

OBSERVATION


Selima Yeasmin, Assistant Teacher (UG) :- As per the petitioner, she has been working in the J.H.R. SR. Madrasah, Malda as an Assistant Teacher, (Under Graduate) in J.H.R. SR. Madrasah, Malda, since 12/02/2018. The petitioner herself stated that she completed as regular student in the Academic Year of 2017-2018 D.L.Ed course from Chanchal Teachers Training College and obtained D.L.Ed. degree in the year 2019. She never appeared in any written examination for being recruited as a teacher.

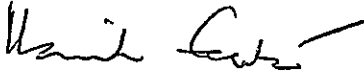
The Resolution referred in her appointment letter being Special Meeting No. SPL-04/JHRSM/2018 dated 07/02/2018, does not find place in the original Resolution Book. Abdul Wajed, the Superintendent of the Madrasah, categorically stated that there was no Resolution by which the petitioner was recruited following the Rules of Recruitment and he was pressurized to issue the Work Done Certificate.

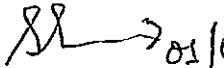
The District Inspector of Schools, Malda, also corroborated that the petitioner was never recruited following the Rules of Recruitment.

The Superintendent submitted number of documents along with his report addressed to the D.I. of Schools dated 12/09/2022 and thereby stated about the actual status of the petitioner.

Under the circumstances stated above, we find that the petitioner, Selima Yeasmin was a regular student in the year 2018 and it was not possible on her part as school time teacher without having the requisite qualification, she was never recruited following the Rules of Recruitment as per Govt. Notification No. 486-MD/O/2M-11/2016 dated 03/03/2016 and she never worked in the Madrasah (having no signature in the Attendance Register).


1) Justice Debi Prosad Dey 01/08/2023
(Chairman)


2) Shri Manish Gupta 01/08/2023
(Member)


3) Shri Sripati Mukhopadhyay 01/08/2023
(Member)

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Hasanul Jamal, Assistant Teacher (UG) :- As per the appointment letter, the petitioner was appointed in terms of Special Meeting No. SPL-01/JHRSM/2016 dated 07/01/2016 of the Managing Committee. We do not find any such Resolution in the original Resolution Book whereby the petitioner was appointed following the Rules of Recruitment and on the strength of the alleged Resolution.

Admittedly, the petitioner had no requisite qualification to be appointed as Assistant Teacher (Under Graduate) and he did not appear in any written examination for being recruited as Assistant Teacher in the Madrasah. Moreover, it was not possible on his part, to work as school time teacher, at the relevant point of time, he was pursuing the D.L.Ed. degree from Chanchal Teachers Training College as a regular student in the Academic Session of 2016-2018 and obtained the degree in the year 2019. There is no signature of the petitioner in the Attendance Register.

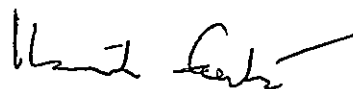
The D.I. of schools and the Superintendent, have unequivocally stated that the petitioner was never recruited following the Rules of Recruitment.

The Superintendent submitted number of documents along with his report addressed to the D.I. of School dated 12/09/2022 and thereby stated the status of the petitioner.

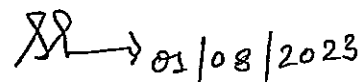
Under such circumstances stated above, we have no hesitation to say that the petitioner, Hasanul Jamal was never recruited following the Rules of Recruitment as per Govt. Notification No. 93-SE/S/10R-14/2013 dated 09/02/2015 and he never worked in the Madrasah (having no signature in the Attendance Register).



1) Justice Debi Prosad Dey
(Chairman)



2) Shri Manish Gupta 01/08/2023
(Member)



3) Shri Sripati Mukhopadhyay
(Member)

OBSERVATION

Md. Wasim Tarik, Assistant Teacher (UG) :- As per the petitioner, he was appointed on 09/01/2017 and he has been working in the J.H.R. SR. Madrasah, Malda, since then as Assistant Teacher (Under Graduate).


Admittedly, the petitioner has no D.L.Ed. degree on the date of his alleged appointment but, at the relevant point of time, he was pursuing his D.L.Ed. degree from Chanchal Teachers Training College as a regular student in the Academic Session of 2016-2018 and ultimately, obtained degree in the year 2019. He did not appear in any written examination for being recruited as a teacher in the Madrasah.

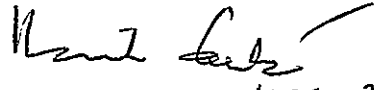
We do find any Resolution in the original Resolution Book being Special Meeting No. SPL-02/JHRSM/2017 dated 03/01/2017 whereby the petitioner was appointed as Assistant Teacher in the Madrasah.

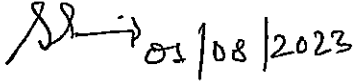
The D.I. of schools and the Superintendent, have unequivocally stated that the petitioner was never recruited following the Rules of Recruitment as per Govt. Notification No, 486-MD/O/2M-11/2016 dated 03/03/2016 and he never worked in the Madrasah.

