OBSERVATION

Sk. Mugle Azam:- Sk. Mugle Azam is one the petitioners in Contempt Petition No. 595/2023. According to notice served upon the petitioner, directing him to appear in person for verification of his documents, Sk. Mugle Azam appeared in person and submitted that the Teacher-in-charge of Garh Chakraberia HP Jr. High Madrasah, Purba Medinipur, obtained his signature in some papers for filing the same before the Hon'ble Supreme Court. Sk. Mugle Azam candidly stated that he did not file any case before the Hon'ble Supreme Court and he was not connected with any matter in respect of Contempt Petition No. 595/2023. Sk. Mugle Azam further stated that Mojibur Rahman, the Teacher-in-charge of the Madrasah, assured him that if he submitted such paper before the Hon'ble Supreme Court, he would be provided with a Government job of Group 'C' at Padumpur Saifuddin High Madrasah, Purba Medinipur on payment of rupees two lakh. Sk. Mugle Azam, however, did not file any written representation for verification of his paper.

It is crystal clear from such statement of Sk. Mugle Azam, that Mojibur Rahman, the Teacher-in-charge, being king pin of a racket towards alleged appointments even manipulated the procedure before the judicial forum on the basis of fake and forged documents against monetary consideration from the candidate and thereby creating job against payment of money from the undeserving candidate.

Subhasis Mitra, the A.D.I., Contai, also did not find any paper in his office about appointment of Sk. Mugle Azam following the Rules of Recruitment.

Kalyan Chowdhury, the Headmaster of the said Madrasah, specifically stated that the petitioner never worked in the Madrasah and he did not find any official record for recruitment of the petitioner following the Rules of Recruitment. The Headmaster further stated that the signature of the Teacher-in-charge on the Work Done Certificate is fake and forged.

Under the circumstances stated above, we are of the considered view that the petitioner was never recruited following the Rules of Recruitment as per Govt. Notification and he never attended the Madrasah in any capacity.

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

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

01/08/23

3) Shri Sripati Mukhopadhyay
(Member)

OBSERVATION

Sharmadeb Jana, Assistant Teacher, Work Education (Pass) :- As per Resolution No. SPL/03/2018 dated 14/11/2018, the petitioner, Sharmadeb Jana is claiming that he was appointed on 14/11/2018 as Assistant Teacher, Work Education and he has been working since 22/11/2018 in the Padumpur Saifuddin High Madrasah, Purba Medinipur. In support of his contention, the petitioner has filed photo copy of the appointment letter, joining letter and the Work Done Certificate issued by the Teacher-in-charge.

On scrutiny of the Resolution Book, we do not find any Resolution as mentioned in the appointment letter and in the original Resolution Book. We also do not find the signature of the petitioner in the official Attendance Register.

The Headmaster, Kalyan Chowdhury, by producing a number of documents, has stated that the petitioner was never recruited as Assistant Teacher, following the Rules of Recruitment, since he had no requisite qualification to be appointed as Assistant Teacher. The Headmaster further stated that the Work Done Certificate, under the signature of the previous Teacher-in-charge, Abdul Kadir, is a forged document, since the Teacher-in-charge did not sign on the Work Done Certificate.

Subhasis Mitra, the A.D.I., Contai, has corroborated by filing a report that the petitioner was never recruited following the Rules of Recruitment.

Under the circumstances stated above, 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 he never worked in the Madrasah as Assistant Teacher.

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

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

01/08/2023

3) Shri Sripati Mukhopadhyay
(Member)

OBSERVATION

Sourav Das, Group-C (Librarian):- As per the petitioner, Sourav Das, on the strength of Special Meeting No. SPL/01/2015 dated 15/12/2015, ~~the petitioner~~ He petitioner was appointed as Librarian of Padumpur Saifuddin High Madrasah, Purba Medinipur in terms of the order dated 25/08/2015 passed by the Hon'ble Division Bench of Calcutta High Court in AST No. 192/2014 along with AST No. 140/2014 with MAT No. 473/2014.

