

**Bill No. 73 of 2022**

THE COMPULSORY SENSITIVITY TRAINING IN EDUCATIONAL  
INSTITUTIONS BILL, 2022

By

SHRIMATI SUPRIYA SULE, M.P.

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BILL

*to provide compulsory sensitivity training to students and teachers pertaining  
to social issues such as caste, gender and overall inclusion in all  
educational institutions and for matters connected therewith.*

BE it enacted by Parliament in the Seventy-third Year of the Republic of India  
as follows:—

1. (1) This Act may be called the Compulsory Sensitivity Training in Educational  
Institutions Act, 2022.

5 (2) It extends to the whole of India.

(3) It shall come into force on such date, as the Central Government may,  
by notification in the Official Gazette, appoint.

Short title,  
extent and  
commence-  
ment.

Definitions.

2. In this Act, unless the context otherwise requires,—

(a) “appropriate Government” means in the case of State, the Government of that State and in all other cases, the Central Government;

(b) “Board” means the Advisory Board for Sensitivity Training established under section 4; 5

(c) “curriculum” means the instructional and the educative programme for sensitivity training meant for the students to achieve their goals, ideals and aspirations of life;

(d) “educational institution” means a primary or a middle or a secondary or a senior secondary level school imparting education to children or any college, institute or university imparting higher education recognised or established under an Act of the appropriate Government, by whatever name such institution is called; 10

(e) “prescribed” means prescribed by rules made under this Act; and

(f) “sensitivity training” means the training based on values enshrined in the Constitution including Justice, liberty, equality and fraternity aimed at sensitizing students on gender, caste, religion or any other topic deemed necessary for the promotion of equality and fraternity amongst all citizens of the country to end all forms of discrimination. 15

Compulsory imparting of sensitivity training to students and teachers.

3. The appropriate Government shall take appropriate measures to compulsorily impart sensitivity training to students and teachers in all educational institutions within its territorial jurisdiction in such manner as may be prescribed. 20

Establishment of Advisory Board for Sensitivity Training.

4. (1) **The Central Government shall, by notification in the Official Gazette establish a Board to be known as the Advisory Board for Sensitivity Training for carrying out the purposes of this Act.** 25

(2) The Board shall consist of,—

(a) one representative each from the Union Ministries of Education, Social Justice and Empowerment and Women and Child Development;

**(b) such number of eminent teachers from educational institutions;**

**(c) one eminent transgender person;** 30

**(d) one representative each from the Scheduled Castes, Scheduled Tribes and Other Backward Classes section of the society;**

**(e) one representative each from major religious communities; and**

**(f) seven representatives including one female, one male, one transgender person, one student belonging to LGBTQIA community and one student each from the Scheduled Castes, the Scheduled Tribes and the Other Backward Classes,** 35

**to be appointed by the Central Government in such manner as may be prescribed.**

(3) **The members of the Board shall elect one of the members from amongst themselves to act as the Chairperson of the Board.** 40

**(4) The Central Government shall provide such number of officers and employees to the Board as is required for its efficient functioning.**

**(5) The salaries and allowances payable to and other terms and conditions of service of Chairperson, members, officers and employees of the Board shall be such as may be prescribed.**

5. The Board shall,—

(a) recommend to the appropriate Government, the curriculum for sensitivity training to students;

(b) recommend to the appropriate Government, the certificates to be given to the teachers in sensitivity training after satisfactorily completing the training programme;

(c) conduct routine checks to ensure that sensitivity training is being imparted in educational institutions and submit a roster of reports in this regard to the appropriate Government;

(d) oversee and direct the activities of students under this Act;

(e) suggest punitive measures against teachers contravening the provisions of this Act; and

(f) undertake any other functions as deemed necessary by the appropriate Government.

**6. Notwithstanding anything contained in this Act, no marks or any award shall be granted to any student or teacher for undertaking sensitivity training:**

Provided that the teachers who have been imparted sensitivity training shall be tested periodically and provided certificates upon completing the said training programme satisfactorily in such manner as may be prescribed.

**7. The appropriate Government shall create a helpline for teachers, students and parents to redress their grievances with regards to issues with the sensitivity training or the curriculum not being imparted in any educational institution.**

**8. (1)** The appropriate Government shall take cognizance of any issue pertaining to the curriculum not being taught properly by teachers or teachers defaulting on teaching the curriculum and any other problem brought to their notice in this regard in such manner as may be prescribed.

**(2)** The appropriate Government shall take such necessary measures against defaulting teachers within three months of receiving the complaint and not later than six months in the case of extenuating circumstances in such manner as may be prescribed.

**9.** The appropriate Government shall, on the recommendation of the Board, ensure that,—

(a) any person prior to appointment as teacher in any educational institution shall mandatorily complete the sensitivity training programme certified by the Board; and

Functions of the Board.

Marks or awards not to be granted for undertaking sensitivity training programme.

Appropriate Government to create a helpline for redressal within educational institutions.

Appropriate Government to take cognizance of issues and take action against defaulters.

Mandatory sensitivity training for teachers.

(b) any person who is already teaching in any educational institution shall mandatorily complete the sensitivity training programme certified by the Board within one year of the commencement of this Act:

Provided that if any person fails to complete the sensitivity training, he shall not be eligible to be appointed as teacher in any educational institution. 5

Central Government to provide fund.

**10. The Central Government shall, after due appropriation made by Parliament by law in this behalf, provide requisite funds for carrying out the purposes of this Act.**

Act to have overriding effect.

**11.** The provisions of this Act and the rules made thereunder shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force. 10

Power to make rules.

**12. (1)** The appropriate Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

(2) Every rule made under this Act by the Central Government shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both the Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule. 15 20

(3) Every rule made by the State Government under this Act shall be laid, as soon as may be after it is made, before the State Legislature.

