

Advocate's Check List (To Be Certified By Advocate-On-Record)

Indicate Yes or NA


1.	SLP (C) has been filed in Form No. 28 with certificate.	NA
2.	The Petition is as per the provisions of Order XV Rule 1.	Yes
3.	The papers of SLP have been arranged as per Order XXI, Rule (3) (1) (f).	NA
4.	Brief list of dates/events has been filed.	Yes
5.	Paragraphs and pages of paper books have been numbered consecutively and correctly noted in Index.	Yes
6.	Proper and required number of paper books (1 + 1) have been filed.	Yes
7.	The particulars of the impugned judgment passed by the court(s) below are uniformly written in all the documents.	NA
8.	In case of appeal by certificate the appeal is accompanied by judgment and decree appealed from and order granting certificate	NA
9.	The annexures referred to in the petition are true copies of the documents before the court(s) below and are filed in chronological order as per List of Dates.	Yes
10.	The annexures referred to in the petition are filed and indexed separately and not marked collectively.	Yes
11.	In SLP against the order passed in Second Appeal, copies of the orders passed by the Trial Court and First Appellate Court have been filed.	NA
12.	The complete listing proforma has been filled in, signed and included in the paper books.	Yes
13.	In a petition (PIL) filed under clause (d) of Rule 12 (1) Order XXXVIII, the petitioner has disclosed:	NA

	a.	His full name, complete postal address, e-mail address, phone number, proof regarding personal identification, occupation and annual income, PAN number and National Unique Identity Card Number, if any;	NA
	b.	The facts constituting the cause of actions;	NA
	c.	The nature of injury caused or likely to be caused to the public;	NA
	d.	The nature and extent of personal interest, if any, of the petitioner(s);	NA
	e.	Details regarding any civil, criminal or revenue litigation, involving the petitioner or any of the petitioners, which has or could have a legal nexus with the issue(s) involved in the Public Interest Litigation;	NA
14.		In case of appeals under Armed Forces Tribunal Act, 2007, the petitioner/appellant has moved before the Armed Forces Tribunal for granting certificate for leave to appeal to the Supreme Court.	NA
15.		All the paper-books to be filed after curing the defects shall be in order.	Yes

I hereby declare that I have personally verified the petition and its contents and it is in conformity with the Supreme Court Rules 2013. I certify that the above requirements of this Check List have been complied with. I further certify that all the documents necessary for the purpose of hearing of the matter have been filed.

Place: New Delhi

Dated: 24.04.2026

 **Filed By:**

Mr Yashwant Singh

Advocate for the Petitioner

AoR Code: 3912

Mobile No: +91- 9205638669

INDEX

S. No.	Particulars of Documents	Page No. of the part to which it belongs		Remarks
		Part I (Contents of Paper-book)	Part II (Contents of file alone)	
(i)	(ii)	(iii)	(iv)	(v)
1.	Office Report on Limitation.	A	A	
2.	Listing Proforma.	A-A1	A-A1	
3.	Cover Page of Paper-Book.	A2	A2	
4.	Index of Recor of Proceedings.	A3	A3	
5.	Defect List.	A4	A4	
6.	Note Sheet.	Ns1-Ns____	Ns1-Ns____	
7.	Synopsis & List of Dates & Events.	B-F		
8.	A Writ Petition under Article 32 of the Constitution seeking an invalidation of sections 2 (iv), 3 and 7 of the Transgender Persons (Protection of Rights) Amendment Act, 2026 for being unconstitutional and in teeth of binding authoritative pronouncements of this	1-11		

	Hon'ble Court with supporting affidavit.			
9.	Annexure P-1: A true copy of the Transgender Persons (Protection of Rights) Amendment Act, 2026.	12-16		
10.	Annexure P-2: A true copy of the Transgender Persons (Protection of Rights) Act, 2019 together with the Transgender Persons (Protection of Rights) Rules, 2020.	17-39		
11.	Annexure P-3: A true copy of the Petitioner's Elector Photo Identity Card.	40-41		
12.	I. A. No. _____ of 2026: An application for grant of Interim Stay.	42-44		
13.	Filing Memo.	45	45	
14.	Vakalatnama.	46	46	

Drawn By:

Harshit Anand, Adv.

Dated: 24.04.2026

Place: New Delhi

Filed By:



Mr. Yashwant Singh

Advocate for the Petitioner

PROFORMA FOR FIRST LISTING

SECTION - _____

The case pertains to (Please tick/check the correct box):

- ❖ Central Act : (Title) _____ NA _____
 - ❖ Section : _____ NA _____
 - ❖ Central Rule : (Title) _____ NA _____
 - ❖ Rule No(s): _____ NA _____
 - ❖ State Act : (Title) _____ NA _____
 - ❖ Section : _____ NA _____
 - ❖ State Rule : _____ NA _____
 - ❖ Rule No(s) : _____ NA _____
 - ❖ Impugned Interim Order : (Date) _____ NA _____
 - ❖ Impugned Final Order/Decree : (Date) _____ NA _____
 - ❖ High Court : (Name) _____ NA _____
 - ❖ Name of Judges : _____ NA _____
 - ❖ Tribunal/Authority : (Name) _____ NA _____
-

1. Nature of matter : _____ Civil _____
2. (a) Petitioner/appellant No. 1: Apratim Roy @ Suprava Roy.
(b) e-mail ID : _____ NA _____
(c) Mobile phone number: _____ NA _____
3. (a) Respondent No. 1 : _____ Union of India _____
(b) e-mail ID : _____ NA _____
(c) Mobile phone number: _____ NA _____
4. (a) Main category classification: 09: Civil Matters
(b) Sub classification: 0905: Any matter arising out of Civil Suit/Proceedings which is not covered in any of the above
5. Not to be listed before: _____ No _____
6. (a) Similar disposed of matter with citation, if any & case details: No similar disposed of matters

(b) Similar pending matter with case details: No similar pending matters

7. Criminal Matters:

(a) Whether accused/convict has surrendered: ___ No ___

(b) FIR No. _____ No _____, Date: _____ No _____

(c) Police Station: _____ No _____

(d) Sentence Awarded: ___ No _____

(e) Period of sentence undergone including period of Detention/Custody Undergone: ___ No _____

(f) Whether any earlier case between the same parties is filed: No

(g) Particulars of the FIR and Case: _____ No _____

(h) Whether any bail application was preferred earlier and decision thereupon: _____ No _____

8. Land Acquisition Matters :

(a) Date of section 4 notification: _____ NA _____

(b) Date of section 6 notification: _____ NA _____

(c) Date of section 17 notification: _____ NA _____

9. Tax Matters: State the tax effect: _____ NA _____

10. Special Category (first petitioner/appellant only): Senior citizen > 65 years _____, SC/ST _____, Woman/Child _____, Disabled _____, Legal Aid Case _____, In Custody NA.

11. Vehicle Number (in case of Motor Accident Claim matters) _____ NA _____

12. Whether there was / is litigation on the same point of law, if yes, details thereof: _____ No _____

Date: 24.04.2026



AoR for Petitioner(s)/Appellant(s)

(Name): **Yashwant Singh**

Registration No. **3912** Email: yashwant.aor@gmail.com

**IN THE SUPREME COURT OF INDIA
EXTRAORDINARY ORIGINAL JURISDICTION**

(Under Article 32 of the Constitution of India)

WRIT PETITION (CIVIL) NO. ____ OF 2026

(A Writ Petition under Article 32 of the Constitution seeking an invalidation of sections 2 (iv), 3 and 7 of the Transgender Persons (Protection of Rights) Amendment Act, 2026 for being unconstitutional and in teeth of binding authoritative pronouncements of this Hon'ble Court)

IN THE MATTER OF:

Apratim Roy @ Suprava Roy

... Petitioner

VERSUS

Union of India

... Respondent

AND WITH

I. A. No. _____ of 2026

An application for grant of Interim Stay

For Paper-Book Index

Kindly See Inside Paper-Book

Advocate for the Petitioner: Mr. Yashwant Singh

SYNOPSIS

The Petitioner in the present case is a transgender person (transgender woman) directly and personally aggrieved by the provisions of the Transgender Persons (Protection of Rights) Amendment Act, 2026 (**Amendment Act**), more specifically Sections 2(iv), 3 and 7 which amend Sections 2(k), 4 and 18 of the Transgender Persons (Protection of Rights) Act of 2019 (**2019 Act**).

One of the foremost effects of the aforesaid provisions is that the Petitioner's identity as a transgender woman stands completely nullified, the consequence of which is that they shall no longer be recognised as a 'transgender person' once the Amendment Act is operationalised through framing of rules. Three major constitutional problems persist with the new Amendment Act:

Section 2(iv) of the Amendment Act

Firstly, the 2019 Act defined a transgender person basis the mismatch between assigned gender and self-perceived gender. The Amendment Act replaces the psychological aspect with biological criteria (congenital variations) or socio-cultural caste/community membership.

This has the effect of excluding transgender men and transgender women, stripping off the legal recognition accorded to binary and non-binary trans persons. This baseless exclusion by itself constitutes an irrational under-inclusiveness and falls foul of the test of non- arbitrariness enshrined under Article 14.

The prejudice implicit in the new Amendment Act is borne out of the fact that it also defines 'transgender person' as someone compelled to assume the identity. Victim of a crime can never

assume an identity by virtue of that crime, as it is not a legitimate form of self-expression.

Section 3 of the Amendment Act

Secondly, the earlier regime under the 2019 Act laid down that a person recognised as transgender shall have a right to self-perceived gender identity. The present Amendment omits this express right and retrogresses on the principle of self-determination which is the heart of the right to legal recognition of gender identity upheld in *NALSA v. Union of India (2014) 5 SCC 438 (NALSA)*.

This Hon'ble Court traced this right to determine one's gender as an integral part of the fundamental Right to Life under Art. 21. Thus, the new framework is directly in the teeth of the binding authoritative pronouncement in *NALSA*.

The new Amendment militates against reasonableness as well as privacy, as the individual's identity is now subject to arbitrary scrutiny, with both the State as well as the Medical Boards having wide and unbridled discretion to decide their fate.

