



Clinical Psychology Society of India (CPSI)

Reg. No. DRBI/SOR/96 2022-2023

Date: 07 April 2026

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Dr. Jamuna Rajeshwaran

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The Clinical Psychology Society of India has issued this statement in response to the Transgender Persons (Protection of Rights) Amendment Bill, 2026, which received Presidential assent on 31 March 2026. The CPSI is guided by the ethical obligation to speak when legislation bears directly on the well-being, dignity and access to care of vulnerable populations we serve.

- As an association, we express deep concern regarding the removal of the right to self-definition and the arbitrary exclusion of identities. The recent amendments conflate sex and gender, reverse rights recognised by the Supreme Court in the landmark *NALSA v. Union of India* (2014) ruling, and undermine the fundamental right to dignity, autonomy, and inclusion.
- The ICD-11, adopted by the WHO in 2019, and widely followed in India, recognises gender identity as relating to an individual's internal experience of gender, rather than external or medical determination, and places it outside the domain of mental disorders. This reflects a global shift towards more affirming, ethical and rights-based approaches. In clinical practice, we encounter a wide and diverse range of gender identities and expressions, underscoring the importance of legal and social systems that are responsive to this diversity.
- We raise concern that processes involving mandatory certification or medical review function as gatekeeping. These can create additional barriers for individuals already navigating systemic inequities and minority stress, which significantly impact mental health, help seeking and access to care. The CPSI emphasises the importance of trauma-informed, affirmative and non-pathologising approaches that recognise the broader systems shaping individual experiences.
- We reaffirm our commitment to ethical and professional standards of care, and an individual's right to dignity, confidentiality, informed consent, access to least restrictive care and their right to make decisions about treatment and care and (Sections 18, 20, 23, 2(j) & 2(i); Mental Health Care Act, 2017). These principles are foundational to our practice and guide our engagement with all individuals and communities.



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- We assure members of the transgender communities that we support the right to self-determination and recognise an inclusive range of gender expressions and identities. As clinical psychologists, we will continue to align with existing and evolving national and international ethical guidelines related to affirmative care, collaborate with other practitioners, and engage in ongoing learning and stay responsive to your needs.
- We strongly call for the government to withdraw the amendments and review them in meaningful consultation with transgender communities, health care practitioners, mental health service providers and other relevant stakeholders. Such a review can support alignment with constitutional values, established legal precedents, and contemporary scientific understanding, including the principles articulated in *NALSA v. Union of India (2014)*.
- We recommend revisions in the legal framework to restore and protect the right to self-determination of gender identity.
- We urge the government to ensure clear and accessible, non-exclusionary pathways for gender recognition in official documents such as Aadhaar and passports.
- Equitable access to healthcare, education, employment, and social participation must be guaranteed in order to reduce discrimination, support well-being and enable full and meaningful participation as citizens.
- Members of the CPSI are available to contribute to consultations, support the development of affirmative mental health services, and engage collaboratively in strengthening systems that are responsive, inclusive, ethical and grounded in care.
- We remain committed to ensuring that our professional spaces continue to be safe, respectful, and responsive for all individuals.



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This position statement was prepared by a team of six members of the CPSI, and by the members of the executive committee of the CPSI.

Yours Sincerely,


Dr Jamuna Rajeshwaran
President,
CPSI


Dr Suresh Kumar N
General Secretary,
CPSI



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