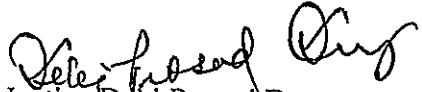
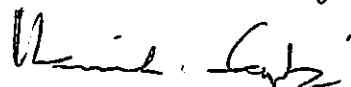


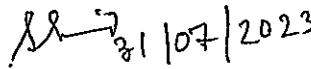
OBSERVATION

Md. Saheb, Assistant Teacher, Under Graduate : The petitioner admittedly was never recruited following the rules of recruitment as per his own admission before the Committee. The resolution being meeting no. 02/ACT/2019 dated 01.08.2019 of the Managing Committee referred to in the Appointment Letter of the petitioner, has had no existence in the official Resolution Book of the Managing Committee. On the basis of this imaginary resolution of the Managing Committee, the Appointment Letter was issued in favour of the petitioner. Obaidur Rahaman, the Superintendent of the Madrasah has produced the Resolution Book of 2019 and we do not find any such resolution by which the petitioner was appointed 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 and therefore, it may safely be stated that the petitioner never worked in the Madrasah. Sujit Samanta, D.I. of Schools has also filed independent report in respect of the petitioner stating *inter alia* that the petitioner was never recruited following rules of recruitment being no. 486-MD/O/2M-11/2016 dated 03.03.2016. Mujibar Rahaman, the previous Teacher-in-Charge and Wahedur Rahaman, the present Superintendent of the Madrasah did not grant any Work Done Certificate in favour of the petitioner. The Work Done Certificate granted by the Secretary, appears to have been created along with the Appointment Letter and Joining Letter in consultation with the Secretary since the Superintendent never saw the petitioner to work in the Madrasah.

Under the circumstances stated above, we are of the considered opinion that the petitioner never worked in the Milangarh Sr. Madrasah (Fazil), Malda and was never recruited following the rules of the recruitment as per Govt. notification no. 486-MD/O/2M-11/2016 dated 03.03.2016.


1. Justice Debi Prosad Dey
(Chairman) 21/07/2023

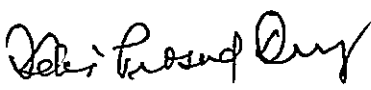

2. Shri Manish Gupta
(Member) 21/07/2023

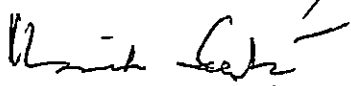

3. Shri Sripati Mukhopadhyay
(Member) 21/07/2023

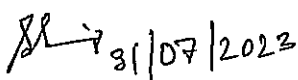
OBSERVATION

Nasima Akhtar Banu, Assistant Teacher, Under Graduate : The petitioner admittedly was never recruited following the rules of recruitment as per his own admission before the Committee. The resolution being meeting no. 02/ACT/2019 dated 01.08.2019 of the Managing Committee referred to in the Appointment Letter of the petitioner, has had no existence in the official Resolution Book of the Managing Committee. On the basis of this imaginary resolution of the Managing Committee, the Appointment Letter was issued in favour of the petitioner. Obaidur Rahaman, the Superintendent of the Madrasah has produced the Resolution Book of 2019 and we do not find any such resolution by which the petitioner was appointed 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 and therefore, it may safely be stated that the petitioner never worked in the Madrasah. Mr. Sujti Samanta, the D.I. of Schools has also filed independent report in respect of the petitioner stating *inter alia* that the petitioner was never recruited following rules of recruitment being no. 486-MD/O/2M-11/2016 dated 03.03.2016. Mujibar Rahaman, the previous Teacher-in-Charge and Wahedur Rahaman, the present Superintendent of the Madrasah did not grant any Work Done Certificate in favour of the petitioner. The Work Done Certificate granted by the Secretary, appears to have been created along with the Appointment Letter and Joining Letter in consultation with the Secretary since the Superintendent never saw the petitioner to work in the Madrasah.