Section 7 of the Amendment Act

Thirdly, the new Amendment adds specific clauses (e), (f), (g) and (h) to Section 18 regarding offences of kidnapping, emasculation, and compelling a child/adult to 'outwardly present a transgender identity' with prescribed penalty of life imprisonment for certain offences.

In that, the new Amendment marks a revival of the colonial-era stigmatic laws such as the Criminal Tribes Act 1871, the Telangana Eunuchs Act 1919, the Habitual Offenders Act 1952, the Bombay Prevention of Begging Act 1959, and the Immoral

D

Traffic (Prevention) Act 1956, which labelled and systematically persecuted gender-diverse communities as ‘criminals by birth’ or ‘habitual offenders.’

The amended Clause 18 is not rooted in any kind of evidence or scientific basis. There exists no documented data on ‘allurement’ or ‘forcible conversions’ of individuals into transgender persons. The clause therefore is a mindless codification of unscientific stigmatic stereotypes attached to transgender persons.

Clause 18 is also susceptible to misuse and falls foul of the fifth prong of proportionality, which mandates sufficient safeguards against potential abuse. It can be weaponised to target caregivers and support groups which support the physical and mental well-beings of transgender persons facing abuse at the hands of their family etc.

The impugned Amendment Act further endeavours to create a state-run surveillance registry of gender-affirming procedures which violates medical confidentiality, privacy rights, and decisional autonomy protected under Article 21. Compulsory reporting also stigmatises medically necessary healthcare and deters individuals from seeking care.

The Petitioner suffers direct and personal harm from the enactment of the impugned Amendment Act, as their identity as a transgender woman stands obliterated; the new law, that is the impugned Amendment, refuses to recognise their existence.

Unless the Petitioner is recognised as a ‘transgender person’ under the protective legislation, they would not be able to claim any protection and/or benefits arising therefrom; the new law

therefore has the effect of unjustifiably excluding the Petitioner from the umbrella of a beneficial legislation to which they are validly entitled.

Hence, the present Writ Petition.

LIST OF DATES AND EVENTS

Date	Particulars
2014-2018	<p>This Hon'ble Court has affirmed that:</p> <ul style="list-style-type: none">(i) transgender persons constitute the third gender and that gender identity is based on self-identification and is a psychological phenomenon (<i>NALSA</i>);(ii) Right to privacy, dignity and autonomy are fundamental rights under Article 21 (<i>Justice K.S. Puttaswamy(Retd.) And Anr. vs. Union of India And Ors. [2017] 10 S.C.R. 569</i>) ; and(iii) identity and autonomy are intrinsic to dignity and personal liberty (<i>Navtej Singh Johar vs. Union of India AIR 2018 SC 4321</i>);
2019	<p>Pursuant to the judgment in <i>NALSA</i>, the Transgender Persons (Protection of Rights) Act, 2019 was enacted which, <i>inter alia</i>, recognised self-perceived gender identity.</p>
2020	<p>Under the 2019 Act, the National Council for Transgender Persons was constituted to advise the</p>

Date	Particulars
	Government on policies for protection of rights and welfare of transgender persons;
October 2025	This Hon'ble Court, while hearing a case concerning discrimination against a transgender person, constituted an Advisory Committee headed by Justice Asha Menon, comprising representatives of Union Ministries, to formulate a policy framework to give effect to the 2019 Act;
13.03.2026	The Transgender Persons (Protection of Rights) Amendment Bill, 2026 (Amendment Bill) was introduced in Lok Sabha to amend the 2019 Act;
20.03.2026	The said Advisory Committee held a meeting and passed a resolution stating that the Amendment Bill was contrary to the judgment in <i>NALSA</i> ;
25.03.2026	The Advisory Committee formally recommended that the Amendment Bill be withdrawn and called for wider community consultation before any amendment to the 2019 Act.
	On the same date, the Amendment Bill was passed by the Rajya Sabha, thereby completing its passage through both houses of the Parliament;
30.03.2026	The Amendment Bill received the assent of the President and was published in the Extraordinary Gazette of India, thus becoming the law of the land;

**IN THE SUPREME COURT OF INDIA
EXTRAORDINARY ORIGINAL JURISDICTION
(Under Article 32 of the Constitution of India)**

WRIT PETITION (CIVIL) NO. ____ OF 2026

(A Writ Petition under Article 32 of the Constitution seeking an invalidation of sections 2 (iv), 3 and 7 of the Transgender Persons (Protection of Rights) Amendment Act, 2026 for being unconstitutional and in teeth of binding authoritative pronouncements of this Hon'ble Court)

IN THE MATTER OF:

Apratim Roy @ Suprava Roy, S/o Snehasish Roy, Aged- About 35 years, By religion- Hindu, R/o 15/14, Umesh Banerjee Lane, Howrah-711101 **... Petitioner**

Versus

Union of India, Through Secretary, Ministry of Law and Justice, 4th Floor, A Wing, Shastri Bhawan, New Delhi-110001 **... Respondent**

A WRIT PETITION UNDER ARTICLE 32 OF THE CONSTITUTION SEEKING AN INVALIDATION OF SECTIONS 2(iv), 3 AND 7 OF THE TRANSGENDER PERSONS (PROTECTION OF RIGHTS) AMENDMENT ACT, 2026 FOR BEING UNCONSTITUTIONAL AND IN TEETH OF BINDING AUTHORITATIVE PRONOUNCEMENTS OF THIS HON'BLE COURT

TO,

THE HON'BLE CHIEF JUSTICE

AND HIS COMPANION JUSTICES OF THE

HON'BLE SUPREME COURT OF INDIA

THE HUMBLE PETITION OF
THE PETITIONER HEREIN

MOST RESPECTFULLY SHOWETH THAT:

1. The present Writ Petition is being filed under Article 32 of the Constitution of India seeking an invalidation of Sections 2(iv), 3 and 7 of the Transgender Persons (Protection of Rights) Amendment Act, 2026 (**Amendment Act**); A true copy of the Transgender Persons (Protection of Rights) Amendment Act, 2026 is annexed hereto and marked as **Annexure P-1** from pages 12 to 16.
2. The aforesaid provisions Sections 2(iv), 3 and 7 of the Amendment Act amend Sections 2(k), 4 and 18 of the Transgender Persons (Protection of Rights) Act of 2019 (**2019 Act**) for being unconstitutional and in teeth of binding authoritative pronouncements of this Hon'ble Court; A true copy of the Transgender Persons (Protection of Rights) Act, 2019 together with the Transgender Persons (Protection of Rights) Rules, 2020 is annexed hereto and marked as **Annexure P-2** from pages 17 to 39.
3. The Petitioner in the present case is a transgender person (transgender woman) who is directly and personally aggrieved by the provisions of the Amendment Act, which establish a regime of surveillance and medical and administrative certification of gender identity while rejecting the constitutionally mandated rights-based framework of self-identification; A true copy of the Petitioner's Elector Photo Identity Card is annexed hereto and marked as **Annexure P-3** from pages 40 to 41.

4. One of the foremost effects of the aforesaid provisions is that the Petitioner's identity as a transgender woman stands completely nullified, the consequence of which is that they shall no longer be recognised as a 'transgender person' once the Amendment Act is operationalised through framing of rules;
5. The Petitioner suffers direct and personal harm from the enactment of the impugned Amendment Act, as their identity as a transgender woman stands obliterated; the new law, that is the impugned Amendment, refuses to recognise their existence;
6. Unless the Petitioner is recognised as a 'transgender person' under the protective legislation, they would not be able to claim any protection and/or benefits arising therefrom; the new law therefore has the effect of unjustifiably excluding the Petitioner from the umbrella of a beneficial legislation to which they are validly entitled;
7. The Amendment Act fundamentally alters the nature of identity recognition from a personal and autonomous determination to a State-controlled process and enables excessive State control over matters that are inherently personal and private;
8. It proceeds on an erroneous understanding of gender as a biological or medically verifiable condition, contrary to the law laid down by this Hon'ble Court and contemporary medical understanding which recognises gender as an internal and self-identified aspect of identity;

9. The Petitioner humbly submits that the impugned Amendment Act and the present petition may have far-reaching consequences on the identity, dignity and legal recognition of transgender persons across the country, and the Petitioner craves leave to place additional facts, documents and grounds on record during the course of arguments;

GROUNDS

- I. Sections 2(iv) and 3 of the impugned Amendment Act completely obliterate transgender men and transgender women by denying them legal recognition***
- A.** BECAUSE the 2019 Act defined a transgender person basis the mismatch between assigned gender and self-perceived gender. The Amendment Act replaces the psychological aspect with biological criteria (congenital variations) or socio-cultural caste/community membership;
- B.** BECAUSE this has the effect of excluding transgender men and transgender women, stripping off the legal recognition accorded to binary and non-binary trans persons. This baseless exclusion by itself constitutes an irrational under-inclusiveness and falls foul of the test of non-arbitrariness enshrined under Article 14;
- C.** BECAUSE the prejudice implicit in the new Amendment Act is borne out of the fact that it also defines ‘transgender person’ as someone compelled to assume the identity. Victim of a crime can never assume

an identity by virtue of that crime, as it is not a legitimate form of self-expression;

- D. BECAUSE the earlier regime under the 2019 Act laid down that a person recognised as transgender shall have a right to self-perceived gender identity. The present Amendment omits this express right and retrogresses on the principle of self-determination which is the heart of the right to legal recognition of gender identity upheld in *NALSA*;
- E. BECAUSE this Hon'ble Court traced this right to determine one's gender as an integral part of the fundamental Right to Life under Art. 21. Thus, the new framework is directly in the teeth of the binding authoritative pronouncement in *NALSA*;
- F. BECAUSE the new Amendment militates against reasonableness as well as privacy, as the individual's identity is now subject to arbitrary scrutiny, with both the State as well as the Medical Boards having wide and unbridled discretion to decide their fate.

