

Providing horizontal quota: the Bihar way

The case for reservations for women and transgender persons in State jobs and higher education



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The Bihar government recently announced 33% horizontal reservation for women in State engineering and medical colleges. While reservation for Scheduled Castes (SCs), Scheduled Tribes (STs), Other Backward Classes (OBCs) and Economically Weaker Sections (EWS) is referred to as vertical reservation, horizontal reservation refers to the equal opportunity provided to other categories of beneficiaries, such as women, veterans, the transgender community, and individuals with disabilities, cutting through the vertical categories.

Bihar at present has 60% reservation in the State higher educational institutions along the six vertical categories (SCs, STs, EWS and so on). The newly announced reservation for women in engineering and medical seats will not be in addition to this; it will instead be distributed across all the vertical categories, including the non-reserved 40% seats open to all. For example, if an engineering college has 100 reserved seats for STs, 33 of those seats will have to be filled with ST women. Article 15(3) of the Constitution allows governments to make special provisions for women and children.

Dropping out of the workforce

This initiative should be welcomed and adopted across sectors, departments, and States given that India's female labour force participation (FLFP) rate is consistently declining and is worryingly low. World Bank data show that the FLFP came down to 21% in 2019 from 31.79% in 2005.

As per the Bihar Economic Survey 2019-20, the State's FLFP rate was abysmal compared to the all-India average. Only 6.4% and 3.9% women were employed in the urban and rural areas of Bihar compared to the all-India figures of 20.4% and 24.6% respectively. The FLFP rate needs to be treated cautiously though as it doesn't take into account unpaid work (majorly performed by women) or the role played by social barriers like caste in blocking employment opportunities for women like owning



"While the Bihar government has taken some laudable steps for the empowerment of women, the low female literacy rate and female labour force participation rate are of concern." Girls in Patna on their way to government school. ■ RANJEET KUMAR

a shop.

Patriarchal control of women and systemic gender discrimination cannot be defeated by government intervention alone; State welfare schemes can go a long way in challenging them. The Bihar government needs to work towards reducing the female and male school dropout rate and ensure quality education at the primary and secondary level. In addition, initiatives like reservation of seats, when implemented properly, could become an important driver for improving the FLFP.

Improving representation

In the last three decades, Bihar has implemented various initiatives to empower women and improve their representation in various fields. When Lalu Prasad was the Chief Minister in 1992, Bihar had announced two consecutive days of menstrual leave for women employees in government services. In 2006, under Nitish Kumar, Bihar became the first State to reserve 50% seats for women in Panchayati Raj institutions even though the 73rd and 74th amendments to the Constitution, which came into force in 1993, mandated only one-third seats for them. This

was later imitated by several other States such as Madhya Pradesh, Andhra Pradesh, Maharashtra, Gujarat, and Chhattisgarh.

In 2013, the Bihar government made a provision for 50% reservation for women in cooperative societies and reserved 35% seats for them in police recruitment. The second initiative led to a swift jump in the number of women officers in the police department to 25.3% in 2020, more than double the national average of 10.3%, from 3.3% in 2015. In 2016, the government extended the 35% reservation for women to all government jobs in Bihar for which direct recruitment is made.

In 2006, a scheme called the Mukhyamantri Balika Cycle Yojana was launched for Class 9 and 10 girl students. This was India's first scaled up conditional cash transfer programme for secondary education of girls. The enrolment of girl students went up after this scheme. The Bihar government also provides ₹50,000 in installments to girl students to support their studies and other needs till graduation under the Mukhyamantri Kanya Utthan Yojana. This is an incentive-based scheme to encourage girls to complete educa-

tion and delay marriage. According to the National Family Health Survey-5, the State's literacy rate among girl children rose to 61.1% in 2019-20 from 56.9% in 2015-16.

More jobs for women

While the Bihar government has taken some laudable steps for the empowerment of women, the low female literacy rate and FLFP rate are of concern. One of the important factors for the low FLFP rate is the lack of employment opportunities for women after matriculation and graduation. The India Human Development Survey-II found that women with low levels of education and from rural areas are relatively more active in the labour market compared to women with middle or high school education. Therefore, the Bihar government needs to ensure that women don't fall out of the labour market as they become more educationally qualified.

One way this can be done is by filling up pending vacancies in the health sector, police force, teaching and other government departments as at least 35% of these posts will go to women. The government should also do away with hiring workers on contract and make all the current contractual workers permanent.

Evidence points out that increasing women's participation in the workforce to the level of men boosts the economy. In light of this, it is important for the government to make more and more jobs available for women. The Bihar government should also extend the engineering and medical quota for women to all institutions of higher education, including private colleges and universities. Further, the quota allotted to them can be increased to 40-45%, if not 50%, and the category can be renamed as 'women and transgender persons'. Other State governments and the Union government should follow the Bihar government's lead and introduce horizontal quota for women (and in addition, for transgender persons) in higher educational institutions as well as State employment as these measures will go a long way in reducing gender disparity in the country.

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