

MAINS MASTERY 2026 · GS PAPER II · QUESTION 1 · STUDENT EDITION

Self-Identity, Privacy and the 2026 Transgender Amendment

THE QUESTION, AS SET IN UPSC CSE MAINS 2026

Right to privacy relating to self-identity is very dear to every human being and well protected under Article 21 of the Constitution. In this context, examine the effect of the amendment in 2026, to the Transgender Persons (Protection of Rights) Act, 2019.

Directive: Examine | 10 marks | 150 words

Polity: Fundamental Rights, vulnerable sections

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1 PYQ Deep Decode

Read the question the way the examiner set it: the demand, the hidden demand, the structure that follows from both, and how the answer should be presented, opened and closed.

1.1 The demand

This is a question of **constitutional examination**, not a description of transgender welfare. The first sentence fixes the yardstick: **privacy relating to self-identity, protected by Article 21**. The second sets the task: **examine what the 2026 amendment does** to that protection. Each phrase below narrows the work.

Words in the question	What they ask you to do	What goes wrong if you miss them
Right to privacy relating to self-identity	Treat identity as a matter of **decisional privacy**: the person's own authority to define who they are, recognised in **NALSA (2014)** and placed within Article 21 by **Puttaswamy (2017)**.	The answer discusses privacy only as secrecy of data and misses autonomy over identity.
very dear to every human being and well protected under Article 21	Accept this as the **premise and yardstick**. It is not the task itself; it is the standard against which the amendment is measured.	Half the answer is spent proving that privacy is a fundamental right, which the question already states.
In this context	Every point about the amendment must be read **through the lens of self-identity and Article 21**, not through welfare delivery alone.	A summary of the amendment with no link to the right.
examine	Test each change against the right, set out its **consequences**, weigh the State's stated purpose, and reach a **reasoned judgement** on compatibility.	A one-sided answer: either a list of provisions or a protest note.
the effect of the amendment in 2026	Speak of **what changes for the person**: recognition, documents, bodily and informational privacy, access to the Act's protections.	The answer describes the 2019 Act and never reaches the 2026 change.
Transgender Persons (Protection of Rights) Act, 2019	Know the **baseline**: the 2019 Act's definition and its right to self-perceived gender identity, which the amendment alters.	Without the baseline, "effect" cannot be shown.

THE DEMAND IN ONE LINE

Measure the 2026 amendment against the Article 21 right to self-identity: what it changes, what that does to the person's privacy and autonomy, and how far it can be constitutionally justified.

1.2 The hidden demand

The question praises the right in its first sentence and then asks about a law that **moves legal recognition** from the person's own declaration to a medically verified process. The examiner expects you to see that shift and to ask the harder question: **can the State regulate the recognition of gender identity without taking control of a person's identity away from them?** The State's aims, preventing misuse of benefits and

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punishing coercion, are legitimate and must be acknowledged. The hidden demand is a judgement on whether those aims could be met by **less intrusive means**, and it earns its own small part in the structure.

Each point should connect a provision to its effect and, where needed, to the State's justification. The weighing is where the hidden demand is met.

Provision: what changes	Effect: on self-identity and privacy	The State's case: what it seeks
The right to **self-perceived gender identity** in Section 4(2) of the 2019 Act is deleted.	Recognition no longer rests on the person's own declaration.	A **verifiable** basis for recognition and benefits.
The District Magistrate now issues the certificate after examining a **medical board's recommendation**, instead of on a self-declaration.	Legal recognition becomes subject to **medical verification** and an external decision.	Preventing alleged misuse of targeted welfare benefits and ensuring that statutory protections reach intended beneficiaries. The 2019 Act does not itself establish a general transgender reservation entitlement.

WEAK
The amendment introduces medical boards for transgender certificates.

STRONG
By making certification depend on a medical board's recommendation rather than self-declaration, the amendment moves legal recognition away from the person's own account of identity, which NALSA's principle of self-determination protected.

1.3 The structure

The question has **one demand** (the amendment's effect on privacy of self-identity) and **one hidden demand** (whether the regulation passes constitutional scrutiny and could coexist with self-identity). So the answer has **two parts**, in that order. The two-thirds to one-third balance is a teaching guide, not a UPSC rule: the quality of analysis decides the final allocation.

