Making Secondary Education Accessible For Girls In India

- Aashita Sharma¹⁵⁷

Examining longitudinal data, this paper attempts to highlight the disparities in education between male and female children, and inequalities in access, participation and completion of education experienced by girls in the absence of initiatives that effectively advance access to universal secondary education for them. The complex and specific needs of girls to be equally empowered 'in' and 'by' education have been demonstrated, that require the immediate intervention of the Government by way of changes in laws and policies relating to education, educational opportunities, financial distribution, infrastructure, and monitoring and tracking mechanisms, so as not to exclude girls from realizing actual access. The author also proposes an informed, gender-specific intervention to universalize secondary and higher secondary education (classes 9thth to 12th) by extending the mandate of the Right to Education Act, 2009 upto the age of 18 years for all female children in India. The need for this amendment and its policy implications draw on evidence of significantly-worse educational attainment rates of girls due to gender, socio-religious, economic and power asymmetries, and bave been carefully analyzed to advocate that such secondary education be free and not compulsory.

I. INTRODUCTION

Universal access to education, as discussed by the Central Advisory Board of Education158, is an interwoven concept that envisages the removal of physical, social, cultural and economic barriers faced by a child that alienate and 'push-out' children leading to their involuntary withdrawal from school. For instance, for a child belonging to a marginalized community, access would include the provision of a discrimination-free environment as much as physical availability of a school in their neighborhood. Universalization has two dimensions: universal provision, and universal participation. The former is associated with the provision of free education by the State, while the latter, mandates the compulsory participation of all students.

The 86th Constitutional (Amendment) Act, 2002 by way of which Article 21A of the Constitution of India159 was introduced, and the subsequent Right of Children to Free and Compulsory Education Act, 2009 ("RTE Act"160) that guarantee the fundamental right to education for all children between the ages of 6 to 14 years, came as a watershed moment towards actualizing

159 Article 21A, the Constitution of India, 1950

160 Ministry of Law and Justice. 2009. The Right of Children to Free and Compulsory Education ACT, 2009

¹⁵⁷ Policy Consultant, Kailash Satyarthi Children's Foundation.

¹⁵⁸ GOI. (2005). Report of the Central Advisory Board of Education committee—Universalization of secondary education. New Delhi, India: MHRD.

Right to education: - The State shall provide free and compulsory education to all children of the age of six to fourteen years in such manner as the State may, by law, determine.

access to elementary education for all children in the country. The landmark Act is one of the most significant catalysts in accelerating school attendance in that age group to nearly 93.3%161 in 2021 and decreasing Out-of-School-Children ("OoSC"). The other flagship programme of the Government of India, the Integrated Child Development Services (ICDS), ensures the provision of primary education in the form of Early Childhood Care and Education (ECCE) to all children aged zero to 6 years.

The educational framework of India, however, lacks a targeted policy for children between 15 to 18 years that ensures completion of school education of every child from pre-primary to higher secondary-level, allowing all students to develop to their full potential and act as a bridge to tertiary and higher education. The data on the subject highlights the extremely high incidence of early school drop-out of children beyond elementary education due to socio-economic and family issues. This challenge is particularly acute for female children, ultimately barring them from realizing their rights under the United Nations Convention on the Rights of the Child, 1989162, and Sustainable Development Goals 4.1 and 4.5163 that call for universal completion of higher secondary education by 2030, and elimination of gender disparities in education, respectively.

The Ichleon Declaration, to which India is a signatory, in Article 6obligates all State governments to provide 12 years of free, publicly funded, equitable primary and secondary education, of which 9 years are compulsory. Article 14 commits all States to allocate atleast 4 to 6% of their GDP and/or at least 15 - 20% of their total public expenditure to education.164

At present, India has two centrally sponsored schemes, Samagra Shiksha Abhiyan ("SMSA")165 and National Scheme of Incentive to Girls for Secondary Education (NSIGSE)166, aimed to support the secondary education of girls belonging to SC/ST communities by facilitating conditional cash transfers (CCT) to provide income support to their families. The SMSA provides for upto Rs. 2,000 per grade to be granted to girls to complete their secondary/senior secondary education through NIOS/SOS, while the NSIGSE provides for the amount of Rs. 3,000 plus interest to be granted. The schemes, although target to overcome the financial restrictions

¹⁶¹ International Institute for Population Sciences (IIPS) and ICF. 2021. National Family Health Survey (NFHS-5), 2019-21: India: Volume I. Mumbai: IIPS. 162 Article 28, UN Convention on the Rights of the Child, 1989

¹⁶³ Transforming Our World: The 2030 Agenda for Sustainable Development. Target 4.1: By 2030, ensure that all girls and boys complete free, equitable and quality primary and secondary education leading to relevant and effective learning outcome. See also, Target 4.5: By 2030, eliminate gender disparities in education and ensure equal access to all levels of education and vocational training for the vulnerable, including persons with disabilities, indigenous peoples and children in vulnerable situations

¹⁶⁴ This has also been proposed in the National Education Policy, 2020 and is the recommendation of the report of the education commission, Government of India, 1964-1966 under Dr. D.S. Kothari.

¹⁶⁵ The Samagra Shiksha Abhiyan subsumes the Rashtriya Madhyamik Shiksha Abhiyan (RMSA) and also provides for hostels to be formed for girls studying in classes 9th to 12th. 166 The NGIGSE is now on-board on the National Scholarship Portal (NSP). The Scheme also covers girls who have completed their elementary education from Kasturba Gandhi Balika Vidyalayas.

hampering education, are not focused towards removing barriers restricted to access and are limited in their application.

The National Education Policy, 2020, ("NEP, 2020") in provision 8.8, expands the scope of the RTE Act to provide universal, free and compulsory access to high-quality and equitable schooling from early childhood till higher secondary education from age 3 upto class 12th to further India's progress towards achieving SDG Goal 4.167 However, the policy is yet to be implemented by the Central and all State Governments in the country.

