

COMMITTEE REPORT

**REPORT OF THE COMMITTEE CONSTITUTED
BY THE HON'BLE SUPREME COURT OF INDIA
VIDE JUDGMENT DATED 02.02.2023 IN THE
MATTER OF CONTEMPT PETITION (C) No.
352 OF 2022 IN CIVIL APPEAL No. 5808 OF
2017 IN THE MATTER OF SNEHASISH GIRI
AND ORS VS SUBHASISH MITRA AND NINETY
FOUR (94) OTHER CONTEMPT PETITIONS.**

**KOLKATA
August 3, 2023**

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**REPORT OF THE COMMITTEE CONSTITUTED BY THE HON'BLE
SUPREME COURT OF INDIA VIDE JUDGMENT DATED
02.02.2023 IN THE MATTER OF CONTEMPT PETITION (C) No.
352 OF 2022 IN CIVIL APPEAL No. 5808 OF 2017 IN THE
MATTER OF SNEHASISH GIRI AND ORS VS SUBHASISH MITRA
AND NINETYFOUR (94) OTHER CONTEMPT PETITIONS.**

(Report in connection with the hearing of petitioners and verification of documents as per order of the Hon'ble Supreme Court in Civil Appeal No. 5808 of 2017 dated February 2, 2023 in the matter of Contempt Petition number 352 of 2022 and 94 other petitions, relating to some Madrasahs in West Bengal)

This matter also refers to Notification No. 485-MD dated 20.02.2023 issued by the Minority Affairs and Madrasah Education Department of the Government of West Bengal.

Adequate publicity through appropriate advertisements in both English and Bengali newspapers was made providing an opportunity to those interested to seek verification of their claims. Through this method an opportunity was also provided to persons likely to be affected by the Report of this Committee along with providing hearing for to interested persons in the matter under consideration.

The Committee worked for five (5) months wef. 13th March, 2023.

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(A) BRIEF HISTORY

Brief history of Recruitment of Teaching / Non-teaching Staff in Recognised Govt. Aided Madrasas:-

The recruitment of Assistant Teachers/ Non-teaching staff in recognised Government-aided Madrasahs was done by the West Bengal School Service Commission from 1998 to 2008. Vide notification number 1465-MD dated 12.10.2007 **[Annexure-I]**, all recognized Government-aided Madrasahs in West Bengal were declared as Minority Institutions under Article 30 of the Constitution and vide the same notification it was notified that the Assistant Teachers/ Non-teaching staff will be recruited through the West Bengal Madrasah Service Commission. The West Bengal Madrasah Service Commission Act 2008 **[Annexure-II]** was enacted and the West Bengal Madrasah Service Commission recruitment (selection and recommendation of persons for appointment and transfer to the post of Assistant Teacher and Non-teaching staff) rules 2010 **[Annexure-III]** were framed. The entire power of appointment of teaching and non-teaching staff in recognized Government-aided Madrasahs came under the ambit of recommendations of the West Bengal Madrasah Service Commission, which was mandated to hold examinations, select and recommend candidates. The power of giving appointment to the recommended candidates still remains in the functional domain of the Managing Committee of the recognized government-aided Madrasahs who are duty bound to give appointment to the recommended candidates.

(B) CHRONOLOGY OF LEGAL CASES

- (1) The West Bengal Madrasah Service Commission Act 2008 was challenged vide writ petition number 20650(W) of 2013. This refers to the Managing Committee, Contai Rahmania High Madrasah vs. the State of West Bengal and others on the basis of the fact that the recognized Government aided Madrasahs in West Bengal were declared as 'minority institutions' under Article 30 of the Constitution by the Government of West Bengal vide notification number 1465-MD dated 12.10.2007.

The said Act was declared ultra vires to the Constitution by the Hon'ble High Court, Calcutta vide its solemn order dated 12.03.2014 **[Annexure-IV]**.