II. Section 7 of the impugned Amendment Act criminalises care work and has potential for abuse against caregivers and medical practitioners

- G. BECAUSE the new Amendment adds specific clauses (e), (f), (g) and (h) to Section 18 regarding offences of kidnapping, emasculation, and compelling a child/adult to 'outwardly present a transgender identity' with prescribed penalty of life imprisonment for certain offences;

- H.** BECAUSE in that, the new Amendment marks a revival of the colonial-era stigmatic laws such as the Criminal Tribes Act 1871, the Telangana Eunuchs Act 1919, the Habitual Offenders Act 1952, the Bombay Prevention of Begging Act 1959, and the Immoral Traffic (Prevention) Act 1956, which labelled and systematically persecuted gender-diverse communities as ‘criminals by birth’ or ‘habitual offenders.’;
- I.** BECAUSE the amended Clause 18 is not rooted in any kind of evidence or scientific basis. There exists no documented data on ‘allurement’ or ‘forcible conversions’ of individuals into transgender persons. The clause therefore is a mindless codification of unscientific stigmatic stereotypes attached to transgender persons;
- J.** BECAUSE Clause 18 is also susceptible to misuse and falls foul of the fifth prong of proportionality, which mandates sufficient safeguards against potential abuse. It can be weaponised to target caregivers and support groups which support the physical and mental well-beings of transgender persons facing abuse at the hands of their family etc;
- K.** BECAUSE the impugned Amendment Act further endeavours to create a state-run surveillance registry of gender-affirming procedures which violates medical confidentiality, privacy rights, and decisional autonomy protected under Article 21. Compulsory reporting also

stigmatises medically necessary healthcare and deters individuals from seeking care;

III. The impugned Amendment Act shifts the framework from one based on psychological self-identification to one based on medical validation

- L.** BECAUSE Section 2(aa) of the impugned Amendment Act which defines “*Authority*” as a medical board institutionalises medical gatekeeping in the recognition of gender identity, thereby shifting the framework from one based on psychological self-identification to one based on medical validation;
- M.** BECAUSE the requirement of medical and administrative certification under Sections 4 and 5 impose an additional burden solely on transgender persons, and creates an irrational and duplicative process lacking any intelligible differentia or rational nexus with the object of the Act;
- N.** BECAUSE the introduction of discretionary consultation with “medical experts” creates unguided and excessive administrative discretion;
- O.** BECAUSE the requirement of certification through medical boards and approval by the District Magistrate as well as mandatory reporting of gender-affirming procedures constitutes an intrusion into bodily autonomy, decisional privacy and informational privacy;

- P. BECAUSE compulsory reporting of medical procedures stigmatises gender-affirming healthcare and deters individuals from seeking necessary treatment;
- Q. BECAUSE the substitution of the term “*may*” with “*shall*” under Section 5 compels individuals to undergo a mandatory legal process upon medical transition, thereby removing individual choice and autonomy in managing identity;
10. It is submitted that given the impugned Amendment Act not only directly infringes the rights of the Petitioner but also has ramifications for transgender persons across the country, the Petitioner has no other efficacious remedy except before this Hon’ble Court to seek the reliefs as prayed for herein;
11. The Petitioner prays for liberty to add or amend the facts and grounds set out in this Petition;
12. No Petition or proceeding has been filed before any other court or tribunal for the same or similar reliefs;
13. The present Petition is made *bona fide* and for the ends of justice.

PRAYER

Therefore, in the facts and circumstances narrated above, it is humbly prayed before this Hon’ble Court that may graciously be pleased to:

- (a) Issue a writ of mandamus, or any other appropriate writ, order, or direction, declaring Sections 2(iv), 3 and 7 of the Transgender Persons (Protection of Rights) Amendment Act, 2026 as unconstitutional for violating Article 14, 15, 19 and 21 of the Constitution and binding pronouncements of this

Hon'ble Court in *NALSA, Justice K.S. Puttaswamy (Retd.) and Navtej Singh Johar*;

- (b) In the alternative, and without prejudice to prayer (a), issue an appropriate writ, order or direction reading down the impugned provisions so as to restore and preserve the constitutional right to self-identified gender identity, and to exclude any requirement of compulsory medical or administrative certification for the legal recognition of gender identity;
- (c) Issue an appropriate writ, order or direction directing that all transgender persons who have obtained identity certificates, benefits, or entitlements under the Transgender Persons (Protection of Rights) Act, 2019 shall not be adversely affected, disturbed, or subjected to re-certification pursuant to the impugned Amendment Act;
- (d) Pass such other or further order(s) as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case, in the interest of justice, equity, and protection of fundamental rights.

**AND FOR THIS ACT OF KINDNESS THE PETITIONER
AS IN DUTY BOUND SHALL EVER PRAY.**

Drawn By:

Harshit Anand, Adv.

Dated: 24.04.2026

Place: New Delhi

Filed By:



Mr. Yashwant Singh

Advocate for the Petitioner

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION
WRIT PETITION (C) NO. _____ OF 2026

10

IN THE MATTER OF :

APRATIM ROY @ SUPRAVA ROY

PETITIONER

VERSUS

UNION OF INDIA & ORS

RESPONDENTS

AFFIDAVIT

450-17-4-2026
Sl. No.

I, **APRATIM ROY @ SUPRAVA ROY**, S/o Snehasish Roy, aged about 35 years, by religion – Hindu, R/O, 15/14, Umesh Banerjee Lane, Howrah – 711101, do hereby solemnly affirm and declare on oath as under :-

1. I am the Petitioner I am authorized to act on its behalf and well conversant with the facts and circumstances of the case and as such competent to swear this affidavit.
2. I state that the Petition and the accompanying applications have been drafted strictly as per my instructions. I have understood the contents of the Synopsis and List of Dates from Pages B to F, paragraphs 1 to 13 on Pages 1 to 9, of the accompanying Petition and the applications at Pages 42 to 44 and state that the facts stated therein are true to my knowledge, information and



17 APR 2026

belief based on the record of the case. Parties to the present **11**

Petition are same as they were before the court below.

3. The Petitioner has not filed any other petition before this Hon'ble Court against the Impugned Order of the High Court.
4. No fact which was placed before the court below has been placed in the Petition. The annexures are true copy of their respective originals.

Identification of Advocate
Solemnly Affirmed Before
Swapna Das
SWAPNA DAS
Notary Govt. of India
Regn. No. 13814/18
JUDGES' COURT HOWRAH

Abirajit Roy
DEPONENT

VERIFICATION:

Verified at Howrah on the 17 day of April 2026
that the facts stated in paras 1 to 4 herein are true to my knowledge and
belief no part of it is false and nothing material has been concealed
therefrom.

Abirajit Roy
DEPONENT

Identified by me

Deborah Majumdar
Advocate
17/21/04/2026



17 APR 2026



भारत का राजपत्र The Gazette of India

सी.जी.-डी.एल.-अ.-31032026-271438
CG-DL-E-31032026-271438

असाधारण

EXTRAORDINARY

भाग II — खण्ड 1

PART II — Section 1

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं० 8]

नई दिल्ली, सोमवार, मार्च 30, 2026/चैत्र 9, 1948 (शक)

No. 8]

NEW DELHI, MONDAY, MARCH 30, 2026/CHAITRA 9, 1948 (SAKA)

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW AND JUSTICE (Legislative Department)

New Delhi, the 30th March, 2026/Chaitra 9, 1948 (Saka)

The following Act of Parliament received the assent of the President on the 30th March, 2026 and is hereby published for general information:—

THE TRANSGENDER PERSONS (PROTECTION OF RIGHTS) AMENDMENT ACT, 2026

(No. 3 OF 2026)

[30th March, 2026]

An Act to amend the Transgender Persons (Protection of Rights) Act, 2019.

BE it enacted by Parliament in the Seventy-seventh Year of the Republic of India as follows:—

1. (1) This Act may be called the Transgender Persons (Protection of Rights) Amendment Act, 2026.

Short title and commencement.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

40 of 2019.

2. In section 2 of the Transgender Persons (Protection of Rights) Act, 2019 (hereinafter referred to as the principal Act),—

Amendment of section 2.

(i) for clause (a), the following clause shall be substituted, namely:—

‘(a) “appropriate Government” means—

(i) in relation to the Central Government or any establishment wholly or substantially financed by that Government, the Central Government;

(ii) in relation to a State Government or any establishment wholly or substantially financed by that Government, or any local authority within a State, the State Government;

(iii) in relation to a Union territory or any establishment wholly or substantially financed by the Central Government in that Union territory, the Administrator thereof appointed under article 239 of the Constitution or such authority as may be specified by the Central Government;’;

(ii) after clause (a), the following clause shall be inserted, namely:—

‘(aa) “authority” means a medical board, headed by a Chief Medical Officer or a Deputy Chief Medical Officer, as may be appointed by the Central Government, State Government or Union territory Administration;’;

(iii) clause (i) shall be omitted;

(iv) for clause (k), the following clause shall be substituted, namely:—

‘(k) “transgender person” means—

(i) a person having such socio-cultural identities as *kinner*, *hijra*, *aravani* and *jogta*, or eunuch, or a person with intersex variations specified below or a person who, at birth, has a congenital variation in one or more of the following sex characteristics as compared to male or female development:—

(a) primary sexual characteristics;

(b) external genitalia;

(c) chromosomal patterns;

(d) gonadal development;

(e) endogenous hormone production or response, or such other medical conditions; or

(ii) any person or child who has been, by force, allurement, inducement, deceit or undue influence, either with or without consent, compelled to assume, adopt, or outwardly present a transgender identity, by mutilation, emasculation, castration, amputation, or any surgical, chemical, or hormonal procedure or otherwise:

Provided that it shall not include, nor shall ever have been so included, persons with different sexual orientations and self-perceived sexual identities.’.

Amendment
of section 4.

Amendment of
section 6.

3. In section 4 of the principal Act, sub-section (2) shall be omitted.

4. In section 6 of the principal Act,—

(a) in sub-section (1), for the words “District Magistrate”, the words “District Magistrate, after examining the recommendation of the authority and, if he considers either necessary or desirable, after taking the assistance of other medical experts” shall be substituted;

(b) after sub-section (3), the following sub-section shall be inserted, namely:—

“(4) The person who has been issued a certificate of identity under sub-section (1) and is so declared as a transgender person within the definition under this Act shall be entitled to change the first name in the birth certificate and all other official documents relating to the identity of such person.”.

