

HIMACHAL PRADESH
PUBLIC WORKS DEPARTMENT

NO. PWE-74-17-DISABLED PERSON/RES/ ESI-3713-3813 Dated-02/2/24

From-

Engineer-in-Chief,
HP.PWD, Shimla-2.

To

All the Chief Engineers in HP.PWD.
All the Superintending Engineers in HP.PWD.
All the Executive Engineers in HP.PWD.
All the Land Acquisition Officers in HP.PWD.

Subject:-

Regarding Advisory for ensuring the welfare of Transgender Persons.

I am directed to enclose herewith a copy of letter(s) No.4-14(1)/2016-SOM (Wel)-Transgender-III- 7568-7664 dated 14/05/2024 and even file No. 4-14(1)/2016-SOM (Wel)-Transgender -IV- 9036-9122 dated 15/06/2024, received from the Director, Empowerment of SCs, OBCs, Minorities & the Specially Abled HP Shimla-09 on the subject cited above for information and necessary action.

It is, therefore, requested to go through the contents of the letters and adhered the instructions depicted therein meticulously and compliance be reported please.

Encl: As above.

(Dola/Ram)
Registrar,
HP.PWD., Shimla-2.

Copy to the Chief Architect HP.PWD., Shimla and Mandi for information and necessary action please.

✓ Copy to all the Head of the Branches in this office for information and necessary action.

Dep
(Dola/Ram)
Registrar,
HP.PWD., Shimla-2

1.T.Cell

Reminder-I

No: 4-14(1)/2016- SOM (Wel) Transgender-IV
Directorate of Empowerment of the SCs, OBCs, Minorities &
the Specially Abled Himachal Pradesh Shimla-9

9036-9122

To

All Head of Departments, DCs, Registrars, MDs
(as per mailing list) in Himachal Pradesh

Dated: -

15 JUN 2024

Shimla-9

Subject: -

Regarding Advisory for ensuring the welfare of Transgender
Persons,

Sir/Madam,

In continuation to this directorate letter of even no dated. 31.10.2023

& 14.05.2024, vide which an advisory for ensuring the welfare Transgender Persons has
been conveyed to you with the request to implement the recommendation made in the
advisory and furnish the Action Taken Report within 15 days. However, action taken
report of only few departments/establishments/organization have been received so far in
this directorate.

It is therefore, once again requested to furnish the action taken report
within a week positively.

1289
25-6-24
INC
Registrar
Superintendent

Endst no: as above

Copy to

9036-9122

1. The Secretary (SJ&E) to the Govt of HP for information please.

Additional Director

Empowerment of SCs, OBCs, Minorities &
the Specially Abled H P, Shimla-09.

Dated:

15 JUN 2024

Additional Director

Empowerment of SCs, OBCs, Minorities &
the Specially Abled H P, Shimla-09.

436-E4
25/6/2024

Reminder-I

No: 4-14(1)/2016- SOM (Wel) Transgender-IV
Directorate of Empowerment of the SCs, OBCs, Minorities &
the Specially Abled Himachal Pradesh Shimla-9

9036-9122

To

All Head of Departments, DCs, Registrars, MDs
(as per mailing list) in Himachal Pradesh

Dated: -

15 JUN 2024

Shimla-9

Subject: -

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1289
25-6-24
C. Registrar
Superintendent

Endst no: as above

Copy to

1. The Secretary (SJ&E) to the Govt of HP for information please.

9036-9122

Additional Director

Empowerment of SCs, OBCs, Minorities &
the Specially Abled H P, Shimla-09.

Dated:

15 JUN 2024

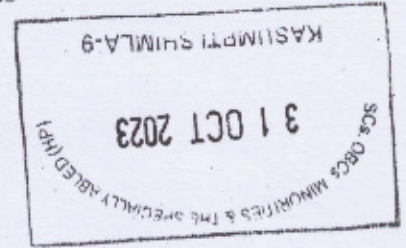
Additional Director

Empowerment of SCs, OBCs, Minorities &
the Specially Abled H P, Shimla-09.

436-E4
25/6/2024

To

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



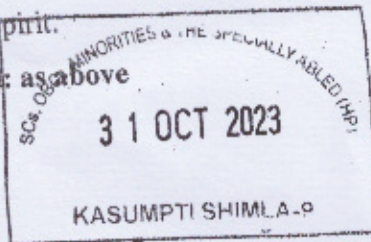
Subject: Regarding Advisory for ensuring the welfare of Transgender Persons,

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


Director

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

Dated: 30.10.2023

Endst no: even 18933-19009
Copy to:

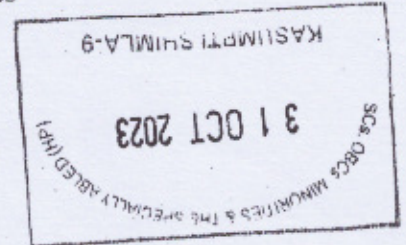
The Secretary (SJ&E) to the Govt of HP w.r.t. letter no SJE-B-F04/11/2023-
SJ&E-II-HP Secretariate dated 03.10.23 for information please.



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

To

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



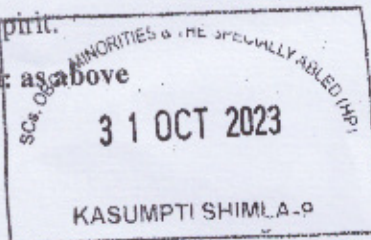
Subject: Regarding Advisory for ensuring the welfare of Transgender Persons,

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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.

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Director

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

Dated: 30.10.2023

Endst no: even 18933-19009
Copy to:

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

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,

- 179 -
- 7
187
- 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.

- 140-
- 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.

No.4-14(1)/2016-Som(Wel)Transgender-III -7568-7664
Directorate for the Empowerment of SCs, OBCs, Minorities &
the Specially Abled, Himachal Pradesh Shimla-09

To

All Head of Departments, DCs, Registrars, MDs
(as per mailing list) in Himachal Pradesh

Dated: 14 MAY 2024 14/05/2024 Shimla-171009

Subject:-

Regarding Advisory for ensuring the welfare of Transgender
Persons,

Sir/Madam,

In continuation to this directorate letter of even no. dated
31.10.2023 (enclosed) vide which an advisory for ensuring the welfare Transgender
Persons has been conveyed to you with the request to implement the recommendation
made in the advisory and furnish the Action Taken Report within 15 days. However, no
action taken received till date.

You are therefore, once again requested to furnish the action taken
report within 15 days.

Addl. Director

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

Dated: 14 MAY 2024

Encl No.: Even -7665
Copy to:

The Secretary (SJ&E) to the Government of Himachal Pradesh
w.r.t. their letter no. SJE-R-A04/11/2023 dated 23.04.2024 for information please.

Addl. Director

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

12

Supdt. R.S-I
EA-V

18/05/24