Introduction	1. Effects on privacy and identity about two-thirds	2. Constitutional assessment and way forward about one-third	Conclusion

Part 1 **Effects on privacy and identity** **about two-thirds**

Inside this one part, move from each change to its effect on the person.

The baseline	**NALSA (2014)** recognised self-identified gender; **Puttaswamy (2017)** placed decisional and informational privacy in Article 21; the **2019 Act** gave a right to self-perceived identity.
What changes	Section 4(2) deleted; a **narrower definition**; certification after a **medical board's recommendation**; a compulsory application for a revised certificate after surgery; Section 7(3) and its proviso omitted; mandatory **reporting** of the particulars of persons who undergo surgery to change gender, under Section 7(1A); new aggravated offences against coercion.
Effect on the person	Decisional privacy (whose account of identity counts for recognition), bodily autonomy (medical verification), informational privacy (reporting of the particulars of persons who undergo surgery), and equality (express inclusion of trans men, trans women and genderqueer persons removed).

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Part 2 **Constitutional assessment and way forward** about one-third

The State's case	Clearer identification of beneficiaries, prevention of alleged misuse of entitlements, and more effective punishment of coercion and exploitation. Whether the means are necessary and proportionate remains open to constitutional scrutiny.
Constitutional test	**Proportionality** (Modern Dental College, 2016; Puttaswamy, 2017): legality, legitimate aim, suitability, necessity and balance; Article 14 on the classification. The challenge is pending before the Supreme Court.

Then show that the State's legitimate aims can be met by **less intrusive means**: self-declaration with checks on benefit eligibility and penalties for fraud, an effective appeal, and safeguards for medical information. This part, and the conclusion after it, carry your judgement.

1.4 How to present it

The form of an answer is chosen by the question. "Effect of the amendment" pairs **each change with its consequence**, so a compact **two-column table** carries the core of Part 1 best, followed by one line on the constitutional test.

Form	Fit here	Reason
Table: change and effect	**Best**	Five changes, each beside its effect on privacy, read in one glance; the examiner sees "examine" working row by row.
Points with headings	Good	Headings such as decisional, bodily and informational privacy work well, but each point must name the provision it examines.
Flowchart	Weak	A flow from application to certificate shows the procedure, not its effect on the right.

1.5 The introduction and the conclusion

The introduction serves the whole question. It joins the two halves of the question: the right (self-identity within Article 21, through NALSA and Puttaswamy) and the change (the amendment's move from self-declared to medically verified recognition). An opening that only praises privacy, or only describes the amendment, covers half the question.

The conclusion settles the demand. The question asks for the amendment's effect on a protected right, so the closing line gives a judgement: legitimate aims, but means that reach into the core of self-identity, with the final word resting on proportionality review by the Supreme Court. Keep it about as long as the introduction.

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2 PYQ Intelligence 2013 to 2026

The question's context in 2026, its place in a line of Article 21 questions UPSC has set since 2013, and what to prepare next.

2.1 Why the subject was topical in 2026

The amendment moved through Parliament within weeks of its introduction and was challenged in the Supreme Court soon after. UPSC never states why it sets a question, so treat this as **context, not cause**.

When	What happened	Why it matters for this question
13 March 2026	The **Transgender Persons (Protection of Rights) Amendment Bill, 2026** is introduced in the Lok Sabha.	Its Statement of Objects and Reasons calls the 2019 definition vague and hard to apply to benefits and penal provisions.
24 and 25 March 2026	Passed by the Lok Sabha by voice vote, amid an Opposition walkout, and by the Rajya Sabha the next day.	Speed and consultation became part of the debate; members of the National Council for Transgender Persons alleged that they had not been consulted.
30 March and 25 May 2026	The President gives assent (Act 3 of 2026); the amendment is brought into force from **25 May 2026** by notification.	By the examination, the amendment was in force, not merely enacted.
4 May 2026 onwards	The Supreme Court issues notice on petitions including **Laxmi Narayan Tripathi v. Union of India** and declines to stay the law; on 17 August 2026 the Union tells the Court that identity cards already issued will continue, which the bench records subject to the outcome of the petitions; the matter is before a three-judge bench.	The question was set while the constitutional challenge was **pending**: never state an outcome.

2.2 The skill UPSC keeps testing

These GS Paper II questions from 2013 to 2026 share one concern: **how far Article 21 protects autonomy, dignity and privacy, and how the State may limit it**. The facts change; the reasoning is the same.

