

**National NGO Child Rights Coalition
NNCRC
Joint UPR Submission
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(ii)

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Those consulted include Right to Education Forum, Council for Social Development, Centre for Budget and Governance Accountability, Sahayog-India. The coalition has also interacted with the National Human Rights Commission.

(Also circulated to two partnering networks of 746 NGOs involved in CRC alternate reporting and 583 NGOs involved in review of national policy for children, but only some could send feedback in the limited time-frame).

Children's views of rights access and status have been sought in a fast-track consultative exercise. Their assessments are included in the report, and appended in Annexure 1

NGO CHILD RIGHTS COALITION JOINT REPORT ON CHILD RIGHTS IN INDIA

(Submitted for the UPR 2011/2012)

1. Summary

Any audit of rights access in India must be mindful of the factors of both the age and identity of the people. Since 41 % of everyone in India is aged below 18 years, there is sufficient justification in reviewing how the Indian State's attention to implementing rights fulfils or fails to fulfill the rights of this young cohort. The lack of monetary and programmatic investment in meeting their needs and entitlements is only one index of national failure to recognise their social, cultural and economic claim on the nation and their right to civil rights and freedoms.

An allied dimension of rights awareness and commitment is the State's investment of attention and resources and the establishment and evidence of accountability. This report looks at the implementation of national, regional and international obligations by the Government of India. In setting out 5 key human rights issues, applicable to children as well as other age groups, we perceive a pentagon of rights: survival/quality of survival, learning and development, protection and security, participation, and inclusion with dignity. India's slow and poor implementation of UN CRC obligations is itself a human rights denial. India has not even legally defined who is a child. Programming is preoccupied with aspects of early child development, without adequate attention to survival rights; this approach addresses only survivors of the bad start most child endure.

Our coalition's experience of alternate reporting in the UN CRC frame has led us to realise that children will not get their due until their needs are acknowledged as integral to the human rights agenda. Hence this report.

2. Rationale and Framework:

2.1. Planning, programming and practical action for children in India face some basic stumbling blocks. A primary fault is the marginal positioning given to children as rights-holders. Low funding attention, never exceeding 5% of GDP, is evidence of this, and lack of accountability confirms it.

2.2. The neglect of legally defining the span of childhood continues. Without this, children lack recourse to a sheltering law. Anomalies persist, with different ages in different laws and policies, and the Constitution of India still sets the upper age at 14 years. There is no definitive Children's Act. The Juvenile Justice Act sets its age ceiling at 18, but repeals no other law. An evolving new national policy for children (to replace one adopted in 1974), acknowledges that anyone aged up to 18 is a child, but will have no legal force to modify any law.

2.3. The CRC Periodic Report 2011¹ admits lack of uniformity, but holds that: "Harmonising the definition of 'child' under the different Acts is a progressive exercise." Since there has been no change since 2001, it is questionable how far this can be considered progressive even in spirit.

2.4. The proportion of the population should in itself justify specific attention to the child impact of any policy, investment or measure affecting social and economic development as well as civil

¹ India: 3rd and 4th Combined Periodic Report on the Convention on the Rights of the Child 2011/Govt of India

rights. The status and condition of the children of the underserved is a grim indicator of unmet rights and clear evidence of official and political indifference to social and economic justice

2.5. This coalition has consciously based its questions and observations on published Government data and reports as official information sources, which the Government should be able to explain or defend.

2.5. The UDHR and the two international covenants are the key frame of reference. The UN CRC serves as the rights instrument specifically aimed at children's rights entitlements, and this report draws upon for its data India's latest periodic reportⁱ. In this report for UPR consideration, special attention has been given to: the legal definition of the child, issues of survival, quality of survival, identity factors in access to services and protection, the provision failures when normal expectations of access are disturbed or disrupted for any reason, and the State's failure to address the most vulnerable ages and settings of childhood as well as to recognise the full span of childhood. It is our case that these are not slippages in development, but denials of rights.

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3. Scope of International Obligations (status of ratification and domestication of instruments)

3.1 This coalition (NNCRC) commends the readiness of the Government of India in ratifying various international treaties relating to children including the UN Convention on the Rights of the Child (UNCRC) and its two Optional Protocols (on the Sale of Children, Child Prostitution and Child Pornography, and on the Involvement of Children in Armed Conflict) as well as the UN Convention on the Rights of Persons with Disabilities.

