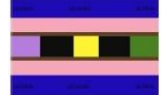


# TRANS-INTERSEX SELF-RESPECT COALITION

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## RECOMMENDATIONS SUBMITTED TO THE JUSTICE ASHA MENON COMMITTEE SET UP BY ORDER OF SUPREME COURT OF INDIA

BY

THE TRANS-INTERSEX SELF-RESPECT COALITION (TISRC)  
THE TRANS MUSLIM RIGHTS FORUM (TMRF)  
THE VOICE OF INTERSEX (VOIS) INDIA COLLECTIVE

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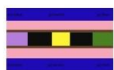
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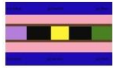
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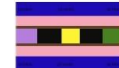
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## PREFACE

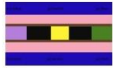
TISRC, TMRF and VOIS-Collective are jointly submitting these set of recommendations pursuant to the communications initiated by us and other members of the community with the Justice Asha Menon Committee in April 2026.

We have crossed the deadline given to TISRC in May 2026 and the additional time given to VOIS in July 2026, by a significant number of days. The explanation for this rests in the heightened situation of crises and chaos created by the State through the Trans Amendment Act 2026 that has for all intents and purposes brought our lives to a complete halt. A great amount of time that we could have diverted to wider consultations and preparing the report, has gone into crisis and peer support. Some of the very members of the community who met with this Committee in May of 2026, and were well-positioned to provide inputs on various matters have been forced to drop out of their education, are facing medical crises for which there are no credible solutions or support from any State apparatus, are looking at permanent unemployment – *all while trying to support and imagine a dignified world for the lakhs of transgender and intersex persons*, whose hopes and dreams have been mercilessly crushed by the State due to its own ignorance or systemic discrimination towards us at every turn.

Nothing that is contained in the foregoing paragraph is new information. That such is the cyclically deplorable state of trans, gender diverse and intersex communities in the country has been studied and upheld by the highest court of this country in 2014 (*NALSA v. UoI, 2014*). Despite the assurance given at the time by the State to the Supreme Court, that the rights and concerns of the transgender community will be taken seriously and secured through democratic, representative and just means, such was never done. Ultimately, after keeping the community at a permanent state of peril, leaving individual community members at the mercy of continuous litigations, once again the Supreme Court has had to intervene to underscore the primary fault of the State – the complete absence of a legible executive mechanism, accessible *at par with the other groups of people in the country*, that can effectively secure to us each and every right enshrined in the Constitution and pursuant welfare statutes of the country.

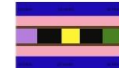
The State has neither responded through democratic means to over a decade-long attempt of the community to work with the authorities despite being robbed of means of even basic life; nor implemented the slew of positive injunctions issued by every constitutional court in the country. Instead, the State has now chosen to enact what can only be described as terminal, colonial legislation. While the State's abject disregard for our communities is unsurprising, what is unfathomable is this sustained disregard for the *catena* of studied, thorough and extensively read judgments of the Constitutional Courts.

For this reason, we have chosen to stay away from a testimony-based report. If, in almost 80 years of independence, and specifically 12 years of the *NALSA* judgment, the State has not heard us nor the



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multitude of reports already issued by State and other research bodies, it is unlikely that it has the competence or humility to suddenly do so now. It would also be an act of injustice upon our own communities, to keep making each person repeat *ad infinitum* the violence and discrimination faced, just to secure basic rights.

### ***Method***

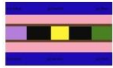
Therefore, we have approached it as follows. A broad framework of protections and solutions *already available in law* were circulated to understand whether there are oppositions, additions or subtractions required. The central batch of recommendations herein builds on the recommendations submitted by one of our founding members to the State of Karnataka, pursuant to litigation, on 3rd January, 2025. A copy of such recommendations had also been simultaneously shared with community members and groups in Karnataka, and no objections were raised to them. At least one of this Committee's members, namely Dr. Akkai Padmashali, can attest to those set of recommendations from 2025. We have also referred to reports authored by the *Amicus Curiae* Adv Jayna Kothari, which do hold established facts of discrimination, but are unfortunately not matched with or have failed a clear translation to the correct executive solution.

