

Bill No. XVI of 2014

THE COMPULSORY GENDER SENSITISATION CURRICULUM IN
EDUCATIONAL INSTITUTIONS BILL, 2014

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to provide for compulsory incorporation of gender sensitisation curriculum in educational institutions from primary to secondary level in the country and for matters connected therewith or incidental thereto.

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

1. (1) This Act may be called the Compulsory Gender Sensitisation Curriculum in Educational Institutions Act, 2014.

Short title,
extent and
Commencement.

(2) It extends to the whole of India.

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

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

Definitions.

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

(b) "Council" means the State Gender Sensitisation Council constituted under section 7;

(c) "educational institution" means any school imparting education from primary to secondary level;

(d) "gender sensitisation education" means education based on teaching that propagates gender equality by improving curriculum and text books to include gender positive material and any other learning activities that promote gender equality;

(e) "prescribed" means prescribed by rules made under this Act;

(f) "President" means the Chairperson of the State Advisory Council referred to in clause (a) of sub-section (2) of Section 7. 10

Compulsory imparting of gender Sensitisation education in educational institutions.

3. From such date as the Central Government may, by notification in the Official Gazette, specify, gender sensitisation education shall be compulsorily imparted in all educational institutions upto secondary level.

Issuing of direction by appropriate Government.

4. The appropriate Government shall, immediately after issuance of notification under Section 3, issue direction for compulsory imparting of gender sensitisation education in all educational institution, within its jurisdiction. 15

Derecognition of educational institution.

5. The appropriate Government shall derecognise an educational institution, which does not comply with the provision of section 3:

Provided that any such derecognition shall be done only after giving such educational institutions a reasonable opportunity of being heard. 20

Appointment of teachers.

6. **Subject to such rules, as many be prescribed, the appropriate Government shall cause to appoint such number of teachers with such qualifications as may be specified, for imparting gender sensitisation education to students upto secondary level.**

Establishment of State Gender Sensitisation Council.

7. (1) **The Central Government shall, by notification in the Official Gazette, establish a State Gender Sensitisation Council in each State.** 25

(2) **The Council shall consist of,—**

(a) **the Union Minister of Human Resource Development , President, *ex officio*;**

(b) **four persons from the State Boards of Primary and Secondary Education, to be nominated by the specific State Board—Members:**

Provided that the persons shall be nominated for a period of two years and shall be eligible for re-nomination. 30

(c) **three eminent persons from the civil society who are knowledgeable about gender sensitisation issues, to be nominated by the Governor of the State—Members:**

Provided that the persons shall be nominated for a period of two years and shall not be eligible for re-nomination. 35

(3) It shall be the duty of the Council,—

(a) to review existing policies, rules, regulations and procedures with a view to encompassing gender values, needs and aspirations as well as removing those which are gender blind or out-of-date.

(b) to actively suggest the state boards of education about changes and gender perspective guidelines regarding curriculum design to achieve the aforementioned objective. 40

(c) to co-ordinate with the appropriate Government and educational institutions with a view to ensuring effective implementation of the provisions of the Act.

(d) to have the responsibility of reviewing the concerned educational institution in case of voilating of section 3.

(e) to recommend the appropriate government on derecognition of educational institutions in case of voilation of section 3 of the Act.

5 (f) to plan, implement, monitor and evaluate gender specific initiatives.

8. (1) The State Government may appoint such number of officers and other employees as it may consider necessary for the discharge of functions of the State Gender Sensitisation Council under this Act.

Officers and staff of the State Gender Sensitisation Council.

10 (2) The terms and other conditions of service of the officers and other employees of the Council appointed under sub-section (1) of Section 8, shall be such as may be prescribed.

9. Notwithstanding anything contained in this Act, the provisions of this Act shall apply to a minority educational institution only if the management of such institution conveys to the appropriate Government their willingness to impart gender sensitisation education in their institution.

Application to minority educational institutions.

15 **10. The Central Government shall, after due appropriation made by law by Parliament in this behalf provide adequate funds to the States for appointing teachers and other infrastructure required for the purpose of this Act.**

Central Government to provide funds.

20 **11.** The provisions of this Act and rules made thereunder shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force, but save as aforesaid the provisions of this Act, shall be addition to and not in derogation of any other law for the time being in force.

Overriding affecting of Act.

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

Power of Central Government to make rules.

25 (2) Every rule made under this Act 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
30 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.

STATEMENT OF OBJECTS AND REASONS

Recent spate of sexual and other crimes against women have once again indicated the need to change social attitude towards women in the country. In the debate following these reports, many civil society organisations and educationists have suggested that gender sensitisation from an early age can transform the mind sets towards roles of women among children of both genders.

As Indian society is rapidly changing, with greater participation for women in public life, it is imperative that the new generation is more prepared to incorporate women in all walks of life. In the past the National Council for Educational Research and Training (NCERT) has included gender as an issue in the National School Curriculum in 2005, however its own curriculum implementation report fails to mention whether the recommendations have been incorporated.

Recently, it has also been reported that Central Board of Secondary Education (CBSE) intends to incorporate gender sensitisation in its school curriculum. While this is a laudable development, exposure to gender sensitisation to school students needs to extend to all schools in the country regardless of which board they are studying under.

This Bill proposes that gender sensitisation be incorporated in primary and secondary school curriculum all over the country. This is to signal a clear mandate from the national legislature that school curriculums all over the country should be reviewed to make them more gender sensitive.

The Bill aims that state boards with the recommendations of the State Gender Sensitisation Councils tailor gender sensitisation curriculums to their contexts and ensure successful implementation following this directive.

Hence, this Bill.

KANWAR DEEP SINGH

FINANCIAL MEMORANDUM

Clause 6 of the Bill provides for appointment of teachers to impart gender sensitisation education to students. Clause 7 provides for establishment of State Gender Sensitisation Council which shall include person having experience of teaching gender sensitisation education. Clause 10 provides that Central Government shall provide funds for the purpose of teachers and infrastructure. The Bill, therefore, if enacted, will involve expenditure from the Consolidated Fund of India. It is estimated that a recurring expenditure of rupees one hundred crore will be required for the purpose.

A non-recurring expenditure to the tune of rupees three hundred crore will also be required.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 12 of the Bill empowers the Central 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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(Dr. Kanwar Deep Singh, M.P.)