The Superintendent submitted number of documents along with his report addressed to the D.I. of School dated 12/09/2022 and thereby stated the status of the petitioner.

Under such circumstances stated above, we have no hesitation to say that the petitioner, Md. Wasim Tarik was never recruited following the Rules of Recruitment as per Govt. Notification No. 486-MD/O/2M-11/2016 dated 03/03/2016 and he never worked in the Madrasah.


1) Justice Debi Prasad Dey
(Chairman)


2) Shri Manish Gupta
(Member)


3) Shri Sripati Mukhopadhyay
(Member)

OBSERVATION

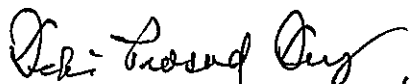
Nasrin Jahan, Assistant Teacher (UG) :- The petitioner is claiming herself to be appointed as Assistant Teacher (U.G) of J.H.R. SR. Madrasah, Malda. As per the statement of the petitioner, she was appointed on 03 01 2017 and she has been working since 09/01/2017 without having any D.L.Ed. degree at the time of her alleged appointment in the Madrasah. The petitioner was pursuing as a regular student her D.L.Ed. degree from Chanchal Teachers Training College in the Academic Session of 2016-2018 and obtained degree in the year 2019.

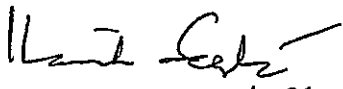
On scrutiny of the Resolution Book, we also do not find any Resolution Book being Special Meeting No. SPL-02-JHRSM/2017 dated 03/01/2017 on the strength of such Resolution, the petitioner was recruited as Assistant Teacher.

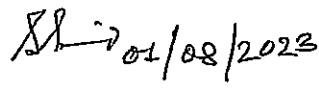
The Superintendent of the Madrasah and the D.I. of Schools have unequivocally stated that the petitioner was never recruited in the Madrasah following the Rules of Recruitment as per Govt. Notification No. 486-MD/O/2M-11/2016 dated 03/03/2016. There is no signature of the petitioner in the Attendance Register. The petitioner had no requisite qualification to be appointed as Assistant Teacher on the date of her alleged appointment.

The Superintendent submitted number of documents along with his report addressed to the D.I. of School dated 12/09/2022 and thereby stated the status of the petitioner.

Considering the materials on record, as well as the statement of the petitioner, Superintendent and the D.I. of School and after verifying all the documents produced by the parties, we are of the considered view that the petitioner was never recruited following the Rules of Recruitment as per Govt. Notification No. 486-MD/O/2M-11/2016 dated 03/03/2016 and she never worked in the Madrasah.


1) Justice Debi Prosad Dey 01/08/2022
(Chairman)


2) Shri Manish Gupta 01/08/2022
(Member)


3) Shri Sripati Mukhopadhyay
(Member)

OBSERVATION

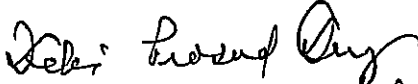
Selim Aktar, Group-D:- The petitioner is claiming himself as Group-D employee of J.H.R. SR. Madrasah and that he has been working there since 27/02/2017.


Admittedly, he did not appear in any written examination. Admittedly, the then Secretary of the Madrasah, Jalaluddin is his father. His father was present in the Interview Board. It is, therefore, apparent that being the son of the Secretary of the Managing Committee, he was directly given appointment without complying the Rules of Recruitment as per Govt. Notification No. 486-MD/O/2M-11/2016 dated 03/03/2016.

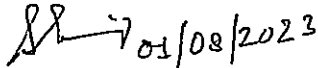
Abdul Wajed, the Superintendent of the Madrasah did not grant any Work Done Certificate. The Superintendent and the D.I. of School have unequivocally stated that the petitioner was never recruited following the Rules of Recruitment as per Govt. Notification No. 486-MD/O/2M-11/2016 dated 03/03/2016. There is no signature of the petitioner in the official Attendance Register maintained by the Madrasah that goes to show that he never worked in the Madrasah. We also do not find any Resolution being Spl. Meeting No. SPL-03/JHRSM/2017 dated 24/07/2017 in the original Resolution Book by which allegedly, the petitioner was appointed as Group-D employee.

The Superintendent submitted number of documents along with his report addressed to the D.I. of School dated 12/09/2022 and thereby stated the status of the petitioner.

Under such circumstances stated above, we are of the considered view that the petitioner, Selim Aktar was never recruited following the Rules of Recruitment as per Govt. Notification No. 486-MD/O/2M-11/2016 dated 03/03/2016 and he never worked in the Madrasah. Being the son of the Secretary of the Managing Committee, he has manufactured some papers in a desperate move to legalize his appointment.