Further to this, multiple internal discussions were held through May-July 2026, particularly under the pressures of the Amendment Act. To ensure that individual community members unable to set up their own or join ongoing consultations could reach the Committee, timely updates about the Committee and the public email ID were also shared.

Key among the internal and external consultations were on 10.05.2026 between TISRC and VOIS Collective, on 27.06.2026 helmed by TMRF specifically for Muslim trans communities, and a third on 15.08.2026 by VOIS Collective specifically for intersex communities. Consultations planned in a few other States did not come into fruition due to resource lack and on-going crises. Where consultations were undertaken in languages other than English, members of TISRC participated as translators and the translated outcomes of the consultations were shared back to those who participated in the consultations.

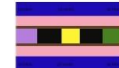
### ***Limits***

This set of recommendations is not poised to represent *all* claims arising from the trans and intersex communities. In particular, the specific requirements of regionally disadvantaged communities, and communities living in situations of conflict and state violence/occupation have not been addressed here. The detailed requirements across disability and mental healthcare have also not been covered. The rights of transgender, gender non-conforming and intersex *children* have also not been dealt with in detail, for how are we to secure these rights when the adults of our communities are ourselves fighting for legal recognition, right to life, healthcare and the right to consent?



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What has been envisaged here is only the bare minimum – stemming first and foremost from the right to identity and full personhood – that would be required to build substantive rights, effective representation, and intersectional protections.

These recommendations can be read only within the framework of, read towards a democratic reformation and substantive implementation of the *unamended* Transgender Persons (Protection of Rights) Act, 2019, and Rules, 2020 – as it stood prior to 30.03.2026.

Along with the rest of our communities, we firmly reject in its entirety the Trans Amendment Act 2026. We believe, if the Ministry of Social Justice is desirous of democratic, representative and just processes, it is for the Ministry to explain in full – with reason – their oppositions, if any, to the accompanying recommendations that are arising entirely from the community *and detailing only those rights and protections that are available in law to the rest of the people of this country.*

In exercise of our inherent right to justice, equality, liberty and fraternity in a *representative Constitutional democracy* –

Sd/-

**Mugil Anbu Vasantha**

(Authored on behalf of TISRC)

Date: 01.09.2026

Preface and Recommendations discussed and reviewed before submission on 05.09.2026.

Sd/-

**Fiza Sultana Qureshi**

(TMRF)

Sd/-

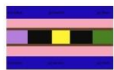
**Vinodhan T**

(VOIS India Collective)

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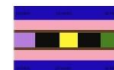
**Gee Imaan Semmalar**

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## **A. Establishment of Legible, Representative Executive**

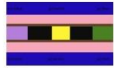
1. Even though the issues of transgender and intersex communities fall under the Ministry of Social Justice and Empowerment at the Union, no uniform, cohesive and representative executive mechanism has been put in place thus far.  
Hence there is no mechanism rooted in equality before law, equal protection of law, due process, intelligible differentia *and* reasonable classification under Article 14 and 21.
2. At the level of States/UTs, trans-intersex issues are indiscriminately placed under the Ministry of Women and Child Development (WCD) OR Ministry of Welfare, at pleasure.
3. Apart from the non-establishment of trans-intersex welfare boards, the entire Union to District-level executive machinery is yet to be set-up, such that there can be cooperation between and the establishment of affiliated executive units across ministries.
4. It would be necessary to set up a full-fledged Department of transgender and intersex welfare and protection, with earmarked budget, and dedicated staff at every level, *for the sole purpose of securing trans-intersex rights*.
5. Provided that, not less than 45% of functionaries, in-charges and staff of such Department at every level are members of transgender and intersex communities – appointed through both community/ self-nomination *and* regular modes of staff selection; that the Dept head shall only be from the transgender or intersex community; and, that all decisions will be taken in accordance with the rule of law, not rule of majority.
6. Provided further that, all existing communal (vertical) reservations will be applied upon the recruitments, nominations and staffing of such Department.

## **B. Right to Self-Determination of Identity**

7. That the entire mechanism would be meaningless without the right to self-determination of identity and personhood – guaranteed to every person *and* citizen under the Constitution of India.
8. As such, it would be impossible to deny the right to self-perceived gender identity of transgender and intersex persons, as well as the legal recognition and composite protections stemming therefrom.

