

OBSERVATION

Mehmud Sarkar:- The photostat copy of the appointment letter reveals that Mehmud Sarkar was appointed as Asstt. Teacher at Kalmati High Madrasah, Coochbehar on 18/09/2018 and he reported his duty before the Headmaster of Kalmati High Madrasah on 19/09/2018.

Bilal Hossain Mallik, the Headmaster of Kalmati High Madrasah, admitted that there are two attendance registers for approved teachers and another for non-approved teachers. Curiously enough, the appointment letters were issued by Bilal Hossain Mallik, the Headmaster of Kalmati High Madrasah, Coochbehar ignoring the Secretary of the Managing Committee and all other members of the Managing Committee. He also admitted that a separate Resolution Book has been prepared for purpose of giving appointment in the year 2015 and 2018. The original Resolution Book of 2015 maintained by the Managing Committee, did not reveal anything about alleged appointment of Mehmud Sarkar. The Headmaster, Bilal Hossain Mallik played a pivotal role in manufacturing the document and falsely projecting the said Mehmud Sarkar as legally recruited employee. No appointment letter of 2018 has been produced by the petitioner.

In terms of the report of Samar Chandra Mondal, the D.I. of Schools, Coochbehar, the applicants including Mehmud Sarkar were never recruited following **G.O. No. 93-SE/S/10R-14/2013 dated 09/02/2015 and 486-MD/O/2M-11/2016 dated 03/03/2016**. The D.I. of Schools, Coochbehar further stated that the Madrasah authority cannot appoint any teaching or non-teaching staff without previous sanction of the state as contemplated in Section 4 (1) (ii) of The West Bengal Schools (Control of Expenditure) Act, 2005. Admittedly, no such sanction was taken by the Madrasah for appointment of Mehmud Sarkar. Unfortunately, despite rejection of the claim by the D.I. of School, the petitioner, Mehmud Sarkar has again filed his application for verification.

Three full time permanent teachers of Kalmati High Madrasah appeared before the Committee, namely, Md. Hatim Ali, Asstt. Teacher (Arabic), Dewan Sabibul Alam, Asstt. Teacher (Beng), Saffur Rahman Sarkar, Asstt. Teacher (Social Science group), have stated in clear terms that they never saw Mehmud Sarkar to work in the Madrasah and he was never recruited following the Rules of Recruitment.

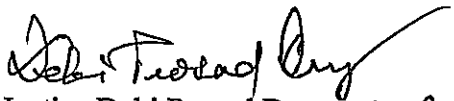
Bilal Hossain Mallik, the Headmaster, had manufactured one separate Resolution Book, which only contains the alleged appointment of the year 2015 and 2018 only. The Headmaster intentionally suppressed the original Resolution Book of the Managing Committee for the year 2018.

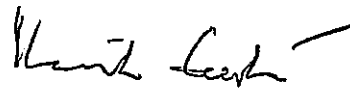
A separate Resolution Book appears to have been manufactured by the Headmaster, has been produced before this Committee. The Headmaster cannot issue the letter of appointment and cannot accept the joining report. The vacancies ought to be published in State Level Dailies but, in order to avoid that the impact of that clause, that the vacancy was published in a local newspaper of North Bengal without giving requisite particulars of the vacancies as stipulated under the Rules of

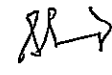
1/01/05/2027 RR →

Recruitment. The D.I. of Schools, Coochbehar has categorically stated that the claims of the petitioners of the Madrasah are all fake and fabricated and they were never recruited following the Rules of Recruitment being 486-MD/O/2M-11/2016 dated 03/03/2016 & 93-SE/S/10R-14/2013 dated 09/02/2015.

In fine, we are of considered opinion that Mehmud Sarkar was never recruited following the Rules of recruitment and he never worked in Kalmati High Madrasah as Asstt. Teacher.


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


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


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

OBSERVATION

Subha Sarkar:- The photostat copy of the appointment letter reveals that Subha Sarkar was appointed as Asstt. Teacher at Kalmati High Madrasah, Coochbehar on 18/09/2018 and he reported his duty before the Headmaster of Kalmati High Madrasah on 19/09/2018.

