

## Status of Adolescent Girls in India and Importance of Education

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### 1. Introduction

Adolescents (children between the ages of 10-19 years) account for 22.8% of the population and girls below 19 years of age constitute one-fifth of India's fast growing population<sup>1</sup>. Most of these young people from an early age are forced to assume the role of adults and grapple with poverty, economic and personal security, ill health and exploitative environment both at home and in society. Who they are and how they live their lives is in stark opposition to the natural, developmental progression of adolescence. The continuum of experiences from childhood through adolescence and adulthood as a natural process is disrupted as the responsibilities of the child increase with time.

Indeed many of India's youngest generation skip the stage of adolescence having been denied access to education, which is so foundational to the paths that they will traverse for the rest of their life. Due to the lack of education they are forced into the labour force and caught in a cycle of poverty and dependence where they are always reckoning and calculating to get out of hunger and penury. Lack of education also reinforces their fears in the face of an increasingly unsafe and insecure environment, and early marriage, which brings with it adult responsibilities of being married and a heightened risk of physical and sexual abuse, child bearing, ill health and under nutrition. The denial of education also results in their diminished capacity to fight the layers of oppression and discrimination that are embedded within the dividing lines of gender, caste, class, and the traditional values of domination. Without education they do not have the social and cultural capital to negotiate economic and power relations and seize opportunities and choices for improving the quality of their life.

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<sup>1</sup> Sulabha Parasuraman, Sunita Kishor, Shri Kant Singh, and Y. Vaidehi. 2009. *A Profile of Youth in India*. National Family Health Survey (NFHS-3), India, 2005-06. Mumbai: International Institute for Population Sciences; Calverton, Maryland, USA: ICF Macro.

There is a State deficit in provisioning of entitlements which is compounded by societal indifference to children that entrenches the adolescent's vulnerability and precarious living condition. It raises serious questions about the effectiveness of the programs, policies and laws that purport to protect, rescue and rehabilitate adolescents in adversity. We have very little knowledge about, experiences, exploitation, suffering of those who have been violently marginalized; There is silence, ignorance and lack of engagement with them. A problem of invisibility! The central question which must be answered is: how do we 'begin in the middle' to enable adolescents to make up for their deficient childhood? In other words, how can adolescents obtain all the inputs required to exercise their agency in reconstructing their life with dignity and selfhood.

I wish to talk about the predicament of adolescent children ( children in 14 to 18 years of age) in contemporary India in relation to their exploitation as child labourers and their suffering due to early child marriage consequent upon the denial of their entitlement to education. It analyses key legal and policy frameworks in addressing the profound challenges faced by the adolescents and argues that they have been largely ineffective as they have been half hearted and based on positions that compromise children's rights. Finally it argues for the central role of education in addressing the systemic cycle of adversity faced by adolescents today. A cycle which can be broken only with the active involvement of empowered adolescents who can exercise their agency.

## **2. Adolescent Participation in Labor and Work Force**

According to the Census 2001, children in the 15-19 year age group are 100.2 million constituting 9.7% of total population of whom approximately 32 million are in the workforce. Many of the adolescent laborers who are in the work force began as child laborers. Thus for example 12.6 million child labourers in 5-14 years age group in 2001 are part of adolescent work force today. Also it is presumed 80 million children who were out of school in 2001, a decade later would have graduated as adolescent laborers' ( while a small number of them may

have rejoined school here and there due to enrolment drives of the SSA) carrying with them the scars of exploitation and lost childhood.

Most of the workforce in the 14-18 years age group is differentiated along occupational profile that is mostly in the informal economy under the unorganized sector. It is reported that while majority workers among girls are in the rural sector working on family lands on non-wage work or in informal sector, boys are in wage work. Both boys and girls are trafficked and thus migrate from their own villages. The work conditions of migrant child labour on any kind of work - whether for construction activities, on brick kilns, in garment and textiles factories are abysmal with long working hours without break, even as they often work as bonded labour against advances and thus mostly on low wages. There is no relief or compensation for accidents while at work or health security. Although there is no quantitative data it is widely acknowledged that most such children are from scheduled caste and backward caste communities. It is estimated that there are about 3 million women engaged as sex workers in the country of whom 40% are children<sup>2</sup>.