5. In section 7 of the principal Act,—

(a) in sub-section (1), for the words “such person may”, the words “such person shall” shall be substituted;

(b) after sub-section (1), the following sub-section shall be inserted, namely:—

“(1A) The medical institution in which the person who has undergone surgery to change gender, either as male or female, shall furnish the details of such person to the concerned District Magistrate and the authority in such form and manner as may be prescribed.”;

(c) for sub-section (2), the following sub-section shall be substituted, namely:—

“(2) A person referred to in sub-section (1) shall also make an application to the District Magistrate who shall, on receipt of an application along with the certificate issued by the Medical Superintendent or Chief Medical Officer, and on being satisfied with the correctness of such certificate, issue a certificate indicating change in gender in such form and manner and within such time, as may be prescribed.”;

(d) sub-section (3) and the proviso shall be omitted.

6. In section 16 of the principal Act, in sub-section (2), for clause (f), the following clause shall be substituted, namely:—

“(f) representatives of the State Governments and Union territories Administration, by rotation, one each from North, South, East, West and North-East regions, not below the rank of Director in the concerned Ministry or Department, to be nominated by the Central Government, Members, *ex officio*.”.

7. For section 18 of the principal Act, the following section shall be substituted, namely:—

“18. Whoever,—

(a) compels or entices a transgender person to indulge in the act of forced or bonded labour other than any compulsory service for public purposes imposed by Government, shall be punishable with imprisonment for a term which shall not be less than six months but which may extend to two years and with fine;

(b) denies a transgender person the right of passage to a public place or obstructs such person from using or having access to a public place to which other members have access to or a right to use, shall be punishable with imprisonment for a term which shall not be less than six months but which may extend to two years and with fine;

(c) forces or causes a transgender person to leave household, village or other place of residence, shall be punishable with imprisonment for a term which shall not be less than six months but which may extend to two years and with fine;

Amendment of section 7.

Amendment of section 16.

Substitution of new section for section 18.

Offences and penalties.

(d) harms or injures or endangers the life, safety, health or well-being, whether mental or physical, of a transgender person or tends to do acts including causing physical abuse, sexual abuse, verbal and emotional abuse and economic abuse, shall be punishable with imprisonment for a term which shall not be less than six months but which may extend to two years and with fine;

(e) kidnaps or abducts any adult person and causes—

(i) grievous hurt to such person, whether by mutilation, emasculation, castration, amputation, or any surgical, chemical, or hormonal procedure; or

(ii) permanent or severe injury to the body or bodily functions of such person,

with the intent of, or in the course of, compelling such person to assume, adopt, or outwardly present a transgender identity against the will or consent of such person, whether by force, allurements, deceit, undue influence or otherwise, shall be punishable with rigorous imprisonment for a term which shall not be less than ten years but which may extend to imprisonment for life, and shall also be liable to fine which shall not be less than two lakh rupees;

(f) kidnaps or abducts any child and causes—

(i) grievous hurt to such child, whether by mutilation, emasculation, castration, amputation, or any surgical, chemical, or hormonal procedure; or

(ii) permanent or severe injury to the body or bodily functions of such child,

with the intent of, or in the course of, compelling such child to assume, adopt, or outwardly present a transgender identity, whether by force, allurements, deceit, undue influence or otherwise, shall be punishable with rigorous imprisonment for life, and shall also be liable to fine which shall not be less than five lakh rupees;

(g) by force, threat, coercion, allurements, deception, inducement, or undue influence—

(i) compels any person, whether or not such person is a transgender person, to dress, present, or conduct themselves outwardly as a transgender person against the will of such person; and

(ii) employs, uses, or causes such person to engage in begging, solicitation, servitude, or any other form of forced or bonded labour while so presenting,

shall be punishable with rigorous imprisonment for a term which shall not be less than five years but which may extend to ten years, and shall also be liable to fine which shall not be less than one lakh rupees; and

(h) by force, threat, coercion, allurements, deception, inducement, undue influence or otherwise—

(i) compels any child, whether or not such child is a transgender person, to dress, present, or conduct themselves outwardly as a transgender person; and

(ii) employs, uses, or causes such child to engage in begging, solicitation, servitude, or any other form of forced or bonded labour while so presenting,

shall be punishable with rigorous imprisonment for a term which shall not be less than ten years but which may extend to fourteen years, and shall also be liable to fine which shall not be less than three lakh rupees.”.

8. In section 22 of the principal Act, in sub-section (2),—

(a) in clause (c), after the word, brackets and figure “sub-section (1)”, the words, brackets, figure and letter “and the form and manner of details to be furnished by the medical institution under sub-section (1A),” shall be inserted;

(b) in clause (d), the word “revised” shall be omitted.

Amendment of
section 22.

DR. RAJIV MANI,
Secretary to the Govt. of India.

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Annexure P-2

रजिस्ट्री सं० डी० एल०—(एन)04/0007/2003—19

REGISTERED NO. DL—(N)04/0007/2003—19



भारत का राजपत्र

The Gazette of India

असाधारण

EXTRAORDINARY

भाग II — खण्ड 1

PART II — Section 1

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW AND JUSTICE

(Legislative Department)

New Delhi, the 5th December, 2019/Agrahayana 14, 1941 (Saka)

The following Act of Parliament received the assent of the President on the 5th December, 2019, and is hereby published for general information:—

THE TRANSGENDER PERSONS (PROTECTION OF RIGHTS) ACT, 2019

No. 40 OF 2019

[5th December, 2019.]

An Act to provide for protection of rights of transgender persons and their welfare and for matters connected therewith and incidental thereto.

BE it enacted by Parliament in the Seventieth Year of the Republic of India as follows:—

CHAPTER I

PRELIMINARY

1. (1) This Act may be called the Transgender Persons (Protection of Rights) Act, 2019.

Short title,
extent and
commencement.

(2) It extends to the whole of India.

(3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Definitions.

2. In this Act, unless the context otherwise requires,—

(a) "appropriate Government" means,—

(i) in relation to the Central Government or any establishment, wholly or substantially financed by that Government, the Central Government;

(ii) in relation to a State Government or any establishment, wholly or substantially financed by that Government, or any local authority, the State Government;

(b) "establishment" means—

(i) any body or authority established by or under a Central Act or a State Act or an authority or a body owned or controlled or aided by the Government or a local authority, or a Government company as defined in section 2 of the Companies Act, 2013, and includes a Department of the Government; or

18 of 2013.

(ii) any company or body corporate or association or body of individuals, firm, cooperative or other society, association, trust, agency, institution;

(c) "family" means a group of people related by blood or marriage or by adoption made in accordance with law;

(d) "inclusive education" means a system of education wherein transgender students learn together with other students without fear of discrimination, neglect, harassment or intimidation and the system of teaching and learning is suitably adapted to meet the learning needs of such students;

(e) "institution" means an institution, whether public or private, for the reception, care, protection, education, training or any other service of transgender persons;

(f) "local authority" means the municipal corporation or Municipality or Panchayat or any other local body constituted under any law for the time being in force for providing municipal services or basic services, as the case may be, in respect of areas under its jurisdiction;

(g) "National Council" means the National Council for Transgender Persons established under section 16;

(h) "notification" means a notification published in the Official Gazette;

(i) "person with intersex variations" means a person who at birth shows variation in his or her primary sexual characteristics, external genitalia, chromosomes or hormones from normative standard of male or female body;

(j) "prescribed" means prescribed by rules made by the appropriate Government under this Act; and

(k) "transgender person" means a person whose gender does not match with the gender assigned to that person at birth and includes trans-man or trans-woman (whether or not such person has undergone Sex Reassignment Surgery or hormone therapy or laser therapy or such other therapy), person with intersex variations, genderqueer and person having such socio-cultural identities as *kinner*, *hijra*, *aravani* and *jogta*.

CHAPTER II

PROHIBITION AGAINST DISCRIMINATION

Prohibition
against
discrimination.

3. No person or establishment shall discriminate against a transgender person on any of the following grounds, namely:—

(a) the denial, or discontinuation of, or unfair treatment in, educational establishments and services thereof;

(b) the unfair treatment in, or in relation to, employment or occupation;

(c) the denial of, or termination from, employment or occupation;

(d) the denial or discontinuation of, or unfair treatment in, healthcare services;

(e) the denial or discontinuation of, or unfair treatment with regard to, access to, or provision or enjoyment or use of any goods, accommodation, service, facility, benefit, privilege or opportunity dedicated to the use of the general public or customarily available to the public;

(f) the denial or discontinuation of, or unfair treatment with regard to the right of movement;

(g) the denial or discontinuation of, or unfair treatment with regard to the right to reside, purchase, rent, or otherwise occupy any property;

(h) the denial or discontinuation of, or unfair treatment in, the opportunity to stand for or hold public or private office; and

(i) the denial of access to, removal from, or unfair treatment in, Government or private establishment in whose care or custody a transgender person may be.

CHAPTER III

RECOGNITION OF IDENTITY OF TRANSGENDER PERSONS

4. (1) A transgender person shall have a right to be recognised as such, in accordance with the provisions of this Act.

Recognition of identity of transgender person.

(2) A person recognised as transgender under sub-section (1) shall have a right to self-perceived gender identity.

5. A transgender person may make an application to the District Magistrate for issuing a certificate of identity as a transgender person, in such form and manner, and accompanied with such documents, as may be prescribed:

Application for certificate of identity.

Provided that in the case of a minor child, such application shall be made by a parent or guardian of such child.

6. (1) The District Magistrate shall issue to the applicant under section 5, a certificate of identity as transgender person after following such procedure and in such form and manner, within such time, as may be prescribed indicating the gender of such person as transgender.

Issue of certificate of identity.

(2) The gender of transgender person shall be recorded in all official documents in accordance with certificate issued under sub-section (1).

(3) A certificate issued to a person under sub-section (1) shall confer rights and be a proof of recognition of his identity as a transgender person.

Change in
gender.

7. (1) After the issue of a certificate under sub-section (1) of section 6, if a transgender person undergoes surgery to change gender either as a male or female, such person may make an application, along with a certificate issued to that effect by the Medical Superintendent or Chief Medical Officer of the medical institution in which that person has undergone surgery, to the District Magistrate for revised certificate, in such form and manner as may be prescribed.

