

HE (21) B (15) 04/2023- Hostel-  
Directorate of Higher Education  
Himachal Pradesh, Shimla-1

Dated: Shimla-171001, the

February, 2025

17 FEB 2025

To

All the Deputy Directors of Higher Education,  
in Himachal Pradesh.

Subject: -


**Regarding effective implementation of National Menstrual Hygiene Policy for School Going Girls in the Hostels sanctioned under Hostel component of PM-AJAY.**

Please find enclosed herewith a copy of letter No.-5-13/2022-Wel. Hostel-110 dated: 03.01.2025 along with Hon'ble Supreme Court Order in Writ Petition (Civil) No. 1000/2022, dated 12.11.2024 received from the Directorate of Empowerment of SC, OBC, Minorities & The Specially Abled, Himachal Pradesh, Shimla-9 on the subject cited above.

In this connection, you are hereby directed to issue necessary direction to all the hostels of schools under your control to supply the report to this Directorate within two days through return E-mail on the prescribed performa as under:-

S. No.	Name of Schools/Institution	Point	Reply
1		Whether free sanitary pad to every female child studying between classes to 6 to 12 are being provided ?	
2		Whether a separate toilet for females in residential school/hostel is available ?	


**Treat it as most urgent**

  
Director of Higher Education  
Himachal Pradesh  
February, 2025

Endorsement No. Even, Dated: Shimla-1, the

Copy to;

1. Joint Director, Directorate for Empowerment of SCs, OBCs, Minorities & the Specially Abled, Himachal Pradesh refer to their letter number referred above
- ✓ 2. The Technical Officer (Computer/IT Cell), Directorate of Higher Education, Himachal Pradesh to upload the letter on Departmental Website.
3. Guard file.

  
Director of Higher Education  
Himachal Pradesh

No.:5-13/2022-Wel.Hostel- 110  
Directorate for Empowerment of SCs, OBCs, Minorities  
& the Specially Abled, Himachal Pradesh.

25102767  
16/01/25

To

The Director,  
Higher Education  
Himachal Pradesh, Shimla-171001

Dated:

03 JAN 2025

Shimla-9

Subject:-

Regarding effective implementation of National Menstrual Hygiene Policy for School Going Girls in the Hostels sanctioned under Hostel component of PM-AJAY.

Sir,

On the subject cited above a letter No. HC-11018/6/2024-PM-AJAY dated 04-12-2024, has been received from Ministry of Social Justice and Empowerment Shastri Bhawan, New Delhi vide which it has been requested to implement the of National Menstrual Hygiene Policy for school going girls in the hostels sanctioned under Hostel component of PM-AJAY.

In this regard, you are requested to go through the content of letter and provide compliance report on the implementation of the directions of the Hon'ble Supreme Court to this Directorate immediately so that same can be provided to the Government.

Your Faithfully,

  
Joint Director,

Empowerment of SCs, OBCs, Minorities  
& the Specially Abled, Himachal Pradesh

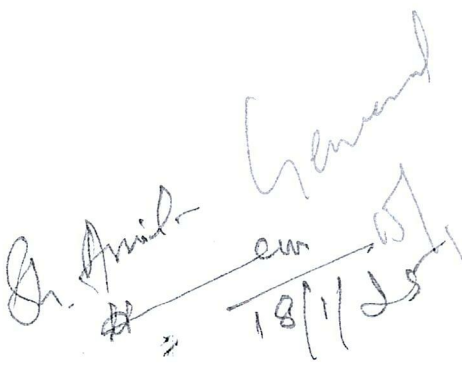
Dated:- Shimla-9

**Endst. No: As Above**

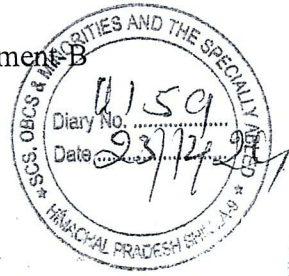
Copy to:- The Secretary SJ&E to the Government of H.P with reference to your office letter No.SJE-B-F04/9/2023-119133 for information.

