



ALIFA

All-India Feminist Alliance (ALIFA)

**National Alliance for Justice,
Accountability & Rights (NAJAR)**

(associated with National Alliance of People's Movements - NAPM)



NAJAR

Open Appeal to All Members of Parliament: (Lok Sabha and Rajya Sabha) requesting withdrawal of the Transgender Persons (Protection of Rights) Amendment Bill, 2026

21st March, 2026

Dear Members of Parliament,

We, the undersigned, are writing to you on behalf of the All-India Feminist Alliance (ALIFA) and National Alliance for Justice, Accountability and Rights (NAJAR) – pan India platforms associated with the National Alliance of People's Movements (NAPM). ALIFA is a collective of feminist, grassroots organizations and individuals and NAJAR is a forum of progressive lawyers and legal professionals for democratic causes. Many of our members also identify as transgender, non-binary, genderqueer, intersex persons and others are in solidarity, together asserting constitutional and human rights.

We are writing to you to express our grave concerns over the Transgender Persons (Protection of Rights) Amendment Bill, 2026, introduced in the Lok Sabha on 13th March, 2026 by Dr. Virendra Kumar, Union Minister for Social Justice and Empowerment. We appeal to each one of you – individually and collectively – to heed to the sane voices from across the country resisting this unconstitutional Bill and ensure the Bill is immediately withdrawn and not passed by both the Houses of the Parliament.

This Bill violates constitutional rights of the citizens of India and has been introduced without empirical backing or due consultations with the transgender community or even the National Council for Transgender Persons. The Bill, in limiting the coverage of the Transgender Persons (Protection of Rights) Act, 2019, introduces arbitrary and inhuman requirements for ‘compliance’ that are very likely to make access to fundamental rights and entitlements impossible for a large number of transgender persons, thus making the very communities it seeks to ‘protect’, additionally vulnerable to medical, legal and social discrimination, humiliation and violence.

In *National Legal Services Authority v. Union of India* (2014) 5 SCC 438 [“NALSA Judgement”], the Supreme Court held that the right to self-determination / self-identification of one’s gender is a fundamental right protected under Articles 14, 19, and 21 of the Constitution. The Court held that this right requires no medical or surgical procedure, no medical certification, and no administrative / state approval. The Transgender Persons (Protection of Rights) Act, 2019 (the “Principal Act”), though imperfect in several respects, gave statutory expression to this constitutional guarantee. The Amendment Bill proposes to withdraw legal recognition based on this constitutional guarantee to live as one’s self-identified gender and perpetuates harmful

social stigmas around transgender persons. The Bill thus turns the wheel back, on the progress made since a decade of the NALSA judgement in a retrograde manner.

Our specific objections to the Bill of 2026 are as follows:

- 1. Narrowed definition of “transgender person”:** The Amendment Bill substitutes the existing definition of “transgender person” under Section 2(k) of the Principal Act with one that incorrectly recognises only persons with named socio-cultural identities or medically diagnosed intersex and congenital conditions. Trans men, trans women, non-binary, and genderqueer persons who do not carry a medical diagnosis, and/or do not belong to the named socio-cultural communities, are arbitrarily excluded from the definition and thereby from the protection of the Act, thus violating the legal and constitutional rights of lakhs of citizens.
- 2. Self-perceived identity de-recognized:** The Amendment Bill omits Section 4(2) of the Principal Act, which guaranteed every person the right to self-perceived gender identity. The Statement of Objects and Reasons states that the purpose of the Principal Act was never to protect persons with “self-perceived gender identities.” This characterization contradicts the binding directions of the Supreme Court in NALSA (2014), and the constitutional guarantee of equal protection and non-discrimination. A legislature cannot restrict or subvert the constitutional rights that a statute is meant to uphold.
- 3. Introduces medical gatekeeping:** The Amendment Bill introduces a new “authority,” defined as a medical board, whose recommendation the District Magistrate is required to ‘examine’ before issuing a certificate of identity. The Supreme Court in NALSA expressly rejected the requirement of medical evaluation as a pre-condition for recognizing gender identity. The introduction of this medical board reinstates, under a different name, the very gatekeeping mechanism that transgender communities have resisted and courts had refused in earlier versions of the legislation.
- 4. Excludes most vulnerable transgender people:** The persons the Amendment Bill claims to ‘protect’ - those facing “severe social exclusion” on account of their gender identity - are disproportionately from economically, culturally and socially marginalized communities; who struggle to access medical and legal systems. A legal framework which de-recognizes self-identification and subjects citizens to extensive administrative and medical scrutiny, in order to be legally recognized as their self-identified gender, not only violates the citizen’s right to dignity, but also places social protection beyond the reach of the very persons who need them most. While the Amendment Bill is presented as making implementation ‘more effective’ by reaching those who are “in actual need of protection” (in the words of the Statement of Objects and Reasons), the amendments will in fact exclude a vast majority of the most marginalized transgender people from accessing protections and rights, they are entitled to under law.
- 5. Criminalizes transgender people’s support systems:** The new penal provisions under the substituted Section 18 criminalize *compelling* any person to “outwardly present a transgender identity.” Read alongside the substantially narrowed definition of “transgender person,” these provisions effectively treat self-determined transgender

