Disclaimer

Madrasais the Arabic word for any type of educational institution, whether secular or religious (of any religion), and whether a school, college, or university. The word is variously transliterated madrasah, medresa, madrassa, madraza, medrese, etc. In countries like India, not all students in madrasas are Muslims; there is also a modern curriculum

The word madrasah derives from the triconsonantal Semitic root د-ر-س D-R-S 'to learn, study', through the wazn (form/stem) مفعل(ة)‎; mafʻal(ah), meaning "a place where something is done". Therefore, madrasah literally means "a place where learning and studying take place".The word is also present as a loanword with the same innocuous meaning in many Arabic-influenced languages, such as: Urdu, Bengali, Pashto, Baluchi, Persian, Turkish, Azeri, Kurdish, Indonesian, Malay and Bosnian.[2] In the Arabic language, the word مدرسة madrasah simply means the same as school does in the English language, whether that is private, public or parochial school, as well as for any primary or secondary school whether Muslim, non-Muslim, or secular.[3][4] Unlike the use of the word school in British English, the word madrasah more closely resembles the term school in American English, in that it can refer to a university-level or post-graduate school as well as to a primary or secondary school. For example, in the Ottoman Empire during the Early Modern Period, madaris had lower schools and specialised schools where the students became known as danişmends. The usual Arabic word for a university, however, is جامعة (jāmiʻah). The Hebrew cognate midrasha also connotes the meaning of a place of learning; the related term midrash literally refers to study or learning, but has acquired mystical and religious connotations.

The madaris also resemble colleges, where people take evening classes and reside in dormitories. An important function of the madaris is to admit orphans and poor children in order to provide them with education and training. Madaris may enroll female students; however, they study separately from the men

During its formative period, the term madrasah referred to a higher education institution, whose curriculum initially included only the "religious sciences", whilst philosophy and the secular sciences were often excluded. The curriculum slowly began to diversify, with many later madaris teaching both the religious and the "secular sciences", such as logic, mathematics and philosophy. Some madaris further extended their curriculum to history, politics, ethics, music, metaphysics, medicine, astronomy and chemistry.[21] The curriculum of a madrasah was usually set by its founder, but most generally taught both the religious sciences and the physical sciences. Madaris were established throughout the world,

The word jāmiʻah (Arabic: جامعة‎) simply means 'university'. Scholars like Arnold H. Green and Seyyed Hossein Nasr have argued that, starting in the 10th century, some medieval Islamic madaris indeed became universities However, scholars like George Makdisi, Toby Huff and Norman Danie argue that the European medieval university has no parallel in the medieval Islamic world. Darleen Pryds questions this view, pointing out that madaris and European universities in the Mediterranean region shared similar foundations by princely patrons and were intended to provide loyal administrators to further the rulers' agenda. A number of scholars regard the university as uniquely European in origin and characteristics. According to Encyclopædia Britannica, however, the earliest universities were founded in Asia and Africa, predating the first European medieval universities

al-Qarawīyīn University in Fez, Morocco is recognised by many historians as the oldest degree-granting university in the world, having been founded in 859 by Fatima al-Fihri. While the madrasa college could also issue degrees at all levels, the jāmiʻahs (such as al-Qarawīyīn and al-Azhar University) differed in the sense that they were larger institutions, more universal in terms of their complete source of studies, had individual faculties for different subjects, and could house a number of mosques, madaris, and other institutions within them. Such an institution has thus been described as an "Islamic university"

However, the classification of madaris as "universities" is disputed on the question of understanding of each institution on its own terms. In madaris, the ijāzahs were only issued in one field, the Islamic religious law of sharīʻah, and in no other field of learning.[52] Other academic subjects, including the natural sciences, philosophy and literary studies, were only treated "ancillary" to the study of the Sharia. For example, a natural science like astronomy was only studied (if at all) to supply religious needs, like the time for prayer. This is why Ptolemaic astronomy was considered adequate, and is still taught in some modern day madaris. The Islamic law undergraduate degree from al-Azhar, the most prestigious madrasa, was traditionally granted without final examinations, but on the basis of the students' attentive attendance to courses. In contrast to the medieval doctorate which was granted by the collective authority of the faculty, the Islamic degree was not granted by the teacher to the pupil based on any formal criteria, but remained a "personal matter, the sole prerogative of the person bestowing it; no one could force him to give one".