II. RATIONALE FOR ENHANCING ACCESS TO SECONDARY EDUCATION

With respect to female children, advancing enrollment and completion of secondary education (classes 9th and 10th) and higher secondary education (classes 11th and 12th) has a three-fold rationale: Empowerment, Economic Security, and Improved Health Outcomes.

1. Empowerment

A cycle of complete education for girls up to class 12th promotes individual freedom, dignity and autonomy that serve as indispensable means to *empower* them against exploitative and hazardous practices such as child labour, trafficking, sexual exploitation and violence, to which OoSC are particularly vulnerable. Education, also being a transformative and multiplier right, instils self-esteem and self-confidence that liberates girls to challenge gender stereotypes, and break cycles of marginalization. Girls with no education are at thrice the risk of being child brides as compared to girls with secondary or higher secondary education.168

2. ECONOMIC SECURITY

Performance of unpaid care work, predominantly undertaken by girls (and women) in India, due to hindered access to formal education and skill development, limits not only their individual earning capacity, agency and control over resources, but also encumbers them into an intergenerational cycle of low socio-economic status and inequality (also known as the *"feminization of poverty*"169). Girls with access to higher secondary education are significantly less likely than girls without secondary education to work in vulnerable employments, as unpaid workers, without benefits, and without formal contracts170. Additionally, their earnings increase by 10% each year for each additional year of schooling171; and the annual economic gain for the

¹⁶⁷ National Education Policy 2020, Ministry of Human Resource Development, Government of India. Provision 8.8

¹⁶⁸ UNFPA (2012) 'Marrying too young'. UNFPA: New York. Page 34.

¹⁶⁹ UN Women, 2000. Feminisation of Poverty; http://www.un.org/womenwatch/daw/followup/session/presskit/fs1.htm

¹⁷⁰ UNESCO, Education for people and Planet: Creating Sustainable Futures for All, 2016

¹⁷¹ UNESCO, Education Counts - Toward the Millennium Development Goals, Global education monitoring report, 2011

country increases by 0.3% per capita for every 1% increase in the secondary education of girls172 due to increased female labour force participation, leading to poverty alleviation.

3. IMPROVED HEALTH OUTCOMES

Lengthening of school education, and the provision of safe spaces and learning environments, prevents children from experiencing adverse short-term and long-term social and occupational health problems caused as a result of engagement in child labour such as malnutrition, tuberculosis, and asthma.173 Child victims of sexual abuse are at high risk of sexually-transmitted diseases, drug addiction, and grievous physical and psychological injuries due to violence174. Further, empowered and educated children are better placed to identify, avoid and report abuse175. Continuity of education for each additional year also reduces adolescent pregnancies from child marriages, and fertility rates reduce by 10%.176

III. EDUCATION OF GIRLS AT SECONDARY AND HIGHER SECONDARY LEVELS: A STATISTICAL ANALYSIS

Despite steady progress being made towards universal access, transition and completion of education for all children in India at primary and elementary levels, there remain considerable inequalities in the participation of girls, particularly at secondary and higher secondary levels, as has been acknowledged in NEP, 2020177. The literacy among females at 64.6% is much lower than the literacy among men at 80.9%, and the reduction in gender gap in literacy rates has been only 5.3% since 2001 to 2011.178

1. STRUCTURE

Secondary education in India is a part of the 10+2 approach to schooling from classes 9th to 12th. It includes the stages of (a) lower secondary education of two years upto class 10th where basic programmes taught during elementary school are continued, and; (b) higher secondary education of two years upto class 12th where study is organized to provide field and subject-specific specializations by teachers with higher qualifications.

2. Access and Infrastructure

¹⁷² Dollar D., Gatti R. (1999). Gender Inequality, Income, and Growth: Are Good Times Good for Women? World Bank Policy Research Report on Gender and Development, Working Paper Series 1. Washington, D.C: World Bank. See also, World Bank, Measuring the Economic Gain of Investing In Girls, Policy Research Working Paper 5753, 2011

¹⁷³ UNICEF 1997 The State of the Worlds Children 1997. Oxford: Oxford University Press. See also, Goel K. Ahmad S. Bansal R, Parashar P. Pant B. and Goel P. (2012). The Social and Occupational Health Problems of Child Labour: A Challenge the World is Facing. Indian Journal of Community Health. Vol 24, No. 1, PP. 53-57; Yadav S.K and Sengupta G (2009). Environmental and Occupational Health Problems of Child Labour: Some Issues and Challenges for Future. Journal of Human Ecology. 28 (2), PP. 143-148.

¹⁷⁴ Ibid.

¹⁷⁵ Committee for Children, 2016. Prevention of Child Sexual Abuse: A Policy Briefing

¹⁷⁶ UNESCO, Education Counts - Toward the Millennium Development Goals, Global education monitoring report, 2011

¹⁷⁷ National Education Policy 2020, Ministry of Human Resource Development, Government of India. Provision 6.1.

¹⁷⁸ Based on the literacy rate for ages 7 and above. Census 2011, Government of India.

According to the National Family Health Survey -5 ("NFHS -5") for the reference year 2020-21, 28% females in India have never attended school, in comparison to 13% males. While only 1 in 3 females (31%) have completed upto 7 years or less of school, only 16.6% had completed 12 years or more. The median number of years of school completed by females is 4.9 and males is 7.3 years.179

Level of schooling	Rural	Urban	Muslim	OBC	SC	ST	Lowest	Highest
among females (%)							Wealth	Wealth
							Quintile	Quintile
No schooling	33.2	17.4	29.1	28.8	32.6	38.5	45.7	11.4
< 5 years complete	16.5	13.4	18.5	15.2	16.4	16.8	19.9	10.3
5-7 years complete	15.9	15.4	17.7	16.0	15.6	14.7	15.1	13.1
8-9 years complete	13.6	13.2	13.6	13.1	13.6	13.2	11.7	11.7
10-11 years complete	9.0	13.4	9.7	10.5	9.0	7.3	4.3	15.2
12 or more years complete	11.8	27.1	11.4	16.3	12.8	9.4	3.2	38.2
Median number of years of schooling completed	4.0	7.5	4.3	4.8	4.1	2.7	0.4	9.3

(source: NFHS -5)

A consistent decline in continuity and longevity in education among females can be observed from the above table. The data highlights the heavy influence of wealth on the completion of secondary school, with 38.2% women in the highest wealth quintile having completed 12 years or more of schooling as opposed to only 3.2% women in the lowest wealth quintile.180 Amongst marginalized communities, the lowest levels of education were of females who belonged to scheduled tribes, followed by females in rural areas whose levels of schooling was much lower than their urban counterpart.

