



# Need Of Education To Protect The Muslim Women's Dignity Against The Instant Triple Talaq, Niqah Halala And Polygamy

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## Abstract:

Since economic dependency is a fundamental role in Muslim women's low status, education is a crucial tool for assisting them in escaping their financial plight. In India, women's education advanced significantly after independence. There are now more colleges and schools for women. The number of Muslim girls attending schools and universities has likewise slowly but gradually increased. Islamic pater is increasingly eager to teach both sons and daughters. Girls of village attend school, while several of them pursue advanced schooling in towns. Yet, Islamic females are shifting over time, often ultra-slowly. Muslim women have lived a life of seclusion and subordination for a very long period, hence the majority of them are opposed to the thought of change. However, research on Muslim women found that a dearth of high-quality institutions for girls to attend school and live in hostels, as well as subpar teachers, are thought to be some of the major causes of Muslims' low levels of educational attainment. However, it is important to note that Islamic females have a solid interest in learning and a strong desire to pursue a career in education. However, obstacles like limited access to schools nearby, poverty, financial constraints, and institutionalised discrimination keep them from pursuing their education. All of these necessitate in-depth dialogue between academics, community leaders, and policymakers. The accomplishments made by Muslim women in education since independence is highlighted in this report, along with recommendations for empowering them via education.

## Keywords:

Clinical Psychology, Special Education, Instant Triple Talaq, Muslim Women, Education, Honourable Supreme Court.

## Introduction:

Using the term 'Clinical Psychology' and 'Special Education' I would like to draw people's attention towards the upliftment of the level of education of Islamic society and especially Islamic females.

As a result of all the debates that have arisen after the historic judgment of the Hon'ble Supreme Court on the issue of instant triple talaq, a conclusion has also emerged that the main reason behind the plight of the Muslim society and Muslim women in particular, is the discrimination of other sections in the Indian society. Their level of education is expected to be far above.

As far as the words 'clinical psychology' and 'special education' are concerned, first of all it is important to know what is the meaning of their basic form and then how the following facts are related to it.

### **Clinical Psychology:<sup>1</sup>**

Technology is used in the field of clinical psychology to conduct psychological research. It can be summed up as the technologically assisted study of people with the aim of bringing about a meaningful change. Psychologists collaborate with therapists, social workers, and other professionals as a team. In settings including counselling centers, schools, and hospitals, they meet with people, families, and other groups and are crucial to changing lives.

### **Special Education:<sup>2</sup>**

This term includes an extensive variety of facilities that are obtainable in many contexts and conducts. For special education, there is no one size fits all approach. It varies depending on the situation. It is such a successful medium for addressing the needs of the society's exploited, disadvantaged and notably disabled members that we can all genuinely increase the standard of living of such individuals through its use.

### **Relationship with the concept of talaq and it's side effects:**

While discussing the contribution of clinical psychology and special education, if we look at its relation with the practice of triple talaq prevalent in the Muslim society and its side effects, then the fact emerges that special education is the education given to such sections of the society, which are socially shunned or who has been left on his/her condition in the society or is physically or mentally or both so helpless that he/she is able to survive in the mainstream of the society.

For the real improvement in the standard of living of the people belonging to this class, it is very important that they should be educated and uplifted, so that they can easily face all the social problems that come during their life.

A divorced woman also belongs to such a part of our society. Such divorced women face many problems in the society. In which there is a lot of difficulty in fulfilling the needs related to her living and the life of her children. The reason behind these problems is the lack of education in extreme cases, as a result of which the decision of divorce is taken without thinking and after this decision a Muslim woman has to face the ugly practice like Niqah Halala, if she wants to remarry her ex-husband.

Apart from this, the practice of polygamy prevalent in Muslim society is also the effect of illiteracy spread in this society. If this had not happened, then the difference between the present and the present circumstances, when the practice of polygamy had started, would have been understood and the Muslim society would have been saved from this evil practice. Here it is also a fact that as education is expanding in the Muslim society, protest against the bad practices has started from within the society itself. And somewhere as a result of this protest, the Hon'ble Supreme Court put a historic end to the very old evil practice like triple talaq.

