OBSERVATION

Benajir Yeasmin, Assistant Teacher (H/PG): The Petitioner is claiming herself as Assistant Teacher History (H/PG). As per the Petitioner she was appointed on 17.11.2015 and worked till 06.09.2022. The Work Done Certificate was issued by the Teacher-in-charge as well as the Administrator of the said Madrasah. The relevant Resolution as mentioned in the appointment letter of the Petitioner, could not be produced for the purpose of verification. In fact, the original Resolution Book from 2015-2019 has not been produced to justify that the Petitioner was appointed following the Rules of Recruitment being No. 93-SE/S/10R-14/2013 dated 09.02.2015. The D. I of Schools, Malda and the Headmaster of said Madrasah have also stated that the Petitioner was never recruited following the Rules of Recruitment. We also do not find any authenticated document to accept that the Petitioner was appointed following the Rules of Recruitment.

Under the circumstance stated above, it may safely be stated that the Petitioner was never appointed following the Rules of Recruitment as per Govt. Notification No. 93-SE/S/10R-14/2013 dated 09.02.2015 and the Petitioner is not entitled to claim any benefit in the process of this verification.

1. Justice Debi Prosad Dey
(Chairman) 02/8/23

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

02/08/2023

3. Shri Sripati Mukhopadhyay
(Member)

OBSERVATION

Saibur Rahaman, Assistant Teacher Bengali (H/PG): The Petitioner is claiming himself that he was recruited as Assistant Teacher (Bengali) on 17.11.2015 and he has been working since then. The Petitioner, however, stopped visiting Madrasah on and from 06.09.2022. The Headmaster of Mitna Solemania High Madrasah (H.S) on the other hand has stated that the Petitioner was never recruited following the Rules of Recruitment and he did not peruse the original Resolution Book for the year 2015-2018. The D.I. of Schools has also stated that no permission was obtained from his office for initiation of selection process for the aforesaid person. The Work Done Certificate has been issued by the Administrator. The Administrator is not the head of the Institution to look after the studies of the student. Therefore, we may safely ignore such Work Done Certificate issued by the Administrator. In absence of any reliable document we are of the considered view that the Petitioner was never recruited on 18.11.2015 following the Rules of Recruitment as stipulated in Govt. Notification No. 93-SE/S/10R-14/2013 dated 09.02.2015.

Under the circumstances stated above we have no hesitation to say that the Petitioner was never recruited following the Rules of Recruitment being No. 93-SE/S/10R-14/2013 dated 09.02.2015. The Petitioner never worked in the Madrasah for not having his signature in the official Attendance Register maintained by Madrasah.

Debi Prosad Dey

1. Justice Debi Prosad Dey 02/08/23
(Chairman)

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

02/08/2023

3. Shri Sripati Mukhopadhyay
(Member)

OBSERVATION

Mst. Nuzhat Banu, Assistant Teacher (Bengali) (H/PG): The Petitioner is claiming herself as Assistant Teacher (Bengali). As per the Petitioner she was appointed on 17.11.2015 and worked till 06.09.2022. The Work Done Certificate was issued by the Teacher-in-charge as well as the Administrator of the said Madrasah. The relevant Resolution as mentioned in the appointment letter of the Petitioner, could not be produced for the purpose of verification. In fact, the original Resolution Book from 2015-2019 has not been produced to justify that the Petitioner was appointed following the Rules of Recruitment being No. 93-SE/S/10R-14/2013 dated 09.02.2015. The D. I of Schools, Malda and the Headmaster of said Madrasah have also stated that the Petitioner was never recruited following the Rules of Recruitment. We also do not find any authenticated document to accept that the Petitioner was appointed following the Rules of Recruitment.

Under the circumstances stated above, it may safely be stated that the Petitioner was never appointed following the Rules of Recruitment as per Govt. Notification No. 93-SE/S/10R-14/2013 dated 09.02.2015 and the Petitioner is not entitled to claim any benefit in the process of this verification.

1. Justice Debi Prosad Dey
(Chairman) 02/08/23

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

02/08/2023

3. Shri Sripati Mukhopadhyay
(Member)

OBSERVATION

Manirul Hoque, Group-D: The Petitioner is claiming herself as Group-D Peon of Mitna Solemania High Madrasah (H.S) since 26.02.2016. We do not find any original resolution book, which has been mentioned in the photocopy of the appointment letter of the petitioner. We also do not find the signature of the Petitioner on the official attendance register maintained by the Madrasah. The Petitioner stopped visiting Madrasah on and from 06.09.2022. The Headmaster, D.I. of Schools, Malda have unequivocally stated that the Petitioner was never appointed following the Rules of Recruitment as per Govt. Notification no. 93-SE/S/10R-14/2013 dated 09.02.2015 and the Petitioner never signed in the official attendance register of the Madrasah.

In absence of any viable document, we are of considered view that the claim of the Petitioner is not applicable since the Petitioner could not produce authenticated resolution to justify that the Rules of Recruitment was followed at the time of recruitment of the Petitioner. The Headmaster and D.I. of Schools have also stated that the petitioner was never recruited following the Rules of Recruitment. We also do not find his signature in the official attendance register.

Under such circumstances, we have no hesitation to say that the petitioner was never appointed 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) 02/08/2023

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

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

OBSERVATION

Md. Nasim, Group-C (Clerk): The Petitioner is claiming himself as Group-C (Clerk)of Mitna Solemania High Madrasah (H.S), Malda on and from 07.02.2018. As per Md. Nasim, he was recruited in terms of Special Meeting No. Spl-01/NSHM/2018 dated 02.02.2018. We do not find any copy of Resolution or original Resolution Book wherefrom it would be evident that the Petitioner was appointed following the Rules of Recruitment being Govt. Notification No. 486-MD/0/2M-11/2016 dated 03.03.2016. The Headmaster or the Teacher-in-charge never granted Work Done Certificate to the Petitioner and there is no signature of the Petitioner in the official Attendance Register maintained by the Madrasah. The Work Done Certificate granted by Administrator, as per the Administrator himself, has had no bearing in the attendance of the Petitioner. We do not find any such Resolution dated 02.02.2018 whereby the Petitioner was allegedly appointed.

Under the circumstances stated above and having regard to the statements and documents filed by the parties, we are of the considered view that the Petitioner was never appointed as Group-C (Clerk) following the Rules of Recruitment as per Govt. Notification No. 486-MD/O/2M-11/2016 dated 03.03.2016. The D.I. of Schools, Malda also corroborated that Md. Nasim was never recruited following the Rules of Recruitment as per Govt. Notification No. 486-MD/0/2M-11/2016 dated 03.03.2016.

Debi Prosad Dey

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

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

02/08/2023

3. Shri Sripati Mukhopadhyay
(Member)