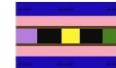
## **C. Right to Identity**

9. In order for transgender and intersex persons to exercise the fundamental right to self-perceived identity, *first and foremost* the inherent right of self-declaration of identity,



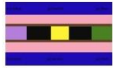
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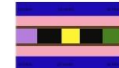
already available to all persons and citizens, is to be unequivocally protected.

10. When the National Portal ([transgender.dosje.gov.in](http://transgender.dosje.gov.in)) was functioning to accept ID applications under the 2019 Act, it was already inadequate, being a single online portal with no transparent staff details, and no decentralized and simultaneous offline process or grievance redressal available for transgender persons making said application.
11. Therefore, establish simultaneous online and offline application processes under the (unamended) 2019 Act accessible at the District, State *and* National level, with outreach made to communities by way of well-publicized multi-lingual notices, contact information and training on application modalities.
12. **Document change:** No authority shall impose any restrictions or make arbitrary, unconstitutional demands of details of medical transition, surgery, medical verification or inspection, or mandate parental consent for trans and intersex persons seeking to update their documents.
13. Set up single-window or separate counters at *all* government seva kendras, such as Aadhar enrollment, specifically for transgender and intersex persons (preferably employing transgender/intersex persons to run such counters) – providing fully free services including change or updation of ID documents, domicile, minority status and caste certificates, in government and affiliated educational documents, and such other documents as relevant.
14. The State executive to provide training to officials and assistance at the local level (Taluk, Tehsil, Village, or District Office, as the case may be) to protect SC/ST, DNT, SNT, OBC, Muslim, minority trans and intersex people who may have been abandoned or had to run from families and need to return to update their caste / income certificates, ration card and other relevant documents.
15. All public and private educational establishments, including private, deemed, and autonomous universities, in India must process all document change applications on the basis of relevant documents (including affidavit, State/Central ID cards, updated govt ID documents, and gazette notification), free of cost and without delays. A maximum period of 30 days shall be imposed upon such document change processes with disciplinary action being initiated against officers for delays and arbitrary rejections.
16. Not all transgender persons may be able to access their schools and colleges to process changes in past documents. Therefore, all Universities, educational institutions, public and private sector employers shall be required to register transgender persons in their chosen name and identity as it stands in relevant ID documents at the time of application/admission, while protecting the right to change/update particulars at any point during the course of study,



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without additional cost or discrimination. Ensure privacy of all such information within the institutions and establishments.

17. For offline application, counselling and admission/recruitment procedures, all forms, brochures and procedures are to be reviewed for clear and legible inclusion of transgender persons as a category of applicant *and* a constitutionally protected category under Article 15(4) and 16(4).
18. For application, counselling and admission/recruitment procedures that occur through the online mode, all steps are to be reviewed for potentially excluding transgender applicants. For example: The [UGC recruitment portal](#) does not allow transgender applicants to submit additional documents in case of ‘mismatch’ between old and updated documents, leading to summary rejections on verification or at the first application stage.
19. **Until such time** as procedures are reviewed or modified, *all transgender and intersex applicants* are to be given express opportunity to apply through offline mode such that additional documents may be submitted **and/or** be given additional time without penalty to fully respond to any queries.
20. Conversely, in light of pervasive ignorance of State, *no transgender or intersex applicant* shall be denied or rejected on technicalities, incorrect interpretation of extant rules, and non-application of mind by authorities, without first giving the applicant adequate time and opportunity to clarify.

#### **D. Right to Representation**

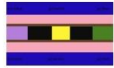
21. Not less than 3% **compartmentalized horizontal** reservation shall be given in education, including professional and technical education, and public employment for transgender and intersex persons.

*Provided that:* in the absence of any trans or intersex applicant in a vertical category the seat returns to the cisgender counterpart in that vertical category.

*Provided further that:* every transgender and intersex applicant shall be entitled to proportionate horizontal relaxation in eligibility criteria/cut-off.