### **Girl's Education Is A Divine Command:**

According to prophet Muhammad, "Education is more sacred, than a blood of Shaheed in the battle."<sup>3</sup>

It is true that determining the status of women in a country is the greatest method to assess its progress. The status of women and societal cultural levels are strongly correlated. In order to understand the position of Islamic females in civilization, it is crucial to understand the variety of parts that females play in the socio-financial, artistic, spiritual, and politically aware spheres. Additionally, it's crucial to consider aspects like how people approach challenges and scenarios that focus on people's roles from conception to death and how they adapt to their roles. The lack of property rights, access to education, and employment in particular occupations all contribute to women's lower standing in society. Globalization and industrialization, however, have altered how Muslim women are perceived. For many of the current roles, education has become a must. Education also helped Muslim women feel more confident about themselves, which inspired them to claim various rights that were previously denied to them.

### **Muslim Education System:**

Education plays an important role in making any society progressive. The internal development of a person takes place only through education. An uneducated man is even called like an animal. Today, the Muslim community is considered the most backward in the whole world. While the scholars of Islam say that Islam promotes knowledge seeking and learning for all genders. Seeking knowledge is a duty of every Muslims.

The importance of education in Islam can be gauged from the fact that when the first verse of Quran came, it started with the word 'Iqra', 'Iqra' means 'read'.<sup>4</sup> But have Muslims really read the Quran completely? Do Muslims really have as much faith in Quran as it is shown to the whole world? The author does not think so because whenever a dispute arises it is said by one side that it is part of the Qur'an, it cannot be altered. While referring to the same Quran, a large section of the Muslim society strongly opposes the fact that the disputed fact has nothing to do with Islam, nor has the Quran said anywhere to implement it. In the context

of instant triple talaq and its associated nikah halala as well as polygamy, we have recently seen a huge debate on similar issues.

In the early days of Islam, many Muslim women competed with men in scholarship. Many such examples exist. Today's Feminist Islamic Scholar and Woman Imam Amina Wadud<sup>5</sup> is bringing forth a progressive interpretation of Islam. She is talking about the freedom of women only by quoting Islam.

Muslim education used to start with the Bismillah ceremonial.<sup>6</sup> When the kid age was 4 years - 4 months and 4 days, he used to wear novel garments and take him to Maulvi Sahib. Maulvi Sahib used to read some verses of Quran and the child used to repeat them. If the child could not repeat those verses, then it was considered sufficient to say the word Bismillah and the formal education of the child started. The child was allowed to enter the Maktab by giving some tribute to Maulvi Sahib. Rich and prosperous people used to call Maulvi Sahib to their home and perform this ritual. The Vismillah ceremony of the Muslim culture was similar to the Upanayana ceremony<sup>7</sup> of the Vedic period and the Pravrajya ceremony<sup>8</sup> of the Buddhist period.

The two main institutions of education in the Muslim period were 'Maktab' and 'Madrasa'.<sup>9</sup> Elementary education was imparted in Maktab whereas higher education was provided in Madrasas. After the ceremony of Bismillah, the children entered the Maktab for education. Maktab was attached to mosques and maulvis were the teachers in them. After getting education from Maktab, students used to take admission in Madrasas, they were run by individual committees or rich people of the society. The ability to earn a living was developed in them by imparting the education of writing, simple mathematics, correspondence, Arji Navisi, Arabic and Persian in the primary education given in the course Maktab. The curriculum of education given in Madrasas was divided into two parts, secular and religious. Subjects like Arabic language, Greek medicine, logic, geography, literature, grammar, law, astrology, philosophy, math, farming, history, etc. came under secular education. Under religious education, the study of Quran Haris (traditions) and Fiqh (theology) was made to the students.

In this period, education was given orally, more emphasis was given on rote and memorisation. Teachers often used to do teaching work with the help of lecture, question-answer and debate methods. Like the Buddhist period, the Monitor system<sup>10</sup> was prevalent in the Muslim period, in the absence of the teacher, the students of the older class used to teach the younger ones. There used to be debates on big subjects in the royal court. The medium of instruction was Arabic and Persian. The students of the craft followed the principle of learning by doing.

In the Muslim era, there was a close affiliation amongst the educator and student as in ancient times. The teacher was given a very respectable place in the society. Due to having hostels with the madrasas, the teachers were in personal contact with the students. At the end of the Muslim period, this relationship gradually started to end and the student's started indiscipline. Aurangzeb had insulted his teacher Shah Saleh in the full court.<sup>11</sup>

There was no formal examination system in this period, education was considered finished when the teacher deemed the students' knowledge sufficient. He was honored with titles like 'Kamil', 'Alim', 'Fazil' etc. when students demonstrated exceptional knowledge and ability. The students of literature were given the title of 'Kalim', 'Alim' to the students of religious education and 'Fazil' to the students of logic and philosophy. To get a job in the royal court, he had to prove his worth in the court.