In terms of the number of schools available, of the 14.89 lakh schools in India, merely 2.9 lakh schools (19.7%) provide secondary and higher secondary-level education (10.1% and 9.6%

¹⁷⁹ International Institute for Population Sciences (IIPS) and ICF. 2021. National Family Health Survey (NFHS-5), 2019-21: *India: Volume I.* Mumbai: IIPS; https://www.dhsprogram.com/pubs/pdf/FR375/FR375.pdf 180 Ibid.

GNLU LAW & SOCIETY REVIEW

respectively).¹⁸¹ However, India has an estimated 12 crore adolescents between the ages of 15 to 19 years, who constitute 24.6% of the total population of children, of which 11.7% are adolescent girls.¹⁸² In comparison, for children between 0 to 4 years that comprise 24.2% of the total population of children, 7.6 lakh (51.1%) primary schools have been established, and for those between 5 to 14 years i.e. 51.3% of the population, 4.3 lakh (29.3%) elementary schools. (*Details of number of schools and enrollment rates by management of schools have been provided in Annexure P-1*)

The highest percentage of girls are enrolled in Government-run and Government-aided schools to access education at secondary and higher secondary levels, followed by private unaided schools. Regardless, there exists a deficiency in the number of public as well as private schools available to them. Girls attending private schools notably belong to the higher income families, upper caste and/or located in urban areas, while girls attending public schools belong to lower wealth quintiles, lower castes and/or rural areas.183

Details of school	Secondary (9 th and 10 th)		Higher Secondary (11 th and 12 th)		
by management	Schools	Girls Enrolled	Schools	Girls Enrolled	
(%) 184					
Government	39.5	49.2	40.7	44	
Government	22.1	19.6	13.7	21.1	
Aided					
Private Unaided	42.1	30.4	44.6	34.5	
Recognized					
Others	2.4	0.8	0.9	0.4	

(source: UDISE+ 2021-22)

Rule 6, RTE Rules, 2010 provides for the establishment of elementary schools within 3 km walking distance from all neighborhoods, however no such statutory limit has been prescribed for setting up of secondary and higher secondary institutions. Resultantly, 95.5% villages are covered by secondary schools located upto 5 kms away, while 90.5% villages are covered are

¹⁸¹ Unified District Information System for Education Plus (UDISE+) 2021-22. Department of School Education and Literacy, Ministry of Education.

¹⁸² Census 2011, Government of India. See also, Ministry of Health and Family Welfare, Report of the Expert Group on Population Projection, June 2020. Page 26

^{183 68}th NSSO round. See also, P. Prudhvikar Reddy, V. Nagi Reddy, and D. Sree Rama Raju (2020). Universal Secondary Education in the Telugu-Speaking States: Prospects and Challenges. J. B. G Tilak (ed.), Universal Secondary Education in India. Council for Social Development 2020. Poornima M., & Nair, J. L. (2019). Universalisation of Secondary Education. Social Change, 49(3), 538–550.

¹⁸⁴ Government schools are fully financed by either Central or State governments and in States managed by either government or local bodies. Aided schools are managed privately by individuals, trusts, societies or corporate bodies but funded largely by government. The government is responsible for the entire recurring costs for these schools while the management is responsible, fully or partially, for the physical facilities and administration. The aided schools are an important way in which the government makes use of the private sector to provide education.

higher secondary schools located upto 7 kms away.185 These distances are difficult for girls to travel as discussed in the later sections.

Further, in some States, over 50% secondary schools enroll as many as 50 to more than 150 students in each class,186 leading to low pupil-teacher ratio's and an overwhelming burden on existing secondary school machineries to accommodate the high influx of students. These problems are further exacerbated by the inadequacy of basic facilities in schools and underqualification of teachers to teach secondary level courses.187

3. PARTICIPATION AND TRANSITION

The Gross Enrollment Rates (GER)188 of girls at secondary-level drops to 79.4%, and to 58.2% at higher secondary-level, from 104.8% at primary-level, and 94.9% at elementary level. While the Net Enrollment Rates (NER)189 for girls at secondary level is at 48% and at higher-secondary level is only 35%. The Adjusted Net Enrollment Rate (ANER)190 for girls at secondary level is 64.7% and the most important indicator, the Age-specific Enrolment Rate (ASER) for girls between the ages of 14 to 15 years stands at 72.6% and for those between 16 to 17 years at 42.9%, as opposed to 97.5% for girls between 6 to 13 years. Notably, the rates of enrolment were much lower for girls belonging to marginalized and intersectional communities.

Girls enrolled to total enrolment	OBC	Muslim	All minority groups	CWSN
(%)				
Elementary (1 to 8)	45.1	15.6	18.8	1.2
Secondary (9 th and 10 th)	45.0	13.4	17.2	0.2
Higher Secondary (11 th and 12 th)	43.9	11.7	16.0	0.1

(source: UDISE+ 2021-22)

In school attendance, the NFHS-5 data reveals sharp disparity that widens with age between girls in rural and urban settings, where 63.5% girls in rural areas aged 15-17 years attend schools

¹⁸⁵ Steps taken by Government to provide education to poor students. Press Information Bureau Government of India Ministry of Education 11 July, 2019 https://pib.gov.in/Pressreleaseshare.aspx?PRID=1578389

¹⁸⁶ International Institute for Educational Planning and UNESCO. (2016). Universalizing secondary education in India.

^{2. 187} International Institute for Educational Planning, under UNESCO (2016). Universalizing secondary education in India.