identity as an outcome of ‘coercion’ or ‘deception’ rather than as a legitimate expression of personhood. They further risk being deployed against transgender communities and their support networks that have long functioned as informal safety nets, in the face of social and economic vulnerability and absence of state protection. It is also deeply disturbing that the punishments prescribed for such “compulsion” far outweigh the punishments for public discrimination against transgender people. The Statement of Objects and Reasons offers no empirical evidence of the prevalence of ‘forced gender transition’ in India to justify this harsh and draconian legislative approach. On the contrary, there is ample research and evidence that the narrative of transgender people and groups “kidnapping and castrating” children is nothing more than a longstanding colonial and social stereotype used to police transgender people. (see Shakthi Nataraj, 2019, ‘Criminal “folk” and “Legal” Lore’; Jessica Hinchy, 2019, *Governing Gender and Sexuality in Colonial India*).

- 6. Does not address existing legal drawbacks:** Further, the Amendment Bill addresses none of the existing deficiencies of the Principal Act, including the absence of horizontal reservations in education and employment as directed by NALSA, the inadequate penalties for offences against transgender persons relative to those prescribed under other protective legislation, the exclusion of chosen family from the statutory definition of “family,” and the failure to extend the Protection of Women from Domestic Violence Act, 2005, to transgender persons.

Transgender persons in India have held their hard-won right to legal recognition of their self-identified gender identity for over ten years. Despite some limitations of existing legal frameworks, they have relied upon it to secure identity documents, access education, healthcare, employment and public services, assert their rights before courts and institutions across the country, and live as equal members of Indian democracy.

The Amendment Bill proposes to remove that recognition, not on account of any demonstrated failure of the existing framework, but on the basis that the Government considers their identities insufficiently grounded in biology or socio-cultural tradition to warrant protection. This is a dangerous precedent; utterly unconstitutional in principle, and deeply discriminatory in its undoing of the rights of transgender citizens of the country.

The Amendment Bill does not represent our collective will as citizens of this country and threatens the hard-won feminist, social justice fight and rights for equal citizenship; constitutional parity and bodily autonomy for all. We, therefore, urge each one of you in your capacity as Members of the Parliament to ensure that:

- 1. The Amendment Bill, 2026 in its current form be immediately and fully withdrawn;**
- 2. The Amendment Bill, as it stands currently, be sent to the existing Parliamentary Standing Committee on Social Justice and Empowerment for a comprehensive review;**
- 3. The aforesaid Standing Committee conducts detailed investigation and invites testimonies from members of the transgender, intersex, non-binary and genderqueer**

communities, collectives and civil society, civil liberties groups on the operational and procedural aspects and limitations of the 2019 Act and the current Amendment;

4. The transgender, intersex, non-binary and genderqueer persons consulted by the Standing Committee must reflect the full range of trans, genderqueer experience, as recognised in the NALSA judgment and as upheld by the definition of the 2019 Act, including diversity of language, caste, region, religion, gender and sexual orientation;
5. The existing provisions (including drawbacks) of the Principal Act of 2019, as systematically highlighted in the Supreme Court's judgement in *Jane Kaushik v. Union of India* (2025) are adequately considered before proceeding with any legislative changes.

We urge that only after the Standing Committee submits its recommendations, in light of such evidence-generating exercises, should there be any attempt at legislative review, towards further strengthening of rights guaranteed under NALSA 2014.

We look forward to your and your party's meaningful intervention and role in ensuring the withdrawal of this draconian Bill and upholding the rights of transgender persons, thousands of who have been protesting this Bill across India, for the past one week.

