

## Minorities and Disparities in Higher Education in India: Problems and Concerns

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### Abstract

The concept of equality is a defining feature of the Indian Constitution and it is committed to the idea of equality as well as to preserve, protect and assure the rights to minorities. Education remains a top priority in India and educating minorities become further important in the country where they constitute just 20.22% of the total population. India has undergone significant educational expansion and all groups, in varying degrees, have benefited from this expansion. However, inequalities in education across caste and religious boundaries persist. Indeed, the continued presence of stark inequalities is one of the striking aspects of the social reality. The dominant theories and policies currently used to think about discrimination, deprivation and disadvantage do not cover many other groups that suffer from marginalization and have not benefited adequately from the country's social and economic progress or the numerous programmes the government has for the development of the disadvantaged. The strategy of removal of deprivation in the country has failed to bring about equalization of life chances for many disadvantaged groups. Consequently, the Muslims amongst the minorities rank the most marginalized communities in India. It is in this context, the paper focuses on Minorities and their disparities in Higher Education in India.

**Key Words:** Minorities, Educational Deprivation, Higher Education, India

### Introduction:

It is a well known fact that education act as lever for enhancement of society especially for socially and economically weaker sections. The Kothari commission in 1964-66 observed that "On the grounds of social justice as well as for the furtherance of democracy it is essential to make special efforts to equalize educational opportunities between different groups." The commission added that, "One of the important social objectives of education is to equalize opportunities, enabling the backward or underprivileged classes and individual to use

education as a lever for the improvement of their conditions. Every society that values social justice and is anxious to improve the lot of the common man and cultivate all available talent must ensure progressive equality of opportunity to all sections of the populations. This is the only guarantee for building up of an egalitarian society in which the exploitation of the weak will be minimized." The role of education in facilitating social and economic progress is well accepted today. Improvements in the functional and analytical ability of children and youth through education open up

opportunities leading to both individual and group entitlements. The concept of equality is a defining feature of the Indian Constitution. Provisions for equality are given prime importance in our Constitution and reservations in education and employment are considered the primary vehicle for fulfilling the constitutional promise of an egalitarian society. However, both affirmative action and reservations are available only to certain deprived groups. The dominant theories and policies currently used to think about discrimination, disadvantage and deprivation do not cover many other groups that suffer from marginalization and have not benefitted adequately from the country's social and economic progress or the numerous programmes the government has for the development of disadvantaged (Hasan and Nussbaum 2012: 240). Consequently, the strategy of removal of deprivation has failed to bring about equalization of life chances for many disadvantaged groups (Ibid).

In common parlance, the expression minority means a group comprising less than half of the population and differing from others, especially the predominant section in race, religion, traditions, culture and language etc. The Oxford dictionary defines minority as a small number or part; a number or part representing less than half of the whole 'a relatively small group of people, differing from others in race, religion, language and political persuasion. The National commission for minorities in India has identified Muslims, Christians, Sikhs, Buddhists and Parsees which constitute 20.22% of the total population of the country as religious minorities, while Hindus are the majority group. The United Nations

Declaration on the Rights of persons belonging to National, Ethnic, Religious and Linguistic Minorities says that the promotion and protection of the rights of persons belonging to such minorities contribute to the political and social stability of the countries in which they live (Mollah and Bera 2018:214).

Educationally, Muslims among all the minorities are among the most marginalized communities in India. It is observable phenomenon that the educational status of Indian Muslims is very low (Ibid). Numerous official surveys and documents have admitted this fact and the successive government and policy making institutions have not paid much attention to the deprivations of Muslims in the educational, political and administrative domains. The most damning evidence of governments neglect was presented in the Prime Ministers high level committee report known as Sachar Committee Report (SCR hereafter) in November 2006, on the socio-economic status of Muslims in school and higher education. The scheduled castes (SCS) and Muslims are under – represented in college education relative to their shares in the population as also the other backward classes (Hasan and Nussbaum 2012:240).The SCR provides systematic evidence to show that the Muslims are an underclass on par with the lowest Hindu caste groups(Ibid). It showed that in the 25 odd years since the submission of the Gopal Singh Committee report on the socio-economic status of minorities(Ibid), the Central and State governments have done very little to rectify the deprivation of Muslims and also of other minority communities in India.