Joint Director,

Empowerment of SCs, OBCs, Minorities  
& the Specially Abled, Himachal Pradesh

  
18/1/25

No. SJE-B-F04/9/2023-119133  
Government of Himachal Pradesh,  
Department of Social Justice & Empowerment



From

Secretary (SJ&E) to the  
Government of H.P. Shimla-2.

The Director,  
Empowerment of SCs, OBCs & Minorities & Specially Abled,  
SDA Complex Kasumpti Shimla - 171009

Dated Shimla-2, the 17<sup>th</sup> December, 2024.

Regarding effective implementation of National Menstrual  
Hygiene Policy for School Going Girls in the Hostels sanctioned  
under Hostel component of PM-AJAY.

Subject: -

Madam,

I am directed enclose herewith a copy of letter No. HC-11018/6/2024-PMAJAY dated 04.12.2024 along with its enclosers received from Under Secretary to the Govt. of India, Ministry of SJ&E, Department of SJ&E (PM-AJAY) on the subject cited above and to request you to look into the matter and send the compliance report to this office immediatly.

"This may be treated as Most Urgent".

Yours faithfully,

(Jeewan Singh)

Joint Secretary (SJ&E) to the  
Government of Himachal Pradesh



No. HC-11018/6/2024-PMAJAY  
Government of India  
Ministry of Social Justice and Empowerment  
Department of Social Justice and Empowerment  
(PM-AJAY)

Shastri Bhawan, New Delhi-110001

Dated: 04.12.2024

To

(i) The Principal Secretaries/Secretaries in charge of Social Welfare/Scheduled Castes Welfare Department in the State/UT of Andhra Pradesh, Assam, Bihar, Chhatisgarh, Gujarat, Haryana, Himachal Pradesh, Jammu and Kashmir, Jharkhand, Karnataka, Kerala, Madhya Pradesh, Maharashtra, Manipur, Nagaland, Odisha, Puducherry, Punjab, Rajasthan, Sikkim, Tamil Nadu, Telangana, Tripura, Uttar Pradesh, Uttarakhand and West Bengal

(ii) The Registrar, Central Universities (as per the list)

**Subject:- Effective implementation of National Menstrual Hygiene Policy for School-Going Girls in the Hostels sanctioned under Hostel Component of PM-AJAY -reg.**

Sir/Madam,

I am directed to forward herewith an O.M. No.Z-28020/3/2023-CH (copy enclosed) dated 15<sup>th</sup> Nov. 2024 from Ministry of Health & Family Welfare vide which it has been informed that in compliance with the Hon'ble Supreme Court's directions passed on 12.11.2024 in the WP 1000/2022, the Ministry of Health and Family Welfare (MoHFW) had framed the National Menstrual Hygiene Policy for school going girls.

Since this Department implements PM-AJAY scheme under which one of the component is 'Hostel' for SC Girls, the implementing agencies are requested to ensure that the directives of Hon'ble SC are diligently followed in the Girls Hostels constructed under grants sanctioned in PM-AJAY and erstwhile BJRCY of Department of Social Justice and Empowerment.

A compliance report on the implementation of the directions of Hon'ble Supreme Court in your State/UT/Central University may be furnished to this Department within a month positively.

Yours faithfully,

Signed by Sewak Paul

Date: 09-12-2024 11:07:14

(Sewak Paul)

Under Secretary to the Govt. of India

Email: sewak.paul@nic.in

Encl. 3/1

Copy to the following for information and necessary action:-

i) Ms. Nutan Topno, Under Secretary (Child Health), Ministry of Health and Family Welfare, Nirman Bhavan, New Delhi w.r.t. MoHFW OM under reference.

ii) PPS to Secretary (SJE)/PPS to AS(AKG)/PPS to AS (CKD), PPS to JS(RC)

No. Z-28020/3/2023-CH

Government of India  
Ministry of Health & Family Welfare  
(Child Health Section)

Nirman Bhawan, New Delhi

Dated 15<sup>th</sup> November, 2024

OFFICE MEMORANDUM

**Subject: Development of Ministry-Specific Action Plans for the Roll-Out of the National Menstrual Hygiene Policy for School-Going Girls-reg.**

**Ref: Supreme Court Order in Writ Petition (Civil) No. 1000/2022, dated 12-11-2024**

The undersigned is directed to state that in compliance with the Supreme Court's directions in the WP 1000/2022, the Ministry of Health and Family Welfare (MoHFW) had framed the National Menstrual Hygiene Policy for school going girls.

