Box 4: Some Key Indicators of India's Health Report Card

On the basis of data received over the period from 1995 to 2000, the Human Development Report - 2002 (UNDP) states that in India—less than 50 per cent of the population has access to essential drugs, only 31 per cent is using adequate sanitation facilities, 47 per cent of children under the age of 5 years are underweight, 46 per cent of children under the age of 5 are underheight and only 42 per cent of the births are attended by skilled health staff.

patent regime, a proper compulsory licensing system is of fundamental importance to ensure competition and competitive prices. But the process in the Indian case has been made much more legalistic than what is required by the TRIPS Agreement. As a result it provides enough opportunities to the powerful patent holders to manipulate the process by litigation to prevent others from producing their patented products. Thus, if the bias in the Patents Act of 1970 was in favour of the non-patentees, the bias in this Amended Act is clearly in favour of the patent holders.[14] In short, the new patent regime is likely to have made it quite difficult for the Indian Government to control monopolistic practices of the big pharmaceutical companies which is likely to worsen the already very poor access of the essential drugs (see Box 3 and 4), for the vulnerable groups.

Thus, from our discussion of the major policy initiatives taken by the Government in the last one year, it should be evident that the year 2002 not only saw a continuation of the anti-people and pro-market policies in the health sector but that it also experienced certain critical developments in the economy whose consequences for substantial sections of Indian society could be extremely harmful.

State of Education in India: Some Major Indicators

India's performance in the field of education, as in the case of health, has been among the most disappointing aspects of its post-independence scenario as the country currently houses the largest number of illiterates and has the dubious distinction that every third illiterate in the world is an Indian. Out of approximately 200 million children in the age group 6-14 years, only 120 million are enrolled and the net attendance figure is just over 60 per cent (which may be an overestimate) of enrolment. In short, the prospects of even minimal literacy appear to be bleak. Of course, it is not the case that there has been no progress at all; during the last half-a-century, educational facilities have expanded substantially and the percentage of literate population has risen from 18 in 1951 to 65 in 2001 (see Annexure XXVI). However, the simple point is that the deficit is huge even in terms of crude quantitative indicators and quite a few countries in Asia such as Sri Lanka, Indonesia or China, among others, have done much better than India during the same period.

Not surprisingly, the school dropout rates are also very high in India (see Annexure XXVII), mainly because the conditions of schools in our country are dismal, especially in the rural areas. The high dropout rates are not largely due to lack of demand for schooling from the relatively poorer households, as is sometimes assumed; the problems are mainly on the supply side. Even the minimal infrastructure, such as proper rooms, desks, drinking water facility, toilets etc. are a distant dream in a large number of schools. It is well-acknowledged by now that even with small incentives—such as a meal—attendance at school tends to improve substantially. Clearly, basic infrastructure and decent physical environment can go a long way in retaining children at school. Also, the overall social climate plays a critical role in this respect; for

14. Sudip Chaudhury (2002); 'TRIPS Agreement and Amendment of Patents Act in India', *Economic and Political Weekly*, 10 August.

instance, it is well-documented that the attitude towards the students from low-caste families by their teachers and fellow students sometimes forces them to drop out. Similarly, entrenched gender biases result in girl children either not being sent to school or for their dropping out earlier.

Thus, due to a range of reasons, a large number of children of school-going age have remained out of school, their proportion being highest in states like Bihar and Uttar Pradesh. (Annexure XXVIII)

To tackle the problems of children not entering the school or dropping out early, almost all the major states in India have tried to make primary education mandatory, and a number of legislations have been passed to this effect. Annexure XXIX lists such Acts which are in force in States and Union Territories of India till November 1996 since independence.

Mandating an act is obviously no guarantee that it will be translated into action in the absence of appropriate infrastructure, requisite investments etc. Moreover, many of these Acts were ambiguous along with having a very elastic time frame, and by all accounts the respective governments did not show any serious commitment to them. According to one recent study, over 90 per cent of the officials dealing with the administration of education were unaware that their state had any law for compulsory education;[15] it might be difficult to get a better indicator of the 'commitment' of the government apparatus!

