

No. EDN.HE (21) A (03) 20/2023-Sexual Harassment
Directorate of Higher Education
Himachal Pradesh

Dated: Shimla-171001 the November, 2023

To

1. All the Principals of Government / Skt. / Pvt. Colleges
Himachal Pradesh.
2. All the Deputy Directors of Higher Education,
Himachal Pradesh.

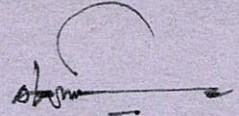
Subject:- Regarding Advisory for ensuring the welfare of Transgender Persons.

This is with reference to Director, Empowerment of SCs, OBCs, Minorities & the Specially Abled, HP Shimla-9 letter No. 4-14(1)/2026-SOM (WEL)-Transgender Corr. Vol-III-18953-19009 dated 3rd November, 2023 on the subject cited above.

In this context, you are informed that National Human Rights Commission has approved an 'Advisory for ensuring the welfare of Transgender Persons', containing a set of recommendations, designed to enhance the welfare and right of TGPs. The Advisory is enclosed herewith to submit the ATR on the action already taken/initiated within 07 days and implement the recommendations made in the advisory in true letter and spirit. Further, you are directed to ensure to setting up a monitoring committee/cell in all educational institutions to address the issues of prejudices, discrimination, Sexual abuse and other violence against transgender persons. Transgender students are not to be discriminated against in higher studies and suitable provision for providing financial assistance to Transgender Students pursuing Degree /Diploma /PG courses may be ensured.

This may be given top priority and personal attention

Encl: As above.



Director of Higher Education
Himachal Pradesh, Shimla-1

Endst. No. Even dated Shimla-171001 the November, 2023

Copy for information and necessary action to:-

1. The Director, Empowerment of SCs, OBCS, Minorities & the Specially Abled, H.P. Shimla -09. w.r.t. his / her letter referred to above.
- ✓ 2. The Technical Officer (Computer/IT Cell), Directorate of Higher Education, Himachal Pradesh, with the request to upload the same on Departmental web site.
3. The Superintendent Scholarship Branch, with the request to go through the point no.5 and take further necessary action.
4. Guard file.



Director of Higher Education
Himachal Pradesh, Shimla-1

No: 4-14(1)/2016-SOM (WEL)-Transgender Corr. Vol-III-
Directorate for the Empowerment of SCs, OBCs, Minorities
and the Specially Abled, H.P, Shimla-171009.

18050-19009
KASUMPTI SHIMLA-0
31 OCT 2023
SCS, OBCS, MINORITIES & THE SPECIALLY ABLED (HP)

To

All Head of Departments, DCs, Registrars, MDs
(as per mailing list) in Himachal Pradesh
Dated:- 31-10-2023 Shimla-09

Subject: Regarding Advisory for ensuring the welfare of Transgender Persons,

Sir/Madam,

The rights of the Transgender persons have gained recognition and legal validity through various judgments of the Supreme Court. A landmark development was the enactment of "The Transgender Persons (Protection of Rights) Act, 2019", which explicitly aimed to safeguard and uphold the rights of transgender individuals. Despite these legal advancements, transgender persons continue to grapple with discrimination in multiple facets of life. This discrimination manifests in various forms such as employment disparities, limited access to healthcare, and exclusion from social circles.

To address these challenges, National Human Rights Commission has approved an 'Advisory for ensuring the welfare of Transgender Persons', containing a set of recommendations, designed to enhance the welfare and rights of TGPs. The said advisory is hereby being enclosed with the request to furnish the ATR to the actions already taken/initiated within 15 days and implement the recommendations made in the advisory in letter and spirit.

Encl: as above

Yours faithfully

KASUMPTI SHIMLA-0
31 OCT 2023
SCS, OBCS, MINORITIES & THE SPECIALLY ABLED (HP)

Director
Empowerment of SCs, OBCs, Minorities &
the Specially Abled HP Shimla-09

Endst no: even 18933-19009
Copy to:

Dated: 30.10.2023

The Secretary (SJ&E) to the Govt of HP w.r.t. letter no SJE-B-F04/11/2023-SJ&E-II-HP Secretariate dated 03.10.23 for information please.