Year	The question, as UPSC set it	What it asked of you	What changed in 2026
2015, GS II, Q7	Does the right to clean environment entail legal regulations on burning crackers during Diwali? Discuss in the light of Article 21 of the Indian Constitution and Judgement(s) of the Apex Court in this regard.	Test a regulatory restriction against Article 21.	The same method of testing a measure against the right, now applied to identity.
2017, GS II, Q12	Examine the scope of Fundamental Rights in the light of the latest judgement of the Supreme Court on Right to Privacy.	The reach of Puttaswamy across Part III.	The same judgment, now applied as a **test of a specific law**.
2023, GS II, Q11	"The Constitution of India is a living instrument with capabilities of enormous dynamism. It is a constitution made for a progressive society." Illustrate with special	The judicial growth of Article 21.	Self-identity is one of those expanded horizons; 2026 asks what happens when a statute narrows it.

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Year	The question, as UPSC set it	What it asked of you	What changed in 2026
	reference to the expanding horizons of the right to life and personal liberty.		
2023, GS II, Q12	Explain the constitutional perspectives of Gender Justice with the help of relevant Constitutional Provisions and case laws.	Provisions and cases on gender justice.	Gender justice is no longer only about women; NALSA extended it to gender identity.
2024, GS II, Q12	Right to privacy is intrinsic to life and personal liberty and is inherently protected under Article 21 of the constitution. Explain. In this reference discuss the law relating to D.N.A. testing of child in the womb to establish its paternity.	Privacy against a specific intrusion: a medical test ordered by law.	The closest precedent: a privacy premise, then a **specific legal measure** to be examined against it.
2026, GS II, Q12	What is meant by judicial legislation? In this context, discuss the verdicts of the apex court allowing "passive euthanasia" and a "living will".	Autonomy and bodily integrity through judicial interpretation (Q12, the same paper).	The same paper tested autonomy twice: through the courts in Q12, through a statute in Q1.

CARRY THIS METHOD TO ANY ARTICLE 21 QUESTION

1. **Which right?** Name its dimension: decisional, bodily or informational.
2. **What does the law do?** The precise provision.
3. **Whose control?** Who decides after the change.
4. **Why?** The State's stated aim.
5. **Is it proportionate?** Legality, aim, necessity, balance.

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2.3 What to prepare next

JUDGMENTS ON IDENTITY AND AUTONOMY

NALSA (2014)	Self-identified gender; transgender persons as a "third gender" entitled to the Constitution's protections.
Puttaswamy (2017)	Nine judges: privacy a fundamental right; proportionality test for its restriction.
Navtej Singh Johar (2018)	Section 377 read down for consensual adult relations; dignity and autonomy.
Supriyo Chakraborty (2023)	No fundamental right to marry recognised; the Union's assurance of a committee on queer couples' entitlements.

LAWS AND INSTITUTIONS AROUND THE TOPIC

2019 Act and 2020 Rules	Before the 2026 amendment, the 2020 Rules provided affidavit-based certification without medical or physical examination. From 25 May 2026, amended Section 6(1) requires the District Magistrate to consider a designated medical board's recommendation; the amendment does not expressly mandate a physical examination. Rule 8 (reasons for rejection) and Rule 9 (appeal) apply subject to their compatibility with the amended Act.
National Council for Transgender Persons	Statutory advisory body under the 2019 Act.
SMILE scheme	Support for livelihood, shelter (Garima Greh) and skills of transgender persons.
Digital Personal Data Protection Act, 2023	The Act and the 2025 Rules have staggered commencement dates; core obligations on processing, consent and data-principal rights are scheduled to commence on 13 May 2027, so they cannot be assumed to be fully operative safeguards for the 2026 medical-reporting requirement.

3 Additional information

Everything needed to answer this question well. Tier 1 holds what the demand needs; Tier 2 places it within the wider law, data and debate.

