

OBSERVATION

Farhana Parvin:- The petitioner, Farhana Parvin obtained 45.14% of marks in her B.A. examination in aggregate. That goes to show that she had no requisite qualification to be appointed as Assistant Teacher, English (Pass) as per N.C.T.E. Rule. The Teacher-in-charge of the Madrasah, Sk. Md. Iyamin has stated that Farhana Parvin is the daughter of the Teacher-in-charge, Akhtar Ali Mondal. At the time of her alleged recruitment, Akhtar Ali Mondal, was the Teacher-in-charge of the Madrasah.

The petitioner specifically stated that the vacancy was published in the Bartaman, the Bengali Newspaper. On scrutiny of the said paper, we find that the advertisement was given for recruitment of some temporary teachers on short term basis and the advertisement was also not published in terms of the Rules of Recruitment being No. 486-MD/O/2M-11/2016 dated 03/03/2016. The District Inspector of School, Howrah has also stated that in terms of Rules of Recruitment being No. 486-MD/O/2M-11/2016 dated 03/03/2016, the recruitment was not made. It was necessary to publish advertisement in two State Level Dailies for filling up the vacancies by the Madrasah in terms of the Rule No. 4(1), as per proforma given in the annexure- (1) of the said Rule. Mere production of such publication in Bengali Newspaper, does not reveal that the Rules of Recruitment as mentioned herein above, had been duly complied with. The D.I. of Schools, Howrah, further stated that the Rules of Recruitment being No. 486-MD/O/2M-11/2016 dated 03/03/2016 have not been complied with by the Managing Committee of the Madrasah in the alleged recruitment of the petitioner, Farhana Parvin. The Teacher-in-charge of the Madrasah has also stated that the signature in the Work Done Certificate by the Teacher-in-charge, Sk. Iyamin had been forged and manufactured. He never granted any Work Done Certificate in favour of the petitioner. There is no signature of the petitioner in the official Attendance Register maintained by the Madrasah. The Resolution dated 20/12/2019 also does not reveal the prior permission was taken from D.I. of Schools or intimation was given to the Government about the alleged recruitment of the petitioner. It may be pointed out that the Teacher-in-charge of the Madrasah has specifically stated that since March, 2020, the petitioner did not attend the Madrasah.

Considering the materials in record as well as the statement of the petitioner, the Teacher-in-charge of the Madrasah and the report and statement of the D.I. of Schools, Howrah, we are of the considered opinion that Farhana Parvin was never recruited following the Rules of Recruitment being No. 486-MD/O/2M-11/2016 dated 03/03/2016 and she never worked in the Madrasah as Assistant Teacher.

Debi Prosad Dey 02/08/2023
1) Justice Debi Prosad Dey
(Chairman)

Manish Gupta
2) Shri Manish Gupta 02/08/2023
(Member)

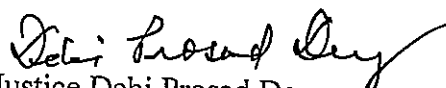
Shri Sripati Mukhopadhyay 02/08/23
3) Shri Sripati Mukhopadhyay
(Member)

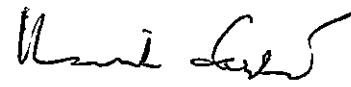
OBSERVATION

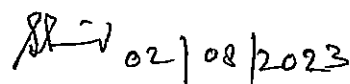
Sk. Samsul Bari:- The petitioner, Sk. Sumsul Bari is claiming himself as legally recruited as Assistant Teacher, Math (H/PG) in Abdul Motalib High Madrasah (HS), Howrah since 28/12/2019.