From a structural and legal point of view, the madrasa and the university were contrasting types. Whereas the madrasa was a pious endowment under the law of religious and charitable foundations (waqf), the universities of Europe were legally autonomous corporate entities that had many legal rights and privileges. These included the capacity to make their own internal rules and regulations, the right to buy and sell property, to have legal representation in various forums, to make contracts, to sue and be sued

Children who attend madrassas in India are from backward, poor, underprivileged and financially impoverished families. These families however are also unfortunately large. In essence poverty and ignorance at at work simultaneously, resulting in the inability of parents to fully provide for their families, resulting in madrassa enrollments.

Children are sent to madrassas as a result of this poverty. There, children are taught not just religious education, but are clothed, fed and raised - something these families simply cannot manage.

There is a dire need to revisit madrassa curriculum. There are loud voices in India demanding this reform; to include sciences, mathematics and general sciences along with religion

Govt. Orders are provided here to confer the natural justice upon minorities for job/ studies

 REFERENCE: Govt Orders from State Govt:

State Govt. has recognized under Letter of Kerala state (no. Acd/Spc(1)/6896/2014/HSE) and general Education(T) Department G.O.(Ms) No.295/99/G.Edn date 27th Novembe 1999 and Letter No. Acd A4/19340/HSE/99/Date 6-11-199 from the Director of Higher Secondary Education.

“The plus Two level examinations conducted by the Board of other States will be treated as equivalent to the Higher Secondary Examinations, Government of Kerala subject to the following conditions.

1. The admission to the Plus Two Level (two years) course should have been secured by the candidates after passing the 10th grade examinations under the 10+2 patterns and

2. The candidates must have studied at least 5 subject (including Languages) in the Plus two course.

Therefore the Director of Higher Secondary Education has recommended to treat the plus two examinations conducted by the Boards of other States as equivalent to the Plus Two examination of our State.”

Directorate of School Education (madras Education Cell) Vide No. F. 16(29)-SE/GIA/MC/08, Govt of Tripura, Dated 03/06/2010 has clarified that Madrsa Degree Certificates recognized by even a Univeristy in India is equivalent to Class X, XII, UG, PG etc as the case may be.

REFERENCE: UGC & AIU

UGC has also approved Kamil, Fazil, Mumtaz, Afzalululema for the education/employment vide order No. F.No. 05-1/2014/pt.c.(CPP-II) as Done by Directorate General of Employment & Training, Ministry of labour & Employment, Govt. of Karnataka Vide Letter No. DET/EMP/ADm-2/CR-151/2017-18 the candidates passed out of Karnataka State Jamia Urdu can be registered at employment exchanges coming under Karnataka state, UGC D.O.No. 14-3/2007 (CPP-II) of UGC & F.No. 8-3/2007-MC of MHRD. UGC Regulations, 1985. Memorandum No. 3-1/78/CP date 12.10.1981. F.1-117/83(CPP) 30.05.1986 & D.O No. F.1-117/83(CPP) 2.1.1986. F.No. Circular F1-8/92(CPP): F1 No.-52/2000(CPP-II) & Circular F1-25/93(CPP-II); F.Co. UGC/DEB/2013. AIU vide Letter No. EV/II(449)/94/176915-177115(14.1.94) & D.O. No. F 1-25/3(CPP-II).

REFERENCE : Ministry of Minority Affairs, Government of India, PIB, 24-July-2014 15:43 IST.

Social and Educational Uplift of Minorities for all States (Ref: Para- i, ii & iv):

(i) USTAAD aims at upgrading Skills and Training in preservation of traditional Ancestral Arts/Crafts of minorities.

(ii) Hamari Dharohar aims to preserve rich heritage of minority communities under over all context of Indian culture.

(iv) Nai Manzil: A bridge course to bridge the academic and skill development gaps of the deeni Madrasa passouts with their mainstream counterparts

REFERENCE: DOP&T, Ministry of Home Affairs, Chapter IX: Educational Qualification & Proficiency Standards

E. Degree, Diplomas and Certificates Recognized for Recruitments

(1) Those awarded by:-

(i) University in India incorporated by an Act of the Central or State legislature and other educational institutions established by and Act of Parliament or declared to be deemed to be Universities under section 3 of the UGC Act, 1956(Vide Annexure I). [MHA O.M. No. 26/4/52-CS dt. 30.09.52 and MHA OM No. 6/1/64-Estt(D) dated 10-4-64].

(ii) Board of Secondary and Intermediate Education duly set up and recognized by the central Government or the State Government concerned(Annexure II, which is not exhaustive, as the DOP & T have not issue any further list after 30.9.52),[MHA OM No. 26/4/52-CS dt. 30.09.52].