(2) The District Magistrate shall, on receipt of an application along with the certificate issued by the Medical Superintendent or Chief Medical Officer, and on being satisfied with the correctness of such certificate, issue a certificate indicating change in gender in such form and manner and within such time, as may be prescribed.

(3) The person who has been issued a certificate of identity under section 6 or a revised certificate under sub-section (2) shall be entitled to change the first name in the birth certificate and all other official documents relating to the identity of such person:

Provided that such change in gender and the issue of revised certificate under sub-section (2) shall not affect the rights and entitlements of such person under this Act.

CHAPTER IV

WELFARE MEASURES BY GOVERNMENT

Obligation of
appropriate
Government.

8. (1) The appropriate Government shall take steps to secure full and effective participation of transgender persons and their inclusion in society.

(2) The appropriate Government shall take such welfare measures as may be prescribed to protect the rights and interests of transgender persons, and facilitate their access to welfare schemes framed by that Government.

(3) The appropriate Government shall formulate welfare schemes and programmes which are transgender sensitive, non-stigmatising and non-discriminatory.

(4) The appropriate Government shall take steps for the rescue, protection and rehabilitation of transgender persons to address the needs of such persons.

(5) The appropriate Government shall take appropriate measures to promote and protect the right of transgender persons to participate in cultural and recreational activities.

CHAPTER V

OBLIGATION OF ESTABLISHMENTS AND OTHER PERSONS

Non-
discrimination
in
employment.

9. No establishment shall discriminate against any transgender person in any matter relating to employment including, but not limited to, recruitment, promotion and other related issues.

Obligations of
establishments.

10. Every establishment shall ensure compliance with the provisions of this Act and provide such facilities to transgender persons as may be prescribed.

Grievance
redressal
mechanism.

11. Every establishment shall designate a person to be a complaint officer to deal with the complaints relating to violation of the provisions of this Act.

Right of
residence.

12. (1) No child shall be separated from parents or immediate family on the ground of being a transgender, except on an order of a competent court, in the interest of such child.

(2) Every transgender person shall have—

(a) a right to reside in the household where parent or immediate family members reside;

(b) a right not to be excluded from such household or any part thereof; and

(c) a right to enjoy and use the facilities of such household in a non-discriminatory manner.

(3) Where any parent or a member of his immediate family is unable to take care of a transgender, the competent court shall by an order direct such person to be placed in rehabilitation centre.

CHAPTER VI

EDUCATION, SOCIAL SECURITY AND HEALTH OF TRANSGENDER PERSONS

13. Every educational institution funded or recognised by the appropriate Government shall provide inclusive education and opportunities for sports, recreation and leisure activities to transgender persons without discrimination on an equal basis with others.

Obligation of educational institutions to provide inclusive education to transgender persons.

14. The appropriate Government shall formulate welfare schemes and programmes to facilitate and support livelihood for transgender persons including their vocational training and self-employment.

Vocational training and self-employment.

15. The appropriate Government shall take the following measures in relation to transgender persons, namely:—

Healthcare facilities.

(a) to set up separate human immunodeficiency virus Sero-surveillance Centres to conduct sero-surveillance for such persons in accordance with the guidelines issued by the National AIDS Control Organisation in this behalf;

(b) to provide for medical care facility including sex reassignment surgery and hormonal therapy;

(c) before and after sex reassignment surgery and hormonal therapy counselling;

(d) bring out a Health Manual related to sex reassignment surgery in accordance with the World Profession Association for Transgender Health guidelines;

(e) review of medical curriculum and research for doctors to address their specific health issues;

(f) to facilitate access to transgender persons in hospitals and other healthcare institutions and centres;

(g) provision for coverage of medical expenses by a comprehensive insurance scheme for Sex Reassignment Surgery, hormonal therapy, laser therapy or any other health issues of transgender persons.

CHAPTER VII

NATIONAL COUNCIL FOR TRANSGENDER PERSONS

16. (1) The Central Government shall by notification constitute a National Council for Transgender Persons to exercise the powers conferred on, and to perform the functions assigned to it, under this Act.

National Council for Transgender Persons.

(2) The National Council shall consist of—

(a) the Union Minister in-charge of the Ministry of Social Justice and Empowerment, Chairperson, *ex officio*;

(b) the Minister of State, in-charge of the Ministry of Social Justice and Empowerment in the Government, Vice-Chairperson, *ex officio*;

(c) Secretary to the Government of India in-charge of the Ministry of Social Justice and Empowerment, Member, *ex officio*;

(d) one representative each from the Ministries of Health and Family Welfare, Home Affairs, Housing and Urban Affairs, Minority Affairs, Human Resources

Development, Rural Development, Labour and Employment and Departments of Legal Affairs, Pensions and Pensioners Welfare and National Institute for Transforming India Aayog, not below the rank of Joint Secretaries to the Government of India, Members, *ex officio*;

(e) one representative each from the National Human Rights Commission and National Commission for Women, not below the rank of Joint Secretaries to the Government of India, Members, *ex officio*;

(f) representatives of the State Governments and Union territories by rotation, one each from the North, South, East, West and North-East regions, to be nominated by the Central Government, Members, *ex officio*;

(g) five representatives of transgender community, by rotation, from the State Governments and Union territories, one each from the North, South, East, West and North-East regions, to be nominated by the Central Government, Members;

(h) five experts, to represent non-governmental organisations or associations, working for the welfare of transgender persons, to be nominated by the Central Government, Members; and

(i) Joint Secretary to the Government of India in the Ministry of Social Justice and Empowerment dealing with the welfare of the transgender persons, Member Secretary, *ex officio*.

(3) A Member of National Council, other than *ex officio* member, shall hold office for a term of three years from the date of his nomination.

Functions of Council.

17. The National Council shall perform the following functions, namely:—

(a) to advise the Central Government on the formulation of policies, programmes, legislation and projects with respect to transgender persons;

(b) to monitor and evaluate the impact of policies and programmes designed for achieving equality and full participation of transgender persons;

(c) to review and coordinate the activities of all the departments of Government and other Governmental and non-Governmental Organisations which are dealing with matters relating to transgender persons;

(d) to redress the grievances of transgender persons; and

(e) to perform such other functions as may be prescribed by the Central Government.

CHAPTER VIII

OFFENCES AND PENALTIES

Offences and penalties.

18. Whoever,—

(a) compels or entices a transgender person to indulge in the act of forced or bonded labour other than any compulsory service for public purposes imposed by Government;

(b) denies a transgender person the right of passage to a public place or obstructs such person from using or having access to a public place to which other members have access to or a right to use;

(c) forces or causes a transgender person to leave household, village or other place of residence; and

(d) harms or injures or endangers the life, safety, health or well-being, whether mental or physical, of a transgender person or tends to do acts including causing physical abuse, sexual abuse, verbal and emotional abuse and economic abuse,

shall be punishable with imprisonment for a term which shall not be less than six months but which may extend to two years and with fine.

CHAPTER IX

MISCELLANEOUS

19. The Central Government shall, from time to time, after due appropriation made by Parliament by law in this behalf, credit such sums to the National Council as may be necessary for carrying out the purposes of this Act.

Grants by
Central
Government.

20. The provisions of this Act shall be in addition to, and not in derogation of, any other law for the time being in force.

Act not in
derogation of
any other law.

21. No suit, prosecution or other legal proceeding shall lie against the appropriate Government or any local authority or any officer of the Government in respect of anything which is in good faith done or intended to be done in pursuance of the provisions of this Act and any rules made thereunder.

Protection of
action taken
in good faith.

22. (1) The appropriate Government may, subject to the condition of previous publication, by notification, make rules for carrying out the provisions of this Act.

Power of
appropriate
Government
to make rules.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

(a) the form and manner in which an application shall be made under section 5;

(b) the procedure, form and manner and the period within which a certificate of identity is issued under sub-section (1) of section 6;

(c) the form and manner in which an application shall be made under sub-section (1) of section 7;

(d) the form, period and manner for issuing revised certificate under sub-section (2) of section 7;

(e) welfare measures to be provided under sub-section (2) of section 8;

(f) facilities to be provided under section 10;

(g) other functions of the National Council under clause (e) of section 17; and

(h) any other matter which is required to be or may be prescribed.

(3) Every rule made by the Central Government under sub-section (1), shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

(4) Every rule made by the State Government under sub-section (1), shall be laid, as soon as may be after it is made, before each House of the State Legislature where it consists of two Houses, or where such legislature consists of one House, before that House.

Power to
remove
difficulties.

23. (1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order published in the Official Gazette, make such provisions, not inconsistent with the provisions of this Act as appear to it to be necessary or expedient for removing the difficulty:

Provided that no such order shall be made after the expiry of the period of two years from the date of commencement of this Act.

(2) Every order made under this section shall, as soon as may be after it is made, be laid before each House of Parliament.

DR. G. NARAYANA RAJU,
Secretary to the Govt. of India.

The Transgender Persons (Protection of Rights) Rules, 2020¹

(Transgender Persons (Protection of Rights) Rules, 2020)

[25th September, 2020]

Whereas the draft rules in exercise of the powers conferred by Section 22 of the Transgender Persons (Protection of Rights) Act, 2019 (40 of 2019) were published, as required by sub-section (1) of the said section vide notification of the Government of India in the Ministry of Social Justice and Empowerment, number G. S. R. 441(E), dated the 13th July, 2020 in the Gazette of India, Extraordinary, Part II, Section 3, sub-section (i) inviting objections and suggestions from the persons likely to be affected thereby, before the expiry of the period of thirty days from the date on which copies of the Gazette containing the said notification were made available to the public;

And whereas, the copies of the said Gazetted notification were made available to the public on the 13th July, 2020;

And whereas, the objections and suggestion received from the public in respect of the said draft rules have been considered by the Central Government;

Now, therefore, in exercise of the powers conferred by Section 22 of the Transgender Persons (Protection of Rights) Act, 2019 (40 of 2019), the Central Government hereby makes the following rules, namely—

1. Short title and commencement.—(1) These rules may be called the Transgender Persons (Protection of Rights) Rules, 2020.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definition.—In these rules, unless the context otherwise requires,—

(a) "Act" means the Transgender Persons (Protection of Rights) Act, 2019 (40 of 2019);

(b) "applicant" means a transgender person who submits an application under Rule 3;

(c) "application" means the application form as provided in Form 1;

(d) "any official documents" include all documents listed in Annexure 1, which the appropriate Government may revise, by notification in the Official Gazette;

(e) "certificate of identity" means a certificate issued by the District Magistrate under Section 6 or Section 7 of the Act as in Form 3 or Form 4 respectively;

(f) "form" means a form prescribed to these rules;

(g) "identity card" means a photo identity card issued in Form 5 to a

transgender person under Section 6 or issued in Form 6 to a transgender person on change of gender under Section 7 on the basis of "certificate of identity" issued by the District Magistrate or an identity card to a transgender person issued by a State authority prior to the coming into force of these rules;

- (h) "medical institution" means any medical institution whether hospital or clinic, private or public, in rural areas or urban or overseas;
- (i) "medical intervention" includes any gender affirming medical intervention undertaken by an individual to facilitate the transition to their self-identified gender, including but not limited to counseling, hormonal therapy, and surgical intervention, if any.
- (j) "section" means a section of the Act;
- (k) all other words and expressions used herein but not defined and defined in the Act shall have the same meaning assigned to them in the Act.

