

LOW FEE PRIVATE SCHOOLS IN KERALA : REGULATION, ACCESS AND QUALITY



**Low fee private schools
in Kerala :
Regulation, Access and Quality**

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Executive Summary

Low-fee private schools (LFPS) in Kerala provide an affordable alternative to government schools, serving predominantly lower- and lower-middle-income families. Monthly fees range from ₹400 to ₹3,500, making these schools accessible to daily wage-earning households. Over the past two decades, LFPS have expanded steadily, reflecting parental demand for English-medium, nationally affiliated education, even as overall school-age populations decline.

Despite their growing role, LFPS face multiple challenges that constrain their ability to deliver quality education. Regulatory requirements are often cumbersome and costly, with annual renewals, multiple NOCs, and compliance with detailed infrastructure and procedural norms consuming significant time and resources. Many rules are overly prescriptive, limiting flexibility and innovation, while minor procedural lapses can trigger penalties or derecognition, creating uncertainty and undermining school autonomy. At the same time, LFPS frequently lack access to targeted capacity-building, mentorship, and professional development opportunities for teachers, limiting their ability to improve instructional quality and learning outcomes. Key Policy Recommendations:

Key recommendations include:

- Simplify regulations by removing overly prescriptive norms from law to guidelines while retaining essential safety and quality norms.
- Independent quality assessment: Establish a state-level accreditation body to evaluate LFPS based on learning outcomes and publicly share results to enhance transparency.
- Capacity-building and mentorship: Pair LFPS with high-performing government schools, provide teacher training, and adopt participatory, child-centred pedagogical approaches.
- Support innovation and EdTech adoption: Subsidise electricity, affordable internet, and digital devices; train teachers in blended learning; reward schools that improve outcomes through innovative practices.
- Extend temporary recognition validity to 5+ years, rationalise NOC timelines, enable self-declaration for safety compliance, and implement a single-window digital clearance system.



1. Introduction

Kerala's long-standing literacy campaign, emphasis on education as a social right, has produced a nearly universal schooling environment. The roots of Kerala's educational development lie in the 19th-century reforms spearheaded by Christian missionaries, community reformers, and progressive princely governance. This wave of social empowerment made education a cultural priority for all classes, laying a foundation that endures in Kerala's high enrolment and literacy levels to date.

Kerala's schooling landscape departs from national patterns, with government-aided institutions enrolling over 43% of students (UDISE+, 2021–22), whereas in many other states, unaided schools constitute a substantially larger share than aided ones. Private unaided schools in Kerala form a relatively small but growing segment of the state's education landscape. According to UDISE+ data, around 27% of total enrolment in Kerala is in private recognised (unaided) schools, which constitute 17 per cent of all schools. This enrolment share is much lower compared to other southern states like Tamil Nadu, Andhra Pradesh and Telangana, where nearly half of the students study in unaided institutions. Despite their modest share, these schools have expanded in the last two decades, particularly in urban centres, signalling a gradual shift in parental preferences towards English-medium and nationally affiliated (CBSE and ICSE) schooling.

While the enrolment share of government and aided schools in Kerala has declined over the past years, the proportion of students in private unaided institutions has remained steady even against the backdrop of a falling birth rate and shrinking school-age population (UDISE+, 2014–15 to 2021–22; Kerala Economic Review). Many such schools operate with limited resources and modest fees, yet continue attracting students through community-based trust, teacher commitment, and flexible management practices.

1.1 Understanding the Role of Low-Fee Schools in Kerala's Education System

Private schooling in Kerala is not predominantly an elite phenomenon, as is commonly perceived. A substantial proportion of private schools in the state are low-fee or budget schools. Low-fee private schools (LFPS) are privately managed, unaided institutions that cater primarily to low- and lower-middle-income families, offering an affordable alternative to government schools. LFPS charge monthly tuition fees ranging from ₹400 to ₹3,500, levels broadly considered affordable for daily wage-earning households, and often operate at a per-pupil expenditure lower than that of government schools (CCS, 2022).

In Kerala, state-wide data from the Comprehensive Modular Survey 2025 indicates that the average annual household expenditure on education in private unaided schools is ₹16,518, the lowest among South Indian states (roughly ₹1,377 per month). Although this mean may be slightly affected by a small number of higher-fee schools, the vast majority of private unaided institutions charge fees in the lower spectrum and therefore fall within the budget or affordable segment. This segment therefore raises critical policy questions about affordability, recognition, and equity within Kerala's otherwise universal schooling framework.

This paper focuses specifically on LFPS in Kerala. It examines this segment to understand LFPS' growth dynamics, affordability, and regulatory framework within Kerala's unique education ecosystem. By analysing how these schools navigate recognition norms, fee regulations, and quality expectations, the paper aims to assess their role in expanding access to education and the policy challenges surrounding their legitimacy and sustainability.

1.2

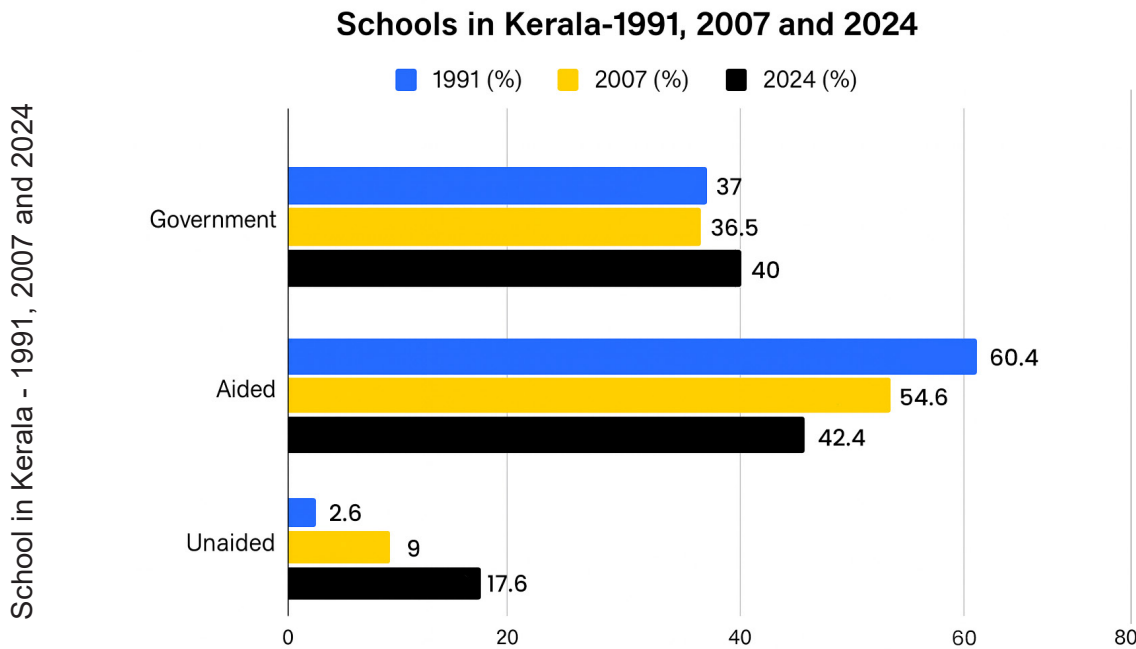
Enrolment Patterns in Kerala's School Education