Thus instead of going through a sturdy process of education through schools, very sizeable numbers of Indian children have been forced into a routine of drudgery and suffering at the cost of realizing their fullest potential. They are gradually edged out of active participation in any production process and economic activity that involves skills and have no claim to any system of security or insurance and thus are unable to take advantage of State programs and policies as well as market interventions. Ultimately their fate is sealed by their lack of access to education.

### **3. Child Labor- Critical Gaps in Policy and Legal Framework**

There is no specific law that governs and protects adolescent child labor (children between 14-18 years of age). Therefore the work rendered by adolescents in the 14-18 years age group is

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<sup>2</sup> India Country Report: To Prevent and Combat Trafficking and Sexual Exploitation of Children and Women, World Congress III Against Sexual Exploitation of Women and Adolescents (Rio De Janeiro, Brazil, 2008)

legally permitted. They can claim their fair share of wages through the Minimum Wages Act 1948 (MW Act) which enforces payment of minimum rates of wages and hours of work for a normal working day for all kinds of employment.

The Child Labour (Prohibition and Regulation) Act 1986 (CLPRA) covers children only up to 14 years prohibiting child labor only in certain identified processes and occupations.<sup>3</sup> CLPRA is based on the premise that it is impractical to address all children in the short term and thus makes a distinction between labor that is prohibited and other forms of work that can be allowed. Thus due to non-universal definition of child labor large numbers of children are available for the labor market and the legal exploitation of millions of children continues unabated.

It is heartening to note that there is a new Bill to amend the Child Labour Act , that would abolish all forms of child labour and harmonise it with the RTE Act. In the proposed Bill all forms of child labour is prohibited up to 14 years of age. There would not be any distinction between hazardous and non-hazardous work, family labour and children working for an employer, or wage and non-wage work. It is a cognizable offence and gets criminalized! However children would be permitted to work after school hours, and during school vacations for the family! The Bill proposes to cover children in 14-18 years age group and prohibits children from working in identified occupations and processes. The areas currently banned are work in mines, inflammable substance and explosives, and hazardous process.

#### **4. Child Marriage**

The exploitation of adolescents is further compounded with children being married at an early age. The practice of child marriage varies from being married at the stage of infancy itself as in the State of Rajasthan to a child being married at 18 years which is the legal age of marriage<sup>4</sup>.

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<sup>3</sup> Currently child labour is prohibited in 18 occupations and 65 processes

<sup>4</sup> Refer to UNICEF India, Child Protection, "Early Marriage: A Childhood Interrupted"  
[http://www.unicef.org/india/child\\_protection\\_1536.htm](http://www.unicef.org/india/child_protection_1536.htm)

Thus for instance it is seen that 0.9% of children in the 10-14 years age group are married in a survey conducted by the Ministry of Health and Family Welfare<sup>5</sup>. According to the 2001 census there are 1.5 million girls in India under the age of 15 already married. Of these, 20% or approximately 300,000 are mothers to at least one child.

At the national level, one in every five girls of age 15-17 years is married in comparison to one in every 17 boys of age 15-20. There is a sharp increase in the proportion of girls married in the 17 to 18 age bracket<sup>6</sup>. The risk of domestic violence, abuse and exploitation inherent in child marriages is well known. Being married early they conceive at a very early stage in their life. Early marriage also impacts adolescent health causing reproductive health problems, including complications that come with teenage pregnancies. The likelihood of girls aged 10-14 dying in pregnancy and child birth are five times more than that of women aged 20-24<sup>7</sup>. It is estimated that nearly 6000 adolescent mothers die every year in India. Further, children born to teenage mothers and mothers under the age of 20 years are much more likely to die in infancy than children born to mothers above the age of 20. Adolescents also experience an increased incidence of sexually transmitted infections / diseases (STIs / STDs) as well as increased risk of HIV infections. The emerging trends in new HIV cases in India show that nearly two-fifths of new infections are reported among people below 25 years of age<sup>8</sup>.

There is an inverse correlation between the attainment of education and the risk of child marriage. Analysis of the determinants of early marriage reveals that “the higher the education the lower the odds that a woman age 15-17 would be married and the lower the odds that a

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Also, “Early Marriage: Child Spouses”, Innocenti Digest, March 2007 (No. 7), <http://www.unicef-irc.org/publications/pdf/digest7e.pdf>

<sup>5</sup> Ministry of Health and Family Welfare, Govt. of India, ‘District Household and Facility Survey 2007-08.