Admittedly, in terms of the Resolution No. 08 dated 05/11/2019 of the Managing Committee of the Madrasah, an advertisement was published in the Newspaper for recruitment of some teachers on short term basis. Such advertisement has not been published following the Rules of Recruitment, in terms of 4(1), as per the proforma given in annexure 1 of the Rules of Recruitment being No. 486-MD/O/2M-11/2016 dated 03/03/2016. The Assistant Teacher-in-charge, Sk. Md. Iyamin has stated that the Work Done Certificate produced by the petitioner, does not bear the signature of the petitioner and the signature of the petitioner had been manufactured. The Teacher-in-charge of the Madrasah witnessed that the petitioner attended the Madrasah up to the month March, 2020 and thereafter, the petitioner did not attend the Madrasah. During that period also, the petitioner did not sign on the official Attendance Register and did not work as Assistant Teacher of such Madrasah. The District Inspector of Schools, Howrah, also stated by filing a report that the petitioner was never recruited following the Rules of recruitment. There is no signature of the petitioner in the official Attendance Register. The Resolution dated 20/12/2019 with a meeting no. 9/2019, does not reveal that the Rules of Recruitment being No. 486-MD/O/2M-11/2016 dated 03/03/2016 were complied with. The Work Done Certificate has also been manufactured.

Under the circumstances stated above, we are of the considered opinion that the petitioner was never recruited following the Rules of Recruitment being No. 486-MD/O/2M-11/2016 dated 03/03/2016 and he never worked as permanent teacher in the Madrasah.


1) Justice Debi Prosad Dey
(Chairman) 02/08/2023


2) Shri Manish Gupta 02/08/2023
(Member)


3) Shri Sripati Mukhopadhyay
(Member)

OBSERVATION

Rubina Amin:- The petitioner, Rubina Amin obtained 41.84% of marks in her B.A. examination in aggregate. That goes to show that she had no requisite qualification to be appointed as Assistant Teacher, Arabic (Pass) as per N.C.T.E. Rule.

The petitioner specifically stated that the vacancy was published in the Bartaman, the Bengali Newspaper. On scrutiny of the said paper, we find that the advertisement was given for recruitment of some temporary teachers on short term basis and the advertisement was also not published in terms of the Rules of Recruitment being No. 486-MD/O/2M-11/2016 dated 03/03/2016. The District Inspector of Schools, Howrah has also stated that in terms of Rules of Recruitment being No. 486-MD/O/2M-11/2016 dated 03/03/2016, the recruitment was not made. It was necessary to publish advertisement in two State Level Dailies for filling up the vacancies by the Madrasah in terms of the Rule No. 4(1), as per proforma given in the annexure- (1) of the said Rule. Mere production of such publication in Bengali Newspaper, does not reveal that the Rules of Recruitment as mentioned herein above, had been duly complied with. The D.I. of Schools, Howrah, further stated that the Rules of Recruitment being No. 486-MD/O/2M-11/2016 dated 03/03/2016 have not been complied with by the Managing Committee of the Madrasah in the alleged recruitment of the petitioner, Rubina Amin. The Teacher-in-charge of the Madrasah has also stated that the signature in the Work Done Certificate by the Teacher-in-charge, Sk. Iyamin had been forged and manufactured. He never granted any Work Done Certificate in favour of the petitioner. There is no signature of the petitioner in the official Attendance Register maintained by the Madrasah. The Resolution dated 20/12/2019 also does not reveal the prior permission was taken from D.I. of Schools or intimation was given to the Government about the alleged recruitment of the petitioner. It may be pointed out that the Teacher-in-charge of the Madrasah has specifically stated that since March, 2020, the petitioner did not attend the Madrasah.

Considering the materials in record as well as the statement of the petitioner, the Teacher-in-charge of the Madrasah and the report and statement of the D.I. of School, Howrah, we are of the considered opinion that Rubina Amin was never recruited following the Rules of Recruitment being No. 486-MD/O/2M-11/2016 dated 03/03/2016 and she never worked in the Madrasah as Assistant Teacher.

Debi Prosad Dey
1) Justice Debi Prosad Dey
(Chairman) 02/08/2023

Manish Gupta
2) Shri Manish Gupta 02/08/2023
(Member)

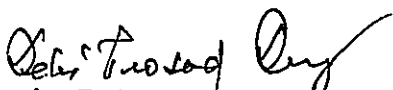
Sripati Mukhopadhyay
3) Shri Sripati Mukhopadhyay
(Member) 02/08/2023

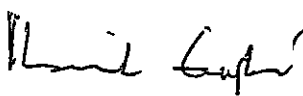
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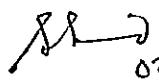
Shaikh Ainul Ali:- The petitioner, Shaikh Ainul Ali is claiming himself as legally recruited as Assistant Teacher, Bio Science (Pass) in Abdul Motalib High Madrasah (HS), Howrah since 28/12/2019.