Schools in Kerala can be broadly categorised into government schools, aided schools (which receive government funding), unaided recognised schools, unaided unrecognised schools, and madrasas. Currently, Kerala has a total of 15,757 schools, including 4,808 government schools, of which 4,753 are affiliated with the State Board and 55 with the CBSE. In addition, there are 7,164 aided schools and 3,018 unaided schools operating

across the state, reflecting a diverse mix of public and private education providers (UDISE, 2024–25).

According to UDISE, 2024–25, out of the total enrolment of 6,164,059 students, 43.07% attend aided schools. Government schools account for 27.86% of the total enrolment, while private unaided schools constitute 27.38%. The remaining 1.67% of students are enrolled in other types of institutions. Private unaided schools represent only 17.6% of institutions but cater to 27.38% of students.

Figure 1. Private Unaided Schools in Kerala: 1991, 2007, and 2024



Source: Department of Economics and Statistics, 1991 & 2007 and UDISE 2024

Between 1991 and 2024, there has been a significant increase in the number of government and unaided schools in Kerala. This expansion has enhanced the supply of schools, providing parents with greater choice and improved access to neighbourhood schooling. In 1995–96, the number of unaided schools surged by 45.9%, contributing to an overall increase of 1.4% in the total number of schools. The year 1995 thus marked a turning point, signalling the onset of sustained expansion

in the unaided school sector, while growth in government and aided schools remained modest (Department of Economics and Statistics, 2005).

Within the private unaided school category in Kerala, the majority of institutions are low-fee schools, as highlighted by the Comprehensive Modular Survey. There is an additional subset of schools that operate outside the official list of recognised institutions. According to the Ministry

of Education, 808 schools in the state are unrecognised due to non-compliance with the Right to Education (RTE) Act, 2009, and state-specific regulatory norms; meanwhile, Kerala's Education Minister V. Sivankutty announced that a statewide survey found 827 unrecognised schools operating in the State, citing violations of RTE norms, with further enforcement actions planned (The Hindu, 2024).

1.3

The Case of Unrecognised Schools in Kerala

The status of unrecognised schools in Kerala presents a significant regulatory dilemma, characterised by the tension between the delivery of affordable, quality education and mandatory compliance with structural norms defined by the RTE Act. A significant empirical foundation for understanding these schools comes from the 2009 “Survey on Unrecognised Schools in Kerala”, conducted jointly by the State Planning Board and the Department of Education.

The 2009 report identified 2,646 unrecognised schools operating in the state at the time. These institutions were found to deliver good-quality education, supported by evidence that they employed qualified teachers, achieved strong student performance outcomes, and that 80% recorded a 100% pass rate (SPB, 2005). However, the report also noted that not all of these schools met the prescribed infrastructural standards.

As a result, the Kerala government has consistently taken a tough stance, pushing for regulatory action against non-compliant entities. Multiple state-wide reviews have been conducted, with the most recent occurring in 2024–2025, identifying 827 unrecognised schools. The government's policy dictates that these institutions must either upgrade their facilities to meet RTE norms or face shutdown orders. This raises the question of whether schools that demonstrate strong learning outcomes should be closed for not meeting prescribed input norms, or whether regulatory

frameworks should evolve to recognise and reward outcome-based performance.

Unrecognised schools fill an important social gap, particularly by offering accessible education to low-income communities. However, current regulatory rigidity prioritises adherence to fixed structural criteria over demonstrated educational delivery, thereby exacerbating the tension between guaranteeing standardised inputs (compliance) and acknowledging successful outputs (quality).



2. The Regulatory Framework in which Private Schools Operate in Kerala

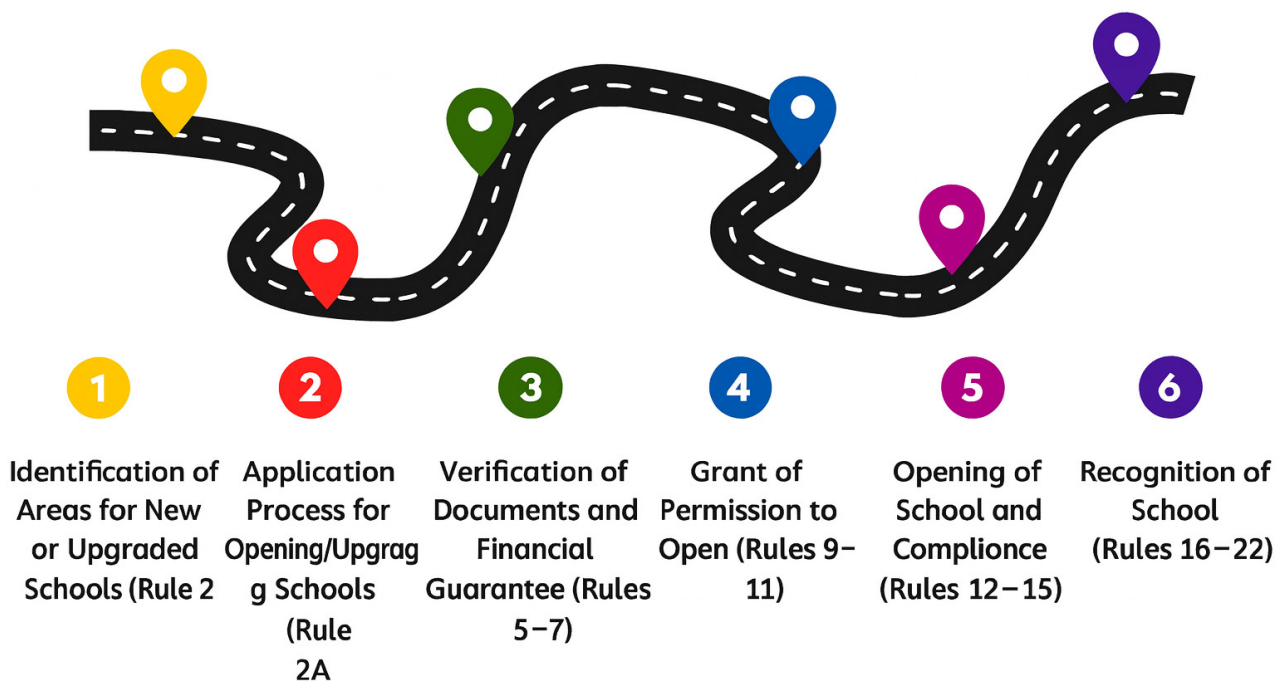
In Kerala, the governance and regulation of private schools operates under a detailed legal framework defined primarily by the Kerala Education Act, 1958, and the Kerala Education Rules (KER), 1959, along with provisions of the RTE Act, 2009, and its state rules.

