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22. Rights of Transgender / Hijara Community - A Socio Legal Problem

Shirish Milindras Kamble
Research Fellow, Dr. B. A. M. L. Aurangabad
Dr. Vina Vijay Patil
Narasarrao Chavan Law College Nanded

Abstract

The new interpretation of Article 21 in Maneka Gandhi's case has ushered a new era of expansion of the horizons of right to life and personal liberty. The wide dimension given to this right now covers various aspects which the founding fathers of the Constitution might or might not have visualized.

Rights of Transgender/Hijara community is the burning issue since the development of the scope of the Article 21 of last 15 years and protection of the Transgender/Hijara community under article 21 read with Article Article 14, 15, 16, 17, and 19 Of The Constitution Of India.

The economic and social justice i.e. law is an instrument of economic justice and satisfying the changing needs of the civilized society.

The preamble, fundamental rights and Directive principles of the state policy is based upon the social and economic justice.

The social order was governed by the feudal orthodox Hindu casti-class system is nothing but the economy. Among this the Transgender/Hijara community is the class of that system.

Key word: Rights of Transgender/Hijara community, Economic and Social Justice and Article 21 Read with Directive Principle of the State Policy and Article 14, 15, 16, 17, and 19 Of the Constitution of India.

Introduction

The word "transgender" – or trans – is an umbrella term for people whose gender identity and/or expression is different from cultural and social expectations based on the sex they were assigned at birth. The transgender/ hijaraa community is the part of the our society and they are the citizens of the India. They are protected under the umbrella of the constitution like other peoples are protected under the constitution. The article 15 of the Indian Constitution provides