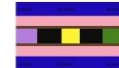
#### ***Reasoning:***

- a. Trans and intersex communities are recognized as backward classes *on account of their historically discriminated and excluded identity*.
- b. Gender and sex are already recognized as a horizontal category for reservations by the highest court of the country. [*Indra Sawhney v. Union of India, 1992; as well as in other judgments from the High Courts*].

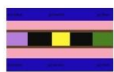


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- c. The transgender and intersex community being evicted from their communities of birth, and also facing compounded discrimination within such communities, carry additional claims of the right to be represented within these communities – without being forced into a fundamentally unequal ‘competition’ with each other.
  - d. Representation is to be secured not in proportion to population size, but in proportion to and in relation to nature and degree of systemic discrimination and exclusion.
  - e. Given that the transgender and intersex communities include, transgender men, transgender women, genderqueer and intersex persons, 1% compartmentalized reservation alone will never ensure adequate representation for *all these groups who have been pushed further to the margins or erased by state or society in their definition of the communities*.
  - f. Compartmentalized horizontal reservation does not create any administrative conflict nor impinges on any claim or rights of other protected categories insofar as neither the 50% limit nor the total allocation for vertical categories are affected.
  - g. Conversely, any modality *other* than compartmentalized horizontal reservation would lead to chaos, confusion and administrative arbitrariness that will worsen discrimination against trans and intersex people.
22. **For transgender-intersex Muslims (and other minority religions):** Creation of a distinct, separately administered trans Muslim reservation within minority educational institutions that already operate Muslim reservation or preferential admission frameworks under Article 30. Jamia Millia Islamia, as a Central University with an existing minority character and admissions framework, is offered as the clearest and most immediately implementable site for a pilot.
23. Establish a **National Commission for Trans and Intersex Persons**, as a permanent **constitutional body** along the lines of NCSC and NCBC, with trans and intersex representatives *including* trans women, trans men, genderqueer and intersex persons who have been historically unrepresented in such bodies with adequate representation of SC, ST, DNT, OBC, and religious minorities. The budget, rules of conduct, remuneration and meeting minutes to be made public and inputs of the community to be sought for the proceedings through a public platform and contact for such a Commission.
24. Establish **Independent Transgender and Intersex Welfare Board** in all States (affiliated directly to Social Welfare Department, *not* the WCD) with transparent and adequate representation of SC, ST, DNT, OBC, religious minority transwomen, transmen, genderqueer and intersex persons from all walks of life, and bearing clear bye-laws, rules of conduct, appointment period, remuneration and service period. Provision of adequate funds and powers, *including quasi-judicial powers (as in the State of Assam)*, to the board that they may work for the uplift of the community ensuring proper right to representation, implementation of policies and grievance redressal. Appointments to be made by open call for nominations to the community members. Any budget provided must strictly be disbursed for



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use in trans and intersex welfare and rights.

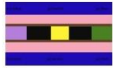
25. Set up dedicated Transgender and Intersex Welfare Cells, comprising majority community representatives in *at least* all departments dealing directly and indirectly with Education, Employment-Labour, and Healthcare of the Union/States, equipped to act as a nodal implementation and grievance redressal mechanism.
26. Provided that *all community representatives* nominated or appointed in each body, commission, board or cell, occupy such post with clear designation, protection, remuneration and are also bound by rules of conduct in public office; and are not reduced to 'consultant' or 'advisory', or such other unpaid positions with no clear powers or responsibilities.
27. Provided further that all government representatives in each body, commission, board or cell, not belonging to the transgender and intersex community, shall function only in advisory and consultant positions without any additional remuneration, providing assistance and guidance to the community in representing and administering ourselves.

## E. Right to Education and Employment

28. **Eligibility criteria:** Horizontal reservation implies that reservations are weighted against the communal categories. As such special relaxations in eligibility criteria to be provided in proportional weightage. For e.g.: If cisgender SC/ST eligibility criteria in qualifying exams is fixed at 45%, for SC/ST transgender persons such criteria to be further reduced by 5%. Proportionate relaxations in eligibility criteria for OBC and general category transgender and intersex candidates.

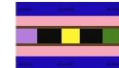
*Provided that:* no arbitrary, biologically-rooted eligibility criteria shall be imposed nor medical inspection mandated upon transgender and intersex persons as a condition for admission/recruitment, including in but not limited to sports, aviation, armed forces and police.