Under the circumstances stated above, we are of the considered opinion that the petitioner never worked in the Milangarh Sr. Madrasah (Fazil), Malda and was never recruited following the rules of the recruitment as per Govt. notification no. 486-MD/O/2M-11/2016 dated 03.03.2016.


1. Justice Debi Prosad Dey
(Chairman) 21/07/2023


2. Shri Manish Gupta 31/07/2023
(Member)

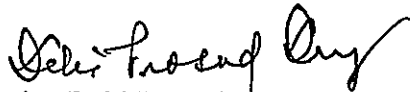

3. Shri Sripati Mukhopadhyay
(Member)

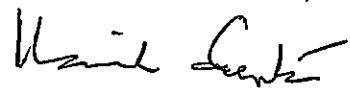
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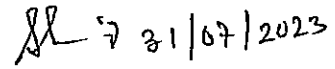
Fatematuj Johara, Group – D. The petitioner herself has stated that she never appeared in any written examination and the Secretary of the Managing Committee simply issued Appointment Letter in her favour. The Superintendent, Obaidur Rahaman did not grant any Work Done Certificate in her favour.

It is, therefore, apparent from her own admission that she was never recruited following the rules of recruitment as per Govt. order notification no. 486-MD/O/2M-11/2016 dated 03.03.2016. We also do not find any resolution being meeting no. 2/APPT./2019 dated 01.08.2019 in the original Resolution Book of the Managing Committee on the strength of which the petitioner was appointed. It is thus clear that the Appointment Letter was issued on the basis of an imaginary resolution of the Managing Committee. The Attendance Register does not bear the signature of the petitioner to show that she has been working in the Madrasah. The present Superintendent and previous Superintendent never granted any Work Done Certificate in favour of the petitioner. Naturally, the Work Done Certificate issued by the Secretary is the result of collusion between the petitioner and the Secretary. The D.I. of Schools also corroborated by filing separate report in respect of the petitioner that she was never recruited following the rules of recruitment. The Superintendent, Obaidur Rahaman by producing the original Resolution Book and the Attendance Register has categorically stated that the petitioner was never recruited following the rules of recruitment and her appointment is fake and fabricated.

Under the circumstances stated above, we are of the considered opinion that the petitioner never worked in the Milangarh Sr. Madrasah (Fazil), Malda and was never recruited following the rules of the recruitment as per Govt. notification no. 486-MD/O/2M-11/2016 dated 03.03.2016.


1. Justice Debi Prosad Dey
(Chairman) 21/7/2023


2. Shri Manish Gupta 31/07/2023
(Member)

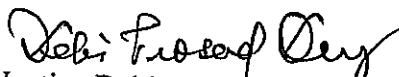

3. Shri Sripati Mukhopadhyay
(Member)

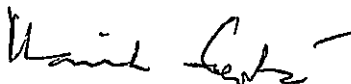
OBSERVATION

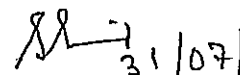
Md. Selim, Group - C (Clerk) : The petitioner himself has stated that he never appeared in any written examination and the Secretary of the Managing Committee simply issued Appointment Letter in his favour. The Superintendent, Obaidur Rahaman did not grant any Work Done Certificate in his favour.

It is, therefore, apparent from his own admission that he was never recruited following the rules of recruitment as per Govt. order notification no. 486-MD/O/2M-11/2016 dated 03.03.2016. We also do not find any resolution being meeting no. 2/APPT./2019 dated 01.08.2019 in the original Resolution Book of the Managing Committee on the strength of which the petitioner was appointed. It is thus clear that the Appointment Letter was issued on the basis of an imaginary resolution of the Managing Committee. The Attendance Register does not bear the signature of the petitioner to show that he has been working in the Madrasah. The present Superintendent and previous Superintendent never granted any Work Done Certificate in favour of the petitioner. Naturally, the Work Done Certificate issued by the Secretary is the result of collusion between the petitioner and the Secretary. The D.I. of Schools also corroborated by filing separate report in respect of the petitioner that she was never recruited following the rules of recruitment. The Superintendent, Obaidur Rahaman by producing the original Resolution Book and the Attendance Register has categorically stated that the petitioner was never recruited following the rules of recruitment and her appointment is fake and fabricated.