(2) Those specially recognized by the Central Govt. as equivalent to particular degrees, diplomas or certificate(Annexure IV).

Aneexure IV: Diplomas Specially recognised by the Central Government for purposes of recruitment

6. A certificate of having paased a school leaving examination of a University established by law in India or a certificate of pass in an examination held at the end of the High School, Secondary School or Higher Secondary School awarded by an authority authorized by the Central or State Govt. to issue such certificates by Resolution, Notification or other Govt. Order.

Equivalence: Matriculation. MHA OM No. 26/9/50-CS dt. 27.4.50

14. The Tenth Class Examination Certificate from Higher Secondary Schools which prepare students for the Higher Secondary (School Certificate Examination as distinct from Higher School/ Secondary School Certificate Exam) which is the Minimum educational qualification for admission to three years Degree Course of a recognized University.

Equivalence: Matriculation/Higher School Examination. MHA OM No. 6/10/61 Estt. (D) dt. 11-1-62 & 6-9-62.

45. Certificate of having completed the Post-Basic Education awarded by a Post School(Provided the Certificate has been recognized by the Government of the State in which this School lies as equivalent to matriculation or Higher Secondary certificate for purposes of employment under them.

 Equivalence: Matriculation/Higher School Examination. MHA OM No. 616/57-RP5; dt. 10-6-59

56. Pass in first year examination of Intermediate Course ( 2 Year’s course after matriculation or equivalent) of a recognized University /Board.

Equivalence: Matriculation/Higher School Examination. MHA OM No. 6/4/70-Estt. (D), dt.7-9-70

71. Adeeb(Knowledge of Urdu of High School/Matriculation Standard )

72. Adeeb-e-Mahir(Knowledge of Urdu of Intermediate Standard)

73. Moallim-e-Urdu(Knowledge of Urdu Language for Teaching Upto Higher Secondary Standard)

102. Adeeb-e-Kamil(Knowledge of Urdu of BA Standard) by DOP & AR OM NO. 14021/2178-Estt.(D). dt.28-6-78

REFERENCE: National Policy for Education 1986 MHRD, Gol: Minorities ; Non-Formal Education(Ref: 4.8,5.8,5.9)

4.8 Some minority groups are educationally deprived or backward. Greater attention will be paid to the education of these groups in the interests of equality and social justice. This will naturally include the Constitutional guarantees given to them to establish and administer their own educational institutions and protection to their languages and culture. Simultaneously, objectivity will be reflected in the preparation of textbooks and in all school activities and all possible measures will be taken to promote an integration based on appreciation of common national goals and ideals, in conformity with the core curriculum.

5.8 The Non-formal Education programme, meant for school dropouts, for children from habitations without schools, working children and girls who cannot attend whol-day schools, will be strengthened and enlarged. ([www.mhrd.gov.in](http://www.mhrd.gov.in))

5.9 Steps will be taken to facilitate lateral entry into the formal system of children passing out of the non-formal system

For Example, IGNOU: (Ref: page 51,56,101,142,151.

http://persmin.gov.in/otraining/ignou/IGNOU\_Prospectus\_Oct2010.pdf)

3.3 Bachelor’s degree Programmes (BDP)-BA/B.com/B.Sc/BSW: Entry to Bachelor’s Degree Programme is through two streams: (1) Non-formal and (ii) Formal. The non-formal stream is for those students who have not passed 10+2 or its equivalent examination. They have to pass Bachelor’s preparatory Programme(BPP) of IGNOU to qualify for admission to BA, B.com and BSW.

3.4 Bachelor’s Preparatory Programme (BPP)- Non- Formal Channel to BA/B.com?BSW/BTS: BPP is offered by the University to those students who to do Bachelor’s Degree of IGNOU but do not have the essential qualifications of having passed 10+2. In the absence of such a qualifying certificate these students are deprived of higher education. To enable such students to enter higher education stream, IGNOU has designed this preparatory programme. BPP is a Bridge Course of 6 months duration for those who do not have 10+2, but attained the age of 18 years, and seeking admission to IGNOU’s first degree BA/B.com etc under Non-formal stream.

REFERENCE: Ministry of PPG & P,Gol Para-ii, File No. 42012/13/207-Estt.(D).

Minority cell, Deptt of Higher Education, MHRD, Gol, Para-ii, File No. 8-3/2007-MC.

(ii) Ina state which has no functioning Madarsa Board the Madarsas existing in that state may affiliate themselves to the Madarsa Board of any other neighbouring state, so that the students enrolled in Madarsas do not face any difficulty in their attempt at horizontal and vertical mobility and employment.