29. **Age relaxations:** Wherever age limits exist they should be relaxed up to at least 45 years for transgender and intersex applicants, given the much delayed start to our lives, that our identity was recognized only in 2014 through *NALSA v UoI*, access to all rights are tied up in executive inaction, systemic obstacles, court battles and compounded social disabilities.
30. **Free education in government establishments:** That transgender and intersex persons have been forced to drop out of all levels of education in the absence of protections. As such, all such persons be provided free education in government and aided establishments until substantive representation has been achieved. Special provisions and directions for inclusion of transgender persons in *all* adult literacy and distance education programmes to be made.



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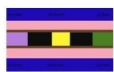


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31. **Substantive scholarships for professional and higher education:** Establish a separate scholarship scheme, operated jointly by Ministry of Welfare, National Commission for Backward Classes and Minority Affairs, with horizontal weightage and priority accorded to SC, ST, DNT and OBC, minority trans-intersex persons, with additional weightage given for disabilities and conditions of sole breadwinner, familial disownment and homelessness. Till such time as a scholarship scheme is established, all applicants be provided with fee waiver in light of continuing State inaction.
32. **Reservation of a proportionate quantum of seats in hostels and employment quarters,** free of cost, until such time as gender neutral blocks are constructed, that can be accessed as per the need and choice of transgender applicants, with allotment priority for SC/ST/DNT/OBC, religious minorities *and* abandoned/disowned/homeless transgender and intersex applicants.
33. **Transgender welfare officer at admissions/recruitment offices:** To secure the privacy and safety of transgender applicants, ensure that a transgender welfare officer is present at counselling or admissions centres to assist the admissions officers and transgender applicants in securing admission in a safe and respectful manner.

## **F. Right to Mobility**

34. Any state exercises (barring Schedule 5, 6 and similarly protected geographies) that consciously or unconsciously, directly or indirectly, exclude those who have migrated from other states goes against the constitutional right to move freely and be domiciled in any part of India.
35. Transgender persons have been completely denied the fundamental right to safe and free movement and full access to public and private transport services. While some states such as Karnataka, Kerala, Tamil Nadu and Telangana have envisaged the 'inclusion' of transgender persons in free bus travel schemes – they remain entirely on paper, insofar as the right to identity itself remains unrecognized and unprotected.
36. National and State issuance of separate free travel pass for all trans and intersex people with long duration of validity *as well as* multi-modal validity that allows transgender persons to safely access bus, train and metro services using a single pass. Such passes must mask the gender identity of the pass-holder to prevent violence or abuse from ticket checkers or co-passengers. *And* so as not to force the pass-holder to present in specific clothing/appearance in order to access such rights.
37. Envisage a scheme for reservation of seats / coupes / special transport services for transgender persons, in particular for trans women.



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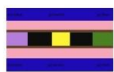
38. Envisage a scheme for free distribution of two-wheelers, travel allowance and fuel subsidies for unemployed and self-employed transgender and intersex persons.
39. Recognize unequivocally the rights of migrant transgender and intersex persons, under Article 15 (sex, gender *and* place of birth), to access basic facilities – including education, shelter, food, public transport, livelihood, and public spaces. Prohibit any and all State-level discrimination against migrated transgender and intersex persons. Ensure the legible inclusion of transgender and intersex persons in *all migrant welfare schemes*.

## **G. Right to Shelter and Food**

40. Urgent allotment and building of **fully state-funded shelters** and short-stay homes for transgender persons *run entirely by transgender persons* including transmen, transwomen to protect from sexual abuse and exploitation by cisgender persons. Adequate budgetary allocation to be made and disbursed across all States.
41. That all such shelters run essential general medical services, *and transgender health care services* including provision of hormones and sexual and reproductive health care protocols.
42. Urgent disbursement of ration cards for transgender persons living in vulnerable community situations. Inclusion of trans men and minor gender non confirming persons in such ration cards, where applicable.
43. Urgent allotment of permanent state-built housing complexes and/or distribution of land to trans and intersex people especially those from SC/ST, DNT, OBC, Muslim minority communities, abandoned and homeless, who are multiply dispossessed.