We may also recall here that to push up the literacy rate, a number of specialised literacy and adult education programmes have also been experimented with. The National Adult Education Programme, Social Education Programme, Farmer's Education and Functional Literacy Programme, Shramik Vidyapiths, Total Literacy Campaigns and many other such programmes have been a regular feature for over three decades now, but serious and valid reservations about their efficacies have often been expressed by researchers,[16] and we need not pursue these here. However, it may not be unreasonable to hold the view, on the basis of available evidence, that in terms of quantity as well as quality, these programmes have not achieved much.

It has already been emphasised earlier that public investment in post-independence India on social sectors, including education, has fallen much short of what may be considered a level to be commensurate with the basic requirements. Moreover, it is well documented that in the recent years, all the rhetoric notwithstanding, such investments have come under further pressure. With respect to education, another notable development during the last couple of decades has to do with the changing resources allocation trends within it; essentially, share of spending on elementary education has been going up while the proportion on higher and technical education has been going down.

It is quite true that greater attention to the elementary education is much needed, but reducing support for already resource-deficit higher education may have very damaging impacts in the long run. If Prime Minister Vajpayee's address on 28 December, 2002, on the occasion of the Golden Jubliee Celebrations of the UGC, is a pointer, government support for the beleaguered higher education segment may worsen further.

In this brief backdrop, we now turn to most recent education-related policy initiatives which have significant implications. One of the most important in this regard is the 86th Amendment Act of the Constitution of India. The roots of this initiative, aimed at the universalisation of education and making it a fundamental right, may be traced to the United Front government's bill (83rd Constitutional Amendment) in the Rajya Sabha on 28th July 1997. The present Central government revised the original Bill as the 93rd amendment Bill which became 86th Amendment Act of the Constitution on 12th December 2002. The Act reads as follows:

Be it enacted by Parliament in the fifty-third year of the Republic of India as follows:

15. Juneja's study reported in R S Srivastava (2002); 'The Right to Education in India', Preliminary Paper for Discussion, CSRD, JNU, New Delhi.
16. M V Reddy, Lakshmi (2002); 'Implementation of Adult Education and Development Programme: Contradiction and Distortions', *University News*, 40(40), 7-13 October.

1. **a.** This Act may be called the Constitution (Eighty Sixth Amendment) Act 2002.
   b. It shall come into force on **such date** as the Central Government may, by notification in the Official Gazette, appoint.
2. After article 21 of the Constitution, the following article shall be inserted namely:
   '**21A** The State shall provide free and compulsory education to all children of the age of six to fourteen years **in such a manner** as the State may by law, determine.'
3. For article 45 of the Constitution, the following article shall be substituted, namely:
   '**45** The State shall **endeavour to provide** early childhood care and education for all until they complete the age of six years.'
4. In article 51A of the Constitution, after clause (j) the following clause shall be added, namely:
   '(**k**) Who is a **parent or guardian to provide for education to his child** or as the case may be, ward between the age of six and fourteen years' (emphasis ours) (The Gazette of India, December 2002).

There are problems with this Act which we shall soon consider, but before that a look at a major scheme, launched prior to this Act, which was supposed to facilitate the realisation of the objective of universalisation of literacy. The scheme of Sarva Shiksha Abhiyan (SSA), or the National Programme for Universalisation of Elementary Education (NPUEE), was launched in November 2000. This is a centrally-sponsored scheme for universalisation of elementary education in the 'Mission Mode' and its ostensible effort is to incorporate all existing programmes of elementary education in the central/centrally sponsored category under this new framework in consultation and partnership with states.

Under this scheme, a total of Rs 5 billion had been allocated in the Central Government's Budget 2001–2002. Subsequently, in anticipation of the 86th Amendment Act, allocation for this scheme was increased to Rs 15.12 billion in the budget of 2002–2003. (Budget 2002–2003).