Director
Empowerment of SCs, OBCs, Minorities &
the Specially Abled HP Shimla-09

Amst. Rite
Sh. Anand Chandra
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Advisory for Ensuring the welfare of Transgender Persons

Education

- i. Necessary steps may be taken to ensure access to education to transgender persons. Authorities may consider formulating a policy to address the issues of violence, discrimination and their harassment at educational institutions. The Education Department of all States/ UTs as an interim measure to advise educational institutes in their respective jurisdictions to protect gender-nonconforming students from bullying, harassment or other forms of violence.
- ii. The State Governments/ UTs to ensure that in every district, an anti-discrimination cell is set up at the district level for transgenders, and also, to ensure the setting up of a monitoring committee/ cell at educational institutions to address the issues of prejudices, discrimination, sexual abuse and other violence against transgender persons.
- iii. The State Governments to take necessary steps to make all educational institutions "inclusive" for transgender students.
- iv. Transgender students are not to be discriminated against in higher studies, and suitable provision for providing financial assistance to Transgender students pursuing Degree/ Diploma/ PG courses may be ensured.
- v. Provision for scholarship and free education be formulated for transgender students.

Healthcare:

- i. Set up medical boards at the district level to assist transgenders.
- ii. In every district civil hospital, necessary provisions to be made for consultation, treatment, counseling for sex reassignment surgery, and, the following steps may also be considered;
 - a. A suitable amount may be provided to the members of the transgender community who want to opt for a sex change operation; or,

- b. Free sex reassignment surgery in government hospitals may be provided.

Employment:

- i. "Third Gender" as an identity category may be added for people of transgender community seeking civil service jobs to enable them to apply and appear in entrance examinations.
- ii. All the agencies involved in document verification may be advised to verify and accept the document even if the name or photo of the transgender person vary with the original documents on time bound manner, provided the candidate has obtained the Transgender Certificate.
- iii. Adequate steps may be taken to protect transgender persons from any form of violence or harassment at workplaces, and anti-discrimination policies be implemented at all levels.
- iv. Sensitization programmes for other employees on sexual orientation and gender identity may be organized regularly.
- v. A Grievance Redressal Cell be set up in the organization wherever they are employed to deal with the issues of transgender employees, in which at least one transgender person may be included, wherever possible.
- vi. State to prioritize skill development training and better occupational opportunities to transgender persons.
- vii. Wide publicity to the National Career Service Portal be given amongst transgender community.
- viii. Loan at interest subvention basis may be extended to transgender persons to help them set up their own businesses.
- ix. District administration to extend help to enable transgender persons to form Self Help Groups through which they can get bank loans to start livelihood activities.

Promoting Inclusivity:

- i. All forms for whatever purpose, which require candidates to indicate their sex, must provide 'third gender' as a category in the options.
- ii. All public places should have separate washrooms for transgenders.
- iii. Provide an exclusive platform for transgender persons to showcase their talent in cultural events.
- iv. Old age home facilities be considered for the transgender community.

Welfare

- i. Single trans child of a deceased government employee or pensioner, may be treated as an unmarried daughter for the family pension and other benefits.
- ii. Transgender persons should be allowed to inherit ancestral agricultural land.
- iii. Transgender welfare board may be established as mandated under the Section 10 (1) of the Transgender Persons (Protection of Rights) Rules, 2020, framed for implementing the Transgender Persons (Protection of Rights) Act, 2019.
- iv. The concerned Ministry should ensure the timely release of the funds allocated to Garima Greh. In addition, the queries considering the disbursement of funds may be dealt with by proper mechanisms and handholding support be given to complete the requisite formalities to resolve such grievances.
- v. The Insurance Companies may be advised to consider and accept the Transgender Certificate issued by the appropriate authority for document verification purposes.
- vi. The Ministry of Corporate Affairs may consider incorporating welfare activities of transgender persons explicitly in the Schedule VII of the Companies Act, 2013, which provides the list of activities that can be included for making expenditures for Corporate Social Responsibilities activities.
- vii. Adequate steps may be taken to deal with the complaints of sexual harassment of transgender persons.

