

# **U.P. Non-Governmental Arabic and Persian Madarsa Recognition, Administration and Services Regulation, 2016**

UTTAR PRADESH

India

## **U.P. Non-Governmental Arabic and Persian Madarsa Recognition, Administration and Services Regulation, 2016**

### **Rule**

### **U-P-NON-GOVERNMENTAL-ARABIC-AND-PERSIAN-MADARSA-RECO of 2016**

- Published on 22 July 2016
- Commenced on 22 July 2016
- [This is the version of this document from 22 July 2016.]
- [Note: The original publication document is not available and this content could not be verified.]

U.P. Non-Governmental Arabic and Persian Madarsa Recognition, Administration and Services Regulation, 2016 Published vide Notification No. 2029/52-3-16-Sa(5)-14, dated 22.7.2016 No. 2029/LII-3-16-Sa(5)-14. - The following Uttar Pradesh Non-Governmental Arabic and Persian Madarsa Recognition Administration and Services Regulations, 2016 which the Board of Madarsa Education has made in exercise the powers under section 20 of the Uttar Pradesh Board of Madarsa Education Act, 2004 (U.P Act no. 29 of 2004) with the previous approval of the State Government is hereby published for general information as required under section 21 of the said Act.

### **1. Short title and commencement.**

(1) These Regulations may be called the Uttar Pradesh Non-Governmental Arabic and Persian Madarsa Recognition, Administration and Services Regulation, 2016. (2) They shall come into force with effect from the date of their publication in the Gazette.

### **2. Definitions.**

(1) In these regulations unless there is anything repugnant in the subject or context:- (a) "Act" means the Uttar Pradesh Board of Madarsa Education Act, 2004. (b) "Department" means the Minority Welfare Department, Government of Uttar Pradesh. (c) "District Madarsa Education Officer" means the District Minority Welfare Officer. (d) "Oriental or Traditional" subject mean Arabic, Persian,

Urdu, Hadees, Tafseer, Theology, Maqoolat, Maths, History, Geography and Tibb.(e)"State Government" means the Government of Uttar Pradesh.(f)"Ductoora" means a degree for senior and complete research program.(g)"Alama" means a degree for junior research program.(h)"Fazil" means post-graduate degree of the Board.(i)"Kamil" means under graduate degree of the Board.(j)"Alim" means a certificate of senior secondary level examination of the Board.(k)"Maulvi/Munshi" means a certificate of 10th level examination of the Board.(1)"Hafiz" means the certificate of Hafiz-e-Quran.(m)"Quari" means the diploma in Tajweed-e-Quran.(n)"Fauquania" means upper elementary classes (VI to VIII).(o)"Tahtania" means elementary classes (I to V).(p)"Head" means the head of the institution (i.e. Headmaster or Principal as the case may be).(q)"Lecturer" (Mudarris) means a teacher appointed and or recognized for teaching in Alim or higher classes.(2)Words and expression not defined in these regulations but defined in the Act shall have the meaning respectively assigned to them in the Act.

### 3. Recognition of Instituted.

(a)For recognition of Madarsa there shall be two categories :-(i)Permanent(ii)Temporary(b)Any Madarsa which applies for permanent recognition may be given permanent recognition subject to the completion of all the conditions prescribed.(c)In case of not fulfilling all the required conditions, temporary recognition may be given on written assurance, that the Committee of Management shall complete all the parameter of permanent recognition very soon. The temporary recognition shall be valid for five years. A temporary recognition, unless made permanent, must be required to be renewed after every five years.(d)The Committee of Management of the Madarsa which have been given temporary recognition may, after completing all the required conditions, apply for permanent recognition.(e)The recognition of Madarsa, of each and every level as under 6(2), shall be granted by the Registrar with the approval of recognition Committee of the Madarsa Education Board.

### 4. Eligibility for making Application.

- On an application from the Committee of Management of Muslim community interested in running a Madarsa, the recognition as a Non-Governmental Madarsa may be granted, subject to the following conditions :-(a)that the society of Madarsa has been registered under the Societies Registration Act, 1860.(b)there is no dispute in the Committee of Management of the Madarsa.(c)the Madarsa fulfils all the requirement of permanent recognition.

### 5. Application Form and Recognition Fee.

(1). Application for recognition, separately or for all subjects in recognition level collectively, shall be accepted in such Form as may be determined, from time to time, by the registrar with the approval of the Board of Madarsa Education.(2)The prescribed format with the fee mentioned them in the table given below :-

SI.NO. Recognition level	Fee for application	Fee for recognition	Reserved fund	Endowment
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1.	Tahtania	100.00	200.00	1000.00	500.00
2.	Fauquania	100.00	300.00	2000.00	500.00
3.	Munshi, Maulvi	200.00	1000.00	8000.00	2000.00
4.	Alim (Sanviya)	200.00	500.00		1000.00
5.	Collective recognition for Munshi Maulvi and Alim.	300.0	1500.00	8000.00	3000.00
6.	Kamil (kulliya)	200.00	1500.00		2500.00
7.	Fazil (Alia)	200.00	1500.00		2500.00