<sup>6</sup> According to NFHS-III survey, 47.3% of women aged 20-24 were married by age 18. Of these, 2.6 percent were married before they turned 13, 22.6 percent were married before they were 16, and 44.5 percent were married when they were between 16 and 17.

<sup>7</sup> See ‘Report on Prevention of Child Marriages in the State of Karnataka’ by the Core Committee headed by Justice Shivraj Patil, UNICEF and Dept of Women and Child Development, 2011

<sup>8</sup> Ibid.

woman age 18-24 would have been married before age 18<sup>9</sup>. Strikingly, the proportion of women who have begun childbearing is about three times as high among women who have no education as compared women who have 10 or more years of education<sup>10</sup>.

### **5. Child Protection-Legal and Policy Framework: Gaps in implementation**

Under the Child Marriage Prohibition Act 2006, 18 years is the permissible age of marriage for girls and 21 years for boys. A child marriage is void if the child is taken away from their lawful guardian by enticement, force or use of deceitful means or is sold or trafficked for the purpose of marriage. The solemnization of child marriages is a cognizable and non-bailable offence. Yet the Act has limitations because it fails to declare all child marriages as illegal. The law makes child marriages voidable only when children or guardians seek annulment of the marriage. In this sense, it presumes that the child is able to exercise her agency to say 'no' to child marriage and that there are appropriate support systems and institutions to enable a child to defy marriage and also to rehabilitate her. In reality it is unlikely that the guardian will take the initiative and risk of terminating a marriage. The numbers of child marriages stopped under the Child Marriage Act have been negligible.

The overarching legal framework for protection of children up to the age of 18 is the Juvenile Justice (Care and Protection) Act) 2000 (JJ Act)<sup>11</sup>. In practice it has been found that its capacity has been limited to cover a miniscule set of children. Effective implementation of the JJ Act importantly requires that children are heard and they are enabled to take informed decisions regarding their lives. This is more honored in breach than in practice.

In order to correct adverse sex ratio of female vis a vis male and discourage female feticide, interventions which link financial incentives with age of marriage have been developed.<sup>12</sup> Programs involving conditional cash transfers, vouchers and scholarships aim to enable

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<sup>9</sup> NFHS 3

<sup>10</sup> Ibid, p. 56

<sup>11</sup> Other relevant legislations are the Protection of Women from Domestic Violence Act 2005; The Dowry Prohibition Act, 1961 (28 OF 1961); Immoral Traffic Prevention Act, 1986;

<sup>12</sup> For details of schemes and their assessment of the see Sheela Das Gupta *op.cit.*

transition from primary to secondary and higher education and such incentives are linked to the girls' continuance of schooling without getting married<sup>13</sup>.

However these programs are mainly driven by supplies and assume that adolescent girls are in a position to avail themselves of the services automatically, little realizing that they have to negotiate barriers of power and authority within the family, gender and caste discrimination, patriarchy nexus of economic exploitation and the myriads of rules and procedures to access these benefits. Existing programs do not address these barriers up front in order to enable meaningful access by adolescents to the services. Nor do they provide the spaces, support structures, and shelter required to enable girls to defy traditions and cultures of domination, to exercise their agency and say no to labor, marriage, servitude, violence and abuse. None of the interventions for protection of children have woven education as an indispensable component for empowering adolescents.

## **6. Access to Education – Real or illusory?**

It has been seen how important education is to prevent child labor, child marriage, child trafficking and the impact that the denial of education can have on adolescent children, their dignity, self esteem, and health.