## **H. Right to Public Toilet Facilities**

44. Urgent construction of gender neutral/unisex toilets and washrooms for transgender persons in all government establishments including bus and train stations, educational institutions, hospitals, libraries and offices.
45. Directions to all private constructions of a public nature (such as restaurants, malls, shopping complexes, housing etc) to include toilets and especially gender neutral/unisex toilets in their construction plans, as a condition for NOC and continuing approvals.
46. It has become an unfortunate precedent of adding “transgender” above a single toilet facility allotted to physically disabled persons, making it impossible for transgender persons to access such services except when they are visibly transgender *or* disabled. Such practice be discontinued as it is discriminatory towards both, transgender and disabled persons.



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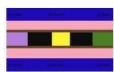


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## I. Right to Health and Social Security

47. Complete, unconditional ban on “conversion therapy”, its practice, promotion, support or encouragement either directly or indirectly by hospitals, healthcare professionals, religious priests/communities, educational institutions, employers, friends or family of a transgender or intersex person.
48. Ensure universal, free access to public health care for trans and intersex persons. Make government and private insurance compliant with coverage for trans and intersex persons including their general *and* trans and intersex specific healthcare.
49. Establish substantial healthcare, PDS and pension schemes for unemployed, elderly and disabled transgender and intersex persons.
50. Clear, legible and practical inclusion of transgender and intersex persons in youth unemployment benefit schemes, as well as rural employment schemes.
51. **Specific healthcare subsidies:** List all hormone combinations as *should be* available and most effective per international health standards for transgender and intersex persons, and provide subsidized access to hormones through *all* pharmacies.
52. Free/subsidized gender affirmative surgeries in all hospitals, *with strict actions taken against hospitals from mandating consent from parents for adult transgender persons; and substantial actions including* compensations against experimental procedures, trials, botched surgeries, medical negligence by doctors upon transgender and intersex persons.
53. Establishment of separate **trans and intersex health clinics comprising at least general medicine, endocrinology, gender affirming surgery, neonatology, reproductive health, orthopaedics and neurology** departments ensuring the privacy of transgender and intersex persons and access to general medical care.

Provided that *no hospital or clinic will mandate year-long wait times, parental consent or such other arbitrary conditions against any transgender or intersex person who is healthy, consenting and fit to undergo their choice of treatment, including surgeries, for their overall health and well-being.*
54. In the broad framework of reasonable accommodations, especially under healthcare, *all gender-specific accommodations (such as menstrual leave, maternity, etc)* be expanded to include adequate leaves, recovery time without loss of attendance/pay etc for specific requirements arising from being transgender and / or intersex – including, but not limited to, surgeries, hormone treatments, *and* housing loss.



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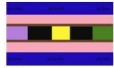
55. For **compassionate appointments**, continuation of family pensions to kin and other family-based social security schemes, make necessary amendments and issue necessary directions to include *and* prioritize the consideration of transgender and intersex children/offsprings.
56. Provided that *no transgender or intersex person* who transitions during the course of employment shall be subjected to discrimination by way of termination from job and/or denial of accrued benefits, promotions, pensions, gratuity, employee insurance, PF and such other relevant benefits.
57. Extend the principle of ‘reasonable accommodation’ in healthcare beyond individual or institutional terminology to decentralised health service delivery: outreach clinics, mobile units, telehealth, and transport support for communities living in rural, minority-concentrated and any other under-served localities.

## **J. Financial Inclusion and Access to Credit**

58. Formal banking services and institutional credit for transgender and intersex persons, especially from SC/ST, DNT, OBC communities, from minority-concentrated districts, and homeless/abandoned situations, do not exist.
59. Financial exclusion affecting Muslims, Dalits and Adivasis therefore compounds existing education and employment disadvantages among transgender and intersex persons, further reducing economic independence.
60. Self-employment and micro-enterprise credit schemes for transgender and intersex persons must explicitly address the documented financial-inclusion gap, including the institutional discrimination in accessing interest-free, collateral-free, guardian-free credit lines, especially in minority-concentrated districts.