## 6. Endowment and Reserve fund.

(1) For recognition up to the level of Munshi and Maulvi, at one time, an endowment of Rs. 2000/- in the form of cash, land or building is necessary. Cash endowment should be pledged in the name of District Minority Welfare Officer. If the endowment is in the form of land or building then the Manager of the Madarsa shall furnish an affidavit to the effect that it shall not be transferred, sold or conveyed without obtaining prior approval in writing from District Minority Welfare Officer and Registrar Madarsa Board. (2) For each Madarsa a reserve fund in accordance with the Schedule given in regulation (6) shall be necessary. The amount shall also be pledged in the favour of the District Minority Welfare Officer. (3) The amount for application and recognition fee shall be deposited through treasury challan in the following head of accounts only :-

"0202" Education, Games, Art and Culture

01 General Education

101 Primary Education

10 Fee for recognition of Madarsa etc.

For recognition of Madarsa for boys/girls (Niswan), application may be obtained from the office of the District Minority Welfare Officer or from the office of the Registrar Uttar Pradesh Madarsa Education Board and fee shall be deposited in the office of the District Minority Welfare Officer from 1st January to 31st March of the calendar year.

## 7. Condition of building of recognition.

(1) There shall be a building of a Madarsa. The norms for various Madarsas for recognition thereof shall be as follows :-(i) Tahtania level - 03 teaching rooms of 300 square feet area and 1 office room of 150 square feet area. (ii) Fauquania level - 05 teaching rooms of 300 square feet area and 1 office room of 150 square feet area. (iii) Munshi and Maulvi level - 09 teaching rooms of 300 square feet area and 3 office rooms with library each of 150 square feet area. (iv) Alim (Sanviya) level - 11 teaching rooms of 300 square feet area and 3 office rooms with library each of 150 square feet area. (v) Kamil (Under Graduate level) - In addition to above for each class of Kamil one teaching room of 300 square feet area and a room of 300 square feet for library. (vi) Fazil (Post Graduate level) - In addition to above for each class of Fazil one teaching room of 300 square feet area is mandatory. (2) With respect of the building already constructed or building on rent relaxation, to some extent, may be allowed but for seeking permanent recognition the construction of own

building of the institution is necessary and construction must be according to above discussed parameter.(3)It is necessary for permanent recognition that the land/building should be in the name of Madarsa or in the name of the Society or Trust running the Madarsa and in the case land being in the name of the Society/Trust, the Manager/Trustee, who has the right to execute the deed, shall necessarily make an agreement with District Minority Welfare Officer that the said land (on which the madarsa is constructed) shall, without written approval of Registrar, Uttar Pradesh Madarsa Education Board and Director, Minority Welfare, neither be sold nor be transferred. A building for Madarsa built as per prescribed standard on land obtained from Waif for Madarsa shall be deemed sufficient for permanent recognition.Explanation. - Own building means a building erected over the land owned by the institution or its society or trust or on a Waif dedicated for the benefit of the institution.

## **8. Equipment other requirement for recognition.**

(1)Arrangement of Tat-Patti or carpet, small Desk/Bench and Desk/Table and Chair for each student shall be provided. Even for temporary recognition for the students of Fauquania and of higher classes small desks are mandatory. Black Board, almirah, chair-table for teachers and other educational material should be provided as per requirement.(2)Books worth Rs. 5000/- of the prescribed course upto the level of Fauquania and books worth Rs. 2000/- of the prescribed course for each examination of higher level are necessary.(3)For recognition of Madarsa upto Munshi/Maulvi level there must be atleast 150 students out of which the number of the students of the Munshi/Maulvi should not be less than 30. For recognition of every higher classes appearance of, at least, 10 students in current year examination shall also be necessary.(4)Application for recognition shall be submitted by the Committee of Management of Madarsa in the office of the District Minority Welfare Officer. On receipt of the application, the District Minority Welfare Officer shall make spot inspection of Madarsa. After the inspection, the application for recognition along with detailed report shall be sent to the Registrar Uttar Pradesh Madarsa Education Board within 40 days from the date of receipt of application.(5)The shortcomings found in the conditions for recognition during inspection shall be communicated by the District Minority Welfare Officer to the Madarsa management in writing within 15 days from the date of receipt of application.(6)If the Recognition Committee constituted by the Board does not find any Madarsa fit for recognition, the recognition committee shall clarify its reason in writing.(7)The Registrar shall communicate in writing to the Madarsa management with the reasons for which the Madarsa was found unfit for recognition. If the management of the Madarsa, after removal of shortcomings, sends application for reconsideration the committee shall reconsider the proposal in its next meeting.(8)The applicant management shall apply separately for separate branches with the condition that such branch shall not be located at a distance of more than 3 kilometers. Permanent recognition given to a Madarsa, fulfilling the recognition of own building, shall not be changed /transferred to another place.(9)A register for applications received for recognition shall be maintained in the office of the Registrar. All the application received till the end of the year and which are under consideration shall be entered into the register for the successive year. A permanent register shall be maintained for the recognized Madarsa in which entry of the recognized Madarsa shall be made under the signature of the Registrar.(10)Along with the recognition application Form, the following information and details shall be enclosed :-(a)Certified copy of registration/renewal certificate of the founder society

of Madarsa established by Muslim registered under Societies Registration Act, 1860 and a certified copy of the constitution (Dasturul Amal) of the Society.(b)Detailed description of Committee of Management and certified list of its members and office bearers in which their names, address and profession are entered.(c)Details of Administration Scheme signed by the chairman and the manager in accordance with the provision of the rule made there under.(d)A certified copy of the resolution passed by the Committee of Management of madarsa to the effect that the Management shall comply with the orders issued by the Government and by the department.(e)Details of teaching and non-teaching staff.(f)Class-wise number of students.(g)Details with proof relating to own land and building.(h)Proof of endowment, reserve fund, recognition fee and application fee.(i)Result of previous year (if required).(j)Permanent recognition received in past (if obtained).