2. Following the latest hearing on the matter, the directions of the Hon'ble Supreme Court dated 12th Nov 2024 (copy attached) for the effective roll-out of this policy would each line Ministry to draw up comprehensive action plan to facilitate the roll-out and effective implementation of this policy.

3. In this regard, your Ministry is requested to:

i. Formulate a Ministry-specific action plan detailing roles, responsibilities, and timelines to address your domain's requirements under the policy.

ii. Collaborate with relevant stakeholders to align objectives and address cross-sectoral challenges, such as infrastructure, supply chain management, and community engagement.

iii. Focus on awareness and sensitization efforts to promote safe menstrual hygiene practices in all Schools.

3. Further, It is requested that your action plan is comprehensive and aligns with the overarching goals of the National Menstrual Hygiene Policy. A consolidated report of the proposed initiatives must be submitted to this Ministry by 20<sup>th</sup> November '24 to help us collate all inputs for the next day of hearing i.e 2nd December, 2024.



AS (CKD)

AS (AKA)

JS (BS)

We may  
take up with  
grantee schools/hostels.

  
(Nutan Topde)

Under Secretary to the Govt. of India  
Tel: 011-23062550/23063459

Encl.: As above.

To

1. Secretary, Department of School Education and Literacy, Ministry of Education.
2. Secretary, Department of Drinking Water and Sanitation, Ministry of Jal Shakti.
3. Secretary, Ministry of Women and Child Development.
4. Secretary, Ministry of Environment, Forest and Climate Change.
5. Secretary, Ministry of Home Affairs.
6. Secretary, Department of Pharmaceuticals, Ministry of Chemicals and Fertilizers.
7. Secretary, Ministry Rural Development.
8. Secretary, Ministry of Housing and Urban Affairs.
9. Secretary, Department of Food and Public Distribution, Ministry of Consumer Affairs, Food and Public Distribution.
10. Secretary, Department of Consumer Affairs, Ministry of Consumer Affairs, Food and Public Distribution
11. Secretary, Department of Social Justice and Empowerment, Ministry of Social Justice and Empowerment



ITEM NO.30

COURT NO.15

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Writ Petition(Civil) No.1000/2022

DR. JAYA THAKUR

Petitioner(s)

VERSUS

GOVERNMENT OF INDIA & ORS.

Respondent(s)

Date : 12-11-2024 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J.B. PARDIWALA

HON'BLE MR. JUSTICE PANKAJ MITHAL

For Petitioner(s) Mr. Varun Thakur, Adv.  
Mr. Deepak Goel, Adv.  
Mrs. Tanuj Bagga Sharma, Adv.  
Mr. Ramkaran, Adv.  
Dr. M.K. Ravi, Adv.  
Mr. Manoj Kumar Khanna, Adv.  
M/S. Varun Thakur & Associates, AOR

For Respondent(s) Mrs. Aishwarya Bhati, A.S.G.  
Ms. Archana Pathak Dave, A.S.G.  
Mr. Amrish Kumar, AOR  
Mr. Veer Vikrant Singh, Adv.  
Mr. Rohit Pandey, Adv.  
Ms. Shradha Deshmukh, Adv.

Mr. Manish Kumar, AOR  
Mr. Divyansh Mishra, Adv.

Mr. Arjun D Singh, Adv.  
Ms. Ankita Sharma, AOR

Mr. Guntur Pramod Kumar, AOR  
Ms. Prerna Singh, Adv.  
Mr. Dhruv Yadav, Adv.

Mr. Abhimanyu Tewari, AOR  
Ms. Eliza Barr, Adv.

Ms. Swati Ghildiyal, AOR



Mr. Prashant Bhagwati, Adv.  
Ms. Devyani Bhatt, Adv.  
Ms. Neha Singh, Adv.

Mr. Vaibhav Srivastava, A.A.G.  
Ms. Sugandha Anand, AOR  
Ms. Rajnandani, Adv.  
Mr. Bhargav Ravikumar, Adv.