¹⁸⁸ Gross Enrolment Ratio (GER) is the total enrolment in a particular level of school education, regardless of age, expressed as a percentage of the Population of the official age-group which corresponds to the given level of school education in a given school year.

¹⁸⁹ Net Enrolment Rate (NER) is the Total number of pupils enrolled in a particular level of school education who are of the corresponding official age group expressed as a percentage of the population of the official age-group which corresponds to the given level of school education in a given school year.

¹⁹⁰ Adjusted Net Enrolment Rate (ANER) is the Total number of pupils enrolled either in the corresponding level or a higher level of the school education who are of the corresponding official age group expressed as a percentage of the population of the official age-group which corresponds to the given level of school education in a given school year.

Age-wise School Attendance of Girls (%)	Rural	Urban
Between 6-10 years in age	94.1	96.2
Between 11-14 years in age	89.4	94.2
Between 15-17 years in age	63.5	78.8

as opposed to 78.8% girls in urban areas.

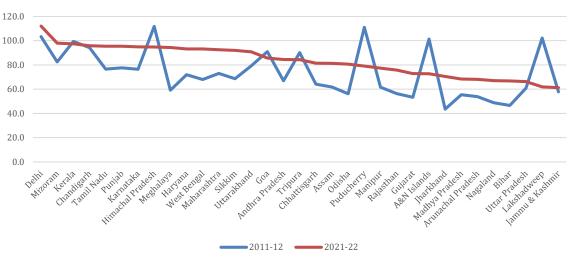
(source: NFHS -5)

Similarly, the Net Attendance Ratio (NAR) indicates differential access between girls in urbanrural settings at secondary level, with only 70% girls attending school in rural areas and 76% in urban areas.191 At secondary level, attendance also increases with the increase in household wealth as the NAR for girls from the highest wealth quintile was 83% compared with 57% girls from lowest wealth quintile. Similar trends can be observed in the Gross Attendance Ratio (GAR).

The transition rate for girls, in 2021-22, from elementary to secondary level was 87.8% and from secondary to higher secondary level was 79.3%, as compared to the transition rate of 93.4% from primary to elementary level.

In 2021-22 terms of state-wise variation in GER of female students at secondary education level, Delhi and Mizoram recorded the highest GER amoung all States and UTs at 112.2% and 97.9% respectively, as opposed to the lowest GER in Jammu and Kashmir at 61.3% and Lakshadweep at 61.9% respectively. Further, in terms of the progress made in GER in over a tenyear period, Meghalaya, Jharkhand, West Bengal and Odisha have made the highest progress with an improvement of over 24.4% and above, while the GER in Lakshadweep, Puducherry, Andaman and Nicobar Islands and Himachal Pradesh has fallen by over 17%. The trend is similar for GER of girls over 10 years at higher secondary level.*(State-wise details on GER have been provided in Annexure P-2)*

¹⁹¹ International Institute for Population Sciences (IIPS) and ICF. 2021. National Family Health Survey (NFHS-5), 2019-21: India: Volume I. Mumbai: IIPS.



State-wise Gross Enrollment Rates of female students over a 10-year period

(source: UDISE data for 2011-12192 and 2020-21)

4. COMPLETION AND PASS PERCENTAGES

The retention rate for girls who complete the last grade of the level, in secondary-level was 64.5%, and 44.2% at higher secondary level , as compared to 96% at primary level and 82.1% at secondary level. As per a report by the NCPCR193 39.4% girls between the ages of 15 to 18 years drop out of schools, of which, 64.8% girls listed family pressure to undertake household chores or beg on streets as the primary reason for dropping out. The school completion rates of girls belonging to scheduled caste communities studying in rural government and private aided schools are significantly lower than the school completion rates of girls studying in private unaided schools.194 The education of a girls' mother also had a significantly positive impact on the SCR of upper caste male and female children in rural areas.195

In terms of final examinations, less than half of all age-appropriate children take board examinations196, and the pass percentage is roughly 85% for both class 10th and 12th examinations. The percentage of girls who repeated secondary and higher secondary education was 3% each for secondary and higher-secondary levels.197

Total number of female students appeared and	Students	Students	Pass %
passed in Board examinations, 2020	Appeared	Passed	
Secondary	90,88,324	77,74,688	85.55

¹⁹² Bureau of Planning, Monitoring & Statistics, Ministry of Human Resource Development, Government of India. (2014) Statistics of School Education 2011-12.

¹⁹³ NCPCR, 2017. Vocational & Life Skills Training of Out-of-School Adolescent Girls in the age group 15-18 years. National Colloquium Report; http://ncpcr.gov.in/showfile.php?lang=1&devel=1&&sublinkid=1357&did=1558

¹⁹⁴ National Statistics Office. (2020) NSS 75th Round Report (2017-18)

¹⁹⁵ National Statistics Office. (2020) NSS 75th Round Report (2017-18)

¹⁹⁶ International Institute for Educational Planning and UNESCO. (2016). Universalizing secondary education in India.

¹⁹⁷ National Statistics Office. (2020) NSS 75th Round Report (2017-18)

VOLUME IV	GNLU LAW & SOCIETY REVIEW	2023-24

Higher Secondary	71,69,479	61,45,805	85.72

(source: DoE Results of Secondary and Higher Secondary Examinations 2021198)

5. BUDGET ALLOCATION AND STATE-WISE SPENDING

Financing secondary and higher secondary education for children may be done through public expenditure borne by the Central or State Government though fiscal transfer, and private costs borne by the individual student.

In the annual budget for 2022-23, there are no special schemes and budgetary allocations towards the provision of secondary education to adolescent girls. No amount has been allocated towards NSIGSE where Rs. 1 Crore was allotted in 2020-21, whereas the cumulative amount of Rs. 7,000 crores was transferred to the Department of School Education and Literacy to support the Secondary as well as Higher Education of all children including girls, (Madhyamik and Uchhatar Shiksha Kosh).199 Similarly, the cumulative amount of Rs. 37,381 crores has been allocated towards the SMSA towards education at all-levels.