1) Justice Debi Prosad Dey 01/08/23
(Chairman)


2) Shri Manish Gupta 07/08/2023
(Member)


3) Shri Sripati Mukhopadhyay 01/08/2023
(Member)

OBSERVATION


Wasim Reja, Group-C (Clerk) :- As per the petitioner, he has been working as Group-C (Clerk) of J.H.R. SR. Madrasah. Malda, since 17/02/2016. He also stated that he never appeared in any written examination but he was recruited as temporary non-teaching staff on 17/03/2015 and thereafter, as per the order of the Hon'ble High Court, the Managing Committee issued appointment letter in his favour under Management Quota.


We do not find any Resolution in the Resolution Book to the effect that Wasim Reja was recruited following the Rules of Recruitment as per Govt. Notification No. 93-SE/S/10R-14/2013 dated 09-02-2015.

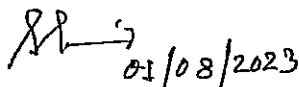
Abdul Wajed, the Superintendent and Sujit Samanta, the D.I. of School, Malda have unequivocally stated that he was forced to sign on the Work Done Certificate of the petitioner, Wasim Reja and there is no signature of the petitioner in the official Attendance Register maintained by the Madrasah.

The Superintendent submitted number of documents along with his report addressed to the D.I. of School dated 12-09-2022 and thereby stated the status of the petitioner.

Under such circumstances stated above, we have no hesitation to say that the petitioner, Wasim Reja was never recruited following the Rules of Recruitment as per Govt. Notification No. 93-SE/S/10R-14-2013 dated 09-02-2015 and he never worked in the Madrasah.


1) Justice Debi Prosad Dey
(Chairman)


2) Shri Manish Gupta
(Member)


3) Shri Sripati Mukhopadhyay
(Member)

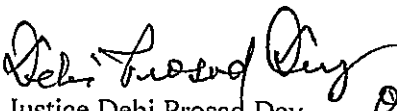
OBSERVATION


Md. Ebrahim, Assistant Teacher, Theology (H/PG) :- As per the petitioner, he was recruited as Assistant Teacher, Theology (H/PG) on 11/02/2016. The petitioner further stated that he had no B.Ed. degree on the date of his joining in the Madrasah. He used to work in the Madrasah as temporary teacher since 2015 and thereafter, on 11/02/2016, the Management issued appointment letter in his favour. The petitioner never appeared in any written examination or before any interview board for being recruited as teacher in the Madrasah.

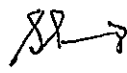
Admittedly, the petitioner having no requisite qualification, to be appointed as Assistant Teacher, was never recruited following the Rules of Recruitment as per Govt. Notification No. being 93-SE/S/10R-14/2013 dated 09/02/2015. The said fact has been corroborated by the Superintendent of the Madrasah, Abdul Wajed and Sujit Samanta, the D.I. of the School, Malda. Abdul Wajed, the Superintendent further stated that he was forced to sign on the Work Done Certificate of Md. Ebrahim and there is nothing in the Resolution Book about the appointment of the petitioner following the Rules of Recruitment. There is no signature of the petitioner in the official Attendance Register maintained by the Madrasah.

The Superintendent submitted number of documents along with his report addressed to the D.I. of School dated 12/09/2022 and thereby stated the status of the petitioner.

Under such circumstances stated above, we are of the considered view that the petitioner, Md. Ebrahim was never recruited following the Rules of Recruitment as per Govt. Notification No. 93-SE/S/10R-14/2013 dated 09/02/2015 and he never worked in the Madrasah. The separate Attendance Register produced by the petitioner cannot be taken into consideration for not being certified by the Headmaster or any appropriate authority of the Madrasah.


1) Justice Debi Prosad Dey 01/08/2023
(Chairman)


2) Shri Manish Gupta 01/08/2023
(Member)


3) Shri Sripati Mukhopadhyay 01/08/2023
(Member)

OBSERVATION

Md. Robiul Islam, Assistant Teacher, History (Pass) :- The petitioner, Md. Robiul Islam did not turn up despite issuance and receipt of notices from this Committee on successive occasions. There is no appointment letter or any other documents in the written representation of the petitioner to accept that he was legally recruited as an Assistant Teacher of History (Pass) in J.H.R. SR. Madrasah, Malda. The Superintendent of J.H.R. SR. Madrasah, has also stated that he had no acquaintance with the petitioner and the petitioner was never recruited following the Rules of Recruitment as per Govt. Notification No. 93-SE/S/10R-14/2013 dated 09/02/2015. The District Inspector of Schools, Malda, has also corroborated such statement of the Superintendent.

The Superintendent submitted number of documents along with his report addressed to the D.I. of Schools dated 12/09/2022 and thereby stated the status of the petitioner.

Under the circumstances stated above, we have no hesitation to say that the petitioner, Md. Robiul Islam was never recruited following the Rules of Recruitment as per Govt. Notification No. 93-SE/S/10R-14/2013 dated 09/02/2015 and he never worked in the Madrasah (having no signature in the official Attendance Register).

- 1) Justice Debi Prosad Dey
(Chairman) 09/08/2023
- 2) Shri Manish Gupta
(Member) 07/08/2023
- 3) Shri Sripati Mukhopadhyay
(Member) 05/02/2023