## STATEMENT OF OBJECTS AND REASONS

Both globally and in India, it is agreed upon that equitable access to education for children of all ages is of the utmost importance. This is enshrined in the Sustainable Development Goal 4 of the United Nations Declaration on the 2030 Agenda for Sustainable Development, to which India is a signatory. To quote, it “aims at ensuring inclusive and equitable quality education and promote lifelong learning opportunities for all”.

While the availability of school education has certainly increased leaps and bounds over the last few decades, with the force of progressive legislations such as the Right to Education Act, 2009 providing legislative backing, the “inclusivity” and “equitability” leaves much to be desired.

Children from the Scheduled Castes, the Scheduled Tribes, the Other Backward Classes and the LGBTQIA communities and many others continue to face discrimination in schools even today. Whether it is in the form of prejudice, ill-treatment, or neglect, students from marginalised communities are subjected to this treatment not only from their peers, but also at times, their teachers. This is despite the fact that article 15 of our Constitution guarantees us all the right against discrimination. The Right to Free and Compulsory Education Act, 2009 goes even further and recognises and prohibits discrimination of any form against disadvantaged and economically weaker sections.

This ill-treatment and neglect has far-reaching consequences, and can impact the entire life of a child. Studies have shown that discrimination within schools leads to lower grades, higher drop-out rates, and numerous debilitating mental health issues. This in turn leads to an unbreakable cycle of poverty, leaving some children behind, while others prosper.

Considering that the years of schooling are the most formative time of a child’s life, it is imperative that every child is provided not only the simple availability of a school, but also a holistic, nurturing environment to learn, think, and grow, free from discrimination.

Hence, to bring about this goal of zero-discrimination both within the classroom and beyond it, this bill proposes the following two intervention:

(1) mandatory “sensitivity education” to be incorporated into the school curriculum, right from the level of primary education onwards, in order to create awareness amongst our youth about the problems that plague Indian society. The aim of this curriculum is to ensure that our children, our leaders of tomorrow, are equipped with the mindset to treat their fellow countrymen with kindness, a spirit of equality, and a lack of discrimination; and

(2) mandatory “sensitivity training” to be provided to all teachers within the country in order to be officially certified, and for its tenets to be enforced to ensure that no student faces any discrimination.

The sensitivity education which is proposed to be taught to students is in accordance with the United Nations Convention on the Rights of the Child, to which India is a signatory. Firstly, articles 2, 12, 13, 14, 15 and 19 pertain to the Child’s rights in education, which include the right to non-discrimination, participation, protection from abuse and violence, and freedom of thought, expression, and religion. Articles 29 and 42 of this Convention pertain to the Child’s rights through education, which refers to education where children are able to know and understand their rights and to develop respect for human rights, including their own human rights.

Experts have stated that educational systems do not function in isolation, but are instead *in tandem* with the society that they exist in. Hence, if our educational institutes do not expose our children to the reality of our society at large, they will be divorced from this reality and hence will not be equipped to deal with it with a sense of empathy and morality. A similar sentiment was echoed by the National Curriculum Framework 2005, set-up by the National Council of Educational Research and Training (NCERT). It stated that: “Hierarchies of caste, economic status and gender relations, cultural diversity as well as the uneven economic development that characterise Indian society also deeply influence access to education and participation of children in school”. Hence, it is of the utmost importance for educational institutes to facilitate a dialogue to help children think, learn and even unlearn internalisations of the world they live in.

Additionally, the National Advisory Council in its report titled ‘Towards Ending Discrimination in Schools’ in 2013, addressed important methods in which effective education on discrimination can be made possible. To sum it up, the Council had some pertinent recommendations, namely:–

(1) stakeholders shall prioritise an environment that openly acknowledges discrimination within the school system at all levels and that they must “initiate steps towards a process of dialogue and discussion on discrimination within schools and in the education system”;

(2) teachers are the frontline of the education system, and specific measures towards reform of teacher education must be undertaken to prepare teachers to understand discrimination, to prevent discriminatory behaviour on their part; and to enable them to become partners in the movement to eliminate discriminatory behaviour on part of any other actor in the education system, including by other children, parents, education officers, and others; and

(3) children themselves must engage with the topic of diversity in the process of learning and classrooms must be structured in order to facilitate this.

The core aim of training teachers and facilitating the learning and discussion of students in “sensitivity education” is to ensure that children have a safe, nurturing environment to critically analyse prejudices, problems, and inequalities, equip them with the skills to engage with them equitably and shape them into citizens who not only understand their own rights, but also the rights of others.

While we have numerous legislations, rules, and recommendations from educational bodies condemning discrimination, they will not meet their intended targets until real change is made. Education is a tool of social transformation, and this change can only begin within classrooms.

Hence this Bill.

NEW DELHI;  
*January 17, 2022.*

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## FINANCIAL MEMORANDUM

Clause 4 of the Bill provides establishment of Advisory Board for Sensitivity Training. It also provides for appointment of Chairperson, members and other officers and employees to the Board. Clause 7 provides for the appropriate Government to create a helpline for teachers, students and parents to redress their grievances with regard to issues with the sensitivity training. Clause 10 provides that the Central Government shall provide requisite funds for carrying out the purposes of the Bill. At this stage, it is not possible to estimate the amount to be incurred.

However, the Bill, if enacted, will involve expenditure from the Consolidated Fund of India. It is estimated that an annual recurring expenditure of about rupees one thousand crore would be involved from the Consolidated Fund of India.

A non-recurring expenditure of rupees fifteen hundred crore is also likely to be involved.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 12 of the Bill empowers the appropriate Government to make rules for carrying out the purposes of the Bill. As the rules will relate to matters of detail only, the delegation of legislative power is of a normal character.



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