Awaiting fair action,

Endorsed by ALIFA and NAJAR Members from across India,

ALIFA Members	NAJAR Members
1. Meena Saraswathi Seshu, Sangram, Sangli, Maharashtra	1. Gayatri Singh, Sr Advocate, Bombay High Court
2. Suneetha A, Feminist Researcher, ALIFA, Hyderabad.	2. Muskan Tibrewala, Lawyer, Chennai
3. Ravali P, Social Worker, Hyderabad, Telangana	3. Gatha, Thiruvananthapuram, Lawyer and Researcher, Keralam
4. Saakshi Samant, Law Student, Mumbai, Maharashtra	4. Pratik, Lawyer, Delhi NCR
5. J Devika, Feminist Historian, Kerala.	5. Avanti Deshpande, Lawyer, New Delhi
6. Ponnu Ima, Trans-Queer Person, Sahayatrika, Kerala	6. Ishika Hazra, Law Student, West Bengal
7. Madhu Bhushan, Feminist Activist, Karnataka	7. Auronisha Roy, Law Student, Kolkata
8. Ammu Abraham, Activist, Mumbai	8. Harsh Kingar, Advocate, Gujarat
9. Adv Dr Shalu Nigam, Delhi NCR	9. Ameya Deb, Law student, Bangalore
10. Neharika Mahajan, New Delhi.	10. Nikita Chavan, Law Student, Mumbai
11. Laxmi Murthy, Bangalore	11. Khalil ur Rehaman, Advocate, Bombay High Court
12. K. Sajaya, Women and Transgender Org Joint Action Committee, Telangana	12. Shreya Panda, Law Student, Hyderabad
13. V. Sandhya, WTJAC, Hyderabad	13. Shafiujjma Ashraf, Law student, Punjab
14. Bhanu Kalluri, Feminist Activist, Hyderabad	14. Diya Elizabeth Prakash, Law Student, Delhi
	15. Samaa, Law Student, Kanker, Chhattisgarh
	16. Shanthala Ramesh, Law student, Gurgaon, Haryana

