

No. EDN-C-A(3)-3/2013-Loose
Government of Himachal Pradesh
Department of Elementary Education

Dated Shimla-171002, the 22nd August, 2014.


NOTIFICATION

The Human Immunodeficiency Virus (HIV)/Acquired Immune Deficiency Syndrome (AIDS) is one of the biggest challenges being faced by the country. Lack of proper education, awareness, social conditions prevailing in the Society and the traditional outlook as well as the myth coupled with such sensitive matters has not only made it more vulnerable disease but also a social stigma on the infected persons, their family members and children who are discriminated at every place and are being deprived of their legitimate rights.

The fundamental rights enshrined in the Constitution of India are equally applicable to the peoples suffering from HIV/AIDS, including their family members and children.

Under section 2(d) of the Right of Children to Free and Compulsory Education Act, 2009, the Children who are infected by HIV/AIDS or whose parents/family members/guardian are suffering from HIV/AIDS and children who are living with their HIV/AIDS infected parents/guardian falls under the category of "disadvantaged group". Since the Act provide right to every children to free and compulsory education, as such the infected children cannot be deprived of from their right to get free and compulsory education.

Therefore, with the objective to protect the interests of such Children and their parents, the Governor, Himachal Pradesh is pleased to order that:

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- (i) No child living with or infected by HIV/AIDS shall be denied admission in any educational institution, whether run by Government or private, solely on the ground of his/her HIV positive status (actual or perceived) or HIV positive status (actual or perceived) of his/her parent(s), guardians or any other family member;
 - (ii) No child living with or infected by HIV/AIDS shall be suspended or expelled from any educational Institutions whether Govt. or private;

- (iii) There shall be no segregation of children living with or infected by HIV/AIDS. Such children shall be supported and enabled to attend the regular school with other children;
- (iv) That no child shall be compelled to disclose his status of HIV/AIDS and questions related to the HIV/AIDS status of his or his parents/family members/guardian may not be asked from such Children.

The Governor, Himachal Pradesh, is further pleased to order that the above instructions shall be applicable to all educational institutions/colleges functioning in the Pradesh and the same may be brought to the notice of all educational institutions whether Government or private for strict compliance. Suitable action will be initiated against such institution(s) found guilty of violation of these instructions.

By Order,

K. Sanjay Murthy
Pr. Secretary (Education) to the
Government of Himachal Pradesh.

No. EDN-C-A(3)-3/2013-Loose Dated Shimla-2, the 22nd August, 2014.
Copy for information and necessary action:

1. The Pr. Private Secretary to Hon'ble Chief Minister, Himachal Pradesh, Shimla-2.
2. The Director of Higher Education, Himachal Pradesh, Shimla-2 He is requested to circulate the above instructions to all the Deputy Directors and Principals' of all educational institutions under his control.
3. The Director of Elementary Education, Himachal Pradesh, Shimla-2. He is requested to circulate the above instructions to all the Deputy Directors and Headmasters of Schools under his control.
4. The State Project Director SSA, Himachal Pradesh, Shimla-171001.
5. All Section Officers of the Education Department in H.P. Secretariat.



(D.K. Manta)
Deputy Secretary (Education) to the
Government of Himachal Pradesh.

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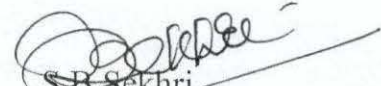
Endst. No. EDN-H(21)F(09)07-2012 Drug Abuse, Dated



30th August, 2014

Copy for information and necessary action is forwarded to:-

1. The Principal Secretary (Education) to the Government of Himachal Pradesh, H.P Secretariat, Shimla-2 w.r.t No. EDN(D) 1-261/2014 dated 22nd August, 2014.
2. All the Principals, Govt. Colleges/Govt. Aided Colleges/Sanskrit Colleges/Private Colleges of Himachal Pradesh.
3. All the Deputy Directors of Higher Education Himachal Pradesh with the direction to take appropriate action accordingly.
4. All the Principals/Headmasters/GSSS/GHS/Private Schools in Himachal Pradesh with the direction to take appropriate action accordingly.
- ✓ 5. The Technical Officer, IT Cell, with the direction to upload the same on the departmental website.
6. The Superintendent, Monitoring Cell, Directorate of Higher Education, Himachal Pradesh, Shimla-1.
7. Guard file.


S.B. Sekhri
Director of Higher Education
Himachal Pradesh