppose this deeply regressive legislation.**