The students were highly disciplined during the Muslim period. Moral and practical manners, modesty and self-discipline were mandatory for all the students. For not remembering the daily lesson, for lying. Severe corporal punishment was given for unethical behavior.

Due to the parda system in the Muslim period, the development of women's education was very less. Young girls used to go to Maktab and get their primary education. But higher education was arranged at home only. Therefore, higher education was limited only to the royal and high families.

For six hundred years, the Muslim education system was very popular in India. Along with the spread of western education system, Muslim educational institutions started disappearing. Even today Maktab and Madrasas<sup>12</sup> are being run but their education life is not useful. Undoubtedly, Muslim education has left such an indelible mark on the Indian way of life, which can be felt at many places even in modern times. There was a unique coordination of religious and worldly education in Muslim education. At this time, the writing of history happened very fast. The biggest achievement of the Muslim period was the emergence of Urdu language. But due to the teaching work being in Persian and Arabic, most of the time was spent in learning the language. Due to parda system, women were deprived of opportunities for education.

### **Muslim Education Before The Independence:**

The indigenous educational system enjoyed enormous popularity at the beginning of the 19th century. According to the material that is currently available, women's educational opportunities in the native educational structure<sup>13</sup> are essentially nonexistent. Lasses were exclusively taught to read the Quran in Arabic language and parenthetically, Persian and Urdu in upper class Muslim families. Many parents forbade their daughters from attending school because they believed that doing so would be against Islamic law.

At the end of the nineteenth century, the fight for Muslim women's access to formal education began. Sheikh Abdullah and Maulana Hali took the initiative in the campaign for Muslim women's access to education. In Panipat, Maulana Hali opened a little school in 1894 for the offspring of his friends and family. Sadly, that had to close because there were no female teachers available.<sup>14</sup>

Khawaja Ghulamus instigated a revolution in the yearly meeting of the MEC<sup>15</sup> in 1896 to draw attention to the education of Muslim women. Murtaza Ali was selected to serve as this bench's secretary once a women's bench was established.

In Delhi, at the yearly meeting of the MEC in 1902, Sheikh Abdullah was chosen Secretary of the females' bench. At that time, the main figures generally believed that the school should be a regular institution for the exercise of female educators who would thereafter instruct Muslim girls from affluent relations in personal houses. Sheikh Abdullah disagreed with the viewpoint for the reason that, in his opinion, only once there were enough Muslim girls who had completed middle school could they be taught as educators.

The Bhopal Begum, Sultan Jahan<sup>16</sup>, was the 1<sup>st</sup> woman in history of India to support the idea that educating girls would lead to their freedom. In 1903, she founded the Sultania schools, the first school for Muslim female students. In the first year, 140 girls under the age of 10 attended the school. Complete transportation plans were put in place to carry females to and from school. There were classes in Urdu, English, math, geography, and domestic economics. However, only religious instruction was given priority.

In order to spread the word about a school for Muslim females in Aligarh, Sheikh Abdullah began publishing the journal 'Khaton' on a monthly basis in 1904. Sultan Jahan, the Bhopal Begum, ongoing providing systematic contributions to the Aligarh girls' institute right away.

Fortunately, a decision to build a girl's school in Aligarh was approved during the annual Muslim Education Conference session in Lucknow, and in 1906, the institute opened. There were initially only six girls enrolled in the institution.

In 1911 in Bengal, the Sakhawat Memorial Girls High School was founded by Rokeya Sakhawat Hussain. In 1912, a girl's school was established in Lucknow by Mahmudabad Raja and Maulana Karamat Hussain of as part of their support for the education of women.

A liberal approach was taken by the British government to encourage girls' education. Several schemes were launched. Following 1912, the people had a national awakening as a result of the Indian leaders' leadership in the liberation movement and their realisation of the significance of women's engagement in societal advancement. There were some noteworthy figures who promoted schooling for females, the eradication of their societal limitations, and the refurbishment of their societal and lawful seizing, with Ishwar Chandra Vidyasagar, Raja Ram Mohan Roy, Syed Ahmad Khan and Annie Besant. As a result of contemporary education becoming a beacon of hope for them, they left the four walls of their houses and actively participated in a variety of social activities.

in the late 19th century, according to Seema Kazi's M-R-G-International<sup>17</sup> Report, in Hindu, just 0.97% and in Muslim only 0.86% girls were enrolled in recognised institutes, and in neither Bombay nor Madras, no Hindu or Muslim girl had completed the matriculation test. According to Seema Kazi's research, the number of Muslim females attending school and their enrollment rose between 1916 and 1926. A recognised charity, the federation was established in 1933 to offer girls and women guidance on education and work.