Under the circumstances stated above, we are of the considered opinion that the petitioner never worked in the Milangarh Sr. Madrasah (Fazil), Malda and was never recruited following the rules of the recruitment as per Govt. notification no. 486-MD/O/2M-11/2016 dated 03.03.2016.


1. Justice Debi Prosad Dey
(Chairman) 21/07/2023


2. Shri Manish Gupta 21/07/2023
(Member)

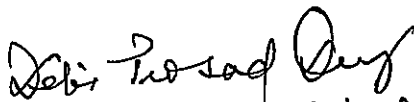

3. Shri Sripati Mukhopadhyay
(Member) 21/07/2023

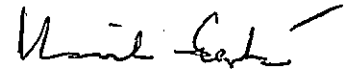
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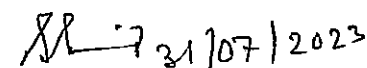
Jiaur Rahaman, Assistant Teacher, Bengali (H/PG) : The petitioner is claiming that he was appointed on 13.07.2018 on the strength of resolution being meeting no. 1/APPT./18 dated 13.07.2018 of the Managing Committee and he has been working in the Madrasah since 14.07.2018. The petitioner himself admitted that the Managing Committee being satisfied about his qualification issued Appointment Letter in his favour and he never appeared in any written examination or before any Interview Board for being recruited as Assistant Teacher. The previous Teacher-in-Charge, Mujibar Rahaman and the present Superintendent, Obaidur Rahaman never granted any Work Done Certificate in favour of the petitioner. The Superintendent, Obaidur Rahaman by producing the original Attendance Register has categorically stated that the petitioner never worked or attended the Madrasah as Assistant Teacher and he was never recruited following the rules of recruitment as per Govt. notification no. 486-MD/O/2M-11/2016 dated 03.03.2016. The Superintendent has further produced the documents and report of the Madrasah wherefrom it would be evident that on the basis of an imaginary resolution the petitioner is claiming himself to be an Assistant Teacher of the Madrasah. In fact, the alleged appointment of the petitioner is fake and fabricated.

Mr. Sujit Maity, the D.I. of Schools by filing a separate report in respect of the petitioner has also corroborated the Superintendent of the Madrasah to the effect that the petitioner was never recruited following the rules of recruitment.

Under the circumstances stated above, we are of the considered opinion that the petitioner never worked in the Milangarh Sr. Madrasah (Fazil), Malda and was never recruited following the rules of the recruitment as per Govt. notification no. 486-MD/O/2M-11/2016 dated 03.03.2016.


1. Justice Debi Prosad Dey 31/07/2023
(Chairman)


2. Shri Manish Gupta 31/07/2023
(Member)


3. Shri Sripati Mukhopadhyay 31/07/2023
(Member)

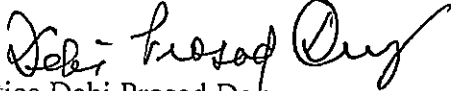
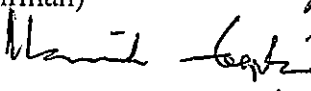
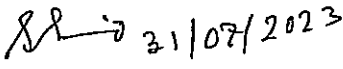
OBSERVATION

Md. Tajamul Hoque, Assistant Teacher, Arabic (H/PG) : The petitioner obtained B.Ed. degree in the year 2020 and had no B.Ed. degree on the date of his alleged appointment at the Madrasah, that clearly goes to show that the petitioner has no requisite qualification to be appointed as Assistant Teacher.