## **9. Document of Madarsa.**

(1)In a madarsa, besides the documents as prescribed under the provisions of the Act and the rules, the following documents shall also be maintained :-(a)Admission book (with admission Forms) income expenditure register (cash book, ledger voucher, guard file) and attendance register for teaching and non-teaching staff.(b)Students attendance register.(c)Salary distribution register.(d)Library register and issuance register.(e)Fitting fixture stock register.(f)Order register /notice book/ ledger book.(g)Proceeding register of Committee of Management and agenda register.(h)Service book and character roll of teaching and non-teaching staff. (Along with personal files).

## **10. General Conditions after recognition.**

- Every recognized Madarsa shall comply with the following general conditions :-(a)The Committee of Management of a recognised Madarsa shall arrange the required financial resources for the proper functioning of the Madarsa.(b)No additional course or books applicable in examination conducted by the Board shall be used in recognized Madarsa without approval of Board.(c)It shall be the duty of the Manager and other persons looking after functioning of a recognised Madarsa to comply with the provisions of Uttar Pradesh Madarsa Education Board Act, 2004 and of the regulations of 2015 and directions/orders issued, from time to time, by the Uttar Pradesh Madarsa Education Board and by the Department.(d)Inspection of Madarsa shall be done by the Inspector Arabic Madarsa or Registrar Madarsa Education Board or Director of the Department himself or by the person nominated by the Director.(e)The Committee of Management shall get the registration renewed under the Societies Registration Act, 1860 and the constitution of the Madarsa shall be based on democratic right of Shia/Sunni muslim minority.(f)In aided Madarsas no fee shall be charged from students.(g)Accounts for all the funds of Madarsas related to government funds shall be maintained in the proper manner in the Post Office or in a Nationalised Bank and shall only be withdrawn by the joint signature of the Manager and the District Minority Officer.(h)[ Teaching of all the subjects can be imparted. The medium of instruction in Deeniyat and other Arabic, Persian subjects shall remain in Urdu, Arabic and Persian, as hereinbefore. The medium of instruction in Maths, Science, Social Science, Computer etc. shall be Urdu, Hindi or English, as the case may be.] [Substituted by Notification No. 1171/52-3-2018(Sa)(5)-14, dated 22.5.2018.]

## 11. Great of Recognition

Recognition to classes and examination up to level of Munshi/Maulvi/ Alim/kamil/Fazil and for additional subjects/courses/classes shall be done by the recognition committee of Uttar Pradesh Madarsa Education Board.

## 12. Recognition Committee

The recognition committee shall consist of :-

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|--|--------------------|
| (i) Chairman, Uttar Pradesh Madarsa Education Board  | - President        |
| (ii) Vice Chairmen, Uttar Pradesh Madarsa Education Board (Director Minority Welfare, Uttar Pradesh) | - Member           |
| (iii) Two Members of Board nominated by the President  | - Member           |
| (iv) Registrar, Uttar Pradesh Madarsa Education Board  | - Member Secretary |

## 13. Suspension and Withdrawal of recognition.

(1). Inspector Arabic Madarsa or any other officer nominated by the Chairman or the Director may inspect the madarsa at any time and documents of the Madarsa shall be provided for inspection. If any defect found during inspection or if it comes to the knowledge that the Madarsa is not complying with one or more conditions of recognition, the Registrar, Uttar Pradesh Madarsa Education Board shall, on the report of the enquiry officer (Inspector Arabic Madarsa Uttar Pradesh) give written directions to the Madarsa for the removal of shortcomings.(2)The Registrar of the Board or Director (Head of Department)shall on non compliance of the conditions of recognition and orders of the Board give notice to the Madarsa and If the reply of the Madarsa is found unsatisfactory or there is no reply within the stipulated time, Madarsa may be suspended after giving notice. If the Board is, upon representation from the Madarsa management, satisfies that the Madarsa has complied with the conditions the suspension may be revoked.(3)If despite suspension of recognition by the Registrar, the Madarsa does not comply with the conditions for 3 continuous years, the recognition committee of the board may withdraw the recognition but before doing so the management of the Madarsa shall be given reasonable opportunity of being heard.(4)If upon inspection during temporary recognition non- compliance of the conditions of recognition are found or the rule/conditions are not being followed, the Registrar shall give clear written direction for removal of anamolies to the concerned Madarsa and if the reply given in the prescribed period is found unsatisfactory or there is no reply, the reply the Registrar with the approval of Recognition Committee by giving notice to the Madarsa shall withdraw recognition Granted by it.(5)The restoration of suspended recognition of Madarsa shall not affect its seniority.(6)In case of withdrawal of permanent recognition, the institution shall not be entitled to any Government grant.Note: During the period of non-constitution to the Committee of the Board all work will be carried out by the consent/permission of the Director Minority Welfare Uttar Pradesh.Part-II [Scheme of Administration (section-22)]

**1. Ex-Officio members of the Committee of Management: The Committee of Management of an Institution shall include the following ex-officio members:**

(i) Headmaster or Principal as the case may be; (ii) Two teachers belonging to Muslim Minority each by rotation according to seniority selected in the manner prescribed below.