Prior to independence, Hindus freely enrolled in Muslim institutions, while Muslims also studied Sanskrit. Muslims historically embraced the Western educational system later than Hindus.

The first person to recognise the contrast between the two religions was Syed Ahmed Khan (1817–96). By Syed Ahmad Khan, in 1875, The Mohammedan Anglo Oriental (MAO) College was established in Aligarh. The establishment of this institution marked a significant turn in Muslims' education antiquity. After 1920, Aligarh Muslim University,<sup>18</sup> a renowned Indian university, was founded from this college.

### **Muslim Education After The Independence:**

After independence, numerous committees and commissions were established. All commissions and committees focused on the issue of women generally rather than Muslim women specifically. Here are few mentioned:

- (01) University Education Commission (1948-49)<sup>19</sup>
- (02) Second Education Commission (1952-53)<sup>20</sup>
- (03) National Committee on Women Education (1958-59)<sup>21</sup>
- (04) Smt. Hansa Mehta Committee (1961-62)<sup>22</sup>
- (05) Bhaktavasalam Committee (1963)<sup>23</sup>
- (06) Kothari Education Commission (1964-66)<sup>24</sup>
- (07) National Policy on Education (1979)<sup>25</sup>
- (08) National Policy of Education (1986)<sup>26</sup>
- (09) The National Perspective plan on women (1988)<sup>27</sup>

The socio-cultural and economic diversity of India is now linked to the development of Muslim women in the twenty-first century. Therefore, Muslim women's involvement in education is crucial in our nation. A key element and facilitator of Muslim women's development is education.

In every aspect of life, Muslim women today are different from those of the past. They are emerging from their parda and taking on bigger roles in the nation's rehabilitation. Inherently tied to India's sociocultural and economic diversity is the development of Muslim women. Therefore, it is crucial to analyse Muslim women's participation in education by region. Women are undoubtedly breaking down boundaries in a variety of sectors of life as time goes on. However, the rate of progress varies from one area to another. A key element and facilitator of Muslim women's progress is education.

Beginning with Aisha, who recounted more than 2k hadith, Islamic females have made major aids to information through history. These noteworthy people include Aisha, a teacher of many famous man intellectuals, Umm Ativvah, a teacher of Islamic law to male academics and Rabiah Bint Mu'awwad, a well-known legal expert in Medina.

According to Guinness Book of World Records, Al-Qarawiyyin University in Fez, Morocco, was established in 859 by an Islamic lady, Fatima al Fihri, giving it the oldest continually operating organisation of advanced education in the whole world.<sup>28</sup> Because of her efforts to educate women in the 19<sup>th</sup> century, Nana Asma'u is still a popular choice for schools and females' educational organisation in North Nigeria.

The government of Morocco has supported the tradition of women imams and scholars. To combat violence and promote tolerance, King Mohammed has appointed women as religious leaders. In addition, there is a long history of female imams in China. In the province of Henan, for example, there are still about 100 female imams who teach and offer advice.

The heritage of Muslim women scholars is carried on in America by individuals like Dr. Ingrid Mattson, who served as Hartford Seminary's director of chaplaincy and further in the London and Windsor Community Chair in Islamic Studies at Huron University College. Feryal Salem, an assistant professor of Law and Islamic Scripture the Islamic Chaplaincy Program, co-director, has recently moved to Hartford. She is one of several young Muslim women academics and thinkers in the United States today, including History and Law Professor Intisar Rabb, at Harvard.

Muslim women are becoming more prevalent in all educational levels and professions worldwide. In nations with a majority of Muslims, such as Kuwait, Jordan, Lebanon, Algeria, Libya, Indonesia, United Arab Emirates, Bangladesh and Malaysia, there is a higher or equal proportion of females to males. In comparison to other Western countries, there are more women in science in Lebanon, Qatar, Saudi Arabia, Iraq and Jordan.

Iran has the highest percentage of women with post-secondary education (52%), followed by Egypt (34%), Saudi Arabia (32%), and Lebanon (37%). According to a 2009 Gallup Poll, additional American Islamic females (42%) than American Islamic males (39%) and American females (29%) total have college degrees in the United States.