3.2 However we would like to highlight that international treaties are not self-executing in India. Consequently implementation of the commitments under all the conventions remain slow and mostly limited to the sectoral Ministry responsible for the reporting to the Committee, with little inter-ministerial coordination. This results in fragmented action and assessment.

- a. Despite recommendations from the earlier UPR review, the Government of India continues to maintain its reservation to Article 32 2(a) of the UNCRC and has still to sign and ratify ILO conventions No138 and 182 relating to abolition of child labour.
- b. Government perspectives on disability have yet to move from the medical model to a rights perspective. even though India has ratified the UNCRPD, and already has a policy and a law. This is evident in the recent CRC Periodic Report 2011 on Article 23 (children with disabilities) is placed under the general headings of Health and Welfare, focusing on prevention, without addressing the childhood rights of children surviving with disability.
- c. The Government's record in reporting is notable for both delay and superficiality. The 3rd and 4th Periodic Report on CRC was due in July 2008, but submitted in August 2011. It focused mainly on listing schemes and programmes, and failed to explain outcomes and impact. Human rights reporting overall largely bypasses children; the 2008 UPR report disconnects its eight paragraphs on child rights from its sections on the international covenants and on rights to life, liberty and development. This is not merely a disservice to children; it is a failure to acknowledge that this 41 % has the right to equal and affirmative attention.

- d. The National Commission for Protection of Child Rights has taken several positive initiatives to highlight human rights problems facing children. However, it lacks even the authority of the National Human Rights Commission (NHRC). As with NHRC, state commissions have not been set up in all states, some still lack members, and some are inactive.
- e. Government has also not widely disseminated either the earlier findings and recommendations of the Committee on the CRC in the country nor has it disseminated the current report to the CRC leaving it to the civil society groups to do the needful.

Recommendations:

- (1) The Government of India should revisit its position on the ILO conventions No 138 and 182, and reconsider its reservation on Article 32 (CRC) to affirm its commitment to the abolition of child labour with practical action. It is unjust to children in occupations still unlisted as hazardous to be left waiting for protection and liberation from labour. Commitment to**
- (2) The Government of India should ensure reporting on obligations is based on results.**
- (3) The Government should actively disseminate information on concluding observations and encourage greater civil society interest in taking forward recommendations.**
- (4) The Government must ensure annual reporting on the functioning of the inter ministerial coordination committee National Coordination Group (NCG) to ensure extension of ownership across the ministries.**

2. Constitutional and Legislative framework

3.1 The NNCRC acknowledges the initiatives of the Government of India towards strengthening the legislative framework for children's with the formulation of new laws and amendments in old laws New legislation have been introduced such as the Prohibition of Child Marriage Act (PCMA), 2006, the Right of Children to Free and Compulsory Education Act 2009, Amendments have been made to existing legislations such as the Juvenile Justice (Care and Protection of Children) Amendment Act, 2006, (JJ (Amendment) Act, 2006). However the case remains for a definitive National Children's Act.

3.2 Our Coalition suggests that the Government reviews laws pertaining to the child, as well as references affecting children in other laws to bring them into conformity with human rights standards. For instance, the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act 1989 aimed at removing identity-based offences against these communities is admittedly failing.² The ratification of the Convention against Torture is still being officially 'processed.' A national Bill on prevention of torture is falling short of international standards, and makes no mention of children. This could obstruct children's deserved access to protection. Recommendation #1 of India's first UPR report relates to this gap. (See also 7).

² CRC 3rd and 4th Periodic Report 2011, Govt of India

Recommendations

- (5) The Government of India should establish a single uniform legal definition of the child and align other Acts to cover this definition.**
- (6) This would also imply an amendment in the various laws to ensure conformity.**
- (7) The Government of India should ensure the implementation of laws to protect children.**
- (8) Both legal and policy provisions on rights should consciously include applicability to children. (e.g. current law on domestic violence relates to women and omits children).**

4. Institutional and Human Rights Structures

4.1 The Government of India has mandated the setting up of the National and State Commissions for the Protection of Child Rights under the Commissions for the Protection of Child Rights Act 2005. In the absence of any enforcing authority, the 13 present Commissions remain investigative and advisory bodies, unable to take concrete action against child rights violation.