The expenditure on education as a percentage of GDP is merely 3.1% in 2022200, where priority is given to elementary education, higher education, technical education above secondary education (see table below)

Sector-wise share of	2009-1	0	2019-20		
expenditure by Centre	In Crore	Percent	In Crore	Percent	
Elementary	Rs. 21705.24	48.74	Rs. 47471.30	51.19	
Secondary	Rs.6939.14	15.58	Rs. 8973.13	9.68	
University and Higher Education	Rs. 9278.32	20.84,	Rs. 19743.87	21.29	
Technical	Rs.5792.02	13.01	Rs. 15574.67	16.80	
Others	Rs. 817.49	1.84	Rs. 970.67	1.05	

(source: DoE Analysis of Budgeted Expenditure on Education 2019-21201 and 2007-12202)

The budgeted expenditure in 2020 by various State Governments (not including Union

¹⁹⁸ Statistics Division, Department of School Education & Literacy, Ministry of Education, Government of India. (2021). Results of Secondary and Higher Secondary Examinations, 2020.

¹⁹⁹ Ministry of Finance Budget Division, Government of India. (2022) Expenditure Profile 2022-2023.

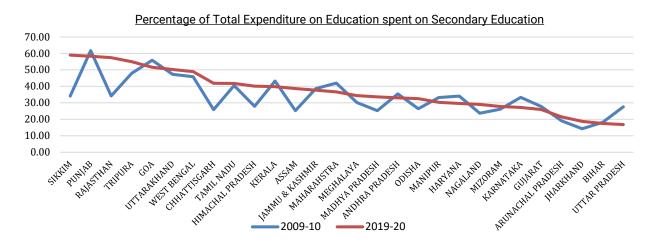
²⁰⁰ Ministry of Finance Budget Division, Government of India. (2022) Expenditure Profile 2022-2023. See also, https://www.indiatoday.in/business/budget-2022/story/union-budgeteducation-budget-2022-increases-by-11-86-major-areas-of-budget-allocation-education-schemes-education-plans-1907451-2022-02-01

²⁰¹ Planning, Monitoring and Statistics Bureau, Department of Higher Education, Ministry of Education, Government of India. (2022). Analysis of Budgeted Expenditure on Education (2019-2021)

²⁰² Planning, Monitoring and Statistics Bureau, Department of Higher Education, Ministry of Human Resource Development, Government of India. (2011) Allocation and Plan 59

GNLU LAW & SOCIETY REVIEW

Territories) on Secondary Education was 35.13% (Rs. 1,75,432.78 crore) as compared to 34.41% (Rs. 50,083.42 crore) in 2010. The table below also indicates that there exist wide disparities in the amounts allocated by different State Governments with Sikkim spending 59.02% of its total expenditure on education towards secondary education to Uttar Pradesh spending only 16.82%. Further, the increase in percent increase in spending over a 10-year period by all States has been marginal except for Sikkim, Rajasthan, Chattisgarh, Assam and Himachal where the increase has been of over 10 percentage points. Notably, the spending decreased in Uttar Pradesh, Karnataka, Maharashtra, Haryana and Goa by nearly 5 to 10 percentage points. (*State-wise details on spending have been provided in Annexure P-3*)



(source: DoE Analysis of Budgeted Expenditure on Education 2019-21 and 2007-12)

6. EXPENDITURE PER STUDENT

The average expenditure per student to pursue secondary education in India is Rs. 9,013 on average. The same varies between Rs. 5,856 in rural areas to Rs. 17,518 in urban areas.203 At higher education level this amount is Rs. 13,845, that varies between Rs. 9,148 in rural areas to Rs. 23,832 in urban areas.

The variation between average expenditure in government institutions and private unaided institutions is also stark. At secondary level, the cost is Rs. 4,078 in government schools against Rs. 20,804 in private schools. At higher secondary level, the cost is Rs. 7,001 in government schools against Rs. 25,852 in private schools.

The percentage of girls availing free education at secondary and higher secondary level is 42.8%

Expenditure during XI Plan - (2007 - 2012)

²⁰³ National Statistics Office. (2020) NSS 75th Round Report (2017-18) See also, Statistics Division, Department of School Education & Literacy, Ministry of Human Resource Development, Government of India (2018) Educational Statistics - At a Glance – 2018. Page 17.

Percentage of girls	Receiving free		Receiving		Receiving	
	education'		scholarship/		Free/subsidized	
			stipend/		textbooks	
			reimbursement			
	Rural	Urban	Rural	Urban	Rural	Urban
Secondary	48.6	27.2	23.2	11.5	45.0	29.1
Higher Secondary	28.5	15.7	24.2	13.8	19.8	16.6

and 24.5% respectively, against 38.1% and 20% boys. Further, the need for financial assistance is greater in girls among rural areas.

(source: NSS 75th Round 2017-18)

IV. BARRIERS RESTRICTING ACCESS TO EDUCATION AT SECONDARY AND HIGHER SECONDARY LEVELS FOR ALL GIRLS

Several roadblocks in accessing education, particularly secondary and higher secondary education, are faced by girls that are a result of not one but numerous intersecting and overlapping factors. The multiple discriminations and deprivations ascribe lesser opportunities, resources and support to girls to access education as compared to other social groups, and are perpetuated by other inequalities of caste, class and religion, that compound with gender to render their access to education as inaccessible.

Gendered division of labour undervalues their contribution and confines girls to perform duties in the household/domestic sphere or undertake unspecialized work that is widely perceived to not require many years of schooling.204 Heavily imposed on adolescent girls of the family and closely related to male ideals of chastity and appropriateness, this mindset burdens girls with the responsibility of caring for their siblings and other family members, restricts their mobility to access schools and also limits the time left with them to attend classes.205 Notably, this work is also invisible in the statistical count of child labour in India. External child labour performed by girls to supplement their household incomes, is also more common among adolescent girls and gravely constrains them from continuing schooling.

The social identity of the girl further compromises her ability to access education in environments where oppressive and discriminatory practices rooted in caste, tribe or religious profiles of the

²⁰⁴ UN Women (2016). Discussion Paper: The Indian Labour Market: A Gender Perspective.