Bilal Hossain Mallik, the Headmaster of Kalmati High Madrasah, admitted that there are two attendance registers for approved teachers and another for non-approved teachers. Curiously enough, the appointment letters were issued by Bilal Hossain Mallik, the Headmaster of Kalmati High Madrasah, Coochbehar ignoring the Secretary of the Managing Committee and all other members of the Managing Committee. He also admitted that a separate Resolution Book has been prepared for purpose of giving appointment in the year 2015 and 2018. The original Resolution Book of 2015 maintained by the Managing Committee, did not reveal anything about alleged appointment of Subha Sarkar. The Headmaster, Bilal Hossain Mallik played a pivotal role in manufacturing the document and falsely projecting the said Subha Sarkar as legally recruited employee. No appointment letter of 2018 has been produced by the petitioner.

In terms of the report of Samar Chandra Mondal, the D.I. of Schools, Coochbehar, the applicants including Subha Sarkar were never recruited following **G.O. No. 93-SE/S/10R-14/2013 dated 09/02/2015 and 486-MD/O/2M-11/2016 dated 03/03/2016**. The D.I. of Schools, Coochbehar further stated that the Madrasah authority cannot appoint any teaching or non-teaching staff without previous sanction of the state as contemplated in Section 4 (1) (ii) of The West Bengal Schools (Control of Expenditure) Act, 2005. Admittedly, no such sanction was taken by the Madrasah for appointment of Subha Sarkar. Unfortunately, despite rejection of the claim by the D.I. of School, the petitioner, Subha Sarkar has again filed his application for verification.

Three full time permanent teachers of Kalmati High Madrasah appeared before the Committee, namely, Md. Hatim Ali, Asstt. Teacher (Arabic), Dewan Sabibul Alam, Asstt. Teacher (Beng), Safiur Rahman Sarkar, Asstt. Teacher (Social Science group), have stated in clear terms that they never saw Subha Sarkar to work in the Madrasah and he was never recruited following the Rules of Recruitment.

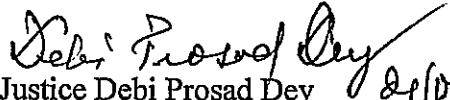
Bilal Hossain Mallik, the Headmaster, had manufactured one separate Resolution Book, which only contains the alleged appointment of the year 2015 and 2018 only. The Headmaster intentionally suppressed the original Resolution Book of the Managing Committee for the year 2018.

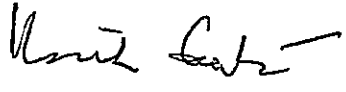
A separate Resolution Book appears to have been manufactured by the Headmaster, has been produced before this Committee. The Headmaster cannot issue the letter of appointment and cannot accept the joining report. The vacancies ought to be published in State Level Dailies but, in order to avoid that the impact of that clause, that the vacancy was published in a local newspaper of North Bengal without giving requisite particulars of the vacancies as stipulated under the Rules of Recruitment. The D.I. of Schools, Coochbehar has categorically stated that the claims of the

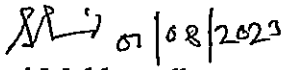
Wojestwars Ali

petitioners of the Madrasah are all fake and fabricated and they were never recruited following the Rules of Recruitment being 486-MD/O/2M-11/2016 dated 03/03/2016 & 93-SE/S/10R-14/2013 dated 09/02/2015.

In fine, we are of considered opinion that Subha Sarkar was never recruited following the Rules of recruitment and he never worked in Kalmati High Madrasah as Asstt. Teacher.


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


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


3) Shri Sripati Mukhopadhyay
(Member)

OBSERVATION

Ekramul Alam:- The photostat copy of the appointment letter reveals that Ekramul Alam was appointed as Asstt. Teacher at Kalmati High Madrasah, Coochbehar on 18/09/2018 and he reported his duty before the Headmaster of Kalmati High Madrasah on 19/09/2018.

Bilal Hossain Mallik, the Headmaster of Kalmati High Madrasah, admitted that there are two attendance registers for approved teachers and another for non-approved teachers. Curiously enough, the appointment letters were issued by Bilal Hossain Mallik, the Headmaster of Kalmati High Madrasah, Coochbehar ignoring the Secretary of the Managing Committee and all other members of the Managing Committee. He also admitted that a separate Resolution Book has been prepared for purpose of giving appointment in the year 2015 and 2018. The original Resolution Book of 2015 maintained by the Managing Committee, did not reveal anything about alleged appointment of Ekramul Alam. The Headmaster, Bilal Hossain Mallik played a pivotal role in manufacturing the document and falsely projecting the said Ekramul Alam as legally recruited employee. No appointment letter of 2018 has been produced by the petitioner.

