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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL
Minority Affairs & Madrasah Education Department
Nabanna, Howrah - 711102

No. 486-MD/O/2M-11/2016

Dated the 3rd March, 2016.

NOTIFICATION

WHEREAS clause (1) of article 30 of the Constitution of India states that all minorities, whether based on religion or language, shall have the right to establish and administer educational institutions of their choice.

AND WHEREAS in pursuance of article 30 of the Constitution this Department vide Notification No.1465-MD/07 dt.12.10.2007 declared all recognized and aided Madrasahs in the State as Minority Educational Institutions.

AND WHEREAS the Hon'ble Division Bench of the Calcutta High Court by a judgement dated 9.12.15 in appeals (MAT 473 of 2014& AST 130 of 2014) against the judgement of the Single Judge of the Calcutta High Court in W.P. No. 20650 (W) of 2013 inter alia held that The West Bengal Madrasah Service Commission Act, 2008 (West Bengal Act XXV of 2008) to be unconstitutional.

WHEREAS the Hon'ble Division Bench of the Calcutta High Court by a judgement dated 9.12.15 inter-alia had given liberty to provide appointment to the candidates who are empanelled by the West Bengal Madrasah Service Commission awaiting such appointment.

NOW, THEREFORE, the Governor is pleased to order that since a substantial portion of the financial obligations of all non-government recognised aided Madrasahs is met from the grants of the State Government, it is essential that all the Madrasahs should follow an open, rational and transparent norms and procedures to maintain the overall quality of education in the Madrasahs strictly in the matter of recruitment of teaching and non teaching staff in their respective institution—

Procedures

1. **Short title** – These procedures may be called Recruitment Procedures for the Non-Government Recognized Aided Madrasahs (Primary, Junior High, High, Higher Secondary and Senior), 2016.
2. **Qualifications** – The appointed candidate shall fulfil the minimum academic qualifications, professional qualifications, age limit and citizenship as laid down in the Schedule.
3. **Sanctioned vacancies** – The approval of appointment will be accorded against the sanctioned vacancy of the