The Kerala Education Act lays down the foundation for all schools in the state—government, aided, and recognised private unaided institutions—while the KER elaborates the operational, managerial, and recognition norms. The Government of Kerala formally adopted the RTE through the Kerala Right of Children to Free and Compulsory Education Rules, 2010, notified under Section

38 of the central Act. These rules integrate RTE’s national mandates into the existing state education regulatory system. RTE is integrated by enforcing:

- Universal access to free and compulsory education for children aged 6–14 years.
- Recognition conditions for both government and private schools under RTE norms (requiring schools to meet national standards to operate legally).
- School Management Committees (SMCs) and School Development Plans at the local level.

Figure 2. From Proposal to Recognition: School Opening Steps



Compliance in unaided private schools is primarily governed by administrative oversight by the General Education Department (GED), Government of Kerala. The Directorate of General Education (DGE) under the GED, is the principal authority overseeing compliance, recognition, and regulatory enforcement for private unaided schools. The Deputy Directors of Education (DDEs) and District Educational Officers (DEOs) function as field-level enforcement and inspection authorities. If a school is affiliated with a national board (CBSE, ICSE),

compliance with state norms runs parallel to central board requirements. The CBSE Affiliation Bye-Laws or CISCE Regulations govern academic and operational standards, while state authorities still enforce local land, safety, and recognition requirements.

A complex regulatory architecture governs the establishment, recognition, and expansion of schools in Kerala. The rules and procedures outlined under the Kerala Education Act and

associated regulations determine how schools are approved, monitored, and held accountable. In addition to state legislation, Kerala has adopted provisions from the RTE Act with state-specific adaptations codified in the Kerala RTE Rules, 2011. These rules outline minimum standards for infrastructure, pupil–teacher ratios, and teacher qualifications, and mandate non-discrimination in admissions for children aged 6–14.

2.1

Conditions for Getting Permission to Open a School in Kerala

Rule 11 of the Kerala Education Rules (under Chapter IV, Establishment and Maintenance of Schools) establishes the preconditions that a management must fulfil before being granted permission to start a private educational institution. The rule states:

- No new school shall be opened, and no existing school shall be upgraded or have a new course introduced, except with prior permission from the competent authority (DGE or a delegate such as the Deputy Director).

- Such permission shall be granted only if the proposal is included in the approved Development Plan prepared by the Education Department.
- The educational institution must hold ownership or lease rights of the site for at least six years, prove its solvency, and submit a financial guarantee ensuring that the school can operate sustainably without seeking government aid.
- The applicant must produce proof of the proposed building, playground, equipment, teaching staff, and salaries, complying with the infrastructure norms prescribed in Chapter IV and the schedule of the Rules.
- The department must be satisfied that the school is needed to serve the locality and does not cause undue duplication within the same panchayat or municipal area.

Table 1 summarises the main rules, authorities, procedures, and financial requirements for establishing and recognising a school.

Table 1. Rules and Procedural Requirements for Establishing and Recognising a School

Rule / Topic	Authority	Procedure / Powers	Conditions / Requirements	Fees / Financial Guarantee
Rule 2 – Identification of Areas	Director	Prepares a list of areas eligible for new/upgraded schools (aided / recognised)	Must consider existing schools, distance, student strength, local needs, and backwardness	N/A
Rule 2A – Applications for Opening / Upgrading Schools	DEO → Director → Government	Form 1 submitted to the DEO; verified and forwarded to the Director, then to Government	Only schools in notified areas may apply; they must respond to the Gazette notification	₹10–₹30 depending on school type

Rule 3 – Devolution of Powers	Director / DEO / AEO	Sanctions new standards, temporary recognition, site/name changes, and handles appeals	Requires consultation with the Local Educational Authority, where applicable	N/A
Rule 4 – Consulting Local Authority	Local Educational Authority	Must be consulted when sanctioning or refusing higher standards	N/A	N/A
Rule 5 – Application Fees	Applicant	Fees are levied based on school type	Lower Primary: ₹10; Upper Primary: ₹20; Secondary: ₹30; no fee for upgrading within the same grade	Non-refundable; paid with the application
Rule 6 – Documents with Application	Applicant	Must submit challan receipt, site/building sketches, ownership proof, declarations	Includes agreement to absorb protected staff and not convert to aided status	N/A
Rule 7 – Financial Guarantee	Applicant / Director / Educational Officer	Cash deposit in the Treasury / Post Office; per- school or aggregate guarantee	₹750–₹5,000 depending on school type; instalments allowed	First instalment on opening; schedule for the remainder
Rule 8 – Fee Income Utilisation	School Management	Fee and income must be used solely for educational purposes	Cannot be diverted for financial guarantee or non- educational expenses	N/A
Rule 9 – Conditions for Grant of Permission	Government	Assesses applications for compliance	Ownership for six years, complete documentation, financial guarantee, local need, and accessibility	N/A

2.1.1 Analysis and Implications

Edupreneurs must navigate a sequential application system involving the DEO, Director, and Government, with Gazette notifications and objection windows. Additionally, new schools can only be proposed in government-notified areas (Rule 2), limiting market flexibility and responsiveness to local demand.

Under **Rules 2 and 2A**, the process of identifying eligible areas and approving new schools limits the scope for organic educational growth in emerging or underserved areas. The requirement that schools can only apply in notified zones often leaves genuine community initiatives without a pathway to formal recognition.

Individuals or organisations wishing to open schools are often hindered by regulatory barriers. It vests considerable approval power in state education officials, allowing for broad discretion in every step of school recognition. The rule can block or delay valid educational initiatives for reasons not always aligned with community needs or public interest. It limits healthy competition that could otherwise raise teaching standards, diversify pedagogical models, and improve service quality. As a result, the school ecosystem can become less dynamic and innovation-resistant, with fewer new entrants bringing alternative models, affordable options, or community-based initiatives. In essence, the rigidity of Rule 2A may stifle fair competition, innovation, and the entry of motivated educators, undermining the very goals of equity and expansion that the regulation seeks to uphold.

ing plans, and a compliance statement, and **Rule 17** sets the substantive conditions for recognition, including compliance with the Act, staffing norms, financial viability, and local need. Permanent recognition is contingent on full compliance.