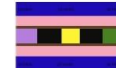
## **K. Right to Identity of Intersex Persons**

61. Transgender and intersex are two distinct identities – they cannot and must not be reduced to a single identity category. The Ministry of Social Justice has been apprised of this and accepted it in 2014 through its Expert Committee Report (pg 100) published as outcome of *NALSA v. UoI 2014*. Without implementation, of course.
62. **Separate Identity:** Within the 2019 Act (unamended), a separate definition of intersex persons despite being provided, does not translate into sensible ID procedures and protections. Therefore –
  - a. Rename the 2019 Act as “Transgender and Intersex Persons (Protection of Rights) Act.

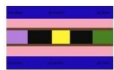


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- b. **Enlarge the ID procedure** to include a separate Identity/Certificate for Intersex Persons, such that -
    - An intersex person who identifies as transgender can mark both identities, and;
    - An intersex person who is not transgender can mark only intersex.
  - c. Make provision for free, voluntary, consensual, privacy-protected and dignified evaluations, including karyotyping and other prohibitively expensive tests, at government hospitals for persons desirous of self-evaluation or as recommended by health professionals for evaluation of intersex variations.
  - d. **Provided that no intersex person**, including those who have recognized such identity incidentally through other medical consultations, are subjected to mandatory medical inspection or verification in violation of their bodily autonomy and dignity.
63. Complete ban on non-consensual, uninformed and non-life saving ‘sex corrective surgeries’ on intersex children by medical professionals, hospitals and families. [Madras High Court has already issued such order in *Arunkumar & Sreeja v The Inspector General of Registration, 2019*]
64. Complete ban on non-consensual, uninformed, and non-life saving sex corrective surgeries on intersex adults by medical professionals, hospitals and families. Any ‘sex corrective surgery’ on intersex adults must clarify the immediate life-threatening condition, if any, that necessitates such surgery. The impact of such surgeries on overall health, quality of life and essential life-long care protocols must be explained in full to the intersex adult undergoing such surgery, in writing *and* in a language of the intersex person’s comprehension.
65. Along with reservations in education, employment and social security as clarified above:  
**Specific social security schemes** – along the lines of girl child protection schemes and incentives – to protect the rights of intersex infants and adults, specifically belonging to SC, ST, DNT, OBC and Muslim / minority religions who face heightened risks after being abandoned by families and/or living with disabilities arising out of intersex variations.
66. That intersex variation is not in and of itself a disorder, but merely a natural sex variation, however – intersex people may have congenital and other disabilities arising due to particular variations or due to medical mismanagement. Therefore -
- a. Make provision within the Trans and Intersex ID card (as set out in point 62 above) to declare such disability; and/or
  - b. Make necessary amendments to the Persons with Disabilities Act 2016 to include disabilities arising out of / co-terminus with intersex variations in its schedule of (benchmark) disabilities.



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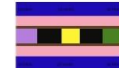
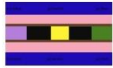


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67. Fulfil the mandate in 2019 Act (*Section 15: unamended*) to establish a streamlined health policy and SOP along international and national healthcare guidelines specifically for intersex and transgender persons – in consultation with the intersex and trans community.

## **L. Additional Duties of the State**

68. Compulsory six month training and directions to all officers of the State, starting from MoSJE, to treat demands of transgender and intersex persons with care and seek to first and foremost, work *with* the transgender and intersex claimants in redressal of grievances prior to court procedures.
69. Establishment of a separate transgender cell, involving transgender legal aid / social workers, at all police stations — for the protection of rights of transgender persons against abuse, violence and wrongful criminalization by police personnel.
70. Inclusion of transgender and intersex representatives in all equal opportunity cells, labour GRCs and PoSH committees to ensure a fair chance at grievance redressal. And further, express and legible inclusion of transgender and intersex persons as vulnerable and protected groups in all UGC and other institutional anti-discrimination and anti-ragging guidelines.
71. That it has become a regrettable practice that all transgender persons are being driven to courts. Courts have also taken note of this poor practice. Thus: all law officers of the State shall carefully study all existing precedents on transgender and intersex rights, work with the welfare board and properly advise the State and relevant ministries so that transgender claimants receive their constitutional rights without delay, are not constantly subject to adversarial legal process from the State.
72. **Amend Section 12 of the Legal Services Act 1987** to include transgender and intersex persons, (children and adults) as eligible for free legal aid. Ensure free legal aid by state appointed lawyers who have received training on trans and intersex rights for court proceedings involving trans and intersex people.
73. Mandate disaggregated data collection on cases, complaints, admissions, and employment outcomes by gender and sex identity, caste and religion, without compromising confidentiality, so that compounding disadvantage becomes visible rather than statistically absorbed.
74. Ensure separate holding cells in remand and prisons for trans and intersex people with accommodations for continued healthcare (trans specific and general) with *only* trained and sensitised women police officers handling us.