Education is an indispensable means for helping the Muslims out of their economic misery because economic dependency is the major factor contributing to the low status of Muslims (Jawaid 2007: 33-36). In India, the other minority communities like Christians and the Parsees had an earlier start in the field of education, while Muslims entered into this field at a much later stage. Indeed, the principal reason for the marginalization of Muslims has been their educational backwardness and exclusion from the mainstream employment sector. Literacy levels are far below the average, school dropout rates are the highest among all groups, especially among boys and the average years of school attendance among them is the lowest in the country. As a result there is a gap between the advantaged and disadvantaged groups. Muslims as a minority do not benefit from affirmative action even though they are lagging behind other minority groups especially in higher education. Official data shows that widening inequalities are particularly evident at higher levels of education. It is in this background, this paper outlines the structure of educational inequalities in higher education and disparities in higher education.

Given the slow progress of the Muslims, what other policy alternatives are available to the government? Affirmative action in India has been seen as the one way of reducing educational inequalities. Both the Central and State governments have implemented affirmative action policies to provide opportunities for underrepresented groups in education. These policies at the central level reserve 15% seats for SCs, 7.5% for STs and 27% seats for OBCs in institutions of higher education.

Over the years, the debate over the use of caste as the basis for ensuring social justice in education and providing public employment has been resolved in favor of caste based reservation for socially and educationally backward classes, while on the other hand, affirmative action policies for minority communities in India, particularly Muslims remains a deeply contentious issue fraught with controversy. This paper provides a broad perspective on issues relating to access to higher education for minorities.

### **Constitutional Provision for Minorities in India**

The Constitution of India provides equal opportunities to all sections of its society irrespective of race, caste, creed, religion and language. India is a country with a long history and heritage and is known for its diversity in matters of religion, language and culture, "Unity in diversity" is an often repeated characterization of India as well as a much – cherished aspiration, reflected in the constitutional commitment relating to the equality of citizens and the responsibility of the state to preserve, protect and assure the rights of the minorities. The Constitution of India entails certain Articles for the protection of the rights of Minorities.

Article 14 of the constitution of India ensures equality of all before law and equal protection by the law. Article 15 of the constitution of India prohibits discrimination on grounds of caste, race, sex, religion and place of birth. Article 16 provides for equal opportunity to all citizens in matters relating to employment or appointment to any office under the state. Article 21 states that no person shall be deprived of his life or

personal liberty except through the procedure by law. Article 25 provides for freedom of conscience and the right to freely profess, practice and propagation of religion. Article 26 ensures the freedom to manage religious institutions, religious affairs subject to public order, morality and health. Article 29 provides protection of interests of minorities regarding languages, script and culture. Article 30 provides the right to minorities to establish and administer educational institutions of their choice. Article 39 ensures the right to adequate means of livelihood for all the citizens. Article 45 provides for early childhood care and education for all the children until they complete the age of six years. Article 46 ensures to promote the educational and economic interests of SCs, STs and other weaker sections of the society and to protect them from social injustice and exploitation. Article 51 says that it shall be the duty of every citizen of India – to promote harmony and the spirit of common brotherhood amongst all the people of India transcending religious, linguistic and regional or sectional diversities; to renounce practices derogatory to the dignity of women. Article 347 & 350 highlights all the matters relating to the safeguards provided for the linguistic minorities and their development. Articles 330, 332, 335, 338 to 342 and the entire fifth and sixth schedules of the constitution deal with special provisions for implementation of the objectives set forth in Article 46. These provisions need to be fully utilized for the benefit of these weaker sections of the society.

It is universally recognized that promotion and protection of the rights of persons belonging to minorities contribute to the

political and social stability of the countries in which they live. Over the years, the process of development in the country did raise questions about the fair share of minorities, and point towards certain groups of them being left behind. Despite the safeguards provided in the constitution and the law in force, there persists a feeling of inequality and discrimination among the minorities.

In order to preserve secular traditions and to promote national integration, the government of India attaches highest importance to the enforcement of the safeguards provided for the minorities and is of the firm view that effective institutional arrangements are urgently required for the protection, enforcement and implementation all the safeguards provided for the minorities in the constitution of India, in the Central and State laws and in the government policies and administrative schemes enunciated from time to time (Ministry of Home Affairs Resolution Notification No. II – 16012/2/77 dated 12.01.1978).