²⁰⁵ Santhya, K.G., Shireen J. Jejeebhoy, A.J. Francis Zavier, Rajib Acharya, and Neeta Shah. 2014. "Supporting girls in their transition to secondary education: An exploratory study of the family, school and community environments of adolescent girls in Gujarat." New Delhi: Population Council

child are repeatedly abused by other students, staff and teachers.206 The difficulty in the implementation of the Mid-day Meal Scheme ("MDM")207 due to firmly-embedded biases is one such example.

Child marriage, adolescent pregnancies and childcare are equally critical causes for drop-out of adolescent girls.208 Migration and displacement of girls, also due to child marriages, further uproots them and leads to more girls withdrawing from schools. The culture of male preference among parents also disproportionately harms girls acting as a economic disincentive that limits the educational opportunities of girls specifically when the 'additional financial burden' is faced by lower income householders.209 Among female students belonging to economically weaker section in private schools, the difficulty in integration with non-EWS students can add to their difficulty.210

Sexual and verbal harassment, sexual abuse, physical violence, bullying, and corporal punishment in schools create unsafe spaces for girls in co-educational schools.211 This includes harassment experienced by girls, particularly, adolescent girls, during their commute to schools, within the school boundaries, and cyber-crimes. Sexual abuse and voyeurism in school toilets212 and outside the school gates have been frequently reported213, and interfere with the continuity of the education of the child. Where secondary schools are located beyond 2-3 km or in areas with poor transport facilities, girls are discouraged from attending due to high risks of sexual abuse and abduction.214

Other factors include the lack of sanitation and menstrual hygiene facilities in schools required by girls once they attain puberty215, inadequacy in the number of secondary schools, shortage and absenteeism of teachers216, and arbitrary allotment of 'arts' streams to girls by school managements.

²⁰⁶ Vani K. Borooah and Sriya Iyer (2005). Vidya, Veda, and Varna: The Influence of Religion and Caste on Education in Rural India 207 The MDM is now known as Poshan Abhivan.

²⁰⁸ Plan International (2017) The Right to Inclusive, Quality Education - Plan International Position Paper

²⁰⁹ Journal of Economic Issues (2014). Son Preference in India: Implications for Gender Development.

²¹⁰ Poornima M., & Nair, J. L. (2019). Universalisation of Secondary Education. Social Change, 49(3), 538–550. doi:10.1177/0049085719863907

²¹¹ Supra note 33. Santhya, K.G., Shireen J. Jejeebhoy, A.J. Francis Zavier, Rajib Acharya, and Neeta Shah. 2014. "Supporting girls in their transition to secondary education: An exploratory study of the family, school and community environments of adolescent girls in Gujarat." New Delhi: Population Council.https://www.newindianexpress.com/cities/chennai/2022/nov/24/school-staff-booked-for-sexually-harassing-girls-in-chennai-2521528.html 212 https://www.bbc.com/news/world-asia-india-63146269

²¹³ https://www.girlmuseum.org/no-time-for-fear-politicking-girls-indian-girls-hunger-strike-to-protest-sexual-harassment/

²¹⁴ Das, B., & Das, A. (2021). Is Distance to Secondary School a Barrier to Secondary and Higher Education in India? Millennial Asia, 0(0).

²¹⁵ UNICEF and FCDO (2021) Mapping Social Protection Intervention Pathways to Address Barriers to Girls' Education: A Visual Guide

²¹⁶ Supra Note 33.. Santhya, K.G., Shireen J. Jejeebhoy, A.J. Francis Zavier, Rajib Acharya, and Neeta Shah. 2014. "Supporting girls in their transition to secondary education: An exploratory study of the family, school and community environments of adolescent girls in Gujarat." New Delhi: Population Council.

Owing to the covid-19 pandemic, the dropout rates among girls increased multi-fold due to an increase in domestic responsibilities upon girls combined with the impact of school closures, economic stress, child marriages, pregnancies, parental deaths, domestic violence, online child sexual abuse, and the unequal access of girls to technology.217

It must therefore be realized that the systemic inequalities and disparities that constrain girls from realizing education, and specifically secondary and higher secondary education, have a reciprocal relation with said inequalities, as it is only through the provision of education that these inequalities may be curbed. Girls who are out of school are more vulnerable and hence, in greater need of care and protection as victims of drug addiction, prostitution, begging, trafficking and violence.

V. SUGGESTIONS TO REALIZE ACCESS OF GIRLS TO EDUCATION AT SECONDARY AND HIGHER SECONDARY LEVELS

The previous sections have highlighted that although significant progress has been made towards the attainment of both primary and elementary education of all children in India, there is still a considerable distance to cover before the goal of universal access to secondary and higher secondary education by girls is achieved. The comparative data also breaks down the gendered differences in educational attainment that are exacerbated by power inequalities and the discriminations endured by persons from marginalized communities. At the ongoing rate, the UNESCO Global Monitoring Reportpredicts that India shall achieve universal primary education only by 2050, universal secondary education by 2060, and universal higher secondary education by 2085.218

In light of these challenges, the author recommends the following five strategies <u>relating to</u> <u>legislative</u>, <u>policy</u>, <u>and schematic changes</u> that are imperative to implement while employing a gender-sensitive, gender-responsive approach:

A. ENSURE PROVISIONING OF 12 YEARS OF FREE, PUBLICLY FUNDED, FORMAL, EQUITABLE ELEMENTARY AND SECONDARY EDUCATION TO EVERY GIRL

The mandate of the RTE Act should be extended to provide that every girl between the ages of 15 to 18 years shall have the right to free education in a neighborhood school till the completion

²¹⁷ Population Council of India. (2022). Gendered Effects of Covid-19 School Closures: India Case Study. See also, ASER Centre. (2022). Annual Status of Education Report (Rural) 2022.