Mr. Nishe Rajen Shonker, AOR  
Mrs. Anu K Joy, Adv.  
Mr. Alim Anvar, Adv.

Ms. Mrinal Gopal Elker, AOR  
Mr. Abhimanyu Singh- G.a., Adv.  
Mr. Abhijeet Pandove, Adv.  
Ms. Chhavi Khandelwal, Adv.

Dr. Ravindra Chingle, Adv.  
Mr. Siddharth Dharmadhikari, Adv.  
Mr. Aaditya Aniruddha Pande, AOR

Mr. Pukhrambam Ramesh Kumar, AOR  
Mr. Karun Sharma, Adv.  
Ms. Rajkumari Divyasana, Adv.

Mr. Avijit Mani Tripathi, AOR  
Mr. T.k. Nayak, Adv.  
Ms. Marbiang Khongwir, Adv.  
Mr. Vikas Bansal, Adv.

Mr. Siddhesh Shirish Kotwal, AOR

Ms. K. Enatoli Sema, AOR  
Ms. Limayinla Jamir, Adv.  
Mr. Amit Kumar Singh, Adv.  
Ms. Chubalemla Chang, Adv.  
Mr. Prang Newmai, Adv.

Mr. Karan Sharma, AOR

Mr. Akshat Kumar, AOR  
Ms. Anubha Dhulia, Adv.

Mr. Amit Anand Tiwari, Sr. A.A.G.  
Mr. Sabarish Subramanian, AOR  
Ms. Devyani Gupta, Adv.  
Mr. Vishnu Unnikrishnan, Adv.  
Ms. Tanvi Anand, Adv.

Mr. C Kranthi Kumar, Adv.  
Mr. Saushriya Havelia A, Adv.  
Mr. Danish Saifi, Adv.

Mr. Sravan Kumar Karanam, AOR  
Mr. Aniket Singh, Adv.

Mr. Shuvodeep Roy, AOR  
Mr. Deepayan Dutta, Adv.  
Mr. Saurabh Tripathi, Adv.

Ms. Madhumita Bhattacharjee, AOR  
Ms. Debarati Sadhu, Adv.  
Ms. Srija Choudhury, Adv.  
Mr. Anant, Adv.

Mr. Piyush Beriwal, Adv.  
Ms. Kanu Agrawal, Adv.  
Mr. Vatsal Joshi, Adv.  
Mr. Harish Pandey, Adv.  
Krishna Dubey, Adv.  
Mr. S.N. Tredal, AOR  
Mr. Varun Chugh, Adv.  
Mr. Krishna Kant Dubey, Adv.  
Ms. Mrinal Elkar Mazumdar, Adv.  
Ms. Sansriti Pathak, Adv.  
Mr. Apoorv Kurup, Adv.  
Mr. Shreekant Neelappa Tredal, AOR

UPON hearing the counsel the Court made the following  
O R D E R

1. We take note on 10<sup>th</sup> April 2023, this Court passed the following order:-

"1 The petitioner, who is a social worker, has instituted a petition under Article 32 of the Constitution in public interest seeking a direction to the respondents - the Union of India, the States and Union Territories to ensure the provision of (i) free sanitary pads to every female child studying between classes 8 to 12; and (ii) a separate toilet for females in all government aided and residential schools. Apart from this, certain other consequential reliefs have been sought including the maintenance of toilets and the spread of awareness programmes.

2 Though the reliefs which have been sought in the petition under Article 32 are not exhaustive of the subject, the petition raises important issues of public interest bearing on the need for sanitation and menstrual hygiene for females who are studying in schools.

3 Notice was issued on 28 November 2022.

4 A counter affidavit has been filed by the Union Government as well as by some States.

5 We have heard Mr Varun Thakur, counsel for the petitioner and Ms Aishwarya Bhati, Additional Solicitor General for the Union of India.

6 The counter affidavit which has been filed by the Union of India indicates that three Ministries of the Union Government, namely, the Ministries of Health and Family Welfare, Jal Shakti and Education deal with the subject matter, to the extent to which they fall within their own domains. At the same time, it has been submitted that the States have also a vital role to play since education and health are State subjects.