2.2.1 Infrastructure Mandates

The physical and environmental standards of schools are codified in Chapter IV of the KER, which complements the recognition requirements outlined in Chapter V. These provisions specify minimum site area, site selection, playgrounds, building approvals, construction norms, classroom dimensions, sanitation, drinking water, and furniture requirements.

While many Indian states have broad infrastructure norms, Kerala's KER contains detailed, quantifiable standards for physical infrastructure and furniture. Other states like Telangana, Andhra Pradesh, and Tamil Nadu generally have guidelines or policy circulars covering school infrastructure but do not have the granular statutory details in one consolidated legal document as Kerala does.

2.2

Conditions for Recognition

Rules 16–29 of Chapter V of the KER provide a comprehensive framework for school recognition, oversight, and withdrawal. The recognition process is both procedural and conditional, ensuring that only schools meeting defined norms are legitimised.

Rule 16 establishes a formal application process for school recognition, requiring Form 2, site/build-

Table 2. Infrastructure Mandates

Chapter	Infrastructure Requirement / Details	Rule Number
Chapter IV	<p>Minimum Site Area</p> <ul style="list-style-type: none"> · Lower Primary: 0.4–0.8 Ha · Upper Primary/Secondary/Higher Secondary: 1.2–2 Ha · Training Schools: 1.2 Ha · Basic Schools: Sufficient land for agriculture 	Rule 1 and Note (2)
Chapter IV	<p>Site Selection Criteria</p> <ul style="list-style-type: none"> · Elevated, well- drained, and clean surroundings · Avoid wet or reclaimed soil · Accessible to all communities · Urban schools: free from noise and congestion 	Rule 2(1) and (2)
Chapter IV	<p>Playground and Garden</p> <ul style="list-style-type: none"> · Compound wall or fencing · Clear, level playground · Garden and tree planting without obstructing play or light 	Rule 3(1)–(4)
Chapter IV	<p>Building Approval and Safety</p> <ul style="list-style-type: none"> · Plans approved by the Director · No thatched or other inflammable roofs · Alterations require prior approval 	Rule 5(1), (2), and (3A)
	<p>Construction Standards</p> <ul style="list-style-type: none"> · Washable floors · Windows \geq one- fifth of floor area · Doors open to verandas · Ventilation: 0.03 sq. m per pupil · Heat- resistant roofs 	Rule 5(4) (i)–(v)
Chapter IV	<p>Classroom Dimensions</p> <ul style="list-style-type: none"> · 8 sq. ft floor + 8 cu. ft air space per pupil · Upper Primary / Secondary: 6×6×3.7 m · Lower Primary: 6×5.5×3 m 	Rule 6(1)

Chapter IV	<p>Latrines and Urinals</p> <ul style="list-style-type: none"> · Separate facilities for staff and students · Girls' privacy ensured · Minimum 12 m from building · Wind direction to be considered 	Rule 9(1)–(4)
Chapter IV	<p>Drinking Water</p> <ul style="list-style-type: none"> · Sufficient supply of potable drinking water 	Rule 10
Chapter IV	<p>Furniture Requirements</p> <ul style="list-style-type: none"> · Durable, approved specifications · Specific items per school type 	Rule 11 and Schedule

Extract from Chapter IV, Rule 5 of the Kerala Education Rules, 1959: Construction Standards

- **Composition of Floors:** It is desirable that the floor should be made of a material which will admit of being washed with water, and that stone flagging or something better is aimed at.
- **Windows:** "... Window sills should not be more than 1.22 metres from the ground. Windows for subsidiary lighting may have their sills higher than 1.22 metres. The window area should not be less than one-fifth of the floor area, and wherever possible, principal lighting should be from the north."
- **Doors:** "...No classroom should have more than two doors, and one is preferable. The door(s) should be at the teacher's end of the room."

Source: Kerala Education Rules, 1959 (Chapter IV, Rule 5)

2.2.2 No Objection Certificate Requirements¹

- **Fire NOCs:** Fire NOCs require that schools install and maintain fire-resistant structures, alarms and detectors, water-based systems, portable extinguishers, and clear emergency exits with signage and lighting, besides conducting regular maintenance and evacuation drills. The validity of Fire NOCs in Kerala is typically one year, subject to renewal upon inspection and compliance confirmation. However, through recent government orders dated 2025, the validity has been extended up to five years for non-hazardous buildings. The Fire Safety NOC process includes a site clearance certificate (initial NOC) and a final fire safety clearance (final NOC) after inspection.
- **Land Use/Occupancy NOC:** Schools must obtain permission or NOC demonstrating that the land they use is approved for educational purposes by local land or municipal authorities. Here, the school promoters apply to the relevant municipal corporation, local body, or land authority to certify that the land is suitable and permissible for educational use. The authorities verify that the earmarked land use conforms to local zoning and land-use plans, ensuring compliance with residential, commercial, and other regulations. Upon satisfactory verification, the municipal or land authority issues a formal NOC certifying that the land may be used legally for educational purposes. This land-use NOC is then submitted to the education department as part of the recognition documentation.
- **Environmental and Health Clearances:** Schools may require certifications related to sanitation, drinking water quality, sewage disposal, and general hygiene as per state health department norms to ensure a safe and healthy environment for students.

2.2.3 Additional Certification Requirements (Recognition Application Format)

Applications for recognition under government circulars² applying the rules must also include.

written certifications that:

- The school is open to inspection by any authorised education officer.
- No unrecognised classes operate within or outside the premises under the same name.
- The premises and grounds are used exclusively for educational purposes.
- Proper financial records are maintained and audited by a chartered accountant.
- The management undertakes to provide any data or reports required by local or state authorities.

2.2.4 Nature and Validity of Recognition

Under **Rule 21**, recognition can be:

- Temporary (for one year at a time, renewable up to three years), granted when minor conditions remain unsatisfied.
- Permanent, issued when all prescribed conditions are fully met.

Recognition is specific to the educational institution, location, grade, and standard and cannot be transferred to another entity or site without a new sanction.