²¹⁸ UNESCO. (2016, Apr 21). Universalizing secondary education in India, UNESCO-IIEP. See also, P. Prudhvikar Reddy, V. Nagi Reddy, and D. Sree Rama Raju (2020). Universal Secondary Education in the Telugu-Speaking States: Prospects and Challenges. J. B. G Tilak (ed.), Universal Secondary Education in India. Council for Social Development 2020

GNLU LAW & SOCIETY REVIEW

of her higher secondary education. This affirmative action would be in furtherance of Article 15(3) of the Constitution of India that ensures equity and social justice towards women and children, and Article 46 that seeks to protect the educational interests of SC, ST and weaker sections. The proposed mandate may not necessarily provide for such education to be compulsory *(universal participation)*, but rather secure the availability of secondary education, and overcome structural challenges to eradicate inequality in access, and tackle enrollments restricted by affordability *(universal access)*. To this end, rules and regulations relating to school admission should also be revised to ensure that girls and women who drop out due to child marriage, pregnancies etc. are able to easily seek readmission and relocation where required.

B. PRESCRIBE 3 KM AS THE AREA OR LIMITS OF NEIGHBORHOOD WITHIN WHICH SECONDARY, HIGHER SECONDARY SCHOOLS MUST BE ESTABLISHED

The RTE Rules, 2010 should be amended to provide for the establishment of a school within the geographical limit of 3 km walking distance from residential neighborhoods, in respect of female students in classes 9th to 12th, in rural and urban areas alike. This would expand the geographical accessibility and physical infrastructure of educational institutions to adequately cater to the educational needs of all OoSC. This may be done by expanding the number of classrooms in already existing secondary schools to accommodate more children, by upgrading elementary schools to also provide secondary and higher secondary education, or by setting up new secondary schools.

C. ENSURE SEGREGATION, ADEQUACY OF FUNDING FOR SCHEMES TARGETED TOWARDS SECONDARY EDUCATION OF GIRLS

Since the fiscal year 2018-19, the Central Government levies an integrated 'Health and Education Cess' of 4% as an additional surcharge onto corporations and individuals, that is utilized to fund more than 60% of its schemes including the Sarva Shiksha Abhiyan, MDM Scheme and SMSA. The merging of the health cess with the education cess has led to difficulty in discerning the distribution and allocation between the two heads, and may be a reason for insufficient resources at the level of secondary/higher secondary education of girls in the country. Similarly, the integration of the various schemes for education from pre-primary upto university level reduces the inadequacy of resources at secondary level. The cess as well as the heads under the Union Budget should be segregated to prioritize the proportionate and adequate distribution of the funds collected towards secondary education. Further, State Governments must also segregate the funds allocated towards secondary education of girls to not only ensure availability of resources but also aid in maintaining transparency and efficiency in public expenditure. Critical aspects that must be taken into consideration while determining the distribution of resources, at

GNLU LAW & SOCIETY REVIEW

both Centre and State-levels, include expenditure per-child, inequalities in rural-urban geographies, and state-wise variations in enrollment rates. This segregation could also pave the financial pathway for universalization of secondary education.

D. ENSURE ONE AWC NEAR EACH SECONDARY, HIGHER SECONDARY SCHOOL TO RELIEVE THE BURDEN OF CAREGIVING UPON ADOLESCENT GIRLS

As noted in the above section, a key reason for adolescent/elder girls dropping out of schools is the disproportionate amount of time spent by them as caregivers to younger siblings. This is often the result of a lack of available social and economic support with the family and/or the preoccupation of primary caregivers. To alleviate this burden, Eearly childhood care and education centres should be attached to secondary and higher secondary schools, that would allow adolescent girls to recieve their support in supervising their siblings while attending school, and utilize the time otherwise spent on caregiving responsibilities in the advancement of their education.

E. PROMOTE PUBLICLY FUNDED RESEARCH TO IDENTIFY EARLY INDICATORS TO PREDICT, PREVENT DROPS, AND IMPROVE TRANSITION RATES AMONGST GIRLS AT SECONDARY, HIGHER SECONDARY LEVELS

Although there has been considerable effort to advance research on the role of primary and elementary education of children including girls in India, there is a lack of reliable, aggregated and disaggregated data, and qualitative and quantitative research on various aspects of secondary education. The available data focuses predominantly on the measures of actual participation and completion rates, and research into the gendered patterns that result in more out of school girls beyond elementary education is absent. The non-availability of this research affects the formulation of informed policies that can promote the prioritization of secondary and higher secondary education for all girls in the country, hinders the identification of effective points of interventions that can reduce inequalities in access, and disrupts the installation of monitoring and tracking mechanisms to be undertaken from district to national level.

VI. CONCLUSION

This paper revisited the well-documented issue of gender bias in educational attainment in India and raised some critical policy issues, the most pressing of which is the broken promise of secondary education. It is evident that the introduction of the RTE Act has reduced gender discrimination and inequality at the level of elementary education for girls in India, however, with the large population of female children still out of school at the level of secondary education, it is time that the policy framework at this stage be revised.

There is need for an urgent policy response that increases investment towards the issue, prioritizes educational access – in every form, and targets persisting multiple barriers to education. A possible policy intervention proposed is the provision of free or heavily subsidized secondary education by way of an amendment to the RTE Act so as to reduce the cost of education for families, where the Central Government may put into place quality norms as criterion for State Governments to receive grants from the Center. While the spate of the proposed amendment and other recommendations of the paper are surely an expensive proposition, the returns would more than justify the expenditure and make a true breakthrough to control gender-specific school drop-out.