In terms of the report of Samar Chandra Mondal, the D.I. of Schools, Coochbehar, the applicants including Ekramul Alam were never recruited following **G.O. No. 93-SE/S/10R-14/2013 dated 09/02/2015 and 486-MD/O/2M-11/2016 dated 03/03/2016**. The D.I. of Schools, Coochbehar further stated that the Madrasah authority cannot appoint any teaching or non-teaching staff without previous sanction of the state as contemplated in Section 4 (1) (ii) of The West Bengal Schools (Control of Expenditure) Act, 2005. Admittedly, no such sanction was taken by the Madrasah for appointment of Ekramul Alam. Unfortunately, despite rejection of the claim by the D.I. of School, the petitioner, Ekramul Alam has again filed his application for verification.

Three full time permanent teachers of Kalmati High Madrasah appeared before the Committee, namely, Md. Hatim Ali, Asstt. Teacher (Arabic), Dewan Sabibul Alam, Asstt. Teacher (Beng), Safiur Rahman Sarkar, Asstt. Teacher (Social Science group), have stated in clear terms that they never saw Ekramul Alam to work in the Madrasah and he was never recruited following the Rules of Recruitment.

Bilal Hossain Mallik, the Headmaster, had manufactured one separate Resolution Book, which only contains the alleged appointment of the year 2015 and 2018 only. The Headmaster intentionally suppressed the original Resolution Book of the Managing Committee for the year 2018.

A separate Resolution Book appears to have been manufactured by the Headmaster, has been produced before this Committee. The Headmaster cannot issue the letter of appointment and cannot accept the joining report. The vacancies ought to be published in State Level Dailies but, in order to avoid that the impact of that clause, that the vacancy was published in a local newspaper of North Bengal without giving requisite particulars of the vacancies as stipulated under the Rules of

15/08/2020 SLV

Recruitment. The D.I. of Schools, Coochbehar has categorically stated that the claims of the petitioners of the Madrasah are all fake and fabricated and they were never recruited following the Rules of Recruitment being 486-MD/O/2M-11/2016 dated 03/03/2016 & 93-SE/S/10R-14/2013 dated 09/02/2015.

In fine, we are of considered opinion that Ekramul Alam was never recruited following the Rules of recruitment and he never worked in Kalmati High Madrasah as Asstt. Teacher.

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

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

SRi *07/08/2023*
3) Shri Sripati Mukhopadhyay
(Member)

OBSERVATION

Jahurul Hoque Mondal: - The photostat copy of the appointment letter reveals that Jahurul Hoque Mondal was appointed as Asstt. Teacher at Kalmati High Madrasah, Coochbehar on 18/09/2018 and he reported his duty before the Headmaster of Kalmati High Madrasah on 19/09/2018.

Bilal Hossain Mallik, the Headmaster of Kalmati High Madrasah, admitted that there are two attendance registers for approved teachers and another for non-approved teachers. Curiously enough, the appointment letters were issued by Bilal Hossain Mallik, the Headmaster of Kalmati High Madrasah, Coochbehar ignoring the Secretary of the Managing Committee and all other members of the Managing Committee. He also admitted that a separate Resolution Book has been prepared for purpose of giving appointment in the year 2015 and 2018. The original Resolution Book of 2015 maintained by the Managing Committee, did not reveal anything about alleged appointment of Jahurul Hoque Mondal. The Headmaster, Bilal Hossain Mallik played a pivotal role in manufacturing the document and falsely projecting the said Jahurul Hoque Mondal as legally recruited employee. No appointment letter of 2018 has been produced by the petitioner.

In terms of the report of Samar Chandra Mondal, the D.I. of Schools, Coochbehar, the applicants including Jahurul Hoque Mondal were never recruited following **G.O. No. 93-SE/S/10R-14/2013** dated 09/02/2015 and **486-MD/O/2M-11/2016** dated 03/03/2016. The D.I. of Schools, Coochbehar further stated that the Madrasah authority cannot appoint any teaching or non-teaching staff without previous sanction of the state as contemplated in Section 4 (1) (ii) of The West Bengal Schools (Control of Expenditure) Act, 2005. Admittedly, no such sanction was taken by the Madrasah for appointment of Jahurul Hoque Mondal. Unfortunately, despite rejection of the claim by the D.I. of School, the petitioner, Jahurul Hoque Mondal has again filed his application for verification.