**2. For the purpose of selection by rotation in order of seniority: A common seniority list of the teachers in substantive service of an institution shall be maintained by the Management in accordance with the regulations.**

**3. The two-senior most teachers belonging to Muslim Minority shall be selected from this list as ex-officio members in the Committee of Management in the first instance. Their terms shall be from the date on which the Committee of Management is constituted, after the approval of the Scheme of Administration by the Board. On the expiry of their terms or in the event of a vacancy or vacancies occurring earlier by one or both, the teachers resigning his/her/their membership/ memberships of the Committee or ceasing to be in the service of the Institution, the teacher/teachers next in the seniority list shall be selected in his/her/their place/places for a full term. The ex-officio membership of a teacher shall not lapse on his being promoted or demoted from one grade or category to another.**

**4. The Manager shall prepare and maintain the seniority list showing therein the date from which a teacher is entitled to count his seniority. Before finalizing the list he shall supply a copy to every teacher in the institution and any objection filed by any teacher within a month of the receipt of the copy by him shall be decided by the Committee of Management.**

**5. Any teacher aggrieved by the decision of the Committee of Management can within fifteen days of its communication to him, file an appeal to the Inspector whose decision thereon shall be final.**

**6. A copy of the final list shall be supplied to each teacher, the head of the institution and the District Madarsa Education Officer and Inspector for reference and record. Any change in the strength or grades of teachers comprising a category shall, duly, be noted in the list and all concerned shall promptly be intimated from it. Any teacher who feels aggrieved by the change may file objection before the Committee of Management within a**

**month of the intimation and that objection shall be dealt with as if it were an objection under Regulation-4.**

**7. A teacher declining the ex-officio membership of the Committee of Management to which he has been selected or not being able to avail himself of his terms for any reason whatsoever, shall not be re-eligible for membership until the full cycle of the seniority list has been completed.**

**8. Ex-officio member shall not be liable to pay any subscription.**

**9. Powers, duties and functions of the Head. - The Head shall perform all such duties appertaining to a Head and shall be responsible to the Committee of Management through the Manager of the institution for the due discharge of all the duties for these purpose he shall have necessary powers.**

**10. The Head shall be solely responsible and shall have necessary powers for the internal management and discipline of his institution including :-**

(i) Admission and withdrawal of students and their punishment including expulsion or recommendation for rustication, selection of text-book, books and magazines for the library, reading room and prizes; arrangement of time table and allocation of duties to member of the staff, holding of examinations and tests, student promotion and detention, maintenance of all Forms and institution's register and progress report of students, preparing of requisition for furniture, equipment and apparatus needed for the institution and for their repair and replacement, organization of games and other co-curricular activities making provision for health and medical treatment of students, utilizing the services of the staff for educational purpose and activities inside or outside the premises of institution, appointment, promotion, control and punishment including removal and dismissal of the Group "D" servants. (ii) Maintenance of service books and character rolls of employees making entries in their character rolls and communicating adverse entries to the person concerned, control and supervision of the clerk etc., granting of casual leave of the staff of the institution, recommending disciplinary action against teachers, clerk and librarian to the Committee of Management, recommending to the Committee their applications for permission to appear in academic examination, permitting teachers to undertake private tuition's.

**11. In financial and other matters for which he is not solely responsible the Head shall follow the directions of the Committee of Management as issued to him through the Manager.**



**12. The Head shall be the channel of correspondence between the staff of the institution and Management.**

**13. Powers, duties and functions of the Committee of Management. - Powers, duties and functions of the Committee of Management shall include the following :-**

(i) Appointment, confirmation, promotion, permission to cross efficiency bar, suspension and punishment (including removal and dismissal) of the employee if the Head of the institution had no such power in accordance with the provisions of the Act and the regulations. (ii) To decide appeal against entries made in character roll of employees by the Head. (iii) Grant of all the leave admissible to the employees of the institution except where such power vests in the Head. (iv) Control and management of the money, securities, property and endowment of the Institution, excluding the boy's Funds and taking of necessary measures for their safe custody, investment, repairs, maintenance and legal protection. (v) Ensuring proper utilization of maintenance and development grants and reimbursements received from the Government. (vi) Receiving all incomes (except stipend, scholarship and Boy's, Fund), subscription, donation, gift, dividend, interest, grant, etc. for the institution and meeting financial obligations arising out of its duties and functions.

**14. Approval of a Scheme of Administration - The main principal on which approval of a scheme of administration shall be accorded that it should conform to the following rules :-**

(a) A scheme of Administration shall provide for proper and effective functioning of the Committee of Management. (b) Procedure for constituting the Committee of Management qualifications disqualifications of its members, term of its office calling its meetings shall be laid down. (c) All decision shall be taken by the Committee of Management and powers of delegations, if any, shall be limited and clearly defined. (d) Powers and duties of the Committee of Management and its members shall be clearly defined. (e) Distribution of power shall be well balanced and dominance of individual and sectional interests shall be avoided. (f) Constitution of the Committee of selecting employees, and their functioning as prescribed under the Act and Regulation shall be provided for. (g) A Scheme of Administration shall make provision for maintenance and security of property and investment and utilization of funds of the institution as well as regular checking and auditing of accounts and prescribed measures against their misappropriation, misuse and waste. (h) A Scheme shall contain specific provision for speedy decision of dispute relating to right of management also regarding management of the institution during the period of dispute.