Annexure P-1

Detailed Break up of Number of Schools and Enrollment Rates by Management of Schools

Number of	Government	Government	Private	Others	Total	% of all
schools by		Aided	Unaided			schools
management			Recognized			in
(UDISE+)						India
Secondary (9 th and 10 th)	59416	33208	63297	3618	1,50,452	10.1%
Higher Secondary (11 th and 12 th)	58023	19570	63500	1305	1,42,398	9.6%

(source: UDISE+ 2021-22)

Enrolment Rates	Management	Boys	Girls	Total
by Management				
of Schools				
Secondary School	Government	8693396	9077606	17771002
$(9^{\text{th}} \text{ and } 10^{\text{th}})$	Government	4011259	3620975	7632234
	Aided			
	Private	7229787	5617494	12847281
	Unaided			
	Recognized			
	Others	137476	140638	278114
Total: Secondary		20071918	18456713	38528631
Higher Secondary	Government	5586742	6083308	11670050
School (11 th and	Government	3234985	2923697	6158682
12 th)	Aided			
	Private	5879924	4773497	10653421
	Unaided			
	Recognized			
	Others	46081	50816	96897
Total: Higher Seco	ondary	14747732	13831318	28579050

(source: UDISE+ 2021-22)

Annexure P-2

State-wise GER* of female students enrolled

S.No.	State/Union	Secondar	ry (classes 9	th and 10 th	Higher-secondary Level (classes			
	Territory					10^{th} and 1	1 ^{th)}	
		2011-12	2020-21	Increase	2011-12	2020-21	Increase in	
				in GER			GER	
1	A&N Islands	101.4	72.7	-28.7	84.7	70.2	-14.5	
2	Andhra Pradesh	66.9	84.5	17.6	51.0	58.3	7.3	
3	Arunachal	53.9	68.1	14.2	44.7	56.1	11.4	
	Pradesh							
4	Assam	61.7	81.3	19.6	13.8	42.2	28.4	
5	Bihar	46.6	66.8	20.2	33.3	36.2	2.9	
6	Chandigarh	94.2	95.8	1.6	85.1	89.4	4.3	
7	Chhattisgarh	64.1	81.4	17.3	34.5	73.6	39.1	
8	Delhi	103.3	112.2	8.9	79.7	99.5	19.8	
9	Goa	90.9	85.7	-5.2	72.9	76.3	3.4	
10	Gujarat	53.3	72.8	19.5	33.4	47.8	14.4	
11	Haryana	71.9	93.2	21.3	66.9	76.0	9.1	
12	Himachal	111.9	94.8	-17.1	82.8	95.3	12.5	
	Pradesh							
13	Jammu &	57.8	61.3	3.5	43.7	52.9	9.2	
	Kashmir							
14	Jharkhand	43.6	70.5	26.9	15.7	48.0	32.3	
15	Karnataka	76.4	94.9	18.5	47.5	58.8	11.3	
16	Kerala	99.4	97.4	-2.0	84.7	88.4	3.7	
17	Lakshadweep	102.2	61.9	-40.3	96.1	60.0	-36.1	
18	Madhya Pradesh	55.4	68.4	13.0	46.5	50.7	4.2	
19	Maharashtra	73.0	92.5	19.5	54.8	70.9	16.1	
20	Manipur	61.6	77.4	15.8	38.7	69.7	31.0	
21	Meghalaya	59.1	94.4	35.3	17.2	52.7	35.5	
22	Mizoram	82.5	97.9	15.4	46.7	65.7	19.0	
23	Nagaland	48.8	67.1	18.3	27.0	38.8	11.8	
24	Odisha	56.2	80.6	24.4	23.0	45.4	22.4	
25	Puducherry	111.0	79.1	-31.9	82.5	73.1	-9.4	

GNLU LAW & SOCIETY REVIEW

2023-24

26	Punjab	77.6	95.4	17.8	52.7	83.1	30.4
28	Rajasthan	56.3	75.8	19.5	38.7	66.3	27.6
27	Sikkim	68.6	92.0	23.4	41.5	72.0	30.5
29	Tamil Nadu	76.6	95.5	18.9	56.2	85.9	29.7
30	Tripura	90.1	84.3	-5.8	29.8	60.4	30.6
31	Uttar Pradesh	60.8	66.2	5.4	39.6	48.3	8.7
32	Uttarakhand	79.2	90.8	11.6	62.3	80.6	18.3
33	West Bengal	68.0	93.2	25.2	42.7	70.6	27.9
India		63.9	79.4	15.5	43.9	58.2	14.3

(source: UDISE data for 2011-12219 and 2020-21)

*excludes Daman & Diu, Dadra and Nagar Havelli, Telangana and Ladakh

Annexure P-3

Percentage of Total Expenditure on Education by Various States

S.No.	State	2009-10	2019-20	Increase in
				Spending
1	Andhra Pradesh	35.47	32.99	-2.48
2	Arunachal Pradesh	19.08	21.47	2.39
3	Assam	25.29	38.63	13.34
4	Bihar	18.12	17.52	-0.60
5	Chhattisgarh	25.86	41.90	16.04
6	Goa	55.90	51.61	-4.29
7	Gujarat	27.82	25.95	-1.87
8	Haryana	34.07	29.64	-4.43
9	Himachal Pradesh	27.87	40.09	12.22
10	Jammu & Kashmir	38.68	37.67	-1.01
11	Jharkhand	14.35	18.76	4.41
12	Karnataka	33.37	27.20	-6.17
13	Kerala	43.21	39.83	-3.38
14	Madhya Pradesh	25.23	33.59	8.36
15	Maharashtra	41.96	36.64	-5.32
16	Manipur	33.27	30.29	-2.98
17	Meghalaya	30.18	34.38	4.20

²¹⁹ Bureau of Planning, Monitoring & Statistics, Ministry of Human Resource Development, Government of India. (2014) Statistics of School Education 2011-12.

GNLU LAW & SOCIETY REVIEW

2023-24

TOT	AL: ALL STATES	34.41	35.13	0.72
29	West Bengal	45.82	48.97	3.15
27	Uttarakhand	47.35	50.25	2.90
28	Uttar Pradesh	27.59	16.82	-10.77
26	Tripura	47.90	55.01	7.11
25	Telangana	-	43.66	-
24	Tamil Nadu	40.54	41.81	1.27
23	Sikkim	34.06	59.02	24.96
22	Rajasthan	34.16	57.42	23.26
21	Punjab	61.76	58.25	-3.51
20	Odisha	26.47	32.55	6.08
19	Nagaland	23.74	29.00	5.26
18	Mizoram	26.13	27.79	1.66

(source: DoE Analysis of Budgeted Expenditure on Education 2019-21 and 2007-12)