Three full time permanent teachers of Kalmati High Madrasah appeared before the Committee, namely, Md. Hatim Ali, Asstt. Teacher (Arabic), Dewan Sabibul Alam, Asstt. Teacher (Beng), Safiur Rahman Sarkar, Asstt. Teacher (Social Science group), have stated in clear terms that they never saw Jahurul Hoque Mondal to work in the Madrasah and he was never recruited following the Rules of Recruitment.

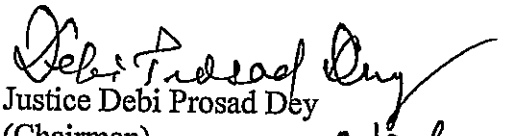
Bilal Hossain Mallik, the Headmaster, had manufactured one separate Resolution Book, which only contains the alleged appointment of the year 2015 and 2018 only. The Headmaster intentionally suppressed the original Resolution Book of the Managing Committee for the year 2018.

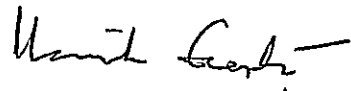
A separate Resolution Book appears to have been manufactured by the Headmaster, has been produced before this Committee. The Headmaster cannot issue the letter of appointment and cannot accept the joining report. The vacancies ought to be published in State Level Dailies but, in order to avoid that the impact of that clause, that the vacancy was published in a local newspaper of North Bengal without giving requisite particulars of the vacancies as stipulated under the Rules of

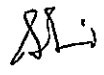
Sbi
M/15/08/11/22

Recruitment. The D.I. of Schools, Coochbehar has categorically stated that the claims of the petitioners of the Madrasah are all fake and fabricated and they were never recruited following the Rules of Recruitment being 486-MD/O/2M-11/2016 dated 03/03/2016 & 93-SE/S/10R-14/2013 dated 09/02/2015.

In fine, we are of considered opinion that Jahurul Hoque Mondal was never recruited following the Rules of recruitment and he never worked in Kalmati High Madrasah as Asstt. Teacher.


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


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


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

OBSERVATION

Firdous Rahaman, Librarian :

The petitioner is claiming that he was recruited on 18.09.2018 and he has been working in the Madrasah as Librarian since 19.09.2018. Being aware of the vacancy from one advertisement published in "UTTAR BANGA SANGBAD", the petitioner appeared in written examination and thereafter he was recruited as Librarian by the Madrasah. The petitioner has filed one Work Done Certificate issued by Headmaster, Bilal Hossain Mallick.

Bilal Hossain Mallik on the other hand has categorically stated that he had not fully complied with the recruitment rules in matters of appointment of the petitioner. Admittedly, there are two sets of Resolution Books of the Managing Committee. The original Resolution Books of the Managing Committee for the year 2015, 2016 and 2017 do not reflect any recruitment of Teachers or non-Teaching staff in the Madrasah.

A separate Resolution Book has been prepared by the Headmaster, Bilal Hossain Mallick. He has also recruited his nephew as Night Guard without having any sanctioned post in the Madrasah.

The separate Resolution Book appears to have been manufactured by the Headmaster. As per recruitment rule, the vacancy has to be published in two state level dailies, out of which one must be a Bengali newspaper. Admittedly, the vacancy was not published in any English newspaper having wide circulation through the state. No document has been produced to show that the recruitment rules were fully complied with in matters of alleged appointment of the petitioner

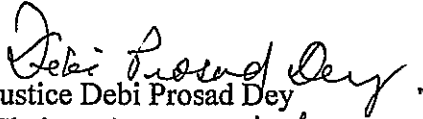
The Headmaster himself has admitted that the rules of recruitment as per Govt. Notification were not complied with.

Samar Chandra Mondal, D.I. of Schools has also stated by filing a specific report in respect of the petitioner that the petitioner was never recruited following the rules of recruitment and the claim of the petitioner as non-Teaching staff of the Madrasah is absolutely fake and fabricated.

On comparison of the Resolution Books for the year 2015, we find that the separate Resolution Book prepared by the Headmaster has bestowed all the powers of recruitment, issuance of appointment letter and reporting authority upon the Headmaster, whereas as per rules, the Secretary is authorized to issue appointment letter and the Secretary except the case of Headmaster, is also the reporting authority. The Headmaster intentionally did not produce the Resolution Book of the Managing Committee of 2018 in order to suppress the actual state of affairs. However, having regard to the report of the D.I. of Schools, materials on record, the statement of the Headmaster and the petitioner, we are of considered opinion that the separate Resolution Book for the year 2015 has been prepared/manufactured by the Headmaster and the Headmaster ^{has} intentionally suppressed the original Resolution Book of the Managing Committee for the year 2018. In absence of the original Resolution Book for the year 2018, we cannot say that the petitioner was recruited following the rules of recruitment.