The petitioner is claiming that he was appointed on 13.07.2018 on the strength of resolution being meeting no. 1/APPT./18 dated 13.07.2018 of the Managing Committee and he has been working in the Madrasah since 14.07.2018. The petitioner himself admitted that the Managing Committee being satisfied about his qualification issued Appointment Letter in his favour and he never appeared in any written examination or before any Interview Board for being recruited as Assistant Teacher. The previous Teacher-in-Charge, Mujibar Rahaman and the present Superintendent, Obaidur Rahaman never granted any Work Done Certificate in favour of the petitioner. The Superintendent, Obaidur Rahaman by producing the original Attendance Register has categorically stated that the petitioner never worked or attended the Madrasah as Assistant Teacher and he was never recruited following the rules of recruitment as per Govt. notification no. 486-MD/O/2M-11/2016 dated 03.03.2016. The Superintendent has further produced the documents and report of the Madrasah wherefrom it would be evident that on the basis of imaginary resolution the petitioner is claiming himself to be an Assistant Teacher of the Madrasah. In fact, the alleged appointment of the petitioner is fake and fabricated.

Sujit Maity, the D.I. of Schools by filing a separate report in respect of the petitioner has also corroborated the Superintendent of the Madrasah to the effect that the petitioner was never recruited following the rules of recruitment.

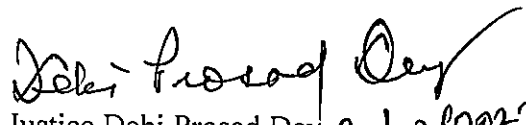
Under the circumstances stated above, we are of the considered opinion that the petitioner never worked in the Milangarh Sr. Madrasah (Fazil), Malda and was never recruited following the rules of the recruitment as per Govt. notification no. 486-MD/O/2M-11/2016 dated 03.03.2016.

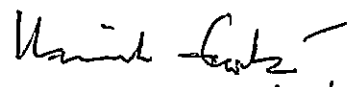
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1. Justice Debi Prosad Dey
(Chairman) 21/07/2023
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2. Shri Manish Gupta 21/07/2023
(Member)
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3. Shri Sripati Mukhopadhyay
(Member)

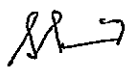
OBSERVATION

Md. Zakir Hossain, Group – C (Clerk) : As per the Petitioner, he was appointed as Clerk on 13.07.2018 on the strength of the resolution of the Managing Committee being no. 01/APPT./18 dated 13.07.2018 and he has been working in the Madrasah since 14.07.2018. As per the petitioner, he never appeared in any written examination for being recruited as Clerk and the successive Teacher-in-Charge and Superintendent of the Madrasah never granted any Work Done Certificate in his favour. Obaidur Rahaman, the Superintendent did not get the original Resolution Book for the year 2018 in the office of the Madrasah but by producing the Attendance Register, has 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 never worked in the Madrasah. Moreover, the petitioner is the sister's son of the then President Md. Ismail. The D.I. of Schools by filing a separate report has specifically stated that no intimation/permission of D.I. of Schools was ever given/taken from his office and the petitioner was never recruited following rules of recruitment. We also do not find any resolution as stipulated in the Appointment Letter or any signature of the petitioner in the official Attendance Register maintained by the Madrasah.

Under the circumstances stated above, we are of the considered opinion that the petitioner never worked in the Milangarh Sr. Madrasah (Fazil), Malda and was never recruited following the rules of the recruitment as per Govt. notification no. 486-MD/O/2M-11/2016 dated 03.03.2016.