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- (2) AST 192 of 2014 with MAT 473 of 2014 was filed by the State of West Bengal and others challenging the order dated 12.03.2014 of the Hon'ble High Court Calcutta. The Division Bench of Hon'ble High Court, Calcutta vide its solemn order dated 09.12.2015 [**Annexure-V**] upheld the order of the Single Bench of the Hon'ble High Court, Calcutta dated 12.03.2014 and it was observed by the Hon'ble Division Bench that the West Bengal Madrasah Service Commission Act 2008 is in violation of the fundamental rights guaranteed by the Constitution in terms of Article 29 and 30. However, the Hon'ble Division Bench concluded that "Since appointment of teachers, etc. is very relevant in so far as the quality of education is concerned, if there are any malafide statutory infirmities brought to the notice of the State Government, it is open to the State Government to withdraw financial support if mala fides/illegalities are found in such process of selection of teaching staff etc".
- (3) The spirit of this observation by the Hon'ble Division Bench of the High Court is also mentioned in Section 5 of the West Bengal Schools (Control of Expenditure) Act 2005 [**Annexure-VI**] which states:
- i) "No School Authority shall appoint any teacher in a school in contravention of the provisions of this act or the provisions of the West Bengal School Service Commission Act 1997 [**Annexure-VII**], or any rules, order, procedures or directions issued thereunder."
 - ii) "No School Authority shall appoint any non-teaching staff in a school, excepting in the manner as may be prescribed"
 - iii) "Any appointment made by the school authority in contravention of sub-section (1) or sub-section (2) shall be void."
- (4) After the order dated 09.12.2015 of the Hon'ble Division Bench of the High Court Calcutta, the State Government in the MA & ME Department framed a guideline vide Notification no. 486-MD/O/2M-11/2016 dated 03.03.2016 [**Annexure-VIII**] to be followed by the Managing Committees of the recognized Government-aided Madrasahs while making appointments of teaching / non-teaching staff. Before the issue of this Notification no. 486-MD/O/2M-11/2016 dated 3rd March, 2016, Government Order no. 93-SE/S/10R-14/2013 dated 09.02.2015

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[Annexure-IX] was used and enforced for recruitment of teaching and non-teaching staff in recognized aided minority institutions.

The Managing Committees of the recognized Government-aided madrasahs were thus empowered to recruit teaching/non-teaching staff by following GO no. 93-SE/S/10R-14/2013 dated 09.02.2015 (if the recruitment was done between 09.02.2015 and 03.03.2016 and Notification no. 486-MD/O/2M-11/2016 dated 03.03.2016 (if recruitment was done after 03.03.2016).

- (5) A large number of contempt petitioners who appeared before this Committee, have claimed to have been appointed by the Managing Committees of the recognized Government-aided Madrasahs after 09.12.2015 under GO. 93-SE/S/10R-14/2013 dated 09.02.2015 OR Notification no. 486-MD/O/2M-11/2016 dated 3rd March, 2016.
- (6) SLP (C) No. 6661/2016 with Civil Appeal No. 5808/2017 was filed by Sk. Md. Rafiq in Hon'ble Supreme Court of India and the impugned order of Hon'ble Division Bench, High Court Calcutta was stayed by the Hon'ble Apex Court on 14.03.2016 **[Annexure-X]**.
- (7) The appeal was finally disposed of vide solemn order dated 06.01.2020 **[Annexure-XI]** whereby the Hon'ble Supreme Court of India observed and directed that:-
- "In the end, we declare all nominations made by the Commission in pursuance of the provisions of the Commission Act to be valid and operative. However, if after the disposal of the matters by the High Court any appointments are made by the concerned Madrasahs, such appointments of teachers shall be deemed to be valid for all purposes. But the Commission shall hereafter be competent to select and nominate teachers to various Madrasahs in accordance with the provisions of the Commission Act and the Rules framed thereunder".
- (8) After two (2) years a contempt petition being no.177/2022 was filed in the Hon'ble Supreme Court quoting orders at paragraph (7) above. This was later dismissed 'as withdrawn' by the petitioners. After no.177/2022 was filed, several other such contempt petitions were filled namely no. 352/2022 and ninety four (94) others. All these matters were heard by the apex court several times and finally disposed off vide solemn order dated 02.02.2023.