The above cited resolution of the Ministry of Home affairs paved the way for the establishment of a Non-statutory Minorities Commission in February 1978. As the years passed by, the limitations of the Non-statutory authority became evident and there arises the need to effectively protect the rights of minorities. In this background, the National commission on minorities (NCM) act was passed in May 1992, and the NCM was established in May 1993 as an autonomous statutory body for the entire country. The main functions of NCM are to evaluate the progress of development of minorities in the union and states, to monitor

safeguards, to make recommendations for effective enforcement of these safeguards, to look into specific complaints regarding deprivation of rights, to initiate studies into problems of minorities etc.

### Religious demographics in India

Under the NCM Act 1992, five minority communities were notified. According to the census 2001, the percentage of minorities in the country was about 18.4 percent of the total population, out of which 13.4% were Muslims, 2.8% were Christians, 1.9%, Sikhs, 0.8% Buddhists and 0.007 percent were Zoroastrians (Parsees). In the six states of India, the proportion of Muslims to the total population is above the national average of

13.4% for e.g. in Assam (30.9%), West Bengal (25.2%), Kerala (24.6%), Uttar Pradesh (18.55%), Bihar 16.5%), and Jharkhand (13.8%).

The religious data on India census 2011, which was released by the government of India on 25<sup>th</sup> August 2015 shows that Hindus are 79.8% (96.63 Crore), Muslims 14.23% (17.22 Crore), Muslims 14.23 % (17.22 Crore), Christians (2.30%), Sikh (1.72%), Buddhist (0.70%), Jain (0.37%), first time, a “no religion” category was added to the census of India in 2011, According to which, six religions of India have been awarded “National Minority Status” namely Muslims, Christians, Jains, Buddhists, and Parsees.

**Table: 1 Population trends for major religious groups in India (1951-2011)**

Religious Groups	Population (%)						
	1951	1961	1971	1981	1991	2001	2011
Hinduism	84.1	83.45	82.43	82.30	81.53	80.46	79.80
Christianity	9.8	10.69	11.21	11.75	12.61	13.43	14.23
Sikhism	2.3	2.44	2.60	2.44	2.32	2.34	2.30
Buddhism	1.79	1.79	1.89	1.92	1.94	1.87	1.72
Jainism	1.74	0.74	0.70	0.70	0.77	0.77	0.70
Zoroastrianism	0.46	0.46	0.48	0.47	0.40	0.41	0.37
Other religions	0.13	0.09	0.09	0.09	0.08	0.06	n/a
No religion	0.43	0.43	0.41	0.42	0.44	0.72	0.9

(Source: Census of India (2011). Religion wise population details, Directorate of census operation, New Delhi, Retrieved on 28 September 2019 from <https://en.wikipedia.org/wiki/2011-Census-of-India-cite-note-43>)

A number of initiatives in the form of schemes(NCM), these include the National Minorities and organizations have been initiated by theDevelopment and Financial Corporation, the union and state governments to createPrime Ministers fifteen point program for the conditions in which the minorities are beingwelfare of the Minorities and minority’s assured of their constitutional and legal rightscommissions of some state governments. Apart and to ensure that they are educationally andfrom all these laudable efforts, there has been a economically at par with the mainstream.widely shared perception that among all the Besides the National commission for Minoritiescommunities in India, Muslims lagged behind

the most. Historians, politicians, journalists and others agree that Muslims in general lag behind other communities (Khalidi 2006:46).

### Literacy Status among the Communities in India

India has undergone significant educational expansion and all groups in varying degrees have benefited from this

expansion. However, inequalities in education across caste and religious boundaries persist. Comparison of educational attainments of different groups on the basis of census of 2001 and the 55<sup>th</sup> round of the National sample survey organization (NSSO) shows, in stark terms, the inequalities in access to higher education.