REFERENCE: MHRD, Govt. of India, Alternative System of Education 4/12/14 11:48 IST/PIB

The present National Curriculum Framework(NCF-2005) takes care of any new development and concern in the school level education system. Addressing these concerns, the NCF-2005 follows five guiding principles i.e (i) connecting knowledge to life outside the school, (ii) ensuring that learning is shifted away from rote methods, (iii) enriching the curriculum to provide for overall development of children rather than remain text book centric. (iv) making examinations more flexible and integrated into classroom life and, (v) nurturing an over-riding identity informed by caring concerns within the democratic polity of the country. Various curriculum materials developed by the NCERT provide children opportunities to bring experiences in the classroom and also provide scope of infusing arts, heritage draft and work across the subjects at all levels, This helps in developing sensitivity towards all culture. Cultural aspects in education are an integral part of school curriculum at all the stages. However, The National Policy on Education 1986, as amended in 1992, has been the guiding document for the policies of the central Government in the education sector. The Government has been following National Policy on Education 1986, as modified in 1992, which provides for National System of Education implying that up to a giving level, all students, irrespective of caste, creed, location or sex, have access to education of a comparable quality. The National System of Education envisages a common educational structure. This information was given by the Union Human Resource Development Minister. Smt. Smriti Irani in a written reply to the Lok Sabha question. DS/RK/SYSTEM.

REFERENCE: Educational Empowerment on Sachar Committee Report by MHRD, Govt. of India

10. Relative Deprivation in education of Muslim vis-à-vis other SRCs calls for a significant shift in the policy of the state , along with the creation of effective partnership with Private and voluntary sectors, All the State Governments/union territory Administrations have been advised by the Ministry of HRD for using existing school buildings and community buildings as the study centers for school children. Reminders have been periodically issued to the chief Secretaries of all states /UTs in this regard. Under the SPQEM, the objective is to encourage traditional institutions like Madarasas and Maktabs by giving financial assistance to introduce science , mathematics, social studies, Hindi and English in their curriculum so that academic proficiency for classes I-XII is attainable for children studying in these institutions, Similarly, the scheme for IDMI would facilitate education of minorities by augmenting and strengthening school infrastructure in Minority Institutions (elementary/Secondary/senior Secondary schools) in order to expand facilities for formal education to children of minority communities. The scheme will inter alia encourage educational facilities for girls, children with special need and those who are most deprived educationally amongst minorities.

11. Recognition of the degree from Madrasas for eligibility in competitive examination e.g Civil Services, Banks, Defense services etc Equivalence to madarsas certification/degree for admission to higher education institutions be given.

Promises to keep: Government’s response to Sachar Committee recommendations: To promote vocational education, the High Level Committee suggested (i) Lower entry bar to class 8, (ii) allow entry to Madrasa graduates and (iii) develop appropriate curricula. Link in madras education with regular education system, through (i) common school board (ii) certificate equivalence and (iii) recognizing madrasa certificate students also suggested expansion of madrasas beyond the confines of religious education, to include modern methods of learning and proving incentives such as food lodging for students in them .

REFERENCE: Report of the standing committee of the national Monitoring Committee for Minorities Education(NMCME), April 2013. Minority cell, Deptt of Higher Education, MHRD, Gol, No.6-2/2012-MC & OM No. 6-3/2007-MC

With the approval of MHRD, Gol, a standing Committee (NMCME) is hereby constituted with the following terms of reference:

(i) To monitor the related schemes/programmes being implemented by MHRD.

(ii) To suggest modifications, if required, in the schemes of the MHRD with a view to the specific needs & requirements

(iii) To study report of previous Committees which have gone into the issues of minority education and welfare and suggest ways and means to implement the recommendations/conclusions of those Committees.

(iv) To advise the Committee on setting up a monitoring mechanism for minority related schemes/programmes of MHRD &

(v) Any other issues relating to minority education which the Committee may want to bring to the notice of the Govt. & NMCME.

On the basis of the decision taken in the last meeting of the NMCME held on 05-03-2012, a standing committee of NMCME and the following five Sub-committees have been constituted, Vide Orders dated 27-04-2012 as amended vide order dated 11-06-2012

(a) Sub-Committee on Vocational & skill Development of Minorities.

(b) Sub-Committee on Implementation of schemes Aimed at minorities

(c) Sub-Committee on Mapping of educational Requirements of Minorities,

(d) Sub-Committee on Girls Education and

(e) Sub-Committee on promotion of Urdu Language & Enhance compatibility amongst minorities through knowledge of English.