The Headmaster, Kalyan Chowdhury as well as the DI of School, Purba Medinipur, categorically stated that the petitioner was never recruited following the Rules of Recruitment. The Work Done Certificate produced by the petitioner, is a forged document and the same has not been signed by the Teacher-in-charge, Sk. Abdul Kadir.

We do not find any Resolution being Resolution no. SPL/01/2015 dated 15/12/2015 whereby the petitioner was appointed. There is nothing on record to hold that the petitioner was recruited following the Rules of Recruitment as per Govt. Notification No. 93-SE/S/10R-14/2013 dated 09/02/2015. There is no signature of the petitioner in the Attendance Register to show that the petitioner has been attending the Madrasah as a legally recruited teacher. The Headmaster has also produced necessary paper to show that the petitioner was never recruited as Librarian of the Madrasah.

Under the circumstances stated above, we are of the considered view that the petitioner was never recruited following the Rules of Recruitment as per Govt. Notification and he never worked in the Madrasah as Librarian.

1) Justice Debi Prosad Dey 01/8/2023
(Chairman)

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

01/08/23

3) Shri Sripati Mukhopadhyay
(Member)

OBSERVATION

Sk. Jafar Ali, Group-D:- The petitioner, Sk. Jafar Ali is claiming himself to be appointed as Group-D employee of Padumpur Saifuddin High Madrasah, Purba Medinipur, on the basis of the Resolution being no. SPL/01/2015 dated 15/12/2015. Admittedly, the petitioner did not appear in any written examination or any Interview Board.

On scrutiny of the original Resolution Book, we do not find any such Resolution as has been mentioned in the alleged appointment letter of the petitioner. There is no Resolution in the Resolution Book that the petitioner was recruited following the Rules of Recruitment. There is no signature of the petitioner in the Attendance Register.

The Headmaster, by filing a number of documents, has emphatically stated that the petitioner never worked or never recruited following the Rules of Recruitment a Group-D. The signature of the Teacher-in-charge on the Work Done Certificate, produced by the petitioner, is fake.

Subhasis Mitra, the A.D.I., Contai, has corroborated by filing a report that the petitioner was never recruited following the Rules of Recruitment.

Under the circumstances stated above, we are of the considered view that 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 and he never worked in the Madrasah as Group-D employee.

Debi Prosad Dey 01/08/23

1) Justice Debi Prosad Dey
(Chairman)

Manish Gupta 01/08/2023

2) Shri Manish Gupta
(Member)

01/08/2023

3) Shri Sripati Mukhopadhyay
(Member)

OBSERVATION

Mahbuba Khatun, Assistant Teacher, History (Pass):- The petitioner, Mahbuba Khatun, obtained 38.53% in her B.A. examination and she had no B.Ed. degree on the date of her joining in the Padumpur Saifuddin High Madrasah, Purba Medinipur. That goes to show that the petitioner had no requisite qualification to be appointed as Assistant Teacher. The Resolution mentioned in the alleged appointment letter, does not find place in the original Resolution Book of the Managing Committee. There is no signature of the petitioner in the Attendance Register.

The Headmaster of the Madrasah, specifically stated that the petitioner never worked in the Madrasah or never recruited following the Rules of Recruitment as per Govt. Notification No. 93-SE/S/10R-14/2013 dated 09/02/2015.

The A.D.I., Contai, has also corroborated that the petitioner was never recruited following the Rules of Recruitment.

Under the circumstances stated above, we are of the considered view that 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 and she never worked in the Madrasah as Assistant Teacher.

Debi Prosad Dey 01/08/2023

1) Justice Debi Prosad Dey
(Chairman)

Manish Gupta 01/08/2023

2) Shri Manish Gupta
(Member)

01/08/2023

3) Shri Sripati Mukhopadhyay
(Member)