TIER 1 · ESSENTIAL: THE PRINCIPAL IDENTITY AND PRIVACY CHANGES

Subject	2019 Act (before)	2026 amendment (after)	Effect on self-identity and privacy
WHO IS RECOGNISED			
Definition	A person whose gender does not match the gender assigned at birth, including **trans men, trans women** (regardless of medical transition), persons with intersex variations, genderqueer persons, and those with socio-cultural identities such as kinner, hijra, aravani and jogta.	A listed definition: socio-cultural identities (**kinner, hijra, aravani, jogta, eunuch**), specified congenital variations in sex characteristics, and persons compelled by force, deceit or undue influence to assume or present a transgender identity; the proviso states that the definition	The express inclusion of trans men, trans women and genderqueer persons is removed; those who do not fit a listed category risk losing recognition and protection. An **Article 14** question of classification arises. The retrospective wording ("nor

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Subject	2019 Act (before)	2026 amendment (after)	Effect on self-identity and privacy
		shall not include, "nor shall ever have been so included", persons with different sexual orientations and "self-perceived sexual identities".	shall ever have been") raises a separate question about past recognition, to be read alongside the pending challenge.
Self-perceived identity	Section 4(2): a right to **self-perceived gender identity**.	Deleted.	The core of NALSA's principle of self-determination is removed from the statute.
HOW RECOGNITION HAPPENS			
Certificate	Issued by the **District Magistrate** on application with an affidavit; the 2020 Rules required **no medical or physical examination**.	Issued after the District Magistrate examines the recommendation of an "authority": a **medical board** headed by a Chief Medical Officer or Deputy Chief Medical Officer, appointed by the Centre, State or Union territory; the District Magistrate may consult other medical experts. Section 6(4) relocates the first-name-change entitlement previously in Section 7(3); it now expressly covers persons issued a certificate under Section 6(1).	**Bodily autonomy** and dignity: recognition now depends on medical verification. The amendment does not itself prescribe a physical examination, but the concern is real.
After surgery	A person **may** apply for a revised certificate.	A person **shall** apply for a revised certificate; medical institutions must **furnish details** of persons who have undergone surgery to change gender to the District Magistrate and the designated authority, in the prescribed form and manner. Former Section 7(3) (first-name change) and its proviso (continuity of rights and entitlements after a revised certificate) are omitted; the first-name entitlement moves to Section 6(4), but the savings proviso is not reproduced.	**Informational privacy**: details of persons who have had surgery move to the administration. An express statutory protection of continuing entitlements is removed, though not every entitlement under other laws is necessarily extinguished.
Remedy	The Act has no appeal clause, but the 2020 Rules require reasons for rejection (Rule 8) and give a right of appeal (Rule 9).	No new statutory appeal added.	A remedy exists under the Rules; whether it is adequate against a medical recommendation is a fair question.
OFFENCES			
Penalties	Offences such as forced labour, denial of public passage and harm: **six months to two years** and a fine.	New aggravated offences: kidnapping or abduction **with** grievous hurt or severe injury to compel a transgender identity, **10 years to life** and at least ₹2 lakh for adult victims, **life** and at least ₹5 lakh for children; coercing a person	Stronger protection against **coercion and exploitation**, a legitimate aim the answer must acknowledge.

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Subject	2019 Act (before)	2026 amendment (after)	Effect on self-identity and privacy
		to present as transgender and exploiting them in begging, servitude or bonded labour, **5 to 10 years** and at least ₹1 lakh (adults), **10 to 14 years** and at least ₹3 lakh (children). Existing offences keep six months to two years.	

Other amendments, less central to this question, include deleting the separate Section 2(i) definition of persons with intersex variations while retaining specified intersex and congenital-variation categories in revised Section 2(k); changing the regional rotation and Central nomination of State and Union territory representatives on the National Council; and consequential changes to the definition of appropriate Government and rule-making powers. These should not be confused with the principal changes affecting self-identification.

Gender identity is not sexual orientation. Gender identity is a person's sense of being a man, a woman, both or neither; sexual orientation concerns attraction. The amendment's exclusion of "self-perceived sexual identities" sits on this distinction, and answers that confuse the two lose precision.

Three dimensions of privacy carry the answer. **Decisional**: who decides identity. **Bodily**: medical verification by a board. **Informational**: reporting of persons who undergo surgery. Naming the dimension makes "effect" concrete.