Recommendations:

- (9) The Government of India should ensure the setting up of the Commissions in all states, establish standards for members' qualifications, and allocate adequate resources for proper functioning.**
- (10) The NCPCR should have a status and powers to match the NHRC, to take action against violation of child rights. Its suo motu mandate should be strengthened for this.**

II. Implementation of human rights obligations on ground

5 Equality and Non-discrimination

5.1 The NNCRC is concerned that the Government of India has been unable to fully implement the Directive Principles of the Constitution of India as well as various policies and legislations related discrimination against certain groups of children in particular children from Dalit and tribal groups, those belonging to minority communities, as well as children with disabilities, street and working children and children affected by HIV and AIDS. All available data on deprived groups show that the quality of their survival levels and quality of survival are significantly worse than the national averages.

5.2 The persistence of stark social and economic inequities influenced by a culture of exclusion cannot be seen as anything but a conscious denial of human rights to those who have somehow got classified as undeserving of anything better. If society defaults in ensuring equity as it has for generations in India, it is the duty of the State to fulfil this responsibility, and to do so pro-actively.

5.3 The girl child remains doubly disadvantaged. The Census 2011 data indicates an alarming drop in the sex ratio in the 0-6 year group (914 girls to 1000 boys)ⁱⁱ. The preference for the male

child in a strongly patriarchal society has led to the elimination of the girl child even before birth through sex-selective termination of pregnancy and this discrimination persists through her childhood, affecting the longer term prospects of survivors.

5.4. It is of special concern that the far worse sex ratio of the 15-19 age group (just 858/1000 in the 2001 Census, and still unpublished for the 2011 Census) has not excited governmental attention. The share of early maternal mortality in this group awaits notice.

5.5 A rights approach would demand that the most vulnerable and neediest are identified and given first call on the State's resources, and placed first on the list of those to be assisted. The NNCRC however notes that currently there is no report on disaggregated impact of government programmes and schemes.

Recommendations

- (11) The Government of India should identify and undertake focused and targeted interventions for the most vulnerable among children and their communities and settings.**
- (12) The Government should investigate the causes of the 15-19 sex ratio gap and decline, and act on the findings.**
- (13) The Government of India should specifically report on the child impact of its programmes on the most marginalised and underserved populations**

6. Right to life and access to health services

6.1 NNCRC is concerned that despite stated intent and government interventions, consecutive health surveysⁱⁱⁱ reflect that infant and under five mortality in India remains alarmingly high. The highest mortality graph persists in the youngest age groups, but neither the National Rural Health Mission nor other health services target the first week and first year mortality, and these have stagnated for years. The first-week deaths account for half the infant deaths, at 39/1000 live births, and have reduced only 10 points over 5 years; and the perinatal mortality level has fallen only 4 points, to 18/1000 over the same period.

6.2 Poor nutrition levels persist, with stunting among children aged below three years down only from 51 to 45 %, the level of wasting up from 20 to 23 %, and underweight levels reduced only from 43 to 40 per cent. Malnourishment of children is a significant indicator of food insecurity. The All-India trend of the proportion of underweight (severe and moderate), wasting, stunting among children below 3 years of age indicate that India will not be able to meet its commitment to the MDG targets to reduce malnutrition and infant mortality

6.3 The Integrated Child Development Services programme (ICDS) largely bypassed children with disabilities and children from Dalit and minority groups. The infant mortality rate for Dalit (SC) children is 88/1000 compared to 69/1000 of the general population and Dalit child deaths for the under 5 years is 43 per 1000 compared to 25 per 1000 for the general population³

³ <http://wcd.nic.in/schemes/icps.pdf>

6.4 The 8th report of the Supreme Court-appointed Food Commissioners says that is very rare to encounter a child with disabilities in an ICDS centre. It is not only their impairment but also the environment that places barriers on their mobility.⁴ In the post-2008 period, the price rise of food, fuel and other essentials has added a further burden on the subsistence-level consumer. The Bill for a national Food Security Act is yet to be finalized (2011) – and it makes no commodity provision for the youngest (e.g. milk) and the planned food security measures bypass the most deprived child age-group.

Recommendations :

- (14) The Government should focus on a targeted plan to ensure 100% immunisation cover for all children**
- (15) The Government should revisit the current budget provisions for health from the perspective of children and ensure the availability of adequate resources and communication programmes to mitigate deaths due to preventable causes like diarrhoea, respiratory tract infections and malaria.**
- (16) The Governments programmes for health and nutrition must reach out to the deprived communities.**

6 Right to Protection from abuse and exploitation

7.1 India is still in the process of ratification of the Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment. A Domestic legislation has been drafted by the GOI .A review of this Bill reveals that there is no mention of children.