As mentioned earlier, Sarva Shiksha Abhiyan (SSA), envisions a partnership between the Central and state governments. The enunciated specific goals under the Programme are:

a. All children in school, Education Guarantee Centre/Alternate Schools by 2003.
b. All children complete five years of primary schooling by 2007.
c. All children complete eight years of elementary schooling by 2010.
d. Focus on elementary education of satisfactory quality with emphasis on education for life.
e. Bridging all gender and social category gaps at primary level by 2007 and at elementary level by 2010.
f. Universal retention by 2010.

All these goals are most laudable; the question is: are there enough indications that the same will be realised? India is a vast country and to provide compulsory education to more than 190 million children across 1.1 million habitations and numerous social groups/subgroups, requires not simply launching a modestly-funded scheme and the enactment of a long-pending bill with some

Education in 2003-04 Budget

1. There is only a marginal increase in real per capita planned budgetary allocation in education.
2. The amount spent is very small and needs to be enhanced substantially in order to achieve a significant improvement in human development.
3. Revenue account under non-plan allocation in education has declined in real per capita allocation in education from a meagre Rs 15.40 per head in 2002-03 to Rs 14.68 per head in 2003-04.
4. Plan capital allocation on education has declined from 30 paisa per head in 2002-03 to 18 paisa per head in 2003 04.
5. The National Programme for Women's Education has been scrapped and put under the Sarva Shiksha Abhiyan.

Source: *The Marginalised Matter, CBA, 2003.*

revisions but a much more serious and comprehensive programme of action. Given the huge shortfalls with respect to the above objectives, current policies and programmes do not quite generate much optimism. For instance, we are already in 2003 and it is not clear at all how the objective of bringing all the children to the school by the end of the current year can be achieved.

The 86th Amendment Act has certain ambiguities and problems, most obvious of these being as follows:

First, as per Para one Section two of the Act, it shall come in force on such date as the Central Government may notify; the question is: why the delay in notification if the goal of SSA is to have all children in school by 31 December 2003? Is such a notification likely in the near future when the Central Government keeps telling the nation that there is a serious paucity of funds for education, when attempts are on to privatise the educational institutions run by government and reliance on market forces to fill up the educational deficit are on the rise, and when child labour is rampant with no credible attempts to rehabilitate them in sight?

Second, Para two of the Act says that the state shall provide free and compulsory education to all children of the age of 6 to 14 years, in such a manner as the state may determine. What does 'such a manner as the State may determine' mean? Which schools will the children go to? How does the government plan to strengthen the school system when there is no money to augment the infrastructure or to recruit new teachers? How helpful can the increased reliance on an army of para-teachers be who do not have any incentive to go to schools for teaching due to non-payment of salaries for months and due to the obvious insecurity of their jobs? Under the circumstances, how can one hope to get a credible response from the state that the promised fundamental right to education for those who continue to remain illiterate has been violated?

Third, Para 3 of the Act states that the state shall endeavour to provide early childhood care and education for all children until they complete the age of 6 years. It is difficult to imagine how the government can achieve this in an environment of resource crunch for health, education etc. As it happens, this clause has been kept as a Directive to State under Article 45 (by substituting the old Article 45). Therefore, the conventional position would be that the state is not bound to act on this clause.

Fourth, the Act makes the parents or the guardian responsible for providing opportunities for education, as per Para 4. However, the division of the domain of responsibility in this regard between the state and the parent/guardian is not quite clear. In any case, in a country like ours, where a large section of population remains either close to or below a narrowly defined poverty level, how meaningful is it to render the responsibility of providing educational opportunities on the parents or guardians? In fact, a couple of Bills introduced in 2002 were addressing some of these issues with a greater degree of seriousness, such as the 'Free Education (for children of parents living below poverty line) Bill-2002', tabled by Sushil Kumar Shinde on 3rd May, but they were cold-shouldered.

