

If Transgender is Sexuall Harassed at workplace....what happens?

HR Vidyalaya's
POSH Snippet

12, Jan,
2021

12/2021

Though PoSH Act protects the Women at work, it is not biased against Men or Transgender persons.

What happens, in case of Transgender (2 scenarios and answer for the first one is as below)

- (i) where in the Transgender person is “Sexually Harassed” or
- (ii) a Complaint was made on such Transgender person who commits Sexual Harassment (on a woman)?

As per “*Anamika vs. Union of India and Ors.*” (Hon’ble Delhi High Court)

The Delhi Police has clarified the Delhi High Court’s ruling which allows transgender persons to file complaints of sexual harassment under section 354 A of the Indian Penal Code (IPC).

Before a Division Bench of Justices Siddharth Mridul and Sangita Dhingra Sehgal, the Delhi Police has asserted that the decision follows the Supreme Court’s verdict in *National Legal Services Authority v. UOI*, which extended to transgender the same Constitutional and legal rights as available to any other citizen.