1. Justice Debi Prosad Dey 31/07/2023
(Chairman)

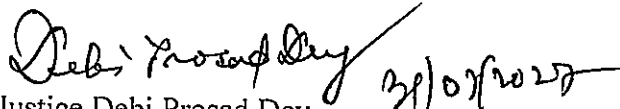

2. Shri Manish Gupta 31/07/2023
(Member)

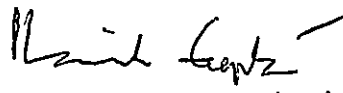

3. Shri Sripati Mukhopadhyay 31/07/2023
(Member)

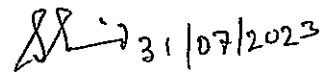
OBSERVATION

Fakuruddin, Group - D : As per the Petitioner, he was appointed as Clerk on 13.07.2018 on the strength of the resolution of the Managing Committee being no. 01/APPT./18 dated 13.07.2018 and he has been working in the Madrasah since 14.07.2018. As per the petitioner, he never appeared in any written examination for being recruited as Clerk and the successive Teacher-in-Charge and Superintendent of the Madrasah never granted any Work Done Certificate in his favour. Obaidur Rahaman, the Superintendent did not get the original Resolution Book for the year 2018 in the office of the Madrasah but by producing the Attendance Register, has 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 never worked in the Madrasah. Obaidur Rahaman, the Superintendent further stated that the petitioner is the son of the Secretary, Samsul Haque of Milangarh Sr. Madrasah (Fazil), Malda. Moreover, the petitioner is the sister's son of the then President Md. Ismail. The D.I. of Schools by filing a separate report has specifically stated that no intimation/permission of D.I. of Schools was ever given/taken from his office and the petitioner was never recruited following rules of recruitment. We also do not find any resolution as stipulated in the Appointment Letter or any signature of the petitioner in the official Attendance Register maintained by the Madrasah.

Under the circumstances stated above, we are of the considered opinion that the petitioner never worked in the Milangarh Sr. Madrasah (Fazil), Malda and was never recruited following the rules of the recruitment as per Govt. notification no. 486-MD/O/2M-11/2016 dated 03.03.2016.


1. Justice Debi Prosad Dey 31/07/2023
(Chairman)

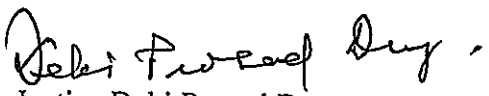

2. Shri Manish Gupta 31/07/2023
(Member)



3. Shri Sripati Mukhopadhyay 31/07/2023
(Member)

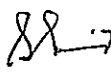
OBSERVATION

Md. Monirul Islam, UG (General) : On scrutiny of the educational testimonials of the petitioner, it transpires that he had no requisite qualification on the date of his alleged appointment in the Madrasah since he obtained D.L. Ed. degree in the year 2019. As per the statement of the petitioner, he never appeared in any written examination for being recruited as Teacher but the Secretary simply issued the Appointment Letter to him. The Superintendent, Obaidur Rahaman did not find the original Resolution Book for the year 2018 in the office of the Madrasah and therefore, the resolution being meeting no. 1/APPT./2018 dated 13.07.2018 mentioned in the Appointment Letter cannot be verified. Obaidur Rahaman, the Superintendent, however, by producing the Attendance Register has categorically stated that the petitioner never worked in the Madrasah and was never recruited following the rules of recruitment. The D.I. of Schools by filing a separate report also corroborated that no intimation was given to the D.I. of Schools and the appointment of the petitioner is fake and fabricated.

Under the circumstances stated above, we are of the considered opinion that the petitioner never worked in the Milangarh Sr. Madrasah (Fazil), Malda and was never recruited following the rules of the recruitment as per Govt. notification no. 486-MD/O/2M-11/2016 dated 03.03.2016.