Admittedly, in terms of the Resolution No. 08 dated 05/11/2019 of the Managing Committee of the Madrasah, an advertisement was published in the Newspaper for recruitment of some teachers on short term basis. Such advertisement has not been published following the Rules of Recruitment, in terms of 4(1), as per the proforma given in annexure 1 of the Rules of Recruitment being No. 486-MD/O/2M-11/2016 dated 03/03/2016. The Assistant Teacher-in-charge, Sk. Md. Iyamin has stated that the Work Done Certificate produced by the petitioner, does not bear the signature of the petitioner and the signature of the petitioner had been manufactured. The Teacher-in-charge of the Madrasah witnessed that the petitioner attended the Madrasah up to the month March, 2020 and thereafter, the petitioner did not attend the Madrasah. During that period also, the petitioner did not sign on the official Attendance Register and did not work as Assistant Teacher of such Madrasah. The District Inspector of Schools, Howrah, also stated by filing a report that the petitioner was never recruited following the Rules of recruitment. There is no signature of the petitioner in the official Attendance Register. The Resolution dated 20/12/2019 with a meeting no. 9/2019, does not reveal that the Rules of Recruitment being No. 486-MD/O/2M-11/2016 dated 03/03/2016 were complied with. The Work Done Certificate has also been manufactured.

Under the circumstances stated above, we are of the considered opinion that the petitioner was never recruited following the Rules of Recruitment being No. 486-MD/O/2M-11/2016 dated 03/03/2016 and he never worked as permanent teacher in the Madrasah.


1) Justice Debi Prosad Dey
(Chairman) 02/08/2023


2) Shri Manish Gupta
(Member) 02/08/2023

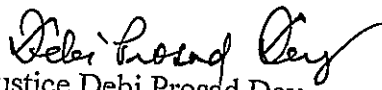

3) Shri Sripati Mukhopadhyay
(Member) 02/8/2023

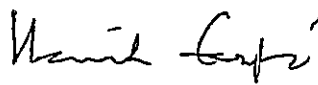
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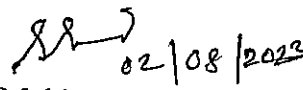
Kazi Md. Jahirul Hassan The petitioner, Kazi Md. Jahirul Hassan is claiming himself as legally recruited as Assistant Teacher, Physics (H/PG) in Abdul Motalib High Madrasah (HS), Howrah since 28/12/2019.

Admittedly, in terms of the Resolution No. 08 dated 05/11/2019 of the Managing Committee of the Madrasah, an advertisement was published in the Newspaper for recruitment of some teachers on short term basis. Such advertisement has not been published following the Rules of Recruitment, in terms of 4(1), as per the proforma given in annexure 1 of the Rules of Recruitment being No. 486-MD/O/2M-11/2016 dated 03/03/2016. The Assistant Teacher-in-charge, Sk. Md. Iyamin has stated that the Work Done Certificate produced by the petitioner, does not bear the signature of the petitioner and the signature of the petitioner had been manufactured. The Teacher-in-charge of the Madrasah witnessed that the petitioner attended the Madrasah up to the month March, 2020 and thereafter, the petitioner did not attend the Madrasah. During that period also, the petitioner did not sign on the official Attendance Register and did not work as Assistant Teacher of such Madrasah. The District Inspector of Schools, Howrah, also stated by filing a report that the petitioner was never recruited following the Rules of recruitment. There is no signature of the petitioner in the official Attendance Register. The Resolution dated 20/12/2019 with a meeting no. 9/2019, does not reveal that the Rules of Recruitment being No. 486-MD/O/2M-11/2016 dated 03/03/2016 were complied with. The Work Done Certificate has also been manufactured.

Under the circumstances stated above, we are of the considered opinion that the petitioner was never recruited following the Rules of Recruitment being No. 486-MD/O/2M-11/2016 dated 03/03/2016 and he never worked as permanent teacher in the Madrasah.


1) Justice Debi Prosad Dey
(Chairman) 02/08/2023


2) Shri Manish Gupta
(Member) 02/08/2023


3) Shri Sripati Mukhopadhyay
(Member) 02/08/2023