**15. A period of six months reckoned from the first date of the months following the date of receipt of the draft Scheme of Administration shall be allowed to the Board in which it may either approve or return it with suggestions for any alteration or modification.**

**16. A period of three months reckoned from the date of receipt of the communication of the Board suggesting alteration or modification shall be allowed to an institution each time to make representations.**

**17. The specimen signature of the Manager of the institution, duly elected, shall be attested by the District Minority Welfare Officer within 14 days :**

Provided that if there any difficulty or dispute in attestation of the signature of the Manager as mentioned above the matter will be referred to the Inspector within said period. The inspector shall decide the matter and pass appropriate order within 30 days. The decision of the Inspector shall be final. Part-III Service of Teaching and non Teaching employees

**1. Appointment. - (1) The appointment of employees for a recognized Madarsa shall be made by the Committee of Management under the provisions of the Act and these regulations. The appointment of Group "D" post shall be made by the Head.**

(2) The service conditions of all the teaching and non-teaching employees shall be as per rules and regulations. (3) For the Madarsa mentioned in the Grant-in-aid list the arrangement with subject to additional posts shall be as follows:-(a) Munshi/Maulvi level Institution :-Principal 01, Clerk 01, office Peon 01, of Munshi/Maulavi classes-assistant teachers 04, out of which one shall be for optional subject, of Fauqania classes-assistant teachers 03, out of which one shall be for optional subject, and of Tahtania-classes 05 teachers shall be deemed sanctioned at the time of grant. (b) In case more teaching and non-teaching employees required, the sanction by the Government shall be in accordance with the following standard :-(i) One teacher will be admissible for each class or for each recognized section in Tahtania (From 1 to V standard). (ii) For each class or its recognized section from VIth class of Fauqania upto Xth class of Munshi/Maulvi at the rate of 1 ¼ teacher will be admissible. The last half after the total will be read as one :Provided that separate teachers for each recognized subject in IXth and Xth class shall be admissible according to requirement. After the teaching in IXth and Xth class the remaining periods will be used in teaching of class VIth to VIIIth. (4) For each recognized subject in class XI and XII of Alim one teacher will be admissible. After teaching of Alim the remaining periods shall be used in teaching IX and X classes. (5) For each class of Kamil (under graduate classes) in addition to above one qualified teacher will be admissible in respect of each sanctioned subject. The strength of teachers will be equal to the sanctioned subjects. (6) For each class of Fazil (P.G. Classes) in addition to above, teachers will be admissible at the rate of two for each sanctioned subjects. After teaching in Fazil classes the remaining periods of these teachers may be used in teaching Kamil classes. (7) The total required number of teachers in the institution shall be calculated on the ground of sanctioned sections for each class and for this purpose the size of class wise section will be as follows :-(a) For the classes of 1st upto VIII (in Tahtania and in Fauqania) the first section will be of 52 students and the second section will be of 53 upto 87 students and thereafter one more section for each 35 students will be counted. (b) For the classes IX and X (in Munshi/Maulvi) upto 20 students will be in first section and from 21 to 40

students in the second section and thereafter one more section for each 20 students will be sanctioned.(c)For the classes of XI and XIIth in (Alim) upto 15 students there will be first section and from 16 and 30 student the second section and thereafter one more section for each of 5 student will be sanctioned.(d)For Kamil and Fazil upto 15 students there will be first section and from 16 upto 34 students the second section and thereafter one more section for each of 15 student will be sanctioned.(e)Besides the provision mentioned in clause 3 (a) above in each Madarsa on 1000 students 2 junior assistants and on 2000 students 3 junior assistants shall be given. In a Madarsa the maximum number of junior assistants, shall be of 03.(f)In any Madarsa if the number of the student exceeds up to 500, an additional post of peon will be sanctioned with the approval of the Government.

## **2. Creation of Post and verification of number of student. - (1) The creation of additional posts of teaching and non-teaching employees shall be done with the previous approval of Government.**

(2)For creation of additional posts the number of students of a Madarsa during the period of 3 years shall be taken into consideration.(3)The verification of the number of students of Tahtaniya and Fauquania shall be done by the District Minority Welfare Officer or by the person nominated by him through documents of the institution and spot inspection.(4)The verification of the number of students of Munshi, Maulvi upto Fazil examination shall be done by the Registrar Uttar Pradesh Madarsa Education Board from the regular students registered for examination in the Board and for other classes on the basis of spot verification and on the basis of the report of the District Minority Welfare Officer or of any nominated officer of the department.