**Table: 2 Literacy Rate in Comparison to other Religious communities**

Population	Hindus	Muslims	Christians	Sikh	Buddhist	Jain	Others	total
Hindus								
Male	60.78	62.41	76.78	71.32	77.87	87.86	59.58	69.76
Female	55.98	51.90	71.97	63.29	65.60	84.93	41.38	55.98
Total	63.31	57.28	74.35	67.51	71.84	86.93	50.35	63.07

(Adopted from Morah, K and Bera, S in Status of Muslim Education in India: Problems and Concerns, *Aarhat Multidisciplinary International Education Research Journal*, Vol. VII Issue No.1 (Dec-Jan 2018) p. 216)

The above table reveals the interreligious disparities in literacy level in India. The Muslims have the lowest literacy rates as compared to all religious groups. The highest literacy level is found among Jains (86.43 percent) followed by Christians (74.35 percent) and then Buddhists (71.84 percent) literary level respectively.

It is in this context, that the Prime Ministers High level committee (Sachar Committee) on the social, Economic and Educational status of the Muslim community of India was set up in March 2005 with the main objective of assessing the social, economic and educational status of Muslims in the states, regions, districts and blocks that they live in, their livelihood activities, their levels of socio-economic development and their asset base and income levels relative to other groups (Thamarasserri 2014:46). The committee also looked into the issue of

identifying other backward classes (OBC) amongst certain Muslim groups and then contributing their share in total OBC population. The Sachar committee submitted its report in 2006, which became a landmark document in presenting and documenting the social, economic and educational status of Muslims in the country. The report also exploded the myth that there was no adequate data for effectively ascertaining that how far the development process in the country has helped the left behind communities.

The SCR, based on several indicators made an assessment and different communities were placed on a scale of relative levels of socio– economic status. The SCR felt strongly that the policies to deal with the relative deprivation of Muslims in the country should sharply focus on inclusive development and mainstreaming of the

community while respecting diversity, Interestingly, while the SCR's focus is on the socio – economic and educational status of the Muslim community, the overall approach suggested encompasses all minorities in their diversity, in the pursuit of inclusive development. The mechanisms to ensure equity and equality of opportunity to bring about inclusion should be such that diversity is achieved and at the same time the perception of discrimination is eliminated. This is only possible when the importance of Muslims as an intrinsic part of the diverse Indian social mosaic is squarely recognized” (SCR 2006: 238). The SCR highlights that growth in education of most groups has outpaced that of Muslims. Zoya Hasan has commented that,

*The disparity between Muslims and other groups increases significantly as the level of education rises. The NSSO data from 1999 – 2000 and 2004-05, show that Muslims and SCs/STs are the most disadvantaged as they are significantly underrepresented in higher education relative to their share of the population. While about 7 percent of the population aged 20 years and above are graduates or hold diplomas, this proportion constitutes less than 4 percent among Muslims. Among graduate students in leading colleges, universities, technical and medical colleges, the figure is much lower than other disadvantaged groups. Those having technical education at the appropriate age (18 years and above) are 1 percent. Muslim students constitute only 1.3 percent and 1.7 percent respectively, of the student body of elite Indian*

*institutes of management (IIMs) and Indian Institutes of Technology (IITs). In premier medical colleges, they are 4 percent of students in all counsels taken together. In premier arts colleges, Muslims are 4 percent, and in science colleges, they are 3 percent respectively. According to the 2004-05 NSSO survey, their share in the graduate population was 6 percent, while their share in population aged 20 years and above was double at over 11 percent. A recent study shows that the educational disadvantage of SCs and STs, the two groups that benefit from affirmative action, is declining, while the same cannot be said for Muslims and other minority communities, (who do not have access to affirmative action), suggestive that affirmative action policies may have had some impact on the improved educational status of SCs and STs (Hasan, 2012: 242-243).*

### **Reasons for Education Deprivation among Minority communities in India**

It is evident from the given available data that –

- 1) There are glaring disparities between Muslims and other minority groups at higher levels of education.
- 2) There are significant regional variations with markedly higher levels of educational deprivation in west Bengal, Uttar Pradesh and Bihar, which together account for 52 percent of the Muslim population.
- 3) The affirmative action policies which the government initiated from time to time

have benefited the SCs and STs resulting in a significant narrowing of differences in educational attainment at the level of higher education.

- 4) The comparison of literacy rates among the minority groups indicates that the communities which had an earlier start in educational field had a pretty good literacy rate as compared to the communities which entered into this field at a much later stage.