<p>15. Jayasree Subramanian, Academic, Hyderabad</p> <p>16. Sharanya, Koraput, Odisha</p> <p>17. Shivani Taneja, Social Activist, Bhopal</p> <p>18. Svati Shah, Academic, Mumbai</p> <p>19. Kalpana Karunakaran, Academic, Chennai</p> <p>20. Mamata Dash, New Delhi</p> <p>21. Moumita Alam, North Bengal</p> <p>22. Arundhati Dhuru, Lucknow, NAPM</p> <p>23. Prof. Rosemary Dzvichu, Nagaland</p> <p>24. Shilpa Parthan, Researcher, Kerala</p> <p>25. Arundhati Ghosh, Bangalore</p> <p>26. Grace Banu, Trans Rights Now Collective, Tamil Nadu</p> <p>27. Nisha Gulur, Human rights activist, Bengaluru</p> <p>28. Ritu, Queers for Constitution Collective- New Delhi</p> <p>29. Nikita, Researcher, Delhi/Haryana</p> <p>30. Smita Gupta, Economist and Activist, New Delhi</p> <p>31. Dr. Sanju, ALIFA Rajasthan</p> <p>32. Nidhi, ALIFA</p> <p>33. Biraja Nandan Mishra, Odisha</p> <p>34. Ayan A, Queer Art and Action, Goa/Kolkata</p> <p>35. Kamal, Social activist, Vadodara, Gujarat</p> <p>36. Seema Azad, Social Activist, UP</p> <p>37. Ananya Iyer, Researcher, UP/Rajasthan</p> <p>38. Radhika Desai, Independent Researcher and Consultant, Gender and Livelihoods, Goa</p> <p>39. Aditi Maddali, Researcher, Mumbai</p> <p>40. Arti Zodpe, MJSS, Parbhani</p> <p>41. Sagrika Rajora, Lawyer and Researcher, New Delhi.</p> <p>42. Yashna, Trans person, New Delhi</p> <p>43. Akanksha Mehta, researcher and educator</p> <p>44. Sagari Ramdas, Food Sovereignty Alliance</p> <p>45. P E Usha, Activist, Althia Women Collective, Kerala</p> <p>46. Chayanika Shah, Educator, Mumbai</p> <p>47. Geeta Seshu, Journalist, Mumbai</p> <p>48. Meera Sanghamitra, ALIFA Telangana</p>	<p>17. Ameya Bokil, Legal Researcher, Bangalore</p> <p>18. Iswarya, Advocate, Chennai</p> <p>19. Parvathi Nair, Lawyer, Bangalore</p> <p>20. Dewangi, Legal Researcher, Delhi</p> <p>21. Winona D'Souza, Lawyer, Ahmedabad</p> <p>22. Madhura, Lawyer, Chennai</p> <p>23. Lekshmi, Lawyer, Trivandrum</p> <p>24. Rishav, Lawyer, Dehradun</p> <p>25. Ananya Aerra, Law student, Hyderabad</p> <p>26. Vishwas Tanwar, Lawyer, Delhi</p> <p>27. Disha D, Lawyer, Surat, Gujarat</p> <p>28. Siddhi Shinde, Law Student, Mumbai</p> <p>29. Anushka Ojha, Advocate, New Delhi</p> <p>30. Shraddha Halapnavar, Advocate, Karnataka</p> <p>31. Katyayani Chandola, Advocate, New Delhi</p> <p>32. Raksha Awasya, Advocate, New Delhi</p> <p>33. Sachin PS, Lawyer, Bangalore</p> <p>34. Bhagyasha Kurane, Advocate, Bombay High Court</p> <p>35. Tanishqua Dhar, Advocate, Delhi</p> <p>36. Geet, Advocate, New Delhi</p> <p>37. Maansi V, Lawyer, Delhi</p> <p>38. Hozefa Ujjaini, Advocate, Ahmedabad, Gujarat</p> <p>39. Purbayan Chakraborty, Advocate Calcutta High Court, West Bengal</p> <p>40. Sirishree Hotanahalli, Advocate, High Court of Karnataka, Dharwad Bench</p> <p>41. Ritesh Dhar Dubey, Lawyer, Delhi</p> <p>42. Varishtha Singh, Advocate, Delhi</p> <p>43. Ramani VM, Advocate, Madras High Court, Chennai</p> <p>44. Ranjit Vaghela, Lawyer, Ahmedabad Gujarat</p> <p>45. Vertika Mani, Advocate and Secretary PUCL Delhi</p> <p>46. Naveed Bukhtiyar, Advocate, J&K High Court.</p> <p>47. Daniel Jose, Lawyer, Ernakulam, Kerala</p> <p>48. Shafaqat Badiger, Law student Dharwad, Karnataka</p> <p>49. Maharathi Madhu Kiran, Law student, Hubballi, Karnataka</p> <p>50. Bhargav Oza, Lawyer & Labour researcher, Ahmedabad, Gujarat</p>
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<p>49. Gabriele Dietrich, NAPM Tamil Nadu</p> <p>50. Bittu K R, scientist, Haryana</p> <p>51. Ritash, gender-fluid writer, Karnataka</p> <p>52. Nandini Rao Akkaraju, Social activist, New Delhi</p> <p>53. Don Hasar, Social Activist, Himachal</p> <p>54. N. Indira Rani, Independent Researcher & MH Practitioner, Telangana</p> <p>55. Neha Saigal, Bangalore</p> <p>56. Renuka Kad, Researcher, Maharashtra</p> <p>57. Albertina Almeida, Advocate, Goa.</p> <p>58. Nikita Naidu, Climate Change and Regenerative Justice, Telangana</p> <p>59. Gouthami, Feminist, North Goa</p> <p>60. Rahee SG, PhD Student, New Delhi & ALIYSA, ALIFA, NAPM</p>	<p>51. Farha Qureshi, Lawyer, Delhi</p> <p>52. Gowtham, Law Student, Tiruchirapalli, Tamil Nadu</p> <p>53. Anju Rao G. Lawyer, Hyderabad</p>
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For your consideration, please find below links to relevant documents:

1. A **Clause-by-Clause Analysis of the Amendment Bill, 2026** in comparison with the Principal Act:
https://drive.google.com/file/d/1JI92q1CLKPvgpABCtdqebCRkG2tFYC-H/view?usp=drive_link
2. A copy of the **Principal Act, 2019**:
https://drive.google.com/file/d/13CtbGxzPMYqCXQ0Can-aX-Yd9f2lrUP4/view?usp=drive_link
3. A copy of the **Amendment Bill, 2026** with the Statement of Objects and Reasons:
https://drive.google.com/file/d/1394eTP1OTd06HDadFLjUAY5DGFZ8wjlv/view?usp=drive_link
4. A copy of the **NALSA judgement**:
https://drive.google.com/file/d/15obvpz91ekkqVND8cj6amAiFNARKllGd/view?usp=drive_link

Joint Submission by:

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