## **3. Appointment of head, teachers and teaching staff. - The minimum qualification for appointment of the employees in a Madarsa shall be as follows:**

Sl. No.	Designation	Age	Qualification
(1)	Principal (Alim or higher level Madarsa)	minimum age 30 years	Degree of Fazil and Kamil (Persian) with minimum 5 years teaching experience in Munshi/Maulvi or higher classes. or M.A. in Diniyat/Arabic/Persian with 50% marks and 5 years teaching experience as above. or Fazil/M.A with Dukturah in Diniyat/Arabic/Persian /Traditional Ancient subjects with 3 years experience as above.
(2)	Arabic/Persian/Head (up to munshi and maulvi level)	minimum age 30	Fazil or master degree in Theology with at least 50% marks and 3 years teaching experience of classes.

	munshi/maulvi recognised madarsa)	years	
(3)	Mudarris (teacher of alim or higher classes)	minimum age 22 years	Fazil or Master degree in Arabic/Persian/Theology/Traditional Ancient subjects with atleast 50% marks and minimum 2 years teaching experience in Munsi/Maulvi classes.  But the teaching experience is not mandatory for the person who has the degree of Dukturah /Allama in Arabic/Persian/Diniyat.
(4)	(a) Assistant teacher, (munshi/ maulvi)	minimum age 21 years	Fazil or Master degree in Arabic/ Persian/Theology with 3 years teaching experiences in Fauquaniaclasses.
	(b) Teacher for optional subject		Fazil or Master degree in related subject or trained kamil or trained graduate with at least 50% marks, alongwith that a certificate of Alim or Inter with Urdu is mandatory.
(5)	(a) Assistant teacher (fauquania)	minimum age 20 years	Kamil or Graduate with atleast 50% marks alongwith that a certificate of Alim or Inter with Urdu is mandatory.
	(b) Teacher for optional subject		Kamil or Graduate in relevant subject with atleast 50% marks and a certificate of not below the Munshi/Maulvi level examination with Urdu /Arbic /Persian.  Or  Quari of a recognised Madarsa with a certificate of not below the Alim level examination with Urdu/Arabic /Persian.
(6)	Assistant teacher (tahtania)	minimum age 18 years	Alim or Inter with Urdu.  or  Hafiz
(7)	Junior Assistant	minimum age 18 years	(a) Alim or Inter or Equivalent certificate.  (b) Maulvi level certificate in Arabic/Persian. (c) C.C.C. (Course on Computer Concept) Certificate granted by NIELET (National Institute of Electronics and Information Technology) for Computer Operation and minimum speed of 25/30 words per minute in Hindi/English is mandatory.

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|----------------------|--------------|---|
|                      | minimum      |   |
| (8) Group-D employee | age 18 years | 1. Fauqania level certificate with Urdu/Arabic/Persian. |

2. Driving of cycle or bike shall be necessary.

Note: (1) Degree and diploma in the concerned subject of this Board or any University established or regulated by or under any Central or Provincial Act or State Act which is considered to be a University under section 3 of University Grants Commission Act, 1956 or of any such institution especially empowered by any Act of Parliament shall be recognized for the purpose of minimum qualification prescribed under it. (2) The Alimeeyat or Fazeelat granted by Darul Uloom Nadwatul Ulma Lucknow/Darul Uloom Devband/Mazahirul Uloom Saharanpur/Madarsa Alia (Oriental College), Rampur/Jamiatul Salfia Varanasi/Madrastu Isiah Azamgarh /Jamea Asharafia Mubarakpur, Azamgarh, Jamiatul Falah Bilariyaganj, Azamgarh; Sultanul Madaris, Lucknow shall be considered equivalent to Alim/Fazil of Madarsa Education Board Uttar Pradesh. (3) Under it in reference to prescribed qualification the word "trained" means post-graduation such as, Kamil-e-Tadrees or Fazil-e-Tadrees recognized by the Board of Madarsa Education and Bachelor of Education or Master of Education of any University or institution as prescribed in earlier Para or any equivalent Degree or Diploma. (4) For the recruitment of Junior Assistant and Group-D employees, the maximum age shall be 40 years. Explanation;

**1. 50 percent of post to Fauqania and higher level classes shall be made by promotion and 50 percent shall be filled through direct recruitment.**

**2. The vacant post of Principal Headmaster of a Madarsa shall be filled through direct recruitment for which suitable teacher employed in Madarsa can also apply who on being in continuous service would be entitled to get full salary and retrial benefits.**

**4. Advertisement. - For appointment to any post publication in any 2 daily newspapers of which one of local level and one newspaper of different editions or whose publication is done in one or more division shall be mandatory. In publication there will be details of vacant post, fixed experience, educational qualification, teaching experience, salary structure, time of application, etc. For application minimum of three weeks time shall be given.**

**5. Selection Committee. - There shall be a selection committee consisting of the following :-**

- (i) President of Committee of Management of the Madarsa (The President shall in no form be a part of the selection committee constituted for fourth class) President

- (ii) Two educationalists are to be nominated by the Committee of Management of Madarsa in which one member may be a member of committee. Member
- (iii) Principal/Headmaster of Madarsa (only in committee for selection of fourth class employee shall be Member Secretary). Member
- (iv) Manager Madarsa (only in Committee for selection of fourth class employee shall be Member President). Member-Secretary

If the President is not available for any reason the managing committee can appoint any member as President of Selection Committee by two third majority. Note:- Teaching or non-teaching employees of aided madarsa can not be a member, except the ex-officio member of his madarsa, of the Committee of Management of any madarsa.