7.2 The NGO CRC notes that the Government of India has still to get the draft Offences against Children Bill passed by the Parliament. Through the Juvenile Justice Act, 2000 the Government has set up mechanisms to receive, investigate and prosecute complaints. Sections within the Act also provide for protection of children.

7.3 The Integrated Child Protection Scheme (ICPS), launched by the MWCD, provides for a safe and secure environment for overall development of children in need of care and protection, including CWDs is still to take off in the states. For children with disabilities it is limited in that the only remediation seems to be institutionalization and segregation. This goes against the right of the child to live within the family and the community.

7.4 Corporal punishment and Sexual Abuse

7.4.1 The NNCRC expresses concern that despite initiatives by the government, corporal punishment and other forms of violence against children remain rampant. A Study on Child Abuse (2007)^{iv} initiated by the Government indicated that 2 out of 3 children reported facing corporal punishment in the domestic and school settings. In a national study conducted by Saath Trust and Plan India^v, children reported facing 33 types of punishment at schools. Dalit children

⁴ In the capital city of New Delhi, no child with disability was found to be registered by an Anganwadi(child care centre) and only 3 per cent of the ICDS centre workers had received any special training on disability.

continue to experience humiliating and degrading treatment in schools and in public places, including being beaten. During the distribution of mid-day meals, they face segregation by being made to sit separately. While the Right to Free and Compulsory Education Act forbids physical or mental abuse against children, the model rules are yet to be finalized by states and there are currently no safe redressal systems in place for children to report violence. Despite recommendations by the UN Committee on the Rights of the Child, there is no uniform ban on corporal punishment in the country.

7.4.2. This situation is compounded by weak laws, and weak enforcement of laws. Prosecution of cases is weakened by the lacunae in the Indian Penal Code (1860) that provide immunity to a person causing hurt to a child if the act is done in good faith, not intending to cause harm^{vi} The Prevention of Offences against the Child Bill, which aimed to bridge this gap by expanding the definition of ‘offence’ and listed corporal punishment among offences, is still at a draft stage.

7.4.3 The Government has moved a Bill⁵ only on sexual offences against children, and this focuses on punishing offenders and omits to provide for counselling, rehabilitation and restoration of confidence and dignity of the affected child. While recognising that sexual offences against children are reportedly rising, the focus of the law should be far more consciously on retrieving the childhood of the child victim.

7.4.4 The NNCRC expresses concern at other persisting violations of children’s human rights. One is children’s disappearance. The Government reports that in any given year, an average of 44,000 children are reported missing; 11,000 of them remain untraced.⁶ Reported reasons include trafficking, abduction, kidnapping for beggary, child prostitution, bonded or forced labour in small-scale manufacturing and services, domestic labour. Sale and slavery camouflaged as marriages is increasingly reported. There are also runaway children. Child tracking is only now a stated governmental objective.

7.4.5. Fallout of displacement due to disasters or disturbance:

Both natural and man-made disruptions of normalcy put children at risk. A specific concern is the discrimination suffered by affected children due to their identity or adjudged position or the categorisation of their elders or communities as ‘anti-State or against the law. Article 2 and Article 7 of the UNDHR clearly rule against such distinction, and Article 2 of the CRC specifically obliges India to protect and safeguard children against all forms of discrimination for any real or perceived reason.

7.4.6 A special rights gap exists in the deprivations and exclusions facing children of shifting populations of ‘street circus’ groups of jugglers, tumblers, and acrobats. The State has failed to protect and provide for such children, who subsist outside the development systems, and also face economic exploitation within their communities. Those from so-called ‘criminal tribes’ (even though now de-notified) are particularly vulnerable.

Recommendations

⁵ Protection of Children from Sexual Offences Bill 2011 (under consideration of a Parliamentary Standing Committee)

⁶ CRC: 3rd and 4th Periodic Report 2011, Govt of India.

(17) The Government should expedite the establishment of fast-track child friendly courts in all the states

(18) The Government of India should invest in public education of parents and service providers, such as teachers, on the adverse effects of corporal punishment, to develop preventive mechanisms, and improve training and accountability provisions and standards.