3. Application for issue of certificate of identity under Section 6 or Section 7.—(1) A transgender person desirous of obtaining a certificate of identity shall make an application as prescribed in Form 1.

(2) The application shall be submitted to the District Magistrate in person or by post till online facilities are developed by the State Government concerned and thereafter the application shall be made by online only:

Provided that the appropriate Government may undertake measures, as it deems appropriate, to facilitate the submission of applications for certificate of identity by transgender persons living in remote areas or disadvantaged conditions:

Provided further that in case of a minor child, such application shall be made by a parent or guardian of such minor child and in the case of a child in need of care and protection, by the competent authority under the Juvenile Justice (Care and Protection of Children) Act, 2015 (2 of 2016).

(3) Transgender persons who have officially recorded their change in gender, whether as male, female or transgender, prior to the coming into force of the Act shall not be required to submit an application for certificate of identity under these rules:

Provided that such persons shall enjoy all rights and entitlements conferred on transgender persons under the Act.

4. Procedure for issue of certificate of identity.—(1) The District Magistrate shall, subject to the correctness of the applicant's particulars, get the application processed based on the affidavit submitted declaring the gender identity of any person in Form- 2, without any medical or physical examination, and thereafter issue an identification number to the applicant, which may be quoted as proof of application.

(2) For the purpose of determination of the place of residence, the applicant shall have to reside in the area under the jurisdiction of District Magistrate as on

the date of application and an affidavit to this effect shall be submitted in Form-2.

5. Issue of certificate of identity for a transgender person under Section 6.—(1) The District Magistrate shall issue to the applicant, a certificate of identity in Form-3 following the procedure provided in Rule 4 indicating the gender of such person.

(2) The said certificate of identity shall be issued within thirty days of receipt of duly filled in application along with the affidavit.

(3) The certificate of identity issued under sub-rule(1) shall be the basis to change the gender as well as the name and the photograph, if so necessitated, of the transgender person in all such official documents as provided in Annexure -1, in accordance with the gender specified in the said certificate of identity.

(4) The District Magistrate shall, at the time of issuance of the certificate of identity under sub-rule (1), issue a transgender identity card in Form 5 to the applicant.

(5) The appropriate Governments shall maintain a register for the issuance of certificate of identity card and the transgender identity card.

(6) The authority that issued the official document, on an application made by an applicant under Rule 3, shall change the name or gender or photograph or any of this information of the applicant in the official documents within fifteen days of making of such application.

(7) Any official document wherein gender, name and the photograph of transgender are revised based on the said certificate of identity, shall bear the same serial or reference number as in the original official document of such transgender person who seeks change in the name or gender or both in the official documents:

Provided that all benefits that a transgender person was entitled to based on an identity card, if any, issued by a State authority shall continue to be enjoyed by that transgender person based on the certificate of identity issued under these rules.

6. Procedure for issue of a certificate of identity for change of gender.

—(1) If a transgender person undergoes medical intervention towards a gender affirming procedure, either as a male or female, such person may apply in the Form 1, along with a certificate issued to that effect by the Medical Superintendent or Chief Medical Officer of the medical institution in which that person has undergone the said medical intervention, to the District Magistrate for the issue of a revised certificate of identity.

(2) The District Magistrate shall, on receipt of an application referred to in sub-rule (1) shall verify the genuineness of the said medical certificate, which shall not include any physical examination.

(3) The applicant shall be a currently residing in the area under the jurisdiction of the District Magistrate as on the date of application and an affidavit to this effect shall be submitted along with the application in Form-1

and no additional evidence shall be called for.

7. Issue of certificate of identity under Section 7.—(1) The District Magistrate shall issue a revised certificate of identity in Form 4 to the applicant seeking change in gender indicating the gender of such a person as male or female, as the case may be.

(2) The District Magistrate shall issue the revised certificate under sub-rule (1) within fifteen days of its receipt of the application.

(3) The certificate of identity issued under sub-rule (1) shall entitle the applicant to record or change the gender, as well as photograph and name, if so necessitated of transgender person in all such official documents provided in Annexure 1, in accordance with the gender specified in the said certificate of identity as male or female, as the case may be.

(4) The District Magistrate while issuing the certificate of identity for change of gender shall simultaneously issue an identity card in Form 6 to the applicant.

(5) The authority that issued the official document, on an application made by an applicant under sub-rule (3), shall change the name or gender or photograph or any of this information of the applicant in the official documents within fifteen days of making of such application.

(6) Any official document wherein gender, name or photograph of transgender person is revised based on the said certificate of identity shall bear the same serial or reference number as in the original official document of such transgender person who seeks change in the name or gender or both in the official documents.

8. Communication of rejection of application.—(1) In case of rejection of application made under Rule 3, the District Magistrate shall inform the applicant the reason or reasons for such rejection within thirty days from the date of receipt of such application.

(2) The District Magistrate may review the decision of rejection of the application based on the reply submitted by the applicant regarding the reason for rejection communicated in sub-rule (1) of Rule 8 within sixty days from the date of such rejection.

9. Right to appeal.—The applicant shall have a right to appeal, within ninety days from the date of intimation of the rejection of the application, to the appellate authority as designated by the appropriate Government by notification for a final order.

10. Welfare measures, education, social security and health of transgender persons by appropriate Government.—(1) The appropriate Government shall constitute a welfare board for the transgender persons for the purpose of protecting their rights and interests of, and facilitating access to schemes and welfare measures framed by the Government.

(2) The appropriate Government shall review all existing educational, social security, health schemes, welfare measures, vocational training and self-employment schemes to include transgender persons to protect their rights and

interests and facilitate their access to such schemes and welfare measures framed by that Government

(3) The appropriate Government shall formulate educational, social security, health schemes and welfare schemes and programmes as specified in Annexure -II in a manner to be transgender sensitive, non-stigmatising and non-discriminatory to transgender persons.

(4) The appropriate Government shall take adequate steps to prohibit discrimination in any Government or private organisation, or private and public educational institution under their purview, and ensure equitable access to social and public spaces, including burial grounds.

(5) The appropriate Government shall create institutional and infrastructure facilities, including but not limited to, rehabilitation centre referred to in sub-section (3) of Section 12 of the Act, separate human immunodeficiency virus sero-surveillance centres, separate wards in hospitals and washrooms in the establishment, within two years from the date of coming into force of these rules to protect the rights of transgender persons.

(6) The appropriate Government shall carry out an awareness campaign to educate, communicate and train transgender persons to avail themselves of the benefits of welfare schemes, educate and train transgender persons on their rights; eradicate stigma and discrimination against transgender persons and mitigate its effects.

(7) The appropriate Government shall also provide for sensitisation of institutions and establishments under their purview, including—

- (a) sensitization of teachers and faculty in schools and colleges, changes in the educational curriculum to foster respect for equality and gender diversity;
- (b) sensitization of healthcare professionals;
- (c) sensitization programmes in workplaces;
- (d) sensitization programmes for complaints officers.

(8) All educational institutions shall have a committee which shall be accessible for transgender persons in case of any harassment or discrimination, with powers to ensure that transgender students do not have to be affected by the presence of the persons bullying them, including teachers.

(9) The appropriate Government shall create institutional and infrastructure facilities, including but not limited to, temporary shelters, short-stay homes and accommodation, choice of male, female or separate wards in hospitals and washrooms in the establishment within two years from the date of coming into force of these rules to protect the rights of transgender persons.

11. Provisions for non-discrimination.—(1)The appropriate Government shall take adequate steps to prohibit discrimination in any Government or private organisation or establishment including in the areas of education, employment, healthcare, public transportation, participation in public life, sports, leisure and recreation and opportunity to hold public or private office.

(2) The appropriate Government shall within two years from the date of coming into force of these rules, formulate a comprehensive policy on the measures and procedures necessary to protect transgender persons in accordance with the provisions of the Act.

(3) The policy formulated under sub-section (2) shall include preventative administrative and police measures to protect vulnerable transgender communities.

(4) The appropriate Government shall be responsible for the supervision of timely prosecution of individuals charged under Section 18 of the Act, or under any other Law for similar offences committed against the transgender persons.

(5) Every State Government shall set up a Transgender Protection Cell under the charge of the District Magistrate in each District and under Director General of Police in the State to monitor cases of offences against transgender persons and to ensure timely registration, investigation and prosecution of such offences.

12. Equal opportunities in employment.—(1) Every establishment shall implement all measures for providing a safe working environment and to ensure that no transgender person is discriminated in any matter relating to employment including, but not limited to, infrastructure adjustments, recruitment, employment benefits, promotion and other related issues.

(2) Every establishment shall publish an equal opportunity policy for transgender persons.

(3) The establishment shall display the equal opportunity policy, including the details of the complaints officer, preferably on their website, failing which, at conspicuous places in their premises.

(4) The equal opportunity policy of an establishment shall, inter alia, contain details of—

- (a) infrastructural facilities (such as unisex toilets), measures put in for safety and security (transportation and guards) and amenities (such as hygiene products) to be provided to the transgender persons so as to enable them to effectively discharge their duties in the establishment.
- (b) applicability of all rules and regulations of the company regarding service conditions of employees;
- (c) confidentiality of the gender identity of the employees;
- (d) complaint of the officers.