### **Muslim Women's Educational Situation In The Nation:**

42.7% of Muslims in India are illiterate, according to the 2011 Indian Census.<sup>29</sup> With a national average of 36.9% for the total population, this is the greatest illiteracy rate for any one religious' group in the nation. Among all communities, Muslims are the only group with an illiteracy rate that is higher than the national average. According to the 2011 Census of India, there are 48.1% more Muslim women who are illiterate than Muslim men, who have an illiteracy rate of 37.59%.

In West Bengal, the Muslim literacy rate has increased from 57.47% in the 2001 census to 68.74% in 2011 according to census data. In contrast, 68.53% of Muslims nationwide are literate. West Bengal has 6.15 crore literates, per the census.

The majority of them, or 4.5 cr., are Hindus, while the residual 23.42% are Mohammadans. Hindus make up 1.86 crore of the state's 2.9 crore illiterates, while Muslims make up 1.02 crore. In the state of West Bengal, Muslims make up 27.01% of the entire population.

According to the DISE 2012-13 Flash Statistics report,<sup>30</sup> the percentage of Muslim girls enrolled in schools in the state of West Bengal in 2010–11 was 49.89%, while in India it was 49.22% in 2012–13. It demonstrates that West Bengal's enrollment of Muslim girls is improving when compared to the national enrollment rate. Therefore, the gender gap and illiteracy rate have decreased in West Bengal, while Muslim female literacy rates have increased.

### **Reasons Why Muslim Women Don't Read Or Write:**

The subsequent are the greatest typical reasons why Indian Islamic females lack access to education:

- (01) The Muslim parents' precarious financial situation in rural India.
- (02) The methods used for teaching and learning in schools are not engaging or efficient.
- (03) Poor student-teacher ratios in our nation's rural schools.
- (04) The interest in girls getting an education is stifled by their early marriage.
- (05) In schools, lack of female teachers.
- (06) Muslim women working to support their families by earning a living.
- (07) Muslim parents lack literacy and are unaware of the value of educating their daughter.
- (08) Because there are no schools close enough to walk, Islamic parentages are a little hesitant to send their children there out of a sense of unease.
- (09) Our nation's social climate is unsuitable for women to learn.
- (10) Socioeconomic poverty is pervasive in the nation's rural areas.
- (11) Absence of understanding among Islamic parents about the significance of females' schooling.
- (12) The government's stance on Muslim women's access to education in our nation.
- (13) Marriage of children.
- (14) Female dropout rates and academic stagnation are high.
- (15) Madrasas and Maktabas are currently operating according to tradition in our nation.

### **Potential Remedies:**

- (01) The 1<sup>st</sup> step toward Islamic females' enablement in our nation is the eradication of harmful customs. Education is essential to eradicating the nation's backwardness, preventing the exploitation of women, and dismantling the Parada system among Muslims.
- (02) Increasing Muslim girls' self-assurance is a genuine step toward women's emancipation in the Muslim society.
- (03) Raising Muslims' awareness of the value of education in their lives.
- (04) Governmental actions are also required to provide Muslim women with free and required education in order to advance their status.
- (05) Muslim women should have their 'right to employment' recognised as a fundamental right.
- (06) The government ought to provide arrangements for the employment of educated Muslim women.
- (07) Professional technical and vocational education for Muslim women is necessary.
- (08) Female kids in our nation should be taught computer skills.
- (09) The government ought to put the Sachar Committee's advice for Muslim women's educational advancement in our nation into practice.
- (10) Enough industries should be built in our nation to appoint Muslim girls.
- (11) Muslim women should be given preference when it comes to hiring teachers for coed schools and women's universities.

### **Conclusion:**

Because of their subpar economic circumstances and superstition, Indian Muslim women lag far behind in obtaining literacy level, in my opinion. To create an egalitarian human society, Muslim women must be treated equally and given more influence. One of the key considerations when talking about human rights and development is empowerment. One of the most significant and contemporary trends of the 21<sup>st</sup> century, both internationally and nationally, is the enablement of females. In the Muslim community, women's involvement in the development process is now essential. The process of empowering women involves fostering their capacity for self-realization. Women's education and empowerment are closely related. The governments of West Bengal and India are working hard to raise Muslim women's educational status. The 86th Constitutional Amendment Act<sup>31</sup> of 2002 has made a significant contribution to raising the educational level of women in India. Children between the ages of 6 and 14 are required to get free elementary education

as a result of this law. This was the catalyst for the SSA<sup>32</sup> in our nation. To ensure that everyone in our nation has access to education and work, the government must therefore take bold action.

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By: Hakan Arslanbenzer

Al-Qarawiyyin University

Nov 18, 2017

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Sarva Shiksha Abhiyan

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