- viii. Multi-purpose identity cards may be provided to the transgenders to help them access government schemes and other benefits.
- ix. Reach out to the family member of Transgenders through Anganwadi workers to sensitize them about trans-children.
- x. Public to be sensitized through educational campaigns.

Grievance Redressal

- i. Set up a Transgender Protection Cell under the Director General of Police or his/her nominee in the State to monitor cases of offences against Transgender Persons in accordance with the provision of the Transgender Persons (Protection of Rights) Act, 2019 and the Transgender Persons (Protection of Rights) Rules, 2020.
- ii. One officer in every police station be designated as focal point for Transgenders.

Mailing list

1. Divisional Commissioner, Shimla
2. Divisional Commissioner, Mandi
3. Divisional Commissioner, Kangra
4. DGP , Department of Police HP Shimla.
5. Director General of Prison & Correctional Services, Department of Prisons & Correctional Service, SDA Complex Block No .31, Kasumpti, Shimla
6. Registrar, H.P Technical University, Hamirpur
7. Registrar, Dr. Y.S Parmar University of Horticulture & Forestry, Nauni Solan.
8. Registrar, CSK, H.P. Krishi Vishva Vidyalaya, Palampur, Kangra, H.P
9. Registrar, HPU Shimla-5
10. Registrar, H.P State Consumer Dispute Redressal Commission Shimla-9
11. Registrar, Department of Cooperation, HP Shimla
12. Director, Himachal Pradesh Institute of Public Administration, Fairlawns, Shimla-12
13. Director, Department of Fisheries, Bilaspur, Distt. Bilaspur, H.P
14. Director, Department of Youth Services & Sports, H.P shimla
15. Director, of Urban development H.P Shimla
16. Director, Department of Treasury, Accounts and Lottery, H.P Shimla
17. Director, Department of Transport, H.P Shimla
18. Director, Department of Town and Country Planning, H.P Shimla
19. Director, Department of Tourism and Civil Aviation H.P Shimla
20. Director, Department of Technical Education, Sundernagar, Distt. Mandi, H.P
21. Director, Department of Small Saving, H.P
22. Director, Department of Sainik Welfare, Hamirpur, Distt. Hamirpur, H.P
23. Director, Department of Women and Child Development , H.P Shimla
24. Director, Department of Printing and Stationary, HP Shimla-5
25. Director, Directorate Medical Education & Research HP Shimla
26. Director , Department of Local Audit, HP Shimla
27. Director, Department of Language Art & Culture, HP Shimla
28. Director, Department of Information and Technology HP Shimla
29. Director, Department of Information & Public Relation, HP Shimla
30. Director, Department of Industries, HP Shimla
31. Director, Department of Horticulture, HP Shimla
32. Director, Department of Health & Family Welfare, HP Shimla
33. Director, Department of Health Safety & Regulation, HP Shimla
34. Director, Department of Food, Civil Supply & Consumer Affairs, HP Shimla
35. Director, Department of Environment of Science and Technology, HP Shimla
36. Director, Department of Estate, HP, Shimla
37. Director, Department of Energy, HP Shimla.
38. Director, Department of Ayurveda, HP Shimla
39. Director, Department of Agriculture, HP Shimla
40. Director, Department of Higher Education, HP Shimla
41. Director, Department of Elementary Education HP Shimla
42. Director, Department of Animal Husbandry, HP Shimla
43. Director, Department of Land Records, HP Shimla-09
44. Deputy Commissioner, Kinnaur, Distt. Kinnaur, H.P
45. Deputy Commissioner, Sirmaur, Distt. Sirmaur, H.P
46. Deputy Commissioner, Solan, Distt. Solan, H.P
47. Deputy Commissioner, Bilaspur, Distt. Bilaspur, H.P