13. Grievance redressal.—The appropriate Government shall ensure that every establishment designates a complaint officer in accordance with Section 11 within thirty days from the date of coming into force notification of these rules.

(2) The complaint officer shall enquire into the complaints received within fifteen days from the date of receipt of such complaints.

(3) The head of the establishment shall take action on the enquiry report submitted by the complaints officer within fifteen days from the date of

submission of the report.

(4) The head of the establishment shall take action forthwith in all cases where action has not been taken in accordance with the above time limits.

(5) The appropriate Government shall also set up within one year a grievance redressal mechanism, operating through a helpline and outreach centres, for ensuring proper implementation of the provisions of Chapter V of the Act with special reference to sub-sections (1) and (2) of Section 12.

(6) The grievance redressal system shall ensure resolution of grievances within thirty days from the date of bringing of such grievance to the helpline, and imposing of penalties as laid down in Section 18.

(7) The appropriate Government shall put in place a monitoring system for tracking the number of complaints filed, enquired and action taken of all the establishments in their jurisdiction.

14. National Council.—(1) The National Council shall perform the functions as per Section 17 of the Act.

(2) National Institute of Social Defence shall give secretarial assistance to the National Council in conduct of its meetings and facilitate in the discharge of the functions of the National Council.

FORM 1

[See Rules 2(d), 3(1) and 6(1)]

Application form for issue of transgender certificate of identity under Rule Transgender Persons (Protection of Rights) Rules, 2020 read with Section 6/7* of the Transgender Persons (Protection of Rights) Act, 2019*

*Strike out whichever is not applicable

State Emblem State Government of (name of the State) Office of the District Magistrate	
Application form for issue of a transgender certificate of identity under Rule Transgender Persons (Protection of Rights) Rules, 2020 (read with Section 6*/7* of the Transgender Persons (Protection of Rights) Act, 2019 * Strike out whichever is not applicable	
1	Name
(i)	Given name (in capital letters)
(ii)	Changed/Chosen name (in capital letters)
(iii)	Out of (i) and (ii), name to be printed in the certificate of identity and in the identity card
2	Gender
(i)	Assigned at birth

(ii)	Requested in the application	
3	Date of birth	dd/mm/yyyy
4	Educational qualification	
5	Present address	
6	Permanent address	
7	If there is a source of income, the annual income:	
(i)	Under Rs. 1,00,000	YES/NO
(ii)	Between Rs. 1,00,001 and 3,00,000	YES/NO
(iii)	Above Rs. 3,00,000	Please specify the amount:
8	Do you have any of the following documents? If so, please submit self attested photocopies of the certificates stated below. self-attested photocopies	
(i)	Date of birth certificate	YES/NO
(ii)	Aadhaar card	YES/NO
(iii)	PAN card	YES/NO
(iv)	Election Voter Identity Card	YES/NO
(v)	Ration card	YES/NO
(vi)	Passport	YES/NO
(vii)	Bank passbook	YES/NO
(ix)	MNREGA Card	YES/NO
(x)	Caste certificate (SC/ST/OBC/Others)	YES/NO
9	Medical history (for those applying under Section 7 of the Transgender (Protection of Rights) Act, 2019	
(i)	Have you undergone any medical intervention in the context of transgender transition?	YES/NO
(ii)	Please give details	
(iii)	Name and complete address of the Hospital or medical institute	
(iv)	Name of the issuing authority along with the date	
(v)	Any other medical status you would like to share	
(vi)	Have you been issued any certificate of identity under Section 6 and Section 7 under the Act, or any other ID Card issued by the	

	State Authority before the commencement of these Rules? If so, enclosed the same.	
10	Any other information you would like to give	
11	Have you attached affidavit prescribed in Form— 2 of the Transgender Persons (Protection of Rights) Act, 2019 under Rule—Transgender Persons Protection of Rights) Rules, 2020	
12	Have you attached the passport size photographs?	Yes/No

Enclosed:documents as mentioned in the application

Declaration

- I declare that the particulars furnished by me are true and correct.
- Information provided in this application will be treated as confidential and shall not be shared with any person or organisation save the Central and/or State security agencies, any other agency as provided by Law; and for statistical and policy framing purposes.

Place:	Signature or left hand thumb impression of the applicant given name of the applicant
Date:	

FORM 2

[See Rules 2(b) and 4(1)]

Format of affidavit to be submitted by a person applying for certificate of identity for transgender persons under Rule 4 of the Transgender Persons (Protection of Rights) Rules, 2020 read with Section 6 of the Transgender Persons (Protection of Rights) Act, 2019

(Affidavit should be on Non-judicial stamp paper of Rs. 10/-) Competent Notary Civil, District (Name of the District), (Name of the State)

I, (Name), son/daughter/ward/spouse of (name of the parent/guardian/husband), aged (in completed years), residing at (address), (Tehsil), (District), (State) (Pin code) do hereby solemnly affirm and declare as under:

- I am currently residing in the above address.
 - I perceive myself as a transgender person whose gender does not match with the gender assigned at birth.
 - I declare myself as transgender.
 - I am executing this affidavit to be submitted to the District Magistrate for issue of certificate of identity as transgender person under Section 6 of the Transgender Persons (Protection of Rights) Act, 2019 under Rule Transgender Persons (Protection of Rights) Rules, 2020.
- . * strike out whichever is not applicable.

Deponent

(Signature of the Applicant)

Verification

I, (Name), hereby state that whatever is stated here in above serial Nos. 1 to 4 are true to the best of my knowledge.

Deponent
(Signature of the Applicant)

Tehsil

Date

Identified by me

Advocate

Public

Before Me

Notary

FORM 3

[See Rules 2(e) and 5(1)]

Form of certificate of identity to be issued by District Magistrate under Rule 5 Transgender Persons (Protection of Rights) Rules, 2020 read with Section 6 of the Transgender Persons (Protection of Rights) Act, 2019

<p>Photograph of the certificate holder District Magistrate to attest the photograph</p>
--

1. On the basis of the application dated dd/mm/yyyy to the undersigned it is certified that Shri/Smt./Km/Ms (name) son/daughter/ward of Shri/Smt. (name of the parent or Guardian) of (complete residential address of the applicant) is a transgender person.
2. His/her birth name is.....
3. This certificate is issued in terms of the provisions contained under Rule 5 Transgender Persons (Protection of Rights) Rules, 2020 read with Section 6 of the Transgender Persons (Protection of Rights) Act, 2019.
4. It is also certified that Shri/Smt./Km/Ms.....is ordinarily a resident at the address given above.
5. This certificate entitles the holder to change name and gender in all official documents of the holder.

Date
of the District Magistrate
Place

Signature

Seal

FORM 4

[See Rules 2(e) and 7(1)]

Form of certificate of identity for change of gender to be issued by District

Magistrate under Rule 6 of the Transgender Persons (Protection of Rights) Rules, 2020 read with Section 7 of the Transgender Persons (Protection of Rights) Act, 2019

Photograph of the certificate holder District Magistrate to attest the photograph

1. On the basis of the application submitted to the undersigned along with a medical certificate from the Medical Superintendent or Chief Medical Officer (name of the Hospital and complete address), it is to certify that Shri/Smt./Km/Ms. (name) son/daughter/ward of Shri/Smt. (name of the parent or Guardian) of (complete residential address of the applicant) has undergone medical intervention to change gender.
2. His/Her birth name is.....
3. This certificate is issued in terms of the provisions contained under Rule 6 of the Transgender Persons (Protection of Rights) Rules, 2020 read with Section 7 of the Transgender Persons (Protection of Rights) Act, 2019.
4. It is also certified that Shri/Smt./Km/Ms.....is ordinarily a resident at the address given above.
5. This certificate entitles the holder to change name and gender in all official documents of the holder.
6. Such change in name and gender and the issue of this certificate shall not adversely affect the rights and entitlements of the holder of this certificate.

Date
of the District Magistrate
Place

Signature

Seal

FORM 5

[See Rules 2(g) and 5(4)]

Form of Identity Card Front side of Identity card

State Emblem

State Government of (name of the State) Office of the District Magistrate
Transgender Identity Card

Identity
card
number

Photograph of the Card

holder

Name

Mother's name@

Father's or Guardian's name @

Gender

Transgender

Date of birth dd/mm/yyyy

or

Age as on the date of application for issue of Identity card

Reference number of certificate of authority on the basis of which this card is issuedyears

Back side of the identity card

Present address

Card issue date

Signature of the issuing authority Designation

Seal of the issuing authority

Issued under Section 6*/7* of the Transgender Persons (Protection of Rights) Act, 2019 and under Rule.....of Transgender Persons (Protection of Rights) Rules, 2020

* Strike out whichever is not applicable

@ only in case the applicant is a minor child

FORM 6

[See Rules 2(g) and 7(4)]

Form of Identity Card Front side of identity card

State Emblem

State Government of (name of the State) Office of the District Magistrate
Identity Card

Identity card number

Photograph of
the Card
holder

Name

Mother's name@

Father's/Guardian's name@ _____ Male/Female
 Gender _____ of _____ birth
 Date _____ of _____ birth
 or _____ dd/mm/yyyy
 Age as on the date of application for issue of _____ years
 identity card
 Reference number of certificate of
 authority on the basis of which this
 card is issued _____
 Back side of the identity card
 Present address _____
 Permanent address _____
 Card issue date _____
 Signature of the
 issuing authority _____
 Designation _____
 seal of the issuing authority _____
 @ only in case of a minor child

ANNEXURE I

Illustrative list of official documents referred to in

Sl. No	Name of the official document
(1)	Birth certificate
(2)	Caste/Tribe certificate
(3)	Any education certificate issued by a school, board, college, university or any such academic institution
(4)	Election Photo Identity Card
(5)	Aadhaar Card
(6)	Permanent Account Number (PAN)
(7)	Driving Licence
(8)	BPL ration card
(9)	Post Office bank/Bank Pass book with photo
(10)	Pass port
(11)	Kisan Pass book
(12)	Marriage certificate
(13)	Electricity/water/gas connection paper
(14)	property papers,
(15)	vehicle registration
(16)	service book, employment papers
(17)	identity card related to bar,
(18)	policy papers