TIER 2 · EXTENDED UNDERSTANDING: THE WHOLE TOPIC AROUND IT

The constitutional yardstick

Source	What it holds	How it bears on the amendment
NALSA v. Union of India (2014)	Gender identity is integral to dignity and personal autonomy; recognition through **self-identification**, not a biological or surgical test.	The principle the amendment departs from by requiring a medical board.
K. S. Puttaswamy v. Union of India (2017)	Privacy is a fundamental right within Article 21, with **decisional, bodily and informational** dimensions; restrictions must pass **proportionality**, as developed in Modern Dental College (2016) and applied in the Aadhaar judgment (2018).	The test the amendment must pass: a legitimate aim pursued by the least intrusive suitable means.
Navtej Singh Johar (2018)	Dignity and autonomy of sexual minorities; the Constitution protects choices central to identity.	Supports reading identity as a protected personal choice.
Article 14 and 15	Equality before law; non-discrimination on grounds of sex, read in NALSA to include gender identity.	The narrower definition must have a rational nexus with the Act's purpose.

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The proportionality test, applied

Legality	Legitimate aim	Suitability	Necessity	Balance
A law exists: the 2026 amendment, enacted by Parliament.	Clear beneficiaries, prevention of misuse, punishment of coercion: aims the State can pursue.	Does a medical board identify socio-cultural identities such as hijra or jogta? Only some categories are medically identifiable.	Could self-declaration with fraud checks and audit meet the aim with less intrusion?	The weight of the intrusion on identity against the gain in accuracy of benefits.

The State's case, in full

1. **Vagueness:** the 2019 definition was said to make beneficiaries hard to identify.
2. **Misuse:** verification so that welfare and affirmative action reach intended persons.
3. **Coercion:** heavier punishment for forced castration, kidnapping and exploitation.
4. **Workability:** penal, civil and personal-law provisions said to be unworkable on self-perception alone.

The concerns, in full

1. **Self-determination:** recognition moves from the person's declaration to a board's recommendation.
2. **Medicalisation:** identity treated as a medical fact; WHO's ICD-11 no longer classes gender incongruence as a mental disorder.
3. **Exclusion risk:** trans men, trans women and genderqueer persons are no longer expressly included in the statutory definition; those unable to satisfy its narrower categories risk exclusion from recognition and protection.
4. **Data:** reporting of persons who undergo surgery, without stated safeguards.
5. **Remedy:** no new appeal against a refusal based on a medical recommendation.
6. **Continuity:** the proviso to former Section 7(3), which preserved entitlements after a revised certificate, omitted.

Numbers worth knowing

Census 2011	**4,87,803** persons recorded in the "other" gender category, widely regarded as an undercount.
National Portal for Transgender Persons	PRS (March 2026), citing the National Portal accessed on 20 March 2026: **32,427 certificates** and 32,498 identity cards issued, about 4,000 applications pending. Separately, a Rajya Sabha reply of 11 March 2026 reported **5,566 rejected**. The figures have different reference dates.

Two debates worth knowing

Can recognition be verified without being medicalised?

One view holds that welfare and reservation require a **verifiable** basis. The other holds that verification by a medical board turns identity into a diagnosis. The balanced reading: **the State may check eligibility for benefits without deciding a person's identity for them**, for example through self-declaration with penalties for fraud.

Do stronger penalties justify narrower recognition?

The new offences answer a real problem of coercion and exploitation. They do not depend on deleting self-perceived identity. The balanced reading: **protection from coercion and respect for self-identity can stand together**; one need not be traded for the other.

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4 Pitfalls and variations

The mistakes that cost marks here, the claims never to make, and how the answer changes when the question changes.

4.1 Six pitfalls, each with its correction

Proving privacy instead of using it

~~Privacy was declared a fundamental right in Puttaswamy after a long history of cases.~~

Puttaswamy places decisional privacy in Article 21; the amendment's medical board must now pass its proportionality test.

Describing without examining

~~The amendment introduces medical boards and new penalties.~~

The medical board moves legal recognition from the person's declaration to an external recommendation.

Ignoring the State's aim

~~The amendment has no justification.~~

Its aims, preventing misuse and punishing coercion, are legitimate; the question is whether its means are proportionate.

Stating a verdict that does not exist

~~The Supreme Court has struck down the amendment.~~

The challenge is pending; the answer applies the test the Court will apply.

Confusing identity and orientation

~~The amendment excludes homosexual persons from the transgender category.~~

It excludes persons with different sexual orientations and self-perceived sexual identities; gender identity and sexual orientation are distinct.