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- (9) The Hon'ble Supreme Court insisted on verification of the prayer of the petitioners on the ground that the selection of the Teachers ought to be done keeping in view of the national interest and without compromising with the merit in such selection, relying on T.M.A Pai Foundation case (T.M.A. Pai Foundation & Ors.- vs – State of Karnataka & Ors. On 31 October, 2002).
- (10) It is therefore, necessary to adopt a fair selection procedure and select the best available talent purely on merit basis. That's why the Hon'ble Supreme Court constituted the Committee in the aforesaid terms for verification of the claim of each petitioner and persons affected by the report of the Committee.

(C) CONSTITUTION OF THE COMMITTEE

- (1) The Hon'ble Supreme Court disposed of all the contempt petitions in order dated 02.02.2023 **[Annexure-XII]** which *inter-alia* states "Accordingly, this Court exercising its powers under Article 142 hereby constitutes a Committee headed by Justice Debi Prosad Dey, retired Judge, Calcutta High Court. The Committee shall also consist of a Principal Secretary ranking officer of the IAS, who had served in the West Bengal cadre and stationed in Kolkata with experience in the Higher Education Department as well as a retired Registrar of one of the State Universities in West Bengal, residing in Kolkata. The State Government shall nominate the members other than the Chairman".
- (2) Later vide solemn order of the Hon'ble Supreme Court of India dated 18.05.2023 an extension of time (eight weeks) was allowed as prayed for by the MA&ME Department vide Diary No. 21380 of 2023. **[Annexure-XIII]**

(D) TERMS OF REFERENCE

The Hon'ble Supreme Court requested the Committee to consider the claims of the petitioners, keeping in mind the following:-

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(a) Whether the madrasah or its managing committee was recognized by the state government on the date on which the appointment was made?

(b) Whether such appointments were made, of candidates who possessed the requisite prescribed qualifications and fulfilled the experience and other eligible conditions stipulated for the post concerned?

(c) Whether such an appointment was made by following the recruitment procedure indicated in the Kolkata Gazette Notification dated 11-03-2015 (No. 93-SE/S/10R-14/2013-9th February, 2015) and in Kolkata Gazette Notification dated 04-03-2016 (No. 486-MD/O/2M-11/2016)?

(d) Whether the appointments were made against vacancies that existed and whether the vacancies conformed to the staffing pattern for the concerned institution/Madrasahs

(e) Whether after the appointments were made, the persons appointed actually worked on their respective posts?

(f) Whether the appointments were actually made on the date of the appointment letter, or were backdated?"

(E) WORKING OF THE COMMITTEE

- (1) In compliance with the solemn order of the Hon'ble Supreme Court dated 02.02.2023 a Notification No. 485-MD dated 28.02.2023 **[Annexure-XIV]** was issued by the Secretary to the Govt. of West Bengal, MA&ME Department notifying the constitution of the Committee and also intimating all petitioners / claimants and persons likely to be affected by the report of the Committee to submit their representations and to appear before the Committee for a hearing on the dates as intimated to them by the Committee. The Notification was published in four State level dailies, one in English namely 'Times of India', two in Bengali namely 'Bartaman', 'Ajkal' and one in Urdu namely 'Akhbar-E-Mashriq'. The Notification was also uploaded in official websites of the following departments: Minority Affairs and Madrasah Education Department (www.wbminorityaffairs.gov.in), West Bengal Madrasah Service Commission (www.wbmsc.com) and West Bengal Board of Madrasah Education (www.wbbme.org) .