For most children completion of primary school education, let alone elementary and secondary school education is a herculean task. There are innumerable challenges in access to education. Although 98% of children enroll into schools which is an indication of the enormous demand for education today, the statistics on retention show that in 2007-08, 30.09% of children dropped-

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<sup>13</sup> There is Delhi Voucher Project which includes School Choice Campaign & School Vouchers for Girls pilot project for Economically Weaker Sections (EWS) and minorities. Urban Muslim Girl Voucher Scheme; National SC/ST Reimbursement Scheme; Special Needs Children Education Scheme; Dhanalakshmi; Balika Samridhi Yojana; Ladli and importantly RMSA. The program for providing cycles to girls that increases their mobility to reach middle schools and secondary schools have made a remarkable difference. For example the [Mukhyamantri Balika Cycle Yojana in Bihar](#), a project that gives school girls 2,000 rupees to purchase a bicycle has so far resulted 871,000 schoolgirls cycling to schools and the number of girls dropping out of school has fallen and the number of girls enrolling has risen from 160,000 in 2006-2007 to 490,000 now.

out before completing class 5, 52.47 % dropped-out by class 8 and 68.42 % of children dropped-out of school before completing class 10<sup>14</sup>. According to the NFHS-3 (2005-06) only 41% of youth in the 15 to 17 years were attending school and at a disaggregated level the school attendance in rural areas was 37% while in the urban areas it was 51%. Further school attendance was lower among girls at 34% than boys at 49%. At age 15-19, the girls' literacy rate lagged behind the literacy rate of boys by 15 percentage points<sup>15</sup>. Thus more than half of the adolescents are school dropouts and those who survive and complete their school are the lucky ones. The cumulative effect of not being in school finds reflection in the statistics related to education attainment of the 15-19 year olds. There is substantially greater school attendance of children from rich households, at 68% while attendance of children from the poor households stood at only 13%.

There is a large gender, urban-rural and socio-economic gap in educational attainment. Thus, for an adolescent girl, from a rural area, and belonging to a scheduled caste, tribe or a minority religious group, the chances of being educated are bleak.

The primary schools are bursting at their seams with overcrowded classrooms, yet there is just no corresponding increase in the numbers of schools at the middle and high school levels<sup>16</sup>. There is a fundamental mismatch between the expectations of parents and the system's capacity to respond with equal seriousness, resulting in children losing the battle for formal education. In fact, the education system contains an underlying structural logic that keeps children away from schools.

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<sup>14</sup> Tables of Statistics of School Education, 2007-08 – p. D 102, [http://mhrd.gov.in/sites/upload\\_files/mhrd/files/SES-School-2007-08.pdf](http://mhrd.gov.in/sites/upload_files/mhrd/files/SES-School-2007-08.pdf) Primary School is from Grade 1 to 5 for children in 6-11 years age group; Elementary School is up to Grade 8 for children up to 14 years of age, Secondary School is up to Grade 10 up to 16years of age and Higher Secondary School or Junior College is up to 18 years of age.

<sup>15</sup> Sulabha Parasuraman, Sunita Kishor, Shri Kant Singh, and Y. Vaidehi. 2009 .*op.cit.* p 10.

<sup>16</sup> Almost 11% of schools of All Managements in India run without any classroom. 10.39 per cent of the total schools of All Managements in India have only a single classroom; classrooms in 21.13 percent of schools require repairs; Proportion of schools of All Managements require additional teacher is 11.76;. (**Flash Statistics 2006-2007, NUEPA**)



At every step, poor children receive messages that education is not really in their realm of possibility. It is well established that there is nothing more intimidating to adolescents than the fact that they are school drop-outs. They suffer low self-esteem and feel ashamed to be branded as failures. Their track record of being a failed primary school or a high school graduate continues to haunt them throughout their life.

### **7. The Path to Realizing Education Entitlements –Policy and Legal Framework**

Education policy for children has always been fragmented. Planning for all levels of education simultaneously - from grade one to university or other education streams was regarded as impractical. The movement of children from one stage to the next has never been seen as a seamless organic progression enabled by sufficient investments at every stage. Plans to provide education have been short-term without realizing the enormity of the costs of delay, which will be greater than the timely investment in education delivery.

Only after the enactment of the 'Right of Children to Free and Compulsory Act 2009' (RTE Act), was education guaranteed as a fundamental right for all children in the 6-14 years age group. Children now have a right to education up to the elementary school level (class 8). There is no constitutional obligation for provisioning of education for children in the 14 to 18 years age group. After completion of class 8 the child cannot claim an entitlement to secondary school education as a matter of right. In line with this limitation, the otherwise well-crafted policy of providing residential schools for girls who have dropped out of schools through the program of the Kasturba Gandhi Balika Vidyalaya (KGBV) provides schooling only up to class 8 and many girls who wish to pursue their education beyond class 8 cannot access residential facilities such as hostels and so drop out of schools.<sup>17</sup> Currently over 200,000 children are studying in the KGBV's.