In sum, there is a real danger that the 86th Amendment Act may not translate into anything significant at the ground level. Nonetheless, it may have the potential to take a few steps in the right direction, as an enabling legislation. In any case, in terms of policy initiatives, there was possibly nothing else about which one can be even mildly positive. On the contrary, as already noted, the broad policy direction is a matter that has more to worry about than to be jubilant. In this respect, a few brief remarks on one of the presumably important aspects of this broad direction, namely the National Curriculum Framework for School Education (NCF), may be in order here. The NCF was introduced by NCERT in 2002, and has generated lot of concern within the academic community. The importance attached to the NCF by the government may be gauged from the fact that many accord it the status of a National Education Policy, and may be justifiably so. Critics have lashed out at the NCF on several grounds. It is not possible here to recount all the criticisms, but mention must be made of the most negative thrust of the NCF. It is very hard to miss that the BJP-led government at the Centre has not been shy of imposing its fundamentalist version of Hinduism on the country's educational system in a variety of ways, and the

NCF is a tool to further this objective. In the name of providing value-based education NCF pushes the idea that a certain version of Hinduism is the be-all and end-all as regards the 'values' that need to be inculcated. Further, through NCF and other occasional pronouncements, the government's spokespersons keep trying to prove that 'Hindu India' was the greatest civilisation and culture in world history. Certainly, like other old civilisations, ancient India had its share of creditable achievements, but the self-deluding and viciously jingoistic Hindutva version of these distorts the past and attempt to push the country's educational system on a retrogressive course. NCERT's recent well-known attempts to rewrite history books bear ample testimony to such tendencies.

There are other questionable thrusts associated with the NCF, which need not be taken up here. The important point is: it is difficult to find much that can be considered positive with this framework, which many in fact interpret as India's education policy.

Thus, to conclude this section, recent policy initiatives of the government including those taken in 2002 do not generate much optimism with respect to taking up the huge deficits in the education sector, and even appear to be retrogressive in important ways.

The next section looks at those policy areas which have significant causal impacts on material poverty.

Poverty and its Correlates

Conceptualising poverty is a difficult and controversial subject. At one level, it would appear reasonable to hold that poverty is essentially the non-fulfilment of certain basic needs and the threshold of such needs consists of being able to meet minimum nutritional, clothing and shelter requirements, escape avoidable morbidity, and be literate. However, what constitutes a basic needs package is itself a controversial subject. Should one focus only on a narrow set of economic and social criteria? What about political and cultural deprivations? There are no easy answers, and we have a whole range of conceptual constructions associated with the notion of poverty, some of which do have operational counterparts.

In the narrowest sense, poverty is pegged to a nutritional norm, and most of the poverty discussions in India are based on such a norm. It is based on the view that it is possible to have a nutritional norm such that the probability of a person being undernourished at that norm is minimum. Taking this norm as an anchor, it is then possible to apply the known nutritional contents of different foods and work out the expenditure required for the cheapest food basket. This is what economists call a poverty line.

Using such a poverty line, economists generally agree that from the 1950s to the mid-1970s, there was no trend change in the percentage of people below the poverty line in India, but during the next decade and a half there was a clear decline. As regards the period of economic reforms, there are conflicting assessments, which have been widely discussed in the recent months and here we shall stay away from the contentious number-crunching issues.

Even the calorie-based narrow notion of poverty has complex causal connections, but its obvious major structural correlates are as follows: (a) assets, both tangible (e.g., land) and intangible or embodied (e.g., skill); (b) employment availability; and (c) rate of return to labour power. Efficacy of economic processes and policies towards poverty reduction depends on their impacts on these correlates, a lesson from economic history that one can hardly afford to ignore. During the first four decades after independence, particularly during 1970s & 80s, Indian economic policymakers appeared to show relatively more respect to this lesson compared to what seems to be the case in the reform period.

In the following, we try to assess the ascendant and emerging policy initiatives relevant to poverty, in particular by tracking down the implications through the above mentioned correlates.