¹The Kerala government, in line with the RTE Act and state regulations, requires schools to have recognition and NOC before affiliation with central boards such as CBSE or ICSE. However, the Supreme Court has upheld a Kerala High Court judgement striking down the state's earlier strict requirements that a school must have a minimum of three acres of land and at least 300 students to qualify for an NOC for affiliation, calling these norms arbitrary and lacking a rational basis. The judgement acknowledged that variations should exist to reflect geographic and urban-rural differences, allowing more flexible land-use norms. Schools must still meet minimum standards of safety as well as infrastructure for educational activities, but they are not bound by uniform, rigid land sizes or enrolment mandates imposed by the Kerala government.

²Government of Kerala (July 18, 2013). *Instructions to Managers of Recognised Non-Aided Schools for Submission of Application for Permanent Recognition.*

2.2.5 Curriculum and Teaching

The Rules specify that schools must follow the curriculum issued by the Director with Government approval, and textbooks for each class must be officially gazetted before the school year. Unapproved books cannot be used without permission, and headmasters are responsible for ensuring that students have the necessary materials while discouraging unsuitable books. The rules also emphasise dynamic teaching methods, promoting learning through concrete, purposeful activities and incorporating the activity and project methods.

2.2.6 Grounds for Withdrawal of Recognition

KER lists multiple grounds for withdrawing recognition from schools. Non-compliance with prescribed norms, such as failing to maintain required infrastructure, staffing levels, or financial

guarantees, can trigger withdrawal (Rule 22). Schools that do not meet minimum enrolment thresholds of 25 students per standard may also face derecognition, unless exempted in backward areas (Rule 22A). Recognition can be revoked in cases of mismanagement or serious operational inefficiency (Rule 23), or if a school voluntarily closes with one year's notice to the Director (Rule 24). Additionally, unapproved relocation or transfer of operations leads to automatic lapse of recognition (Rule 29), and schools found engaging in unfair competition or violating ethical norms may be denied or stripped of recognition (Rules 18 and 28).

Table 3. Grounds for Withdrawal of Recognition

Rule	Grounds for Withdrawal	Details / Notes
22(a)(i)	Non-conformity with conditions of recognition	Schools must continue to meet all initial conditions of recognition.
22(a)(ii)	Breach of Act, Rules, or Departmental Directions	Any violation of the Kerala Education Act, KER, or associated departmental instructions.
22(a)(iii)	Lack of efficiency or discipline	Schools fail to maintain proper academic and administrative standards.
22(a)(iv)	Non-submission of audited accounts	Audited statements must be submitted within six months of the year-end; audits must be facilitated.
22(a)(v)	Unfit teacher on staff	Includes teachers whose licenses are suspended or cancelled, or who are declared unfit.
22(a)(vi)	Unfit management	The person managing the school has been declared unfit by the Department.
22(a)(viii)	Non-payment of teacher salaries	Salaries must be paid as per terms; failure constitutes a ground for withdrawal.
22(a)(x)	Failure to depute teachers for training	Mandatory teacher training is not conducted without adequate cause.

22(a)(xi)	Moral turpitude in the managing body	Involvement of convicted persons in management can trigger withdrawal.
22(a)(xii)	Collection of donations for admission or promotion	Any direct or indirect solicitation of donations is prohibited.
22(b)	Notice requirement	School management must be given one month's notice before recognition is withdrawn.
22A(1)	Minimum student strength	Lower/Upper Primary and High Schools: 25 per standard; Sanskrit/Arabic Schools: 151.
22A(2)	Failure to maintain minimum strength	The DEO issues notice; if unresolved within one month, recognition may be withdrawn at year-end.
22A(3)	Exemptions	Directors may grant temporary exemptions or withdraw recognition/permission if minimum strength is not met.
22A(4)	Contextual consideration	Alternative facilities and the backwardness of the area are considered before withdrawal.
23	Mismanagement or operational inefficiency	Recognition can be withdrawn if the school is poorly administered or violates operational norms.



3. Overall Analysis of the Regulatory Environment for Private Schools in Kerala

Kerala's school regulatory framework, framed through the KER, represents one of the most detailed sets of educational regulations in India. Since the rules are enshrined under Section 36 of the Kerala Education Act, 1958, the KER carries full statutory authority, making compliance mandatory. Its infrastructure requirements are exceptionally meticulous, specifying even door and window dimensions, roofing, and behavioural expectations such as preventing scribbling on walls or benches. While other states, such as Tamil Nadu, Telangana, or Maharashtra, include similar expectations in guidelines, Kerala embeds them in legally binding rules, giving them the power to block recognition or renewal if they are unmet.

Similarly, with respect to land requirements, there are norms that are unrealistic in urban and peri-urban contexts, where schools often operate in constrained or leased premises. For instance, Rule 2(2) directs that urban schools must be "away from the noise and congestion of the city," a condition difficult to meet in most neighbourhoods.

The statutory nature of the KER, covering everything from window placement to door sizes, reflects Kerala's administrative detail. At the same time, it has drawn criticism for being overly prescriptive, compliance-heavy, and out of step with contemporary urban realities and evolving educational needs.

Similarly, norms such as the minimum enrolment threshold can result in the derecognition of schools even in areas where there is persistent demand. In the context of declining fertility rates, this means that schools may lose official recognition not because of poor performance or lack of interest from parents, but due to demographic trends and strict regulatory thresholds.

For LFPS, particularly in rural and semi-urban areas, many of the rules are more aspirational than attainable. Requirements relating to land size, treasury-based financial guarantees, and detailed site documentation often exceed the capacity of small operators. Although limited exemptions exist (for instance, under Rule 22A for backward areas), these are discretionary and inconsistently applied. This widens the gap between regulatory expectations and the operational realities of budget schools.

Furthermore, recognition can be withdrawn for minor procedural lapses, such as delays in certificate renewal or small deviations from prescribed norms. This rigidity makes full compliance nearly impossible and places otherwise functional schools in a precarious position.

Consequently, many schools remain unrecognised, not because of poor education quality, but because they cannot meet complex infrastructural and procedural mandates under the KER and the RTE framework. Despite this, strong parental demand has sustained private schools, indicating that they fulfil a social need. However, there is a need to recalibrate input-heavy norms to focus on outcomes and institutional diversity, allowing capable schools to gain recognition without compromising accountability.

3.1 Unintended Consequences of Excess Regulation

Excessive regulatory control can produce counterproductive outcomes. These rules, though framed to safeguard quality, often impose uniform standards that fail to account for local variation in resources and context. Such input-heavy mandates shift administrative focus away from learning outcomes towards procedural compliance, penalising efficient but resource-constrained schools rather than addressing substantive quality gaps.

Compliance Over Learning: Schools increasingly prioritise fulfilling procedural and documentation requirements to maintain recognition. As a result, teaching quality and student learning outcomes receive less institutional attention, with compliance becoming an end in itself rather than a means to ensure quality.