48. Deputy Commissioner, Hamirpur, Distt. Hamirpur, H.P
49. Deputy Commissioner, Una, Distt. Una, H.P
50. Deputy Commissioner, Chamba, Distt. Chamba, H.P
51. Deputy Commissioner, Kangra, Distt. Kangra, H.P
52. Deputy Commissioner, Kullu, Distt. Kullu, H.P
53. Deputy Commissioner, Lahaul & Spiti, Distt. Lahaul & Spiti, H.P
54. Deputy Commissioner, Mandi, Distt. Mandi, H.P
55. Deputy Commissioner, Shimla, Distt. Shimla, H.P
56. Engineer-in-Chief, Department of H.P P.W.D. HP Shimla
57. Engineer-in -Chief, Department of I&PH, HP Shimla
58. Director-cum-ex-officio Special Secretary, Department of Panchayati Raj
59. HoFF, Department of Forest, HP Shimla
60. Commissioner (Excise & Taxation), Department of Excise and Taxation, HP Shimla
61. Labour Commissioner, Department of Labour and Employment , HP Shimla
62. Chief Election Officer, HP, Department of Election HP Shimla .
63. Joint Director, Department of Economics & Statistics HP Shimla
64. CEO-Cum-Secretary HIMUNDA Nigam Vihar, Shimla-2
65. Special Secretary -cum-Director, Department of Rural Development H.P Shimla-02
66. Advisor, Department of Planning H.P Shimla
67. Commissioner, Department of Tribal Development, Bijlani House, Chhota Shimla
68. Dte. General HP Home Guards & Civil Defence US Clubs, Shimla
69. Member Secretary H.P State Legal Service Authority, Block No. 22 SDA Complex Kasumpti
70. CEO H.P Energy Development Agency (HIMURJA), Urja Bhawan, SDA Complex, Kasumpti
71. Managing Director, H.P Milk Producers Federation New Totu, Shimla HP
72. Managing Director, Himachal Pradesh State Co-operative Marketing & Consumers Federation Ltd. HIMFEED Circular Road, Victory Tunnel Shimla
73. Managing Director, H.P Khadi and Village Industries Board Cleave Land , Shimla
74. Managing Director, H.P State Electricity Board Shimla
75. MD, H.P Horticulture Produce Marketing and Processing Corporation Nigam Vihar Shimla
76. Member Secretary, H.P State Pollution Control Board, Him Parivesh, Phase-111, New Shimla
77. The CEO, HP City Transport and Bus Stand Management & Dev.Auth., Tuti Kandi, Shimla
78. Managing Director, HP Tourism Development Corporation Shimla
79. Managing Director, HP State Road and other Infrastructure Development Corporation.
80. Managing Director, HP State Industrial Development Corporation , Shimla
81. Managing Director, HP State Handicraft & Handloom Corporation Ltd.
82. Managing Director, H.P State Forest Corporation Ltd. Shimla-9
83. Managing Director, H.P State Electronic Development Corporation.
84. Managing Director, H.P State Civil Supply Corporation Ltd. Shimla
85. Managing Director, H.P SC, ST, Development Corporation, Solan, H.P
86. Managing Director, H.P Power Corporation Ltd. New Shimla
87. Managing Director, H.P Minorities Finance & Development Corporation, Shimla
88. Managing Director, H.P Kaushal Vikas Nigam, Shimla
89. Managing Director, H.P. M.C. Shimla
90. MD, H.P General Industries Corporation -HPGIC, Block No-4 SDA, Complex, Shimla
91. MD, H.P Financial Corporation-HPFC New Himrus Building, Circular Raod, Shimla
92. Managing Director, H.P Backward Classes Finance & Development Corporation - HBCFDC, NH-88 (Kangra Road), Housing Board Colony, Kangra, HP
93. Managing Director, HRTC, Shimla
94. Secretary, HPPSC, Nigam Vihar Shimla
95. Secretary, HP Takniki Shiksha Board Dharamshala, Kangra, H.P
96. Commissioner, Municipal Corporation Shimla, H.P