Forgetting the baseline

~~The amendment gives transgender persons certificates.~~

Certificates existed under the 2019 Act on self-declaration; the amendment adds a medical board and removes self-perceived identity.

4.2 Never write these

- "The amendment bans gender-affirming surgery."
  It requires an application for a revised certificate and reporting after surgery.
- "There is no appeal against refusal."
  Rule 9 of the 2020 Rules gives one.
- "The amendment introduced certificates."
  They existed since 2019; the process changed.
- "NALSA was decided in 2019."
  NALSA is 2014; the Act is 2019.
- "Privacy is an absolute right."
  Puttaswamy allows proportionate restriction.
- "The amendment is unconstitutional."
  Argue the test; no court has ruled.

4.3 If the question changes

If it asks	The structure becomes	What must change
Critically examine the 2026 amendment...	1. Its rationale and gains (about two-fifths); 2. Its costs to rights (about two-fifths); 3. A way	Give the State's case its own part; end with a firm verdict.

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If it asks	The structure becomes	What must change
	forward (about one-fifth)	
Discuss the shift from self-identification to medical certification...	1. Self-identification under NALSA and the 2019 Act; 2. Certification under the amendment; 3. Which better serves dignity and welfare	A comparison, not a list of provisions.
"Self-identification is essential to dignity." **Comment** in the light of the 2026 amendment.	1. Why the statement holds; 2. Where the State's concerns qualify it	Take a position on the statement and hold it.
The same question for **15 marks**, 250 words	1. Effects, under decisional, bodily and informational privacy and equality (about two-thirds); 2. Constitutional assessment and way forward (about one-third)	Add the proportionality steps and one example of a less intrusive alternative.

5 The model answer

One answer, written in 150 words, in the form this question calls for: a change-and-effect table within the first part. The introduction covers the whole question; the conclusion settles its demand.

Model answer ### Table of change and effect **150 words**

NALSA (2014) upheld self-identified gender; Puttaswamy (2017) protected decisional privacy under Article 21. The 2026 amendment shifts statutory recognition towards medical-board scrutiny.

1. Effects on privacy and identity

Change	Effect
Section 4(2) deleted	Express statutory right to self-perceived identity removed.
Definition narrowed	Trans men, trans women and genderqueer persons lose express inclusion; equality concerns arise.
Medical-board recommendation	Certification depends on external scrutiny, risking autonomy and dignity; physical examination is not mandated.
Surgery-related reporting; Section 7(3) omitted	Patient details are disclosed; the explicit safeguard for continuing entitlements disappears.
New aggravated offences	Stronger statutory protection against coercion and exploitation.

2. Constitutional assessment and way forward

Preventing misuse and coercion are legitimate objectives, but mandatory medical review must satisfy proportionality and necessity. Self-declaration, verification of benefit eligibility, an effective appeal and data safeguards offer less intrusive alternatives.

Thus, despite stronger safeguards against exploitation, the amendment risks impairing constitutional self-determination and informational privacy; judicial scrutiny remains pending.

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DEMAND
Five changes, each with its effect on privacy and identity

HIDDEN DEMAND
Part 2 tests the State's aims for proportionality and shows less intrusive means

STRUCTURE
Part 1 about two-thirds, Part 2 about one-third

BALANCE
Introduction 21 words, conclusion 19 words; 150 words in all

Why it works: the introduction joins the right (NALSA, Puttaswamy) and the change; each table row pairs a provision with its effect, stated precisely (reporting concerns the person's details; physical examination is not mandated), so "examine" is visible; Part 2 acknowledges the State's legitimate aims, applies proportionality and necessity, and offers less intrusive alternatives, meeting the hidden demand; the conclusion weighs gains against risks and notes that judicial scrutiny is pending.

6 Other ways to write it

The model answer above remains the answer. These outlines show how a different, equally valid answer could be built, and when each choice works.

Approach	How it is built	When it works
Points under three privacies	Part 1 under three headings, decisional, bodily and informational privacy, each naming the provision it examines; equality as a fourth line.	When you prefer prose to a table and can keep each point tied to a provision.
Open with the proportionality test	Introduction: Article 21 permits restriction only if proportionate; the amendment is examined against that test; then the same two parts.	When you want the judgement to run through the whole answer.
Before and after	Part 1 as a short comparison: the 2019 position against the 2026 position, with the effect drawn after it.	When the examiner needs to see the baseline clearly.
For 15 marks	Add the State's case as its own short heading inside Part 1, and one example of a less intrusive alternative in Part 2.	When there is room to weigh both sides explicitly.