Financial Pressure and Informal Payments: Mandated infrastructure standards and frequent inspections inflate operational costs, especially for low-fee private schools. To navigate bureaucratic processes, some schools resort to informal payments or shortcuts, diverting scarce resources away from educational investments.

Teacher Challenges: Financial strain forces many schools to underpay teachers or rely on untrained staff, leading to high turnover and reduced instructional continuity. This, in turn, diminishes classroom effectiveness and student engagement, the very dimensions regulation is meant to protect.

Innovation Stifled: Tight compliance margins leave little fiscal or administrative space for pedagogical experimentation, EdTech adoption, or context-specific learning models. Schools end up standardising practices to fit regulatory checklists rather than innovating to meet student needs.

Sector Inequity: Rigid compliance disproportionately impacts low-fee and community-run schools, while elite institutions with resources to meet every procedural demand continue to thrive. The result is a dual-track system, one over-regulated and struggling for survival, and the other shielded by privilege, ultimately reducing access for low-income communities.



4. Kerala's Learning Outcomes

Kerala consistently ranks among the top-performing states in India in terms of learning outcomes. The KER includes provisions encouraging teaching activities that foster understanding and problem-solving skills, rather than relying solely on rote memorisation—a positive signal of the State’s emphasis on education quality. Nevertheless, these achievements must be interpreted within the broader context of national assessment surveys.

A significant factor contributing to Kerala’s relatively high learning outcomes is the widespread prevalence of private coaching. According to the Com-

prehensive Modular Survey Report (2025), at the secondary level, 50.3% of students in rural areas and 57.6% in urban areas receive private coaching. At the higher secondary level, 41.6% of students reported attending such classes.

Despite this extensive reliance on supplementary coaching, the ASER 2024 report, an independent household-based survey, highlights persistent gaps in arithmetic proficiency. Kerala stands out for high enrolment and foundational literacy yet shows mixed results in arithmetic skills, particularly as students progress to higher classes.

Table 3. Trends Over Time: Arithmetic Proficiency in Classes V and VIII by School Type

Year	Percentage of Class V Children who can do Division			Percentage of Class VIII Children who can do Division		
	Government	Private	Government Private*	Government	Private	Government and Private*
2014	25.6	49.7	39.3	52.2	64.3	59.4
2016	27.1	48.5	38.7	49.1	57.8	53.2
2018	33.3	52.5	43	43.3	51.8	51.8
2022	20.2	38.2	26.6	39.9	54.3	44.4
2024	12.4	27.6	21	31	46.2	38.5

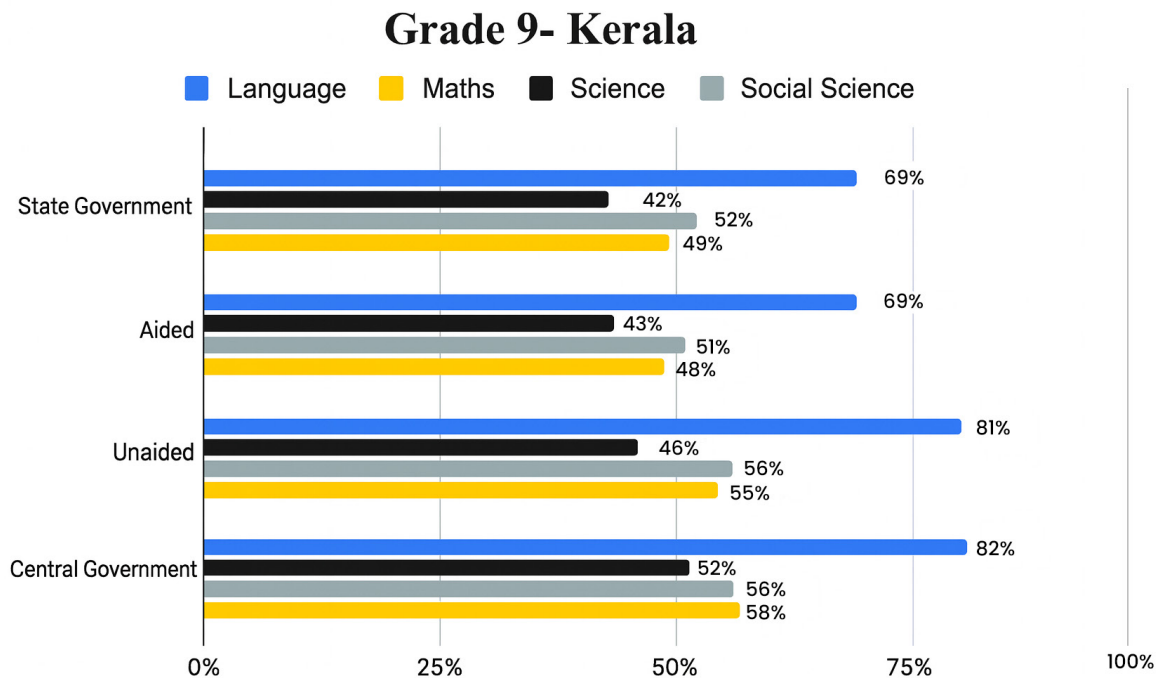
Source: ASER 2024

Between 2014 and 2024, the percentage of Class V students who could perform division fell from 39.3% to 21.0% (all schools types combined). The decline is steeper in government schools. Although private schools maintain higher levels of performance overall, they too exhibit a steady downward trajectory. The percentage of Class V students who could do division fell from 49.7% in 2014 to 27.6% in 2024, while for Class VIII it declined from 64.3% to 46.2% in the same period. This indicates that even private schools, often presumed superior, have not been immune to systemic learning setbacks.

The National Achievement Survey (NAS, 2024), a nationally representative assessment of student learning outcomes, finds that only 31% of Class 9 students can correctly apply percentages to solve

problems, and just 36% demonstrate proficiency in understanding sets of numbers. While Kerala’s performance exceeds that of most other states, overall achievement levels in mathematics, science, and social science in the NAS survey remain around 50%, indicating that a significant proportion of students continue to fall short of expected competency levels.

Figure 3. Subject Proficiency among Class 9 Students



Despite near-universal primary school enrolment and continuous improvement in input-based measures of schooling, the ASER surveys—the primary data source for learning trends in India—show a significant decline in basic arithmetic proficiency among children between 2014 and 2024 across all school types in Kerala. This suggests a system-wide issue rather than isolated school-level shortcomings. The reliance on private coaching outside school hours (CMS, 2025), implicit in Kerala’s learning outcome gaps, further indicates insufficient emphasis on learning during formal school hours, suggesting that schools alone are not delivering adequate conceptual competence. This trend underscores the urgent need for the regulatory framework to integrate a stronger focus on improving learning outcomes.