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- (2) Again vide Govt. Notification No. 539-MD/99011/129/2022 dated 06.03.2023 [**Annexure-XV**], the same advertisement was again published for wide circulation among claimants / interested persons in the same State Level Dailies and was also uploaded in official websites of the following departments: Minority Affairs and Madrasah Education Department (www.wbminorityaffairs.gov.in), West Bengal Madrasah Service Commission (www.wbmssc.com) and West Bengal Board of Madrasah Education (www.wbbme.org) .
- (3) The Committee extended the last date of submission of representations from the petitioners / interested persons upto 31.03.2023 vide Govt. Notification No. 705-MD dated 24.03.2023 [**Annexure-XVI**] which was again published in four State level dailies, one in English namely 'Times of India', two in Bengali namely 'Bartaman', 'Ajkal' and one in Urdu namely 'Akhbar-E-Mashriq'.
- (4) In response to the Notification No. 485-MD dated 28.02.2023, No. 539-MD dated 06.03.2023 and No. 705-MD dated 24.03.2023 five hundred and fifty nine (559) numbers of claims (497 from Contempt Petitioners and 59 from persons likely to be affected) were received by the office of the Committee from 28.02.2023 to 31.03.2023. The hearing of the claimants, and other interested persons and statutory authorities was held from 23.03.2023 to 30.06.2023. Madrasah wise list of the claimants/ "interested persons" with dates of hearing etc. are enclosed in [**Annexure-XVII-A**] and [**Annexure-XVII-B**].

(F) FRAMING OF MODALITIES

- (1) In terms of the directions given by the Hon'ble Supreme Court in Contempt Petition (Civil) No. 352 of 2022, the Committee formulated modalities for verification of the eligibility and claims of individual petitioners.

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(2) The following modalities were adopted by the Committee to verify the claims of 497 contempt petitioners as well as other persons:-

- (a) Verification of the educational qualifications of each petitioner by perusing the original educational testimonials and where necessary, verifying the original educational testimonials from the concerned university or college so as to ascertain their veracity.
- (b) Examination of the petitioners in person in order to afford them an opportunity of a personal hearing and in order to ascertain the mode, manner and procedures adopted during his/her appointment.
- (c) Verification of the original Attendance Register maintained by the concerned Madrasah in order to ascertain to an extent if the petitioner has been working in the Madrasah since the date of his/her alleged appointment and to verify the photocopies of attendance registers where submitted by the petitioners along with points raised in their written representations.
- (d) Checking and verification of Appointment and Joining Letters along with Work Done Certificates, where submitted through interaction with the Madrasah authorities or as the case may be.
- (e) Examining separately the Superintendents/ Headmasters/ Teachers-in-charge (being Joint Secretary of the Managing Committee and being the Head of the institution etc.) for verification of the original Resolution Book, official Attendance Register, staff pattern, mode and manner of working of the petitioner and actual appointment and work of the petitioner in the institution.
- (f) Verifying and checking of the photocopy of resolutions taken by the Managing Committee if any, submitted by the petitioners (along with their written representations) with the original

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Resolution Book produced by the Superintendents/ Headmasters /Teachers-in-charge as the case may be.

- (g) To keep the photostat copies of Attendance Register and Resolution Book for future reference if any at the time of returning the same to the concerned authority.

(G) VERIFICATION PROCESS

- (1) It may be mentioned here that the period of verification is ranging from the year 2014 to 2022. The Superintendents/ Headmasters/Teachers-in-charge were requested to produce the following documents:-
- (2) Original recorded Resolutions of the Managing Committees regarding initiation of the recruitment process in terms of Government Order No. 93-SE/S/10R-14/2013 dated 9th February, 2015 and Notification No. 486-MD/O/2M-11/2016 dated 3rd March, 2016.
- (3) Resolutions seeking permission of District Inspector of Schools about recruitment of teaching/ non-teaching staff in terms of Government Notification Nos. 93-SE/S/10R-14/2015 dated 9th February, 2015 or giving intimation to the District Inspector of Schools regarding initiation of recruitment process and constitution of Selection Committee in terms of the Government Notification No. 486-MD/O/2M-11/2016 dated 3rd March, 2016.
- (4) Publication of advertisement in terms of the aforesaid Government Notifications in two state level Dailies (out of which one must be in Bengali).
- (5) Class Routine to ascertain the participation of the petitioners.

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- (6) Intimation to the District Inspector of Schools within 30 days from the date of alleged recruitment for approval of the petitioners as teaching/non-teaching staff.
- (7) Staff pattern of the Madrasah in order to show that the concerned petitioner was recruited against a sanctioned post.
- (8) Necessary documents to show that the concerned Madrasah was duly recognised by the Board.
- (9) Necessary documents to show that the Managing Committee was sanctioned on the date of alleged recruitment.
- (10) The Committee also decided to call the concerned District Inspector/Additional District Inspector of Schools.

Apart from verbal evidence to assist this Committee, they were requested to submit an authenticated report in the format as under:-

Sl. No.	Question
1.	Whether this Madrasah was recognized on the date of appointment?
2.	Whether the Managing Committee was valid on the date of appointment?
3.	Whether prior permission from DI was taken for filling up the post? (If Yes, submit copy)
4.	Whether the post was sanctioned? (If Yes, submit the post sanction memo)
5.	Whether permission was taken from DI or intimation was given for recruitment process?
6.	Whether advertisement for recruitment was published in two state level dailies (If Yes, produce original copy)
7.	Whether any Selection Committee was formed following procedure as per rule? (Produce the Resolution copy)
8.	Whether DI was intimated regarding formation of Selection Committee?
9.	Whether D.I of Schools was requested to send Govt. Nominee for the Selection Committee ?

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10.	Whether any Govt. nominee was present in the Interview Board ? (if yes, produce details)
11.	Whether papers related to said recruitment were submitted to the office of DI for approval ? If yes mention the date of submission (Produce office copy)
12.	Which Recruitment Rule was applicable at the time of appointment? Whether it was 93-SE/S/10R-14/13 dt 09.02.2015 or it was 486-MD/O/2M-11/2016 dt.03.03.2016

- (1) It would be evident from Government Order Nos. 93-SE/S/10R 14/2013 dated 9th February, 2015 that approval is to be obtained from the District Inspector of Schools at least three months prior to commencement of any recruitment process for any teaching and non-teaching staff by the Managing Committee of the concerned Madrasah. As per Notification No. 486- MD/O/2M-11/2016 require prior approval of the D.I. of Schools before appointment.
- (2) The West Bengal Schools (Control of Expenditure) Act, 2005 specifically provides that the said Act was implemented to provide for the control of expenditure in the schools in West Bengal, which includes Madrasahs also.
- (i) Section 4 of West Bengal Schools (Control of Expenditure) Act, 2005 is attached as **[Annexure-VI]**.
- (ii) Salaries and wages of Teaching and Non-teaching staff against sanctioned posts for Recognised Madrasahs/Schools is the financial responsibility of the State. Therefore, the importance of intimation to the Government or permission of the Government before recruitment can safely be assumed from Section 4 & 5 of The West Bengal Schools (Control of Expenditure) Act, 2005.

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(3) Reports were specifically called for from the West Bengal Board of Madrasah Education relating to the claims of the petitioners belonging to different Madrasah's as follows -:

- (i) Whether the Madrasah was recognized on the date on which Appointment of the concerned teacher was made.
- (ii) Whether the Managing Committee of the Madrasah was recognised on the Date of Appointment.

(4). Merit and excellence are the two conditions to be fulfilled in matters of recruitment of teachers for better administration of any educational institution. To attract talented teachers is the prime consideration at the time of recruitment of teachers so as to ensure the unfettered progress of the institution.

H. EXECUTIVE SUMMARY

(1) Advertisements were published in leading Daily newspapers namely 'Times of India', 'Bartaman', 'Ajkal' and 'Akhbar-E-Mashriq' inviting representations from the Petitioners and other interested and likely to be affected persons within stipulated dates vide Notification No. 485-MD dated 28.02.2023 and the same was again published twice vide Notification Nos. 539-MD dated 06.03.2023 and 705-MD dated 24.03.2023 (for extension of time)

Extension of time was also given

(2) The following categories of representations were received:-

- (i) Total numbers of four hundred and ninety seven (497) representations were received from Petitioners who had filed Contempt Petitions individually or in groups before the Hon'ble Supreme Court namely Contempt Petition (C) No 352 of 2022 and ninety four (94) other such petitions.

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- (ii) Four hundred and Fifty Seven (457) persons / petitioners appeared before this Committee for verification of claims out of these Four Hundred and Ninety Seven (497) petitioners. (Forty [40] persons did not appear inspite of receiving notice several times).
- (iii) Fifty Nine (59) numbers of representations were received from persons likely to be affected in future through matters expected to arise out of this Committee's findings. Out of those Fifty Four (54) appeared before the Committee for verification and Five (5) did not appear.
- (iv) Two (2) representations were received from "interested persons"(one S.L.P. No. 3352 of 2021 referred by Hon'ble Supreme Court of India, and F.M.A No. 915 of 2021 referred by High Court).
- (v) One (1) written complaint was received from an "interested person". As per **Annexure - XX**.
- (vi) To begin the process of hearing and verification of copies of documents received, the representations were taken on record, listed and sorted.
- (vii) Notices were issued giving sufficient time for the Petitioners to appear on stipulated dates. Time prayers were as required allowed from time to time. For those who failed to appear before or who did not cooperate with this Committee, fresh notices were issued atleast on three (3) successive occasions.
- (viii) Notices were also issued to some Superintendents, Headmasters, Teachers-in-Charge, District Inspectors of Schools, ADIs & other authorities to assist in verification of claims.
- (ix) The Committee verified individually the claim of each Petitioner as well as the persons who submitted their claims as Interested Persons and others likely to be affected. Reports were prepared

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for each individual claimant. Fair hearing was given to the Petitioners, Superintendents/Headmasters/Teachers-in-Charge, D.I. & ADI of Schools and in some cases, the Secretary and/or Teachers of some institutions, as required. Their statements have been duly recorded. The Committee also considered the documents and representations filed by them.

- (x) This Committee followed an open, diligent, rational and transparent procedure based on personal depositions, documents submitted, documents / registers called for (from the institutions), robust referencing and objective analysis to elicit facts and circumstances without any bias.
- (xi) An extensive and detailed evaluation was made through examination and recording of depositions. All documents were verified and cross-checked diligently. Facts and other relevant information were matched and conclusions drawn in accordance with the solemn directives laid down by the Hon'ble Supreme Court.

(I) FINDINGS

- (i) With regard to the extant rules of recruitment for Teaching and non-Teaching staff as per Govt. Notification No. 93-SE/S/10R-14/2013 dated 09/02/2015 and 486-MD/O/2M-11/2016 dated 03.03.2016 as well as the mandatory procedure that are required to be followed (Sec- 4 of the West Bengal Schools (Control of Expenditure) Act, 2005). This Committee is of the considered view that the appointments of the Petitioners and contentions of 'interested persons' and others do not conform to notified procedures as per Govt. Notification No.93-SE/S/10R-14/2013 dated 09/02/2015 and 486-MD/O/2M-11/2016 dated 03/03/2016 and are, therefore, illegal.

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- (ii) The Committee has recorded detailed Observations relating to each Contempt Petitioner which are accordingly filed and described in **Appendix -1** and “interested persons” which are accordingly filed and described in **Appendix - 2** to this Report, which shall form part and parcel of this Report.
- (iii) A list of Contempt Petitions including the petitioners alongwith the concerned Madrasah is attached at **[Annexure-XVIII]**.
- (iv) Observations have been recorded relating to representations heard and received from other persons vide para H (2) (iii) preceding who may be affected in future through matters arising out of the findings of this Committee **[Annexure-XIX]**.
- (v) Complaint submitted by one “interested person” as referred to in para H (2) (v) is annexed herewith as **Annexure-XX**.

Having regard to the legal chronology and the rights and contentions of the Petitioners and other categories of persons, the entire matter appears to be bristling with complex ramifications and was dealt with infinite care by the Committee.

(J) OBSERVATIONS

- a) Observations relating to each **Contempt Petitioner** are filed (as part of the Report) – **Appendix -1**
- b) Observations relating to each **“interested person”** filed (as part of the Report) - **Appendix -2**
- c) Observations relating to **“other persons likely to be affected”**, filed (as part of the Report) - **Appendix -3**

Debi Prosad Dey
Justice Debi Prosad Dey
(Chairman)
03/08/2023

Manish Gupta
Shri Manish Gupta
(Member) *03/08/2023*

Shri Sripati Mukhopadhyay
Shri Sripati Mukhopadhyay
(Member)
03/08/2023

(K) LIST OF ANNEXURES:

- a) Notification No. 1465-MD dated 12.10.2007 **(Annexure-I).**
- b) West Bengal Madrasah Service Commission act, 2008 **(Annexure-II).**
- c) West Bengal Madrasah Service Commission recruitment (selection and recommendation of persons for appointment and transfer to the post of Assistant Teacher and Non-teaching staff) rules 2010 **(Annexure-III).**
- d) Solemn order of Hon'ble High Court, Calcutta dated 12.03.2014 in W.P. No. 20650(W) of 2013 **(Annexure-IV).**
- e) Solemn order Division Bench of Hon'ble High Court, Calcutta dated 09.12.2015 in AST 192 OF 2014 with MAT 473 OF 2014 **(Annexure-V).**
- f) West Bengal Schools (Control of Expenditure) Act 2005 **(Annexure-VI).**
- g) West Bengal School Service Commission Act 1997**(Annexure-VII).**
- h) Notification No. 486-MD/O/2M-11/2016 dated 03.03.2016 **(Annexure-VIII).**
- i) Notification No. 93-Se/S/10R-14/2013 dated 09.02.2015 **(Annexure-IX).**
- j) Solemn order of Hon'ble Supreme Court of India dated 14.03.2016 in S.L.P (C) No. 6661 of 2016 with Civil Appeal No. 5808 of 2017 **(Annexure-X).**
- k) Solemn final order and judgment of Hon'ble Supreme Court of India dated 06.01.2020 in S.L.P (C) No. 6661 of 2016 with Civil Appeal No. 5808 of 2017 **(Annexure-XI).**
- l) Solemn order of Hon'ble Supreme Court of India dated 02.02.2023 in Contempt petition (C) No. 352 of 2022 **(Annexure-XII).**
- m) Solemn order of Hon'ble Supreme Court of India dated 18.05.2023 in Diary No. 21380 of 2023 **(Annexure-XIII).**
- n) Notification No. 485-MD dated 28.02.2023 published in four (4) State Level Dailies **(Annexure-XIV).**
- o) Notification No. 539-MD dated 06.03.2023 published in four (4) State Level Dailies **(Annexure-XV).**

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6/08/2023, 3/8/23, 02/04/23

- p) Notification No. 705-MD dated 24.03.2023 published in four (4) State Level Dailies (**Annexure-XVI**).
- q) Madrasah wise list of the claimants / interested persons (**Annexure-XVII-A & XVII-B**).
- r) List of Contempt Petitions vide petitioners along with the concerned Madrasah (**Annexure-XVIII**).
- s) List of interested persons vide petitioners along with the concerned Madrasah (**Annexure-XIX**).
- t) Complaint submitted by one “**interested person**” and other related documents (**Annexure-XX**).