7.5 Child Labour:

7.5.1 Child labour is a persisting rights violation, and a major fallout of poverty. The Government of India's current data on this issue does not address the numbers of children working in their family profession or in agriculture in rural areas. It is also silent on the existence of bonded labour in the country. Child trafficking for labour and the sex trade are similarly unmapped. The UPR Recommendation No 5 is especially important in finding out the facts on such rights violations so as to address them. The Government response that data is available does not clarify what is being done.

7.5.2 The rise of internet access, and its misuse for child pornography and other exploitative portrayal deserves to be addressed by law and corrective action. The portrayal of children in both 'entertainment' and marketing on media channels calls for vigilance and regulation. India's 2008 UPR report (Paragraph 25) deserved to be questioned in this context, and could have been targeted with a recommendation. The Government should not report expansion without commenting on what is being communicated and at whose cost.

7.5.3 The listing of some occupations as hazardous for children leave many other unsafe forms of work sheltered behind an assumption that they are 'safe.' The UN CRC echoes this faulty definition of 'worst forms.' The fundamental right to education has not saved working children from this anomaly.

Recommendations

(19) The government should change its stand and change the child labour law conform to the right to education by banning all forms of child labour entirely.

8. Right to Education

8.1 Making the right to education a fundamental right for the 6-14 age group of children denies parity to the learning rights of children under 6 and above 14 years. This deserves review.

8.2 The official position stated on child labour in India's UPR 2008 report (paragraph 66) claims a sequential approach to child labour eradication, from hazardous to non-hazardous forms. This compares oddly with the 2011 CRC periodic report, which still speaks of 'wholesome development' of child workers and potential child workers among vulnerable socio-economic groups.(Chapter 8C.1.3:paragraph 89). The CRC report also contradicts the Child Labour (Prohibition and Regulation) Act, 1986, as it allows children under 14 to work in "non-hazardous" occupations. From a rights lens, it is arguably hazardous for children to be forced into labour at all.

8.2 Children still out of school are from marginalised communities^{vii}. The number of schools for children aged 10-14 (upper primary) and secondary (post 14 years) is far below the need.

The growth of for-profit private schooling (including private schools and handing over of government schools to the private sector) deserves to be studied. The question in public private partnerships in school education is whether the State retains the responsibility to deliver quality education to all children. The new RTE Act says nothing will be sub-contracted.

- 8.3 A question in schooling is what is being taught, and how this meets rights requirements. Are the obligations implicit in CRC Article 29 being honoured? A discrimination exists across the national school curriculum in the absence of history lessons on any part of India outside the territorial 'heartland.' Does this meet the right of children to learn their whole history, and the State's duty to ensure it is taught? Where do children in India learn their composite identity, and learn to be proud of it? India upholds the credo of 'unity in diversity,' and it should be its aim in education to build understanding and respect for this. Neither the 'mainland' child nor the one living in the setting of diversity seems to have this right, which is part of socio-cultural entitlement. . India is the poorer for it.
- 8.4 The quality of schooling is poor^{viii} and lacking in basic prerequisites like infrastructure, availability of teaching learning materials and adequate numbers of trained teachers. These deserve investment. But the substance and spirit of what is taught deserves attention too. At the core of the problem is the failure to invest adequately, in visioning, capacity building, infrastructure development and financing. The government continues to fall short of its commitment to invest 6% GDP in funding education (3.23% GDP). A move is needed to examine the 'why' of schooling with equal attention.
- 8.5 Other disparities deserve to be examined. The educational system continues to be multi-tracked, with a different quality of education offered to children based on their socio-economic status.
- 8.6 Continued military occupation of schools in conflict-affected areas has put children at risk & barred them from exercising their right to schooling⁷.
- 8.7 A large part of India is disaster-prone, but retrofitting of buildings as per the National Building Code has been slow as has the integration of school safety in the curriculum.

Recommendations

- (20) Six per cent of GDP or 20 per cent of Government expenditure should be provisioned for education, and half of this public spending on education needs to be targeted towards primary and elementary education.**
- (21) To ensure quality of education, regular and trained teachers should be recruited. Para teachers recruited so far should be trained for regularisation, or replaced.**
- (22) The Government should move to extend the right to education for all children up to 18 years of age, and generate the resources and investments to make this possible. This will hinge on the comparative commitment to education as against other sectors of expenditure.**
- (23) A universal system with enhanced minimum standards is needed, in line with existing recommendations for common schooling standards for all children. Irrespective of their parent's socio-economic status. All forms of discrimination in the education system- be they based on caste, class, religion, disability or other forms need to end.**

⁷ UNESCO: Education For All Report 2010

(24) All forms of privatisations including the Public Private Partnership or franchise to corporate bodies that leads to profiteering, commoditization and weakening the public education system should be dropped.