1. Justice Debi Prosad Dey
(Chairman) 31/07/2023


2. Shri Manish Gupta 31/07/2023
(Member)

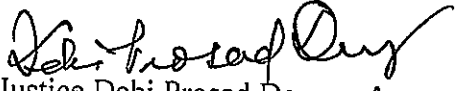

3. Shri Sripati Mukhopadhyay 31/07/2023
(Member)

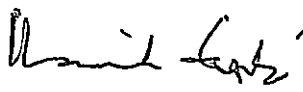
OBSERVATION

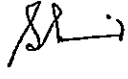
Gulsan Khatun, Assistant Teacher, English (Pass) : On the strength of meeting no. 01/APPT/2018 dated 13.07.2018, the petitioner was appointed as Assistant Teacher and he has been working since 16.07.2018. Admittedly, the petitioner obtained less than 50% marks in aggregate in her B.A. examination and accordingly she had no requisite qualification to be appointed as Assistant Teacher. Obaidur Rahaman, the Superintendent of the Madrasah has specifically stated that the petitioner is the daughter-in-law of Samiul Hoque, former President of Milangarh Sr. Madrasah (Fazil), Malda. Obaidur Rahaman, the Superintendent did not find the original Resolution Book of 2018 in the Madrasah. However, by producing the Attendance Register, he has specifically stated that the petitioner never joined the Madrasah and never worked in the Madrasah as Assistant Teacher. The petitioner himself admitted that the Secretary simply issued Appointment Letter in his favour and he never appeared in any written examination or before any Interview Board for being recruited as Teacher.

The petitioner further admitted that the present Superintendent and the previous Superintendent never issued Work Done Certificate in his favour. The D.I. of Schools also stated by filing a separate report in respect of the petitioner that he was never recruited following the rules of recruitment and no intimation was given to the D.I. of Schools prior to issuance of such appointment in favour of the petitioner. The Superintendent further stated that the petitioner never attended the Madrasah and the alleged Appointment Letter/Work Done Certificate is fake and fabricated.

Under the circumstances stated above, we are of the considered opinion that the petitioner never worked in the Milangarh Sr. Madrasah (Fazil), Malda and was never recruited following the rules of the recruitment as per Govt. notification no. 486-MD/O/2M-11/2016 dated 03.03.2016.


1. Justice Debi Prosad Dey 31/07/2023
(Chairman)


2. Shri Manish Gupta 31/07/2023
(Member)



3. Shri Sripati Mukhopadhyay 31/07/2023
(Member)

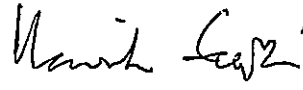
OBSERVATION

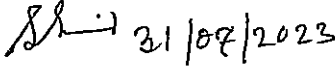
Md. Eliyas, Assistant Teacher, Bengali (Pass) : On the strength of meeting no. 01/APPT./2018 dated 13.07.2018, the petitioner was appointed as Assistant Teacher and he has been working since 16.07.2018. Obaidur Rahaman, the Superintendent did not find the original Resolution Book of 2018 in the Madrasah. However, by producing the Attendance Register, he has specifically stated that the petitioner never joined the Madrasah and never worked in the Madrasah as Assistant Teacher. The petitioner himself admitted that the Secretary simply issued Appointment Letter in his favour and he never appeared in any written examination or before any Interview Board for being recruited as Teacher.

The petitioner further admitted that the present Superintendent and the previous Superintendent never issued Work Done Certificate in his favour. The D.I. of Schools also stated by filing a separate report in respect of the petitioner that he was never recruited following the rules of recruitment and no intimation was given to the D.I. of Schools prior to issuance of such appointment in favour of the petitioner. The Superintendent further stated that the petitioner never attended the Madrasah and the alleged Appointment Letter/Work Done Certificate is fake and fabricated.

Under the circumstances stated above, we are of the considered opinion that the petitioner never worked in the Milangarh Sr. Madrasah (Fazil), Malda and was never recruited following the rules of the recruitment as per Govt. notification no. 486-MD/O/2M-11/2016 dated 03.03.2016.


1. Justice Debi Prosad Dey
(Chairman) 31/07/2023


2. Shri Manish Gupta
(Member) 31/07/2023


3. Shri Sripati Mukhopadhyay
(Member)