REFERENCE: Supreme court of India:- NCMEI, Govt of India: Guidelines for determination of Minority status, Recognition, Affiliation and related matters in respect of Minority Educational Institution under the constitution.

Eleven Judges Bench in T.M.A. Pai Foundation vs. Karnataka State (2002) 8 SCC 481. Ishwar Singh Bindra vs. State of UP AIR 1968 SC 140. Azeez Basha vs. Union of India AIR 1968 SC 662. AP Christian Medical Association vs. Govt of AP, AIR 1986 SC 1490. St. Xavier's College, Ahmedabad vs. State of Gujarat 1974 (1) SCC 717. State of Himachal Pradesh vs. Parasram AIR SCW 373. Brahmo Samaj Education Society vs. State of West Bengal (2004) 6 SCC 224. Malankara Syrian Catholic College vs. T. Jose 2007 AIR SCW 132. D.A.V. College vs.State of Punjab AIR 1971 SC 1731. Hyderabad Asbestos Cement Product vs. Union of India 2000 (1) SCC 426. MCD of Delhi vs. Tek Chand Bhatia AIR 1980 SC 360.

Milli Talimi Mission Bihar & ors. vs. State of Bihar & ors. 1984 (4) SCC 500, the SC has clearly recognized that running a minority institution is also as fundamental and important as other rights conferred on the citizens of the country. If the State Government declines to grant recognition or a university refuses to grant affiliation to a minority educational institution without just and sufficient grounds, the direct consequence would be to destroy the very existence of the institution itself. Thus, refusal to grant recognition or affiliation by the statutory authorities without just and sufficient grounds amounts to violation of the right guaranteed under Article 30(1) of the Constitution. J.P.Unni Krishnan Vs Andhra Pradesh(Ref: AIR 1993 SC-2178). P.A. Inamdar & Ors vs State Of Maharashtra & Ors on 12 August, 2005, Case No.: Appeal (Civil) 5041 of 2005 (Up to the *level* of *undergraduate* education, the minority unaided educational institutions enjoy total freedom).

REFERENCE: High Court of States:

TKVTSS Medical Educationa & Charitable Trust vs State of tamil Nadu AIR 2002 Madras 42. “If any entity is once declared as minority entitling to the rights envisaged under Article 30(1) of the constitution of India, unless there is fundamental change of circumstances or suppression of facts the Government has no power to take away that cherished constitutional right which is a fundamental right and that too, by an ordinary letter without being preceded by a fair hearing in conformity with the principles of natural justice.” The right to choose medium of instruction of their choice is a fundamental right guaranteed under Articles 19(1) (a) (g).21, 29(1), and 30(1) of the constitution (Karnataka High Court).

REFERENCE: Educational Acts, Schemes & Constitution of India

Section 2(f) of the Central Educational Institution Act,2006, NCMEI Act,2004, Human Right Protection Act 1993, IEA 1972

Under self Employment Education Scheme. Constitutional Provisional by the Govt. of India in respect of languages is given Under Article 14-16, 19(1), 21, 29, 30, 45, 46, 120 and 210, 343-351 of the Constitution of India for Assamese, Bengali, Telugu, Kashmiri, Kannada, Marathi, Malayalam, Oriya, Punjabi, Tamil, Guajarati, Nepali, Arabic, Persian, Urdu and Sanskrit.

REFERENCE: University Grand Commission

UGC document on the XI plan profile of higher education in India states that” The only safe & better way to improve the quality of UG education is in the delinking of most of the colleges from the affiliating structure, colleges with academic and operative freedom are doing better and have more credibility. The financial support to such colleges boosts the concept of Autonomy.” The Memorandum No. 3-1/78/CP dated 12.10.1981, the UGC has directed all universities that while framing their statutes/ordinances/regulations, they should ensure that these do not infringe with Article 30(1) of the Constitution relating to administration of minority educational institutions. UGC Regulations, 1985. D.O.No. 14-3/2007 (CPP-II) & D.O.No.F. 1-117/83(CPP). F.No. 8-3/2007-MC. F. 1-117/83(CPP). F1-8/92(CPP); F1 No-52/2000(CPP-II) and F1-25/93(CPP-II). F.No. UGC/DEB/2013. No.F.5-1/2013,CPP-II. AIU No EV/II(449)/94/176915-177115&D.O.No.F 1-25/3(CPP-II).

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