9. Civil and political rights

9.1 Birth registration

9.1.1 The Registration of Births and Deaths (1969) makes it mandatory for births to be reported and registered, yet nearly 9 million newborn children go unregistered in the country every year.^{ix} The government is also not currently collecting sex disaggregated data. The Government claims that 69% of births are being registered. But government's own surveys show the level at 41%, with only 27% of households able to produce a certificate.⁸

9.1.2 The low outreach of birth registration/civil registration services, low awareness about birth registration as well as the lack of resources invested implies that scores of children are denied birth certificates and installation on the roster of people. Such rostering is both an identity and a protection tool for children. Given the various age related legislations in the country, the Birth Certificate is also an important document to protect children against many child rights violation linked to age and identity. Proof of age is essential to ensure that children access their rights to education, are prevented from entering into child marriage or child labour as per the different legislations passed in the country.

9.1.3 Marginalised groups in both rural and urban settings are still denied their right to identity provided by registration and certification^x. The NNGOCRC notes that the government also needs to simplify the processes for registration especially for street children or ensure alternate procedures to register them

Recommendations

(25)The Government should simplify the process of registration and ensure the right to registered identity for street children, other children without adult guardianship or support and other vulnerable groups.

(26)Government should improve the outreach of the registration services to the people, and have awareness programmes for states that are lagging in registration of children.

Right to Security and Consideration :

10.

10.1 All children have the right to be safe, and to have a sense of security wherever they are. In the case of children of groups in any situation of distress or displacement or disruption of normal and stable living conditions, this right is at risk.

10.2. The Government's 2008 UPR report mentions terrorism {"aided and abetted from outside"} as a serious challenge. It says nothing on human impact in affected areas. The Government's 2011 India Initial Country Report on the CRC Optional Protocol (OP) on Involvement of Children in Armed Conflict states that "India does not face either international or non-international armed conflict situations." The CRC 3rd and 4th Periodic Report 2011 says the same thing. The OP report cites legislative provisions to prevent children's involvement in armed conflict, and provide care and protection to children affected. The official introduction to the

⁸ 3rd and 4th Combined Periodic Report on the Convention on the Rights of the Child 2011, Govt of India.

CRC periodic report acknowledges that “needs and entitlements demand a variety of interventions, and notes “children in areas of civil unrest” among those in need. These statements can be commended, but perhaps India should review ground realities for children in all such settings and situations.

General Measures - Resources for Children

11.

11.1 There are two defaults that affect children: low budgeting of resources and low allocation of attention.

Recommendation:

(27) Both investments urgently require correction.

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(5,520 words).

ANNEXURE 2.

END NOTE

ⁱⁱ Provisional Data, Census of India,2011

ⁱⁱⁱ District Level Health Surveys 1,2,3 and National Family Health Surveys ,1, 2, 3

^{iv} Study on Child Abuse, Ministry of Women and Child Development, Govt of India

^v Impact of Corporal Punishment in Schools , 2007, Saath Trust and Plan

^{vi} Quoted in the Third and Fourth Combined Periodic Report on the Convention on the Rights of the Child ,page 80

^{vii} Overall, only 66% children enrolled in Grade I survive to Grade V- ie 34% children enrolled in Grade I drop out before reaching Grade V. The quality of schools is also poor^{vii}.

^{viii} As in 2009-10,^{viii} 1 in 10 schools lacked drinking water facilities, almost half lacked a toilet, half lacked even a ramp for disabled access, two third of the schools were not electrified & only 1 school in 10 had a computer. These government figures do not reflect the quality & usability of these facilities, only their physical availability- therefore, the actual situation on the ground is worse. 55.8% schools fail to comply with the government norms for pupil teacher ratio (ASER, 2010) and according to government's own estimates there are 1.4 million teacher vacancies.

^{ix} (National Registration levels are at 70% according to the Office of the Registrar General of India, 2007)

^x Count Every Child, Plan India publication highlighting findings of small scale surveys in the states of Rajasthan, Andhra Pradesh and Karnataka