**6. Interview and Selection. - (1) The selection committee shall prepare a list of the candidates applied for and call for interview such candidates who fulfill the required qualification. There shall be 100 marks for academic carrier, in which 10 marks for the first division, 07 marks for second division and 05 marks for third division shall be given and the percentage of academic carrier will be counted in totality. In interview 16 marks shall be determined for each member and 10 marks shall be under the joint consent of President and Manager and the marks for interview shall be calculated on the basis of marks given by all the members.**

(2) Information for interview shall be given to candidates by the Selection Committee through registered post, 15 days prior to the date fixed. (3) Presence of President and 4 members shall be mandatory in the interview and if for some reason the interview is adjourned then all the candidates called on for interview shall be given written information. They will also be informed through registered post 15 days prior to the next interview date. (4) The Selection Committee shall prepare a List of selected candidates in order of preference. The selection committee on the basis of educational qualification and marks obtained in interview shall place the name of three candidates in the list who are found suitable for the post. This list shall be valid for 3 months from the date of selection provided that if the selected candidate does not join the final list shall be valid for one year.

**7. Appointment Letter. - The Selection Committee shall send the name of candidates for appointment to the Managing Committee. After that on approval of Managing Committee the appointment letter shall be sent to the candidate of first preference by the appointing authority (Manager/Head) through registered post in which the name of post, salary structure, probation period and form of appointment shall be clearly mentioned. The appointment letter shall be sent within two weeks from the date of interview. A Copy of the appointment letter shall be sent to the District Minority Welfare Officer and the Inspector Uttar Pradesh Madarsa Education Board.**

**8. The following relatives of Managing Committee and of Head shall not be appointed in the Madarsa :-**

(i) Son/Daughter-in-law (ii) Daughter/Son-in-law (iii) Brother/Sister (iv) Husband/Wife (v) Mother/Father

**9. Prohibition of appointment of certain purpose. - (1) The payment of salary to all teaching and non-teaching employees of grant-in-aid Madarsa shall be made by the written consent of Inspector Arabic Madarsa.**

(2) All the documents relating to the appointment and promotion for financial consent shall be sent within two weeks, of taking the charge of concerned employee, to the Inspector Arabic Madarsa through District Minority Welfare Officer. (3) The Inspector shall, within 15 days of receipt of all documents relating to appointment/promotion of the employee, give his financial consent or his reasoned objection, as may be, to the Committee of Management and District Minority Welfare Officer. (4) If the Inspector of the Uttar Pradesh Arabic Madarsa Education Board does not give approval or objection within 60 days from the date of received consent letter, the appointment shall, automatically, be deemed approved from the date of joining.

**10. Appointment on compassionate ground in madarsa. - (1) On death of an employee of aided Madarsa during service period, his one dependent shall be appointed in the service. The category of dying in harness shall be as under :-**

(a) husband and wife (b) son and unmarried daughter (c) adopted son/daughter (d) widowed daughter (dependent on mother-father) Appointment would be made as under :- (2) On death of an employee during service one dependent shall apply to the Madarsa within a period of 5 years. (3) If both husband and wife are in service then there shall be no case of dying in harness. (4) If both working husband and wife die then one dependant shall be appointed. (5) The appointment on compassionate ground shall be made only in the same Madarsa in which the employee was working. Appointment in any other aided madarsa on compassionate ground shall not be made. (6) If the dependant has educational qualification and experience for a post in Madarsa and that post is vacant then he shall be appointed to the said post. If the dependant does not have qualification for teacher or clerical post then he shall be appointed in fourth class. (7) If the post is not vacant in the madarsa one clerical and one group "D" post shall be deemed created in supernumerary form. (8) On application of dependant the committee of management, within 15 days by appointing the dependant, shall send a proposal for obtaining consent of Inspector through the District Minority Welfare Officer. Inspector Arabic Madarsa, on receipt of proposal, shall give his consent within 15 days for payment of salary. If there is any error/mistake in appointment then Inspector Arabic Madarsa after rectification of error/mistake shall give consent for payment of salary. (9) After the consent of the Inspector the dependant shall be paid salary from the date of his joining.

**11. Probation and confirmation. - All the newly appointed persons shall be placed on probation for a year which can be extended for further one more year by the Committee of Management by the giving the reasons. If the work and conduct of the concerned employee during the period of probation is found unsatisfactory, the Committee of Management may, by giving notice of show cause and after taking his explanation, terminate. If during probation period no notice, extending the period of probation, is given then upon completion of the period of probation the concerned employee shall be deemed to have made permanent to the post.**

**12. Condition of service. - (1) All the employees of an aided madarsa shall be paid salary and allowances as approved, from time to time, by the Government.**

(2) On assuming charge for the first time by the employee in the institution the initial salary to his post shall be fixed but if he has worked in the said institution or any other aided Madarsa and has earned increment then the benefit of increment, so earned, shall be given, provided the service was regular. (3) On promotion of higher post the initial salary of teacher shall be determined on the basic pay (if his salary is less than the minimum salary of the higher pay scale) but if it is higher or equivalent then after giving one increment in lower scale the salary will be fixed in higher scale. (4) Every employee shall be paid annual increment as per rules. (5) Where the salary of employees of an institution is not paid in time due to any default on the part of the management, the Madarsa Education Officer may, without prejudice to any other provision of this Act, pay or cause to be paid within 10 days from the date mentioned in sub section (1) of section (5) from the money computed and released through treasury token for the purpose of payment of salary of the staff of the institution at the rate of salary last drawn by such teacher or employee, as the case of may be, and in case of fresh appointment at the rate of minimum pay-scale in which he has been appointed, and any adjustment in respect of such payment shall, thereafter, be made as soon as possible.