## Conclusion

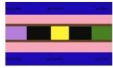
75. A statutory framework that treats gender identity and intersex identity in isolation without recognizing historical systemic discrimination, risks overlooking the cumulative effect of the systems under which our communities are living. These recommendations call for concerted and coordinated effort, led by trans and intersex people, between *at least* the Ministry of Social Justice, Ministry of Education, Ministry of Health, Ministry of Labour, and Ministry of Tribal affairs, and Minority affairs, not to end discrimination against transgender and intersex persons in the abstract, but to ensure that *all transgender and intersex persons, and in particular* those experiencing multiple, compounding forms of structural exclusion can realise all the same rights in practice, and with dignity.

And such is not possible without *effective representation* at every level of the executive mechanism intended for transgender and intersex persons.

The proof of which lies is this document itself prepared and produced entirely by transgender and intersex people.

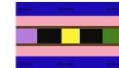
## Notes

- a. **Definition of transgender person:** *Following the definition set out in the unamended 2019 Act, we recognize that ‘transgender person’ as a legal protected category, includes transgender men, transgender women, genderqueer, non-binary individuals, including socio-cultural and indigenous identities.*  
For the purpose only of readability, and ease of writing, the phrase “transgender and intersex” has been used in the text.
- b. **Definition of intersex person:** *Following from the definition set out at Section 2(i) of the unamended 2019 Act and further including any person who may, in the course of their life at any time after birth, be identified as having intersex variations that may not or could not have been identified at birth.*
- c. **Gender-affirming surgery / medical interventions:** Gender-affirming surgeries and medical interventions are consensual, voluntary interventions undertaken by a transgender person in order to fully live in their identity.
- d. **Sex corrective surgery / medical interventions:** Sex corrective surgery / medical interventions are non-consensual and uninformed interventions undertaken by medical professionals (with or without collusion of family) upon intersex babies and adults to force them within the male-female sex binary.
- e. **Population Count:** *It is pertinent to point out that the first Census being undertaken after NALSA judgment has no clear and legible provision for counting transgender and intersex persons. Thus, all counts, especially those undertaken within the duress and confusion created by the Trans Amendment Act, and without community consultation, must necessarily be treated as a miscount and undercount.*



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## References

1. Constitution of India, 1950
2. *NALSA v UoI*, 2014
3. *Jane Kaushik v UoI*, 2025
4. MoSJE Expert Committee Report on Transgender Persons, 2014 :  
<https://socialjustice.gov.in/writereaddata/UploadFile/Binder2.pdf>
5. Sachar Committee Report, 2006 :  
<https://minorityaffairs.gov.in/WriteReadData/RTF1984/7830578798.pdf>
6. Intersectionality: A Report on Discrimination based on Caste with the intersections of Sex, Gender Identity and Disability in Karnataka, Andhra Pradesh, Tamil Nadu and Kerala (published by CLPR), 2019:  
<https://clpr.org.in/wp-content/uploads/2019/08/Intersectionality-A-Report-on-Discrimination-based-on-Caste-with-the-intersections-of-Sex-Gender-Identity-and-Disability-in-Karnataka-Andhra-Pradesh-Tamil-Nadu-and-Kerala.pdf>
7. NHRC Advisory on Welfare of Transgender Persons 2.0, May 2026 :  
[https://nhrc.nic.in/assets/uploads/other\\_advisories/1779115826\\_649e8e4ffb525458ca0a.pdf](https://nhrc.nic.in/assets/uploads/other_advisories/1779115826_649e8e4ffb525458ca0a.pdf)