Under the circumstances stated above, we have no hesitation to say 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.

In view of the circumstances stated hereinabove, we reject the Work Done Certificate issued by the Headmaster, Bilal Hossain Mallick, who appears to be the kingpin of illegal recruitment in the Madrasah ignoring the rules of recruitment.


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

2. Shri Manish Gupta
(Member)

3. Shri Sripati Mukhopadhyay
(Member)

OBSERVATION

Baharul Sarkar. Group 'C':- The petitioner, Baharul Sarkar suddenly appeared as 'Interested Person' on 04/05/2023 and prayed for consideration of his case in terms of the Hon'ble Supreme Court order dated 02/02/2023 vide Contempt Petition No. 352/2022. Except the photostat copy of the appointment letter issued by the Headmaster of Kalmati High Madrasah, Mr. Bilal Hossain Mallik, dated 23/12/2015 and the joining report signed by the Headmaster on 19/09/2018, the petitioner Baharul Sarkar could not produce any other document to justify that he was recruited following the Rules of Recruitment on 19/09/2018. Bilal Hossain Mallik, the Headmaster of the Kalmati High Madrasah has issued work done certificate in favour of the petitioner.

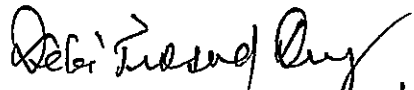
It is apparent from the original Resolution Book produced by the Headmaster of Kalmati High Madrasah that there is no whisper about the recruitment of the petitioner following the Rules of Recruitment. However, a separate Resolution Book has been manufactured presumably by the Headmaster of the said Madrasah showing the recruitment of the petitioner in the year 2015. No permission was obtained from the Government prior to the recruitment of the petitioner in terms of Section 4 (1) (ii) of The West Bengal Schools (Control of Expenditure) Act, 2005. Curiously enough, the appointment was given by the Headmaster and the petitioner has reported before the Headmaster ignoring the Provision of West Bengal Rules for Management of Recognized Non-Government Madrasahs (Aided and unaided), 2002, wherein the Secretary is only authorized to issue the letter of appointment on behalf of the Managing Committee and the petitioner should report before the Secretary at the time of his joining.


Three regular full time teachers of Kalmati High Madrasah, namely, Safiur Rahman Sarkar, Dewan Sabibul Alam and Md. Hatim Ali, have emphatically stated that the petitioner never attended the Madrasah and he never worked there. Mustafizur Rahman, the Secretary of the Managing Committee of Kalmati High Madrasah also stated that Bilal Hossain Mallik was trying to push some persons as employees of the Madrasah but, they resisted such illegal action of Bilal Hossain Mallik.


A separate Resolution Book appears to have been manufactured by the Headmaster, has been produced before this Committee. The Headmaster cannot issue the letter of appointment and cannot accept the joining report. The vacancies ought to be published in State Level Dailies but, in order to avoid that the impact of that clause, that the vacancy was published in a local newspaper of North Bengal without giving requisite particulars of the vacancies as stipulated under the Rules of Recruitment. The D.I. of Schools, Coochbehar has categorically stated that the claims of the petitioners of the Madrasah are all fake and fabricated and they were never recruited following the Rules of Recruitment 486-MD/O/2M-11/2016 dated 03/03/2016 & 93-SE/S/10R-14/2013 dated 09/02/2015.

Shri
05/10/2023

We are of considered opinion that Baharul Sarkar was never recruited following the Rules of Recruitment and he never worked in the Kalamati High Madrasah, Coochbehar.


1) Justice Debi Prosad Dey 01/08/2017
(Chairman)


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


3) Shri Sripati Mukhopadhyay
(Member)

OBSERVATION

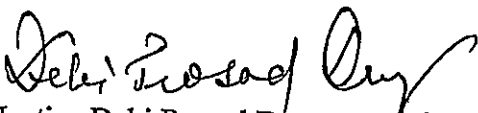
Md. Bin Kalam, Group 'C':- The petitioner, Md. Bin Kalam suddenly appeared as 'Interested Person' on 04/05/2023 and prayed for consideration of his case in terms of the Hon'ble Supreme Court order dated 02/02/2023 vide Contempt Petition No. 352/2022. Except the photostat copy of the appointment letter issued by the Headmaster of Kalmati High Madrasah, Mr. Bilal Hossain Mallik, dated 18/09/2018 and the joining report signed by the Headmaster on 19/09/2018, the petitioner Md. Bin Kalam could not produce any other document to justify that he was recruited following the Rules of Recruitment on 19/09/2018. Bilal Hossain Mallik, the Headmaster of the Kalmati High Madrasah has issued work done certificate in favour of the petitioner.