Other plausible reasons for the persisting educational backwardness of Muslims are –

- 1) Discrimination in admissions.
- 2) Preference for religious education over modern secular education, or occupational preferences which do not require higher education.
- 3) Paucity in the availability of educational facilities.
- 4) Restricted eligibility pools to enter college.
- 5) Perception that there will be low returns on education in terms of getting jobs especially in public sector.
- 6) Lack of incentive for Higher Education.
- 7) Flawed policy approach.

Apart from this, educational levels are significantly affected by provisioning of schools and colleges in minority concentration areas<sup>4</sup>. There is a telling lack of educational facilities for higher education in districts with 30 percent or above minority population, According to data marshaled by the University Grants commission (UGC), the availability of colleges per lakhs, of population in the top

100 Muslim concentration districts in Uttar Pradesh, Bihar, West Bengal, Assam and Kerala is below the national average (Hasan and Nussbaum 2012:244).

Apart from it, there are hardly any scholarship schemes for educationally backward minorities or schemes for financial aid for poor students from minority communities. Even, the total number of scholarships for minorities in higher education is very small. Expansion of higher education is intrinsically linked to secondary education. In the case of Muslims, as many as 25 percent of children in the 6-14 years age group have either never attended school or have dropped out(SCR 2006:58). This is higher than that of any other socio-religious group analyzed by the Sachar committee (Ibid). There is higher dropout rate and low levels of high school completion which results in a relatively small eligible pool of students qualified for entry into colleges. This applies to all other minority groups, but applies more specifically to Muslims and some other groups and thus, in turn contributes to large deficits in higher education and graduate attainment rates.

Access to educational institutions is also affected by the curriculum being studied which is necessarily inclusive. It is the need of the hour that the curriculum should be modified to the need of the time. The first United Progressive Alliance (UPA) government appointed a committee called CAGE (Central Advisory Board of Education Committee) on Regulatory mechanisms for text books in schools outside the government system, which reported that the texts were biased and many a times, the curriculum had a majority basis.

The committee recommended the creation of a National Textbook council to review the contents of text books to ensure compliance with constitutional values and national policies on education. But unfortunately, there has been no follow up action on CAGE report.

### **Flawed Policy Approach for Minorities in India**

It is a sorry state of affairs that both Central and State governments have failed to prepare strategies and schemes that could increase the access of minorities to modern education, in order to be empowered truly, socially and economically. With respect to higher education, the government appears to be contended with the policy of promoting minority educational institutions and providing them aid to set up such institutions and given them recognition.

There is no comparative analysis or systematic attempt to evaluate the outcomes of these policies but there is no denying the fact that this approach has failed to plug the gap in educational disparities (Jain 2005: 2430-7). For example, the limited participation of Muslims in secondary and higher education is the clear indication of the fact that there is flawed policy approach and calls into question the efficacy of Government Policy. The SCR makes clear that there is no substitute for regular schools and colleges for all social groups and the State's role in removal of supply side constraints for the disadvantaged is absolutely critical (Basant 2007:8831).

It is also to be noted that there has been a growing reliance on minority educational institutions and private minority institutions, which are established under Article 30 of the

Constitution of India and which are allowed by the Supreme Court of India to reserve seats for minorities. With respect to educate minorities in India, the only single initiative which was taken by the UPA government was the establishment of the National Commission for Minority Educational Institutions (NCMEI) in 2004. The commission allows direct affiliation of minority institutions with Central Universities in order to upgrade the standard and quality of education in these institutions, provided the relevant laws under which such universities are created allow such affiliation. The creation of NCMEI has given an impetus to the growing number of minority educational institutions. Previously, the colleges which do not have the minority status are now seeking special status to get minority status certification, though they are not keen for Government intervention. Most of them, charge high capitation fees which only the affluent sections of the society can afford. Since the establishment of NCMEI in 2004, it has received a flood of applications for recognition. In 2005, it received just 380 applications from institutions seeking to get minority status whereas in 2006, just one year after its formation, the number of application/petitions went up to 3,050. The NCMEI issued twenty one minority status certificates in 2005, which jumped to 737 in 2007(Mahajan 2006).

