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# Transgender Persons (Protection of Rights) Amendment Bill, 2026

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The Transgender Persons (Protection of Rights) Amendment Bill, 2026 seeks to amend the 2019 Act.

It proposes to remove the provision of “self-perceived gender identity” for legal recognition.

Introduces a system of medical boards/screening committees for issuing transgender identity certificates.

The role of the District Magistrate (DM) will depend on recommendations of such committees.

## Background

The original Transgender Persons (Protection of Rights) Act, 2019 allowed identity based on self-perception.

The landmark NALSA v. Union of India (2014) judgment by the Supreme Court:

Recognised transgender persons as the third gender

Upheld the right to self-identify gender without medical tests

## Key Changes Proposed in 2026 Bill

Removal of self-identification principle

Mandatory medical/official verification before granting identity

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Revised definition of “transgender person”

Provision for stricter punishments for crimes against transgender persons

### **Concerns & Criticism**

Seen as a rollback of rights guaranteed under the NALSA judgment

Critics argue it may:

Violate Right to Equality (Article 14)

Violate Right to Privacy & Dignity (Article 21)

Medical screening is viewed as intrusive and discriminatory

Lack of consultation with stakeholders has also been highlighted

### **Government's Rationale**

To prevent misuse of welfare schemes meant for transgender persons

To ensure benefits reach genuine beneficiaries through verification

Minister of Social Justice and Empowerment: Virendra Kumar Khatik