Researchers have noted that the push for universal enrolment under the RTE Act led to automatic grade promotion. Under this policy, students advanced without mastering grade-level material, particularly in mathematics (Sanghera, 2019; Joshi, 2024). Kerala implemented the ‘all-pass policy’ around the time the RTE amendments came into effect in 2010. The RTE Act, enacted in 2009 and implemented from 2010, mandated free and compulsory education for children aged 6 to 14 years, including a ‘no-detention policy’ for students

up to Class 8. This meant students were promoted regardless of examination performance. Although intended to reduce dropout rates and promote inclusivity, the policy deepened learning gaps in foundational skills as many students progressed without adequate proficiency.

With declining learning outcomes, Kerala began phasing out the all-pass policy from the 2024–25 academic year. The state introduced mandatory minimum passing marks, around 30%, in key classes such as 8 and 9, along with supplementary examinations to give students opportunities to improve.

Additionally, the regulatory focus on inputs such as infrastructure, teacher qualifications, and administrative targets, rather than on actual student learning, has also contributed to the dip in learning outcomes. Kerala’s core education regulations do not include direct mandates for student learning outcomes.

What Should the Government Do and Not Do?

Governments intervene in education through provision, policy, and regulation. However, many states continue to operate with a 'provision-led mindset,' assuming responsibility for the entire delivery of education³. This approach is often inefficient. Public expenditure per student is approximately double that of low-fee private schools, yet this higher spending frequently fuels resistance to supporting private institutions.

Government intervention should be confined to addressing clear market failures and ensuring public accountability. Beyond this, excessive regulation can distort incentives, restrict innovation, and limit parental choice. It is therefore essential to examine the rationale for state intervention and assess whether the current scale and intensity of intervention are justified. Regulation should be guided by core market principles and targeted to the following key areas.

Testing the Grounds for State Intervention in Education

1 Market Failures in Education: Education generates substantial positive externalities. Literate, skilled, and civically engaged individuals contribute to social cohesion and economic productivity, providing benefits that extend beyond the individual. This justifies State involvement, particularly where private provision is absent or under-resourced. However, current regulation often extends far beyond ensuring access or basic quality. The KER's prescriptive norms, such as detailed infrastructure specifications, curriculum controls, rigid staffing requirements, and prescriptive fee structures, tend to crowd out innovation and constrain parental choice. The government's role should centre on correcting genuine market failures through targeted scholarships (or vouchers) or facilitating the entry of new schools, rather than duplicating or displacing private initiatives through direct operational control.

2 Duty of Care and Child Safety: Child safety is a non-negotiable public good, and the State has a legitimate role in enforcing basic safety standards, anti-abuse mechanisms, and essential infrastructure requirements. However, in Kerala, KER mandates specifications down to door and window dimensions, minimum playground sizes, and furniture measurements, ostensibly for student safety. Such prescriptive measures disproportionately burden smaller low-fee schools, especially those in urban or vertical premises, without demonstrably improving safety outcomes. Regulations should prioritise verifiable safety compliance and accountability over rigid structural mandates that limit operational flexibility.

3 Monopoly and Pricing Concerns: School markets are geographically segmented, and most families choose institutions within commuting distance. Evidence indicates that Kerala has an oversupply of schools in most regions, limiting monopoly risks except in remote areas where a single provider may dominate. In such contexts, targeted measures, such as encouraging new entrants or providing transport support, are more appropriate than broad regulatory measures. Even in elite or niche segments, transparency and accreditation can mitigate concentration risks without heavy-handed intervention.

4 Information Asymmetry: Information asymmetry is a genuine market failure. Parents have limited access to credible, comparable data on school quality; as a result, brand reputation often substitutes for evidence. Studies reveal no consistent correlation between RTE application load and academic performance, indicating that parental perceptions are shaped more by visibility and marketing than by actual outcomes. Governments can address this by improving transparency through independent accreditation and requirements for schools to demonstrate value addition relative to student backgrounds.

³Based on stakeholder consultations with experts and educationists.

5

Consumer Protection and Lock-in Effects:

Switching schools entails high costs for families, creating natural 'lock-in'. This warrants government intervention to ensure transparent fee disclosure, credible grievance redressal, and fair contractual practices. The KER includes strict regulations on tuition and special fees, along with periodic audits, to protect parents. However, these often go beyond consumer protection into price controls or blanket mandates, which may be counterproductive or unnecessary. A more effective approach would emphasise transparency, such as clearly disclosing tuition and activity fees, and accountability, rather than substituting government oversight for market choice.



5. Policy Recommendations for Improving Governance and Learning Outcomes

Over-Prescriptive Provisions in KER and Recommended Reforms

The over-prescriptive nature of the KER, combined with the rigidity of its enforcement, means that even minor technical or contextual deviations can often be construed as violations, giving the Director of Education broad discretionary power to

initiate derecognition or impose punitive measures. Such a rigid legal structure discourages both innovation and genuine compliance, fostering an adversarial relationship between the regulator and the regulated. A more balanced approach would be to retain essential norms as statutory requirements, while shifting several operational and procedural stipulations into guidelines or codes of practice.

Table 4. Over-Prescriptive KER Provisions and Recommended Reforms

Area	Relevant Rules / Provisions	Nature of Prescriptiveness	Suggested Reform / Alternative
Land and Location Requirements	Chapter IV, Rule 2(2): requires that urban schools be “away from the noise and congestion of the city.”	Unrealistic for urban and semi-urban areas; penalises schools on leased or multi-storey premises.	Remove Rule 2(2); allow vertical infrastructure and shared community facilities.
Building and Infrastructure Specifications	Chapter III: detailed prescriptions on school design, ventilation, roofing, and flooring.	Specifies structural details that are better suited for building codes than education rules; restricts innovation in design and adaptive reuse of spaces.	Shift infrastructure provisions to building safety guidelines under PWD or local body by-laws; keep educational rules focused on safety and usability rather than physical form.
Design Specifications	Chapter IV, Rule (5)ii and iii on door and window dimensions.	Overly prescriptive.	Adopt general principles ensuring adequate air supply, natural light, and ventilation without mandating exact measurements for every situation.
Minimum Student Strength Requirement	Rule 22A(1): minimum 25 students per standard; recognition may be withdrawn if numbers fall below this threshold.	Penalises small or rural schools with declining enrolment due to demographic change rather than poor performance.	Align the minimum student strength requirement for unaided private schools with that of government and aided schools at 15 students per class.
Recognition and Withdrawal Procedures	Rules 22–24, 29: recognition can be withdrawn for non-compliance with any rule, delay in document submission, or minor procedural errors.	Excessive grounds for derecognition create regulatory uncertainty.	Limit cancellation to serious safety violations only .
Behavioural and Maintenance Norms	Rule 11: prohibits scribbling on walls or benches; requires periodic whitewashing.	Administrative micromanagement with limited relevance to educational outcomes.	Integrate maintenance within the general quality assurance framework; remove behavioural minutiae from legal text.