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<sup>17</sup> Sarva Siksha Abhiyan, Ministry of Human Resource Development, Department of School Education and Literacy, Government of India (<http://ssa.nic.in/girls-education/kasturba-gandhi-balika-vidyalaya/kgbv-scheme/>)

While the Government of India has been emphasising the program of universalisation of secondary education through its scheme of Rashtriya Madhyamik Siksha Abhiyan, it is still in a rudimentary stage. Although it contains provision for hostels the numbers still do not correspond to the demand there is for secondary schools.

Other education programs for adolescents include the adult education program under the 'Sakhshar Bharat-National Literacy Mission' that covers all citizens in the age group 15 years and above. The National Institute of Open Schooling (NIOS) or the National Open School too offers courses for school dropouts enabling them to achieve parity with their peers in the mainstream formal schools. Of the 100 million children in the 14-18 years age group education programs cover barely 30 million children in secondary (20m) and high school(10m).

### **Right to Education – the Adolescent Perspective**

The task of providing education and locating it in the specific context of the adolescents' life patterns is a significant challenge. There is diversity in their education attainment levels. Some may have never been to school, or may be school dropouts at a primary school, with little memory of what they have learnt; some may have dropped out elementary school and most children have dropped out before they have completed the class 10 examination. There is also diversity in their occupational patterns which trap them in a relationship of exploitation with their employers. The fact that many of them are married and have encumbrances that come along with being a family person poses yet another challenge. Further they are mostly from families living in extreme poverty and many of them face social exclusion because of caste, gender and other biases.

In spite of their complex life patterns and educational attainments, providing adolescents education is not an impossible task. The starting point is the basic assumption that children and adolescents yearn for education and that it is possible for them to catch up with their peers. It is within this framework that interventions of the adult literacy programs, open school

programs, skill development or even special tuitions and coaching classes for adolescents to join formal schools and residential camps can have better demand and meaningful outcomes.

Education program for adolescents need to be sensitive to what they go through both physically and in terms of role definition and should be informed by the field reality and the powerful testimonies of young men and women. Education of adolescents also requires an understanding of their strengths and vulnerabilities. Their strength is their energy, willingness to take risk and desire for change. Their vulnerability is in their restlessness, impatience and lure for quick recognition and success. Both these facets are interconnected and should be used to enable the adolescents to make informed choices and steer clear of exploitation.

Due to their actual life patterns – justice, equality, non-discrimination become hollow, meaningless words. The lived reality of being discriminated, experiencing injustice, witnessing and suffering abuse of power, and their emotional environment is totally contrary to the educational engagements taking roots. Therefore one must take into account the repressed anger of adolescents against perceived or actual injustice by recognizing that the children are fully cognizant of their unjust childhood experience. This deep seated resentment against their oppression in society is specially marked in the socially excluded caste boys and girls. Having lost their self-identity and positive self-esteem they have to be taken into confidence and require confidence building.

The education program must build from an empathy with the anxieties of the adolescents regarding the commitments and responsibilities they undertake for their family and survival. Their innate capacity to learn and understand has to be trusted while they are being motivated to accept another chance to be integrated into the world of mainstream education. Such empathy for adolescents is to be complemented by intensive short duration interactions through residential camp, long duration residential training camps, or having a continuous forum to create platform for adolescents to come forward and get peer support for education. Adolescents who wish to pursue formal education and appear for the class 10 or class 12 board

examinations should be encouraged<sup>18</sup>. Safe and secure residential spaces for children, especially girls, are important to the delivery of education, life skills and activities that allow these children to catch up with their lost childhood and build friendships<sup>19</sup>.

Thus, education in residential mode is very important as it gives a message that adolescents matter and that the society and State has not forgotten them. That it is a joint effort of the State and society to bring about change in the marginalized status of the adolescent and that it is a non-negotiable! The manner in which such programs run enable adolescents experience equality and justice; joy of learning – a lived experience; acceptance of diversity; discovering multiple dimensions of learning – sports, music, theatre etc.