The NCMEI's decision to grant minority status to Jamia Millia Islamia, a Central University established in the year 1926 was evident from the fact that while it was established it was not accorded minority status because such a concept did not exist when it was set up in 1926, though it was

associated with minority Muslim community. But the NCMEI for the first time declared a central university as a minority institution and accorded such status. This order has given rise to a debate on the role of minority institutions in the educational progress of minorities and also to questions regarding the NCMEI's (a quasi – judicial commission) jurisdiction to convert a central university into a minority institution. Moreover, this would allow the government, without spending much extra money, to claim an increase in its budgetary allocation for minority education (Hasan and Nussbaum 2012:249). The crucial issue is whether by granting minority status to educational institutions the purpose to educate minorities will be served better & whether their educational interests will be served better by expanding admissions to them in regular institutions and thus giving them a stake in national main stream.

Constitutional safeguards provided to minorities to establish and administer their educational institutions of their choice are important, but they do not guarantee free and equal access to non-minority educational institutions which is both necessary and desirable for the educational development of disadvantaged groups, Relative deprivation in education of Muslim minorities calls for a significant shift in the policy of the State, along with the creation of effective partnership with private and voluntary sectors and other educational institutions. Therefore, the policy solution does not lie in the proliferation of these institutions or isolation of these institutions from other broader public institutions and social networks in the country but the solution lies in creating mixed public spaces

and mixed schools, college and universities. The government should evolve ways to increase the minorities' enrolment in non minority institutions of higher education. In this way this approach will enhance the eligibility and capability pool of minorities in public and private sector employment. Hence, an institutional commitment is required to increase the minority numbers in modern higher education.

### **Conclusion:**

Analysis of time trends indicates that, despite overall improvement in educational status of other minorities the rate of progress has been slowest for Muslims. While the educational attainments of minorities have improved over the years, but particularly for Muslims it has occurred at a more gradual pace than other minorities and due to which the expected convergence has not occurred. And, therefore, the gap between Muslims and the other sections of the society has actually widened since independence and particularly since 1980's. If we observe the literacy statistics given, a steady divergence in the level of achievement has seen amongst the traditionally under privileged Scheduled Castes & Scheduled Tribes (SCs, STs) catching up and over taking Muslims in several contexts. This is mainly because, at the time of Indians independence, special importance was provided to uplift the socio-economic status of SCs & STs which were recognized to be inferior than the Muslims .Apparently, Muslims have not been able to reap the benefits of planning and while progressing through the operation of trickle down or percolation effect, have gradually slipped further and further behind other minority communities. And, therefore the

education of minorities brings to the forefront the core issue of whether community specific institutions and community based programmes are the most effective way of dealing with the deprivation of Muslims. Any genuine strategy for increasing educational access must ensure the presence of Muslims in all institutions of higher education rather than creating and limiting their presence in separate educational enclaves.

The critical issue in this regard is how to open up new and emerging opportunities for the groups that have been traditionally excluded from higher education in order to reduce inequalities. There can be three possible approaches to reduce such inequalities-

- 1) Secular growth in education though policies directed at the whole population that would benefit all groups, in particular the marginalized groups;
- 2) Affirmative action or preferential treatment through preferences in admissions, scholarships etc and;
- 3) Positive discrimination or reservation to benefit targeted group i.e. for e.g. Muslims and other minorities.

So far, the first approach has not succeeded in bridging education inequalities.

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Consequently it is important to examine the pros and cons of the other two alternatives.

The changes in educational pattern across the socio religious communities in India suggest that SCs and STs have reaped at least some advantages of targeted government and private action supporting their educational progress. This reflects the importance of affirmative action. Provision of reservations to historically disadvantaged groups is necessary since there is ample evidence of persistence of caste based inequalities in higher education, but this need not entail compromising and curtailing the equality of other under-represented groups. The role of affirmative action (not reservation) for underrepresented groups to augment access to education cannot be over emphasized. This is essential for remaining barriers that prevent the inclusion of minority communities.

Hence, it is the time to address some of these strategic questions in implementing the social commitment to fairer distribution of advantage in access to institutions of higher education. And, therefore, the real task is to ensure an important challenge of broad – based affirmative action policies to include those groups facing deprivation and discrimination in the present context, and to initiate a reasoned debate on it.

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