5.2

Independent Quality Assessment/Accreditation

All schools, irrespective of management type, should be incorporated into a formal accreditation framework by an independent body. Evaluations should prioritise value-added parameters, such as improvements in student learning outcomes. Making accreditation results publicly accessible would strengthen transparency and accountability, enabling parents, communities, and policymakers to make informed decisions. This approach would incentivise schools to focus on educational quality and continuous improvement.

To support schools in meeting quality standards and improving learning outcomes, the independent regulatory body should define measurable learning targets for each school, monitor year-on-year progress, and validate continuous improvement in learning outcomes. Accreditation processes should be evidence-based, transparent, and objective, with a primary focus on educational outcomes while maintaining oversight of essential safety and infrastructure norms.

5.3

State's Role in Capacity Building

While the proposed independent regulatory body should operate separately from the state education department to avoid conflicts of interest and focus solely on setting essential standards, monitoring compliance, and enforcing accountability across all schools, without involvement in service delivery, the state, on the other hand, could retain responsibility for policymaking and capacity-building support to help schools meet these standards. The State should support the gaps via capacity-building measures such as:

- 1 **Mentorship Programmes:** Low-performing private schools could be paired with well-performing, recognised government schools for targeted guidance and support. Mentor schools may share ready-to-use lesson plans,

assessment tools, and classroom activities, helping to drive practical improvements. The focus would be on incremental, achievable changes in teaching practices and student learning outcomes, ensuring that mentorship remains supportive, scalable, and sustainable.

- 2 **Deploying instructional coaches to low-fee schools** to provide hands-on pedagogical support.
- 3 **Guiding curriculum adaptation, assessment strategies, and pedagogical tools** to facilitate incremental improvements in teaching and learning.

Extending the DPEP Model to Low-Fee Schools

Kerala's experience under the District Primary Education Programme (DPEP) offers a compelling example of how teacher training can serve as the backbone of foundational learning reform. At a time when rote learning dominated classrooms and professional development opportunities were limited, DPEP introduced a structured, decentralised, and pedagogically progressive model of in-service training. Teachers received annual training through Block Resource Centres (BRCs) and Cluster Resource Centres (CRCs), which functioned not merely as administrative units but as hubs for collaborative learning and pedagogical renewal. These sessions emphasised child-centred, activity-based instruction, encouraging teachers to move beyond textbook delivery and engage students through questioning, exploration, and hands-on learning.

Although DPEP, as a centrally sponsored scheme, is no longer operational in Kerala as a distinct project, its legacy continues to shape the state's educational practices. The programme's innovations in decentralised teacher training and activity-based pedagogy

have been integrated into Kerala's main-stream education administration and teacher development systems. Current teacher training courses and in-service training programmes continue to build on the foundations laid by DPEP, retaining its child-focused and participatory teaching approach. This model remains highly relevant and feasible to extend to low-fee private schools, helping to strengthen foundational learning by enabling a shift away from rote methods towards more interactive and engaging pedagogy.

5.4

Extending the Validity of the Temporary Recognition Period

The process for granting recognition to unaided schools in Kerala is rigorous, with temporary recognition typically awarded for one year and extendable up to three years only with express approval from higher authorities. Permanent recognition demands strict adherence to all conditions outlined under the Kerala Education Act and Rules, a threshold that many low-fee schools struggle to meet due to demanding criteria related to infrastructure, financial guarantees, and operational standards. As a result, these schools often find themselves having to repeatedly renew their temporary recognition, increasing their administrative workload and diverting focus from pedagogy and student learning towards routine compliance tasks. This ongoing cycle places an additional burden on management, especially for resource-constrained institutions, and may compromise efforts to improve educational outcomes. Extending the validity period for temporary recognition to a minimum of five years would reduce administrative pressure and allow schools to allocate greater attention to teaching and learning.

5.5

Unintended Consequences of Excess Kerala's Learning Outcomes Regulations

Despite the official three-year recognition renewal period set by the education department, schools in Kerala must annually renew multiple certificates, particularly building fitness certificates and sanitation NOCs. These renewals are handled through separate departmental channels, each with its own timelines, application processes, and fees. The renewal periods for these certificates (often one year) do not align with the school recognition cycle, creating administrative misalignment and duplication of effort. Kerala could adopt the Andhra Pradesh model, where the NOC is not subject to annual renewal and remains valid as long as the structural condition of the building remains unchanged and safe for occupancy.

5.5.1 Self-Declaration for Safety Certificates

In Kerala, inspections are conducted repeatedly, even when the school has consistently maintained standards, which contributes to administrative inefficiency. Kerala could adopt a system similar to Andhra Pradesh, where compliance is ensured primarily through periodic self-declarations and annual affidavits rather than recurring full inspections.

Currently, schools must navigate multiple departments to obtain various NOCs, resulting in delays and confusion. Creating a unified single-window clearance system where schools can apply for all required certifications (fire safety, sanitation, building approval, etc.) simultaneously through a common digital portal would significantly reduce time and duplication.

5.6.1 Digital Integration and Process Automation

Developing interoperable digital platforms that link multiple government departments involved in school certification processes would streamline workflows and improve efficiency. Such platforms should provide real-time status tracking, automatic reminders for renewals, and consolidated document submission. Kerala's own KSWIFT platform for business permits could be extended to schools or serve as a model for school regulatory clearances.



6. Conclusion

Kerala has made significant progress in education, with high enrolment rates and strong institutional capacity. However, the decline in learning outcomes over the years signals the need for systemic change that shifts the focus from compliance to student learning. The current regulatory framework imposes overly prescriptive norms and rigid enforcement, creating administrative burdens, stifling innovation, and threatening school autonomy, often penalising minor or technical deviations rather than improving educational outcomes. A more balanced approach would retain essential safety and quality standards as statutory requirements while moving procedural and operational stipulations to guidelines or codes of practice. Establishing an independent quality assessment and accreditation body, extending the validity of temporary recognition, rationalising NOC timelines, enabling self-declaration for safety compliance, and implementing a single-window digital clearance system would streamline administrative processes and increase transparency. When paired with targeted capacity-building measures such as mentorship, curriculum guidance, and EdTech integration, these reforms would empower LFPS and other schools to focus on student

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