**13. Seniority. - (1) A seniority list of teachers of substantive service of an institution shall be prepared on the basis of seniority. In such list the seniority shall be determined from the date of their permanent appointment in the institution and if there are two or more teachers of similar post the seniority shall be determined on the basis of their age. The elder will be senior.**

(2) The two senior most teachers shall be elected as ex-officio members of the Committee of Management for two years. Their term shall commence from the date of the formation of such committee. On completion of their term or prior, one or both teachers submit their resignation then to fill the vacancy of the post or posts the teacher/teachers next in the list of seniority shall be elected for a full term. The ex-officio membership for a term of a teacher shall not expire merely for



the reasons of promotion or demotion.(3)The Manager shall prepare the seniority list and shall maintain record of it in which it is to be shown that which date the teacher is entitled for his seniority. Prior to giving final shape to the seniority a copy of the seniority list shall be given to all the teachers. The Committee of Management shall dispose off the objections received from the teachers, within one month.(4)Any teacher, aggrieved by the decision of the committee, can make an appeal before the District Minority Welfare Officer within 15 days and if he is not satisfied from the decision of the District Minority Welfare Officer he can appeal to Inspector Arabic Madarsa, who shall dispose off the appeal within 60 days and his decision shall be final.(5)After finalising the list a copy of it shall be given to every employee of the Institution, the District Minority Welfare Officer and the Inspector Uttar Pradesh Madam Education Board.

**14. Age of superannuation. - (1) There shall be one service book and one character roll for every employee. The service book and character roll shall be in same form as prescribed for the teaching and non- teaching employees of Secondary Education Board.**

(2)The annual entries for the work and conduct of teaching and non- teaching employees shall be made every year by the joint signature of Head and Manager of Madarsa whereas entries for the Head shall be made by the Manager only.(3)If any adverse entry is made in the character roll of any employee in a whole year the concerned employee shall be informed within 30 days from the date of such entry. Action will be taken according to rule.(4)Representation, against the adverse entry in the character roll, shall be made to the Committee of Management who shall inform the employee within two months from the date of the decision. On receipt of information the employee may file an appeal to the Inspector Arabic Madarsa who shall give his decision within 2 months from the date of the appeal.(5)Every employee of a Madarsa shall purchase service book which shall be made available to the Manager of the Madarsa within one month from the date of appointment which shall be kept in the custody of Head. In case of Head it will in the custody of Manager.(6)The employee of the institution can be permitted to inspect their service books on a working day. They shall sign every annual increment, promotion transfer or break in service.(7)The Form of character roll of the employees shall be as follows :-Confidential-Annual Report on the work and character of all the employees of Madarsa.(a)Name of institution(b)Full name of employee(c)Name of father(d)Examination qualified along with university, board, institute with name etc. years and division.(e)Documents of any work or qualification issued by state or its department or by public institute(f)Special qualification(g)Date and place of birth(h)Permanent address(i)Date of commencement of service in the present institution.(j)Date of being made permanent in the present institution.(k)Details of previous service along with place and date.(l)Salary and pay scale on 1st July of the yearDate :Signature of Head/Manager(8)(i)The retirement age of the head/teacher shall be such as may be fixed by the State Government from time to time. Provided that if the superannuation age of head or teacher is being attained during the mid of the term then completion of his services would be deemed extended till the end of the term i.e. on march 31 as in secondary education.(ii)If the date of retirement of any non-teaching employee fall on any mid date of a month then such non-teaching employee shall be retired on the last working day of the month but if the date of birth of an employee is on the first day of a month then he shall be deemed to retire on the

last working day of previous month.(iii)For the employee of aided institution the information regarding date of retirement shall be given to the District Minority Welfare Officer and the Inspector Arabic Madarsa, one year prior to the age of superannuation. Similarly information regarding vacancy due to death or resignation shall be given within 7 days of death/resignation to the Registrar/Inspector Uttar Pradesh Madarsa Education Board.

**15. Resignation. - (1) Any employee may, by giving notice, resign. If the employee does not give three months notice, then he shall have to deposit three months salary.**

(2)The appointing authority shall give sufficient opportunity of being heard the concerned employee and after recording his statement along with his recommendation send his resignation letter to the Inspector Uttar Pradesh Madarsa Board within 15 days.

**16. Disciplinary proceeding. - Investigation and trial of disciplinary proceedings, suspension, punishment and any crime under moral incapability and misconduct against Principal, teaching and non-teaching staff will be according to the approved, by Board of Madarsas, scheme of service and administration.**

**17. Leave rules. - Leave rules of basic and intermediate education will be applicable in madarsas and will be changed time to time accordingly. Besides these, any other special-leave, with the prior approval of Government, may be sanctioned relating to Arabic and Persian Madarsas.**

**18. Power of remove difficulties. - The Government shall have the right in extra ordinary circumstances to relax one or more of these rules and to amend or give directions, from to time for removal of difficulties with view to improve teaching.**