7 Quick recall and Prelims crossover

Facts for rapid revision and Prelims.

1. **NALSA v. Union of India**: **2014**, self-identified gender recognised.
2. **Puttaswamy**: **2017**, nine judges, privacy a fundamental right.
3. **Navtej Singh Johar**: **2018**, Section 377 read down.
4. **Supriyo Chakraborty**: **2023**, no fundamental right to marry recognised.
5. **Transgender Persons (Protection of Rights) Act**: **2019**.
9. Amendment Bill introduced in the Lok Sabha on **13 March 2026**.
10. Passed: Lok Sabha **24 March**, Rajya Sabha **25 March 2026**.
11. Assent **30 March 2026**; in force from **25 May 2026**.
12. Section 4(2), the right to **self-perceived gender identity**, deleted.
13. Certificate after a **medical board** headed by a CMO or Deputy CMO.

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6	2020 Rules: certificate on affidavit, **no medical or physical examination**; appeal under **Rule 9**.	14	Medical institutions must **report** details of persons who undergo surgery to the District Magistrate and the designated authority; former **Section 7(3)** and its proviso omitted.
7	**National Council for Transgender Persons**: statutory body under the 2019 Act.	15	Section 18(e): kidnapping or abducting an adult **and** causing grievous hurt or severe injury to compel a transgender identity: **10 years to life** and at least ₹2 lakh.
8	**Census 2011**: **4,87,803** in the "other" category.	16	Challenge pending: **Laxmi Narayan Tripathi v. Union of India** (2026).

THE ONE SENTENCE TO CARRY OUT OF THIS DOCUMENT

The 2026 amendment pursues legitimate aims, but by moving legal recognition from self-declaration to medical verification, it must answer to Article 21's test of proportionality.

8 Write it yourself

Write the answer in 150 words without looking back, then check it against each line below.

	Check	Yes / No
1	Does the introduction join the **right** (Article 21, NALSA, Puttaswamy) and the **change** (the 2026 amendment)?	
2	Does Part 1 take about **two-thirds** of the body?	
3	Does every point pair a **provision** with its **effect** on self-identity or privacy?	
4	Is the **State's aim** acknowledged and tested by **proportionality**?	
5	Does Part 2 show a **less intrusive way** to meet the same aims?	
6	Does the conclusion give a **judgement on the effect**, at about the length of the introduction?	
7	Is it about **150 words**, with no claim from section 4.2?	

Sources

- Transgender Persons (Protection of Rights) Act, 2019; Transgender Persons (Protection of Rights) Rules, 2020; Transgender Persons (Protection of Rights) Amendment Act, 2026.
- PRS Legislative Research: Bill Summary and Issues for Consideration, Transgender Persons (Protection of Rights) Amendment Bill, 2026 (March 2026).
- National Legal Services Authority v. Union of India (2014); Justice K. S. Puttaswamy v. Union of India (2017); Navtej Singh Johar v. Union of India (2018); Supriyo Chakraborty v. Union of India (2023).
- Supreme Court Observer, Challenge to the Transgender Persons Amendment Act, 2026 (Laxmi Narayan Tripathi v. Union of India, W.P. (C) 548 of 2026).
- Gazette notification bringing the Amendment Act into force from 25 May 2026; Transgender Persons (Protection of Rights) Amendment Bill, 2026 (text, Bill No. 79 of 2026).
- UPSC Civil Services (Main), GS Paper II: 2015, 2017, 2023 (two questions), 2024, and 2026 Q1 and Q12. Official question papers.

Right to privacy relating to self-identity is very dear to every human being and well protected under Article 21 of the Constitution. In this context, examine the effect of the amendment in 2026, to the Transgender Persons (Protection of Rights) Act, 2019.

YOUR NEXT STEP

Now write GS Paper II 2026 again.

You now know what this question asked, what it expected without saying so, and how its answer is built. Write the whole paper under the clock, have it evaluated, and read the feedback against this document.



1 Write the full paper in three hours

2 Self-check this answer with section 8

3 Have the paper evaluated

4 Read the feedback against this document

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Guranchal Ma'am
Founder, UPSC Gurus

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