Children are to be encouraged to take autonomous acts and this would also require creation of spaces for adolescent children to meet, discuss and act. These interventions need to be creative and imaginative and could also include activities such as sports or forums for theatre. For those who require affirmative action, provision for scholarships, free ships that implies waiver of school fees, examination fees, hostels and other facilities are to be made.

Ultimately restorative education policies and programs must address the issue of the gross denial of fundamental rights and entitlements of adolescents – their very right to survival, development, dignity and protection. For all such out of school children one has to begin in the middle to enable them to reclaim what they have lost as children and build from there.

### **Exercising Agency**

There is an inextricable link between adolescents' right to education and their empowerment. They are two sides of the same coin. An enabling environment and a ground swell of community support are necessary to encourage adolescents to claim their right to education. It

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<sup>18</sup> The NCPDR's program of social mobilisation in areas of civil unrest has thus motivated hundreds of such adolescents and enabled their taking the examination as private candidates. In the State of Maharashtra the government was persuaded to pay for their examination fee and also arrange for residential tuition and coaching classes.

<sup>19</sup> For example the residential bridge course camps of MVFoundation, Doosra Dashak, Aman Biradari and so on.

is a matter of re-configuring power relations and societal values in favor of child rights. It is creating new traditions and cultures that respect children.

It has been found that when children know that they have allies in the adults who are willing to vouch for them and take up their cause they gain courage to defy authority. As a result of this support, children exercise their agency, and refuse to go to work or even be married. Once an enabling environment is created, the success of a child being rescued depends largely on the child's innate strength. As oppressed children stand their ground and exercise their agency in not relenting to any pressure, more and more adults are also empowered and inspired to take a stand.<sup>20</sup> In this charged atmosphere adolescents begin to make adjustments to get out of the trap of being prematurely part of the labor force and other nexuses and family responsibilities that come with being a married person. These children can stand firm and take the risk to walk out of their past. Anchored by a ray of hope given by the changed atmosphere and some voices in their support they brave their way to freedom and liberty. It becomes the responsibility of all - the State and society, community and family to respect the capacity of children to exercise autonomy and take decisions that would enhance their dignity. In doing so girls and boys are encouraged to take part in sports, children's clubs, theatre, public activities and become part of youth. There would be a break in the mindset of the communities that youth are not just boys but are also girls. In fact, taking the decision to embark on a journey for education is a defining moment. A process of discovery of lost childhood begins in order to fully realize their adolescence and to move ahead to the next step.

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<sup>20</sup> This has been borne out by the experiences of NGOs in India such as MV Foundation, Doosra Dashak, Aman Biradari <http://www.amanbiradari.org/dilse.html>, Sandhan, <http://www.sandhan.org>, the Meena Manch program of the UNICEF [http://www.unicef.org/india/children\\_corner\\_4118](http://www.unicef.org/india/children_corner_4118) and many others

## 8. Education as Empowerment<sup>21</sup>

The importance of education in bringing about transformation in the lives of adolescents cannot be understated. The very act of joining the education stream integrates these children into a web of interaction, encouraging them to utilize the modes of thinking and pursuit of knowledge that have gained currency and acceptability. They are able to transcend their local environs and locate themselves in the context of a reality which is informed by a sense of a larger society and its complex milieu. This equips them to gain confidence and indeed acquire a body language, to be addressed not as anonymous workers but as students seeking to join the cultural milieu, which was hitherto denied to them. It gives them compelling ammunition not to yield to pressures of marriage and even gives them access to reproductive health care and life skills as informed and literate persons. While this continues to entail a struggle at every stage, the difference is that, in the process of going to school poor children no longer endure hardships for the sake of others but for their own development and growth. Education becomes the first step toward equity and bridging the gaps in the social and cultural hierarchies surrounding these children. All children aspire for a similar kind of learning regardless of their class or cultural background. In this sense education is a great leveling process.

Adolescents from disadvantaged backgrounds who have completed secondary school education are the real heroes keeping alive the hope of the poor for education. They are the change makers for communities that have been trapped for generations in the vicious cycle of immobility, poverty and illiteracy. They show that even for the poor, things can be different and better. Their success has far reaching consequences for the growth and development of India's democracy.

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<sup>21</sup> This conclusion has been drawn from field notes of the author collected over two decades while interacting with NGO's such as MVFoundation, Pratham, Doorsa Dashak , Action Aid , Plan, Save the Children and other partners across the country.