It is apparent from the original Resolution Book produced by the Headmaster of Kalmati High Madrasah that there is no whisper about the recruitment of the petitioner following the Rules of Recruitment. However, a separate Resolution Book has been manufactured presumably by the Headmaster of the said Madrasah showing the recruitment of the petitioner in the year 2015. No permission was obtained from the Government prior to the recruitment of the petitioner in terms of Section 4 (1) (ii) of The West Bengal Schools (Control of Expenditure) Act, 2005. Curiously enough, the appointment was given by the Headmaster and the petitioner has reported before the Headmaster ignoring the Provision of West Bengal Rules for Management of Recognized Non-Government Madrasahs (Aided and unaided), 2002, wherein the Secretary is only authorized to issue the letter of appointment on behalf of the Managing Committee and the petitioner should report before the Secretary at the time of his joining. Three regular full time teachers of Kalmati High Madrasah, namely, Safiur Rahman Sarkar, Dewan Sabibul Alam and Md. Hatim Ali, have emphatically stated that the petitioner never attended the Madrasah and he never worked there. Mustafizur Rahman, the Secretary of the Managing Committee of Kalmati High Madrasah also stated that Bilal Hossain Mallik was trying to push some persons as employees of the Madrasah but, they resisted such illegal action of Bilal Hossain Mallik.

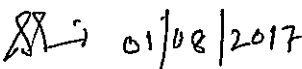
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SLI
01/8/2017 *18/09/2018*

We are of considered opinion that Md. Bin Kalam was never recruited following the Rules of Recruitment and he never worked in the Kalamati High Madrasah, Coochbehar as Gr. 'C' employee.


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


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


3) Shri Sripati Mukhopadhyay
(Member) 01/08/2017

OBSERVATION

Jashimuddin Miah, Group 'D':- The petitioner, Jashimuddin Miah suddenly appeared as 'Interested Person' on 04/05/2023 and prayed for consideration of his case in terms of the Hon'ble Supreme Court order dated 02/02/2023 vide Contempt Petition No. 352/2022. Except the photostat copy of the appointment letter issued by the Headmaster of Kalmati High Madrasah, Mr. Bilal Hossain Mallik, dated 18/09/2018 and the joining report signed by the Headmaster on 19/09/2018, the petitioner, Jashimuddin Miah could not produce any other document to justify that he was recruited following the Rules of Recruitment on 19/09/2018. Bilal Hossain Mallik, the Headmaster of the Kalmati High Madrasah has issued work done certificate in favour of the petitioner.

It is apparent from the original Resolution Book produced by the Headmaster of Kalmati High Madrasah that there is no whisper about the recruitment of the petitioner following the Rules of Recruitment. However, a separate Resolution Book has been manufactured presumably by the Headmaster of the said Madrasah showing the recruitment of the petitioner in the year 2015. No permission was obtained from the Government prior to the recruitment of the petitioner in terms of Section 4 (1) (ii) of The West Bengal Schools (Control of Expenditure) Act, 2005. Curiously enough, the appointment was given by the Headmaster and the petitioner has reported before the Headmaster ignoring the Provision of West Bengal Rules for Management of Recognized Non-Government Madrasahs (Aided and unaided), 2002, wherein the Secretary is only authorized to issue the letter of appointment on behalf of the Managing Committee and the petitioner should report before the Secretary at the time of his joining.

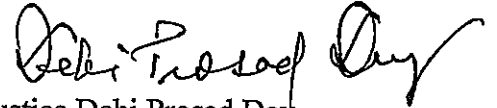
Three regular full time teachers of Kalmati High Madrasah, namely, Safiur Rahman Sarkar, Dewan Sabibul Alam and Md. Hatim Ali have emphatically stated that the petitioner never attended the Madrasah and he never worked there. Mustafizur Rahman, the Secretary of the Managing Committee of Kalmati High Madrasah also stated that Bilal Hossain Mallik was trying to push some persons as employees of the Madrasah but, they resisted such illegal action of Bilal Hossain Mallik.