ANNEXURE II

Suggested list of welfare schemes to be considered:

1. Access to health
 - a) At least 1 government hospital in every State shall be equipped to offer safe and free gender affirming surgery, counseling and hormone replacement therapy to the transgender community, including all Male to Female (MTF) and Female to Male (FTM) procedures.
 - b) State medical insurance shall cover procedures of SRS, hormonal therapy, laser therapy, counselling and other health issues of transgender persons at private hospitals
 - c) medical insurance/arogyashri cards,
 - d) All healthcare facilities should ensure that that there are separate wards for transgender persons
2. Access to education
 - a) Scholarship for transgender students
 - b) Inclusive and equitable quality education in schools that fosters respect for equality and gender diversity
 - c) Protection against ragging in the educational institutions with provisions for grievance redressal
 - d) Facilitation of accommodation and schooling for transgender, gender non conforming and intersex children in residential government schools and universities
3. Access to housing:
 - a) Affordable housing
 - b) Shelters and community centres for at risk transgender youth that provide nutritious food and counselling.
 - c) Access to sanitation facilities and safe drinking water
4. Welfare measures
 - a) Universal access to Food security schemes and provision of ration cards,
 - b) Pension for aged, disabled or other vulnerable transgender persons
 - c) Old age and retirement homes for transgender persons facing housing exclusion
 - d) Public transport to have harassment-free zones for transgender persons
5. Economic support
 - (1) Universal coverage of Life Insurance
 - (2) Access to banking and financial services including loans
 - (3) Explicit inclusion of transgender persons in employment guarantee schemes such as Mahatma Gandhi National Rural Employment Guarantee Act (MNREGA) and all social security schemes,
 - (4) Formation into self help groups for livelihood activities
 - (5) Provisions of zero-interest and other micro-finance schemes


1: Ministry of Social Justice and Empowerment, Noti. No. G.S.R. 592(E), dated September 25, 2020 and published in the Gazette of India, Extra., Part II, Section 3(i), dated 29th September, 2020, pp. 14-27, No. 483

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Shadan Farasat

//TRUE COPY//

ভারতের নির্বাচন কমিশন
ELECTION COMMISSION OF INDIA
নির্বাচকের সচিত্র পরিচয় পত্র ELECTOR PHOTO IDENTITY CARD



APH2678886



নাম : অপ্রতীম রায়
Name : Apratim Roy
পিতার নাম : স্নেহশীষ রায়
Father's Name : Snehashish Roy

EPIC No. : APH2678886

লিঙ্গ/Gender :

অন্যান্য / Third Gender

জন্ম তারিখ / বয়স :

07-08-1990

Date of Birth/ Age :

ঠিকানা : 15/14, উমেশ ব্যানার্জী লেন, হাওড়া, হাওড়া, হাওড়া,
পশ্চিমবঙ্গ-711101

Address : 15/14, UMESH BANERJEE LANE, HOWRAH,
HOWRAH, HOWRAH, WEST BENGAL-711101

তারিখ/ Date : 10-01-2022

নির্বাচক নিবন্ধন আধিকারিক
Electoral Registration Officer

বিধানসভা নির্বাচনক্ষেত্রের নং ও নাম : 171-হাওড়া মধ্য (সাধারণ)
Assembly Constituency No. and Name : 171-Howrah
Madhya (GENERAL)

Note

1. প্রতি নির্বাচনের আগে, অনুগ্রহ করে দেখে নিন বর্তমান ভোটার তালিকায়
আপনার নাম আছে কিনা।

1) Before every Election, please check that your name exists
in current electoral roll.

2. নির্বাচনের উদ্দেশ্যে ব্যতীত, এই কার্ডটি বয়সের প্রমাণপত্র নয়

2) This card is not a proof of age except for the purpose of
election.

//TRUE COPY//

Handwritten signature

**IN THE SUPREME COURT OF INDIA
EXTRAORDINARY ORIGINAL JURISDICTION**

I. A. No. _____ of 2026

IN

WRIT PETITION (CIVIL) NO. ____ OF 2026

IN THE MATTER OF:

Apratim Roy @ Suprava Roy

... Petitioner

VERSUS

Union of India

... Respondent

AN APPLICATION FOR GRANT OF INTERIM STAY

TO,

THE HON'BLE CHIEF JUSTICE

AND HIS COMPANION JUSTICES OF THE

HON'BLE SUPREME COURT OF INDIA

THE HUMBLE PETITION OF

THE PETITIONER HEREIN

MOST RESPECTFULLY SHOWETH THAT:

1. That the Petitioner has filed the accompanying Writ Petition challenging the constitutional validity of Sections 2(iv), 3 and 7 of the Transgender Persons (Protection of Rights) Amendment Act, 2026 which amend Sections 2(k), 4 and 18 of the Transgender Persons (Protection of Rights) Act of 2019;
2. That the contents of the accompanying petitions may be read as a part and parcel of the present Application;
3. That as an immediate effect of the impugned provisions of the Amendment Act, more specifically Sections 2(iv) and 3 which have come into effect automatically and do not need

any further action for operationalisation, the Petitioner stands to lose their legally recognised identity as a transgender woman and all consequential benefits arising out of the 2019 Act;

4. That the said provisions are *prima facie* violative of the binding pronouncement in *NALSA* and *ex-facie* in the teeth of Article 21. Their operation results in immediate and irreparable harm to transgender persons across the country;
5. That unless the operation of the impugned provisions is stayed during the pendency of the present Writ Petition, transgender persons across the country including the Petitioner shall be subjected to coercive re-certification, surveillance, denial of legal recognition, disruption of access to welfare measures, and irreversible violations of dignity, privacy, and bodily autonomy protected under Article 21 of the Constitution;
6. That the balance of convenience also lies in favour of the Petitioner as the State shall not suffer any harm from the continuation of the older regime which is a beneficial legislation and in furtherance of a legitimate State aim;
7. That the present application is *bona fide* and filed in the interest of justice.

PRAYER

In view of the facts and circumstances stated hereinabove, it is most respectfully prayed that this Hon'ble Court may be pleased to:

- a) Stay the operation and implementation of the Sections 2(iv), 3 and 7 of the Transgender Persons (Protection of Rights)

Amendment Act, 2026 which amend Sections 2(k), 4 and 18 of the Transgender Persons (Protection of Rights) Act of 2019), during the pendency of the accompanying Writ Petition;

- b) Direct that no transgender person shall be compelled to undergo medical or administrative certification of gender identity pursuant to the impugned provisions during the pendency of the present proceedings;
- c) Direct that all transgender persons who have obtained identity certificates, benefits, or entitlements under the Transgender Persons (Protection of Rights) Act, 2019 shall not be adversely affected, disturbed, or subjected to re-certification during the pendency of the present proceedings;
- d) Pass any other order or direction as this Hon'ble Court may deem fit in the interest of justice.

**AND FOR THIS ACT OF KINDNESS THE PETITIONER
AS IN DUTY BOUND SHALL EVER PRAY.**

Drawn By:

Harshit Anand, Adv.

Dated: 24.04.2026

Place: New Delhi

Filed By:



Mr. Yashwant Singh

Advocate for the Petitioner

IN THE SUPREME COURT OF INDIA

Civil Original Jurisdiction

Writ Petition (Civil) No. _____ of 2026

IN THE MATTER OF:

Apratim Roy @ Suprava Roy

... **Petitioner****Versus**

Union of India

... **Respondents****INDEX**

Sr. No.	Description	Copies	Court Fees
1.	Listing Performa	1+3	
2.	Synopsis and List of Dates & Events	1+3	
3.	Writ Petition (Civil) with Affidavit	1+3	
4.	Annexures P - 1 to Annexures P - 2	1+3	
5.	An application for Interim Stay of proceedings.	1+3	
6.	Vakalatnama / Memo of Appearance.	1	

Date: 24.04.2026**Place:** New Delhi**Filed By:**

Mr. Yashwant Singh**Advocate for Petitioner(s)/Appellant(s)****Off:** M-5 (Lower Ground Floor), Jangpura Extension,

New Delhi -110014,

Mob: +91- 9205638669**AoR Code:** 3912**Email:** - yashwant.aor@gmail.com

APRATIM ROY @ SUPRAVA ROY

PETITIONER

VERSUS

UNION OF INDIA & ORS

RESPONDENTS

VAKALATNAMA

I/We, APRATIM ROY @ SUPRAVA ROY, Appellant(s)/Petitioner(s)/ Respondent(s)/opposite party in the above Appeal/Petition/Reference do hereby appoint retain:

YASHWANT SINGH
ADVOCATE ON RECORD
AOR Code 3912

M-5, LGF Jungpura Extension, New Delhi 110014

Phone: +91 9205638669 | yashwant.aor@gmail.com

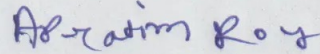
to act & appear for me/us in the above Appeal/Petition/Reference & on my/our behalf to conduct & prosecute (or defend) or withdraw the same & all proceedings that may be taken in respect of any application connected with the same or any decree or order passed therein, including proceedings in taxation & application for Review, to file & obtain return of documents & to deposit & receive money on my/our behalf & in the said Appeal/Petition/ Reference & in application for review & to represent me/us & to take all necessary steps on my/our behalf in the above matter. I/We agree to ratify all acts done by the aforesaid Advocate in pursuance of this authority.

Accepted, Identified, Certified & Satisfied

Dated this the 17 day of April, 2026



ADVOCATE-ON-RECORD
Mr. Yashwant Singh



APPELLANT(S)/PETITIONER(S)/OPPOSITE
PARTY/INTERVENOR/RESPONDENT(S)

MEMO OF APPEARANCE

To,

The Registrar,
Supreme Court of India,
New Delhi.
Sir,

Please enter my appearance on behalf of the Petitioner(s)/Appellant(s)/ Respondent(s)/Opposite parties/Intervenor(s) in the matter above mentioned.

Dated this the 24 day of April, 2026

Yours faithfully

YASHWANT SINGH

Advocate-on-Record