7 At the present stage, we are of the considered view that it would be appropriate if the Union Government engages with all the State governments and Union Territories to ensure that a uniform national policy is formulated with sufficient leeway for the States and Union Territories to make adjustments, based on the prevailing conditions in their territories.

8 Bearing in mind the importance of the issue which has been raised, we direct that all States and Union Territories must submit their menstrual hygiene management strategies and plans which are being executed either with the help of funds provided by the Central Government or through their own funds to the Mission Steering Group of the National Health Mission within a period of four weeks.

9 The Mission Steering Group shall reevaluate the national guidelines based on the experiential learning of the previous decade or so. For this purpose, we nominate the Secretary in the Ministry of Health and Family Welfare as the nodal officer to facilitate coordination with all the other Ministries of the Union and with the State governments and the Union Territories.



10 Apart from the above direction, the States and Union Territories shall also indicate to the Mission Steering Group of the National Health Mission the appropriate ratio of female toilets for residential and non-residential schools for their respective territories. All States and Union Territories shall also indicate the steps which have been taken to provide for the availability of low cost sanitary pads and vending machines in schools and for appropriate disposal mechanisms. Besides making a provision for ensuring the availability of low cost sanitary pads and vending machines in all schools, they shall also ensure that disposal mechanisms are available in schools/school complexes with enrollment of female students in upper primary, secondary and higher secondary classes for safe disposal of sanitary pads.

11 An updated status report shall be placed on the record by the Union Government after three months.

12 List the Petition on 24 July 2023."

2. We are informed that in pursuance of the directions issued by this Court as contained in para 7 of the Order referred to above, the Union of India has framed National Policy as regards "Menstrual Hygiene for School Going Girls". The policy talks about the vision, the objections, the target the policy components the current programmes and in the last the rules and responsibilities of the stakeholders.

3. Ms. Aishwarya Bhati, the learned ASG submitted that still much is required to be done for proper and effective implementation of the policy. The learned ASG informed the Court that the Ministry of Health & Family Welfare shall coordinate with the States/UTs for drawing up their respective action plans ensuring that all aspects of Menstrual Hygiene Policy are drawn up in a comprehensive manner enabling effective roll out of the policy for school going girls of



Government and Government-Aided Schools. In addition, the stakeholder Ministries shall ensure that specific action plans to facilitate the roll out and effective implementation of the policy are duly drawn up. Special attention shall be given for sensitization and awareness activities for promoting safe menstrual hygiene practices in all the schools.

4. On the other hand, the learned counsel for the petitioner submitted that the policy framed by the Union of India in no manner takes care of the reliefs prayed for in the petition. Apart from this, according to the learned counsel, there are glaring inconsistencies in the data relied upon in the policy documents. The learned counsel pointed out that the last sub-para in clause 1 Introduction (last two lines from bottom), it has been stated that *"this improvement is largely due to increased awareness and accessibility of sanitary products, with 64.5% of girls using sanitary napkins, 49.3% using cloth and 15.2% using locally prepared napkins"*. According to the learned counsel appearing for the petitioner, the said data is incorrect as the total of all the three categories comes to 129%. According to the learned counsel, if the data relied upon by the Union of India for the purpose of framing the policy is incorrect, it will be difficult to achieve the objectives. Learned counsel submitted that the Union of India be directed to correct its data and ascertain as far as possible the ground situation prevailing across the country before finalizing the policy and implementing the same. It was also highlighted that the policy has been framed without obtaining the

necessary information or rather without assessing the ground situation.

5. Learned counsel brought to our notice that during the recent visit of the petitioner to District Damoh, Madhya Pradesh, the petitioner found that there were no peons in the schools and there was nothing like house keeping in government middle schools. The petitioner also enquired with different people residing in various districts and found that the situation was very grim. It was also highlighted that there are no facilities to provide sanitary pads in District Damoh, Madhya Pradesh, especially in middle schools (age between 12 to 15 years) and in case if any girl would need the same, the school would ask the girl to go home.

6. We request Ms. Aishwarya Bhati, the learned ASG to look into the aspects highlighted by the petitioner referred to above and clarify the position by the next date of hearing.

7. Post this matter for further hearing on 03.12.2024.

(CHANDRESH)  
COURT MASTER (SH)

(POOJA SHARMA)  
COURT MASTER (NSH)