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Govt. of West Bengal
Directorate of Madrasah Education
Bikash Bhavan (2nd floor), South Block, Salt Lake City, Kolkata – 700 091
Phone: 033- 2337-1319

Memo No. 611 -ME

Date: 30.05.2024

From : OSD & Ex Officio Director of Madrasah Education, W.B.

To : 1. The Secretary,
West Bengal Madrasah Service Commission,
Bikash Bhavan
Salt Lake City, Kolkata – 700 091

✓ 2. The Secretary,
West Bengal Board of Madrasah Education.
Maulana Abul Kalam Azad Bhavan', DD-45,
Salt Lake City, Kolkata-700064.

Sub: Submission of soft copy of the final report of the Committee constituted by MA&ME Dept, Govt of W.B vide 485-MD dated 28.02.2023 in compliance with the solemn order of Hon'ble Supreme Court dated 02.02.2023 in Contempt Petition (C) No. 352 of 2022.

Ref: Memo No. 2362 - MD-99011/129/2022-SECTION (MAME)-Dept. of MAME dated 24.05.2024

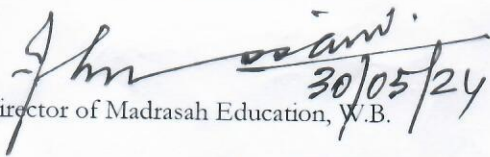
Sir,

In connection with the subject as mentioned above the undersigned is submitting herewith the soft copies of the final report of the Committee along with all its annexures, and observations with a request to upload the same in your website as directed by the Secretary to the Govt of W.B, MA & ME dept. vide the memo as cited in reference above.

This is for your information and taking necessary action.

- Enclo: i. Memo No. 2362 -MD dated 24.05.2024
ii. One pendrive with the soft copies of final report,
all annexures and observations in it.

Yours faithfully,


OSD & Ex Officio Director of Madrasah Education, W.B.

Memo No: 611/1(1) ME

Date: 30.05.2024

Copy forwarded for information to:

- 1) The Secretary to Govt of W.B, MA & ME Dept., 'Nabanna', Mandirtala, Shibpur, Howrah – 711102

OSD & Ex Officio Director of Madrasah Education, W.B.

Government of West Bengal
Minority Affairs & Madrasah Education Department
'NABANNA', HRBC Buildings, 3rd Floor
325, Sarat Chatterjee Street, Howrah-711102

No. 2362 - MD-99011/129/2022-SECTION(MAME)-Dept. of MAME

Date: 24.05.2024

From: G. H. Obaidur Rahman
Secretary to the Government of West Bengal

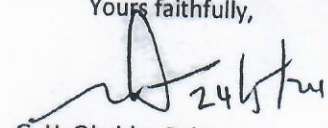
To: The OSD & Ex. Officio Director of Madrasah Education,
Directorate of Madrasah Education

Subject : Final Report of Hon'ble Justice Debi Prasad Dey (Retd.) Committee constituted by the Hon'ble Supreme Court in Contempt Petition (Civil) No. 352 of 2022 in Civil Appeal No. 5808 of 2017 in the matter of Snehasis Giri and Ors. – vs –Subhasis Mitra & Ors. and other cases in the matter.

Sir ,

In inviting a reference to the subject captioned above, you are requested to verify whether the entire report of the committee has been uploaded in the website of this Department and submit a report to this Department immediately to avoid undesirable situation before the Hon'ble Supreme Court. Soft copy may also be forwarded to WBMSC and WBBME for uploading the same in their respective websites for general information .

Yours faithfully,


G. H. Obaidur Rahman
Secretary to the Government of West Bengal