A separate Resolution Book appears to have been manufactured by the Headmaster, has been produced before this Committee. The Headmaster cannot issue the letter of appointment and cannot accept the joining report. The vacancies ought to be published in State Level Dailies but, in order to avoid that the impact of that clause, that the vacancy was published in a local newspaper of North Bengal without giving requisite particulars of the vacancies as stipulated under the Rules of Recruitment. The D.I. of School, Coochbehar has categorically stated that the claims of the petitioners of the Madrasah are all fake and fabricated and they were never recruited following the Rules of Recruitment 486-MD/O/2M-11/2016 dated 03/03/2016 & 93-SE/S/10R—14/2013 dated 09/02/2015.

SR
07/08/2023

05/09/2023

We are of considered opinion that Jashimuddin Miah was never recruited following the Rules of Recruitment and he never worked in the Kalamati High Madrasah, Coochbehar as Gr. 'D' employee.



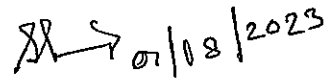
1) Justice Debi Prosad Dey
(Chairman)

01/08/2023



2) Shri Manish Gupta
(Member)

01/08/2023



3) Shri Sripati Mukhopadhyay
(Member)

01/08/2023

OBSERVATION

Suriya Akter Banu, Group 'D':- The petitioner, Suriya Akter Banu suddenly appeared as 'Interested Person' on 04/05/2023 and prayed for consideration of her case in terms of the Hon'ble Supreme Court order dated 02/02/2023 vide Contempt Petition No. 352/2022. Except the photostat copy of the appointment letter issued by the Headmaster of Kalmati High Madrasah, Mr. Bilal Hossain Mallik, dated 20/12/2018 and the joining report signed by the Headmaster on 22/12/2018, the petitioner, Suriya Akter Banu could not produce any other document to justify that he was recruited following the Rules of Recruitment on 19/09/2018. Bilal Hossain Mallik, the Headmaster of the Kalmati High Madrasah has issued work done certificate in favour of the petitioner.

It is apparent from the original Resolution Book produced by the Headmaster of Kalmati High Madrasah that there is no whisper about the recruitment of the petitioner following the Rules of Recruitment. However, a separate Resolution Book has been manufactured presumably by the Headmaster of the said Madrasah showing the recruitment of the petitioner in the year 2015. No permission was obtained from the Government prior to the recruitment of the petitioner in terms of Section 4 (1) (ii) of The West Bengal Schools (Control of Expenditure) Act, 2005. Curiously enough, the appointment was given by the Headmaster and the petitioner has reported before the Headmaster ignoring the Provision of West Bengal Rules for Management of Recognized Non-Government Madrasahs (Aided and unaided), 2002, wherein the Secretary is only authorized to issue the letter of appointment on behalf of the Managing Committee and the petitioner should report before the Secretary at the time of his joining. Three regular full time teachers of Kalmati High Madrasah, namely, Safiur Rahman Sarkar, Dewan Sabibul Alam and Md. Hatim Ali have emphatically stated that the petitioner never attended the Madrasah and he never worked there. Mustafizur Rahaman, the Secretary of the Managing Committee of Kalmati High Madrasah also stated that Bilal Hossain Mallik was trying to push some persons as employees of the Madrasah but, they resisted such illegal action of Bilal Hossain Mallik.

A separate Resolution Book appears to have been manufactured by the Headmaster, has been produced before this Committee. The Headmaster cannot issue the letter of appointment and cannot accept the joining report. The vacancies ought to be published in State Level Dailies but, in order to avoid that the impact of that clause, that the vacancy was published in a local newspaper of North Bengal without giving requisite particulars of the vacancies as stipulated under the Rules of Recruitment. The D.I. of School, Coochbehar has categorically stated the claims of the petitioners of the Madrasah are all fake and fabricated and they were never recruited following the Rules of Recruitment 486-MD/O/2M-11/2016 dated 03/03/2016 & 93-SE/S/10R—14/2013 dated 09/02/2015.

SL
81/08/23 *Mustafizur*

We are of considered opinion that Suriya Akter Banu was never recruited following the Rules of Recruitment and she never worked in the Kalamati High Madrasah, Coochbehar as Gr. 'D' employee.

Debi Prosad Dey

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

Manish Gupta

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

Shri Sripati Mukhopadhyay

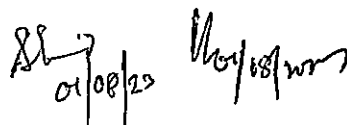
3) Shri Sripati Mukhopadhyay 01/08/2023
(Member)

OBSERVATION

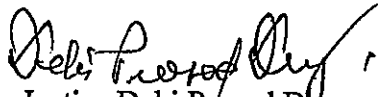
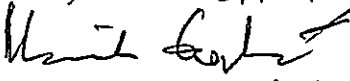
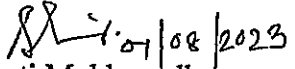
Abdur Rahim Mallik, Group 'D' :- The petitioner, Abdur Rahim Mallik suddenly appeared as 'Interested Person' on 04/05/2023 and prayed for consideration of his case in terms of the Hon'ble Supreme Court order dated 02/02/2023 vide Contempt Petition No. 352/2022. Except the photostat copy of the appointment letter issued by the Headmaster of Kalmati High Madrasah, Mr. Bilal Hossain Mallik, dated 23/12/2015 and the joining report signed by the Headmaster on 28/12/2015, the petitioner Abdur Rahim Mallik could not produce any other documents to justify that he was recruited following the Rules of Recruitment on 23/12/2015. Bilal Hossain Mallik, the Headmaster of the Kalmati High Madrasah has issued work done certificate in favour of the petitioner.

It is apparent from the original Resolution Book produced by the Headmaster of Kalmati High Madrasah that there is no whisper about the recruitment of the petitioner following the Rules of Recruitment. However, a separate Resolution Book has been manufactured presumably by the Headmaster of the said Madrasah showing the recruitment of the petitioner in the year 2015. No permission was obtained from the Government prior to the recruitment of the petitioner in terms of Section 4 (1) (ii) of The West Bengal Schools (Control of Expenditure) Act, 2005. Curiously enough, the appointment was given by the Headmaster and the petitioner has reported before the Headmaster ignoring the Provision of West Bengal Rules for Management of Recognized Non-Government Madrasahs (Aided and unaided), 2002, wherein the Secretary is only authorized to issue the letter of appointment on behalf of the Managing Committee and the petitioner should report before the Secretary at the time of his joining. Three regular full time teachers of Kalmati High Madrasah, namely, Saifiur Rahman Sarkar, Dewan Sabibul Alam and Md. Hatim Ali, have emphatically stated that the petitioner never attended the Madrasah and he never worked there. Mustafizur Rahman, the Secretary of the Managing Committee of Kalmati High Madrasah also stated that Bilal Hossain Mallik was trying to push some persons as employees of the Madrasah but, they resisted such illegal action of Bilal Hossain Mallik. More so, Bilal Hossain Mallik has admitted that the petitioner is his nephew. The Headmaster, Bilal Hossain Mallik manufactured the documents to provide employment to his own nephew.

A separate Resolution Book appears to have been manufactured by the Headmaster, has been produced before this Committee. The Headmaster cannot issue the letter of appointment and cannot accept the joining report. The vacancies ought to be published in State Level Dailies but, in order to avoid that the impact of that clause, that the vacancy was published in a local newspaper of North Bengal without giving requisite particulars of the vacancies as stipulated under the Rules of Recruitment. The D.I. of School, Coochbehar has categorically stated that the claims of the petitioners of the Madrasah are all fake and fabricated and they were never recruited following the Rules of Recruitment 486-MD/O/2M-11/2016 dated 03/03/2016 & 93-SE/S/10R-14/2013 dated 09/02/2015.


01/08/23

We are of considered opinion that Abdur Rahim Mallik was never recruited following the Rules of Recruitment and he never worked in the Kalamati High Madrasah, Coochbehar.

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1) Justice Debi Prosad Dey
(Chairman) 01/08/2023
- 
2) Shri Manish Gupta 07/08/2023
(Member)
- 
3) Shri Sripati Mukhopadhyay
(Member)

OBSERVATION

Nur Jamal Hossain, Group 'D':- The petitioner, Nur Jamal Hossain Mallik suddenly appeared as '**Interested Person**' on 04/05/2023 and prayed for consideration of his case in terms of the Hon'ble Supreme Court order dated 02/02/2023 vide Contempt Petition No. 352/2022. Except the photostat copy of the appointment letter issued by the Headmaster of Kalmati High Madrasah, Mr. Bilal Hossain Mallik, dated 23/12/2015 and the joining report signed by the Headmaster on 28/12/2015, the petitioner, Nur Jamal Hossain Mallik could not produce any other document to justify that he was recruited following the Rules of Recruitment on 19/09/2018. Bilal Hossain Mallik, the Headmaster of the Kalmati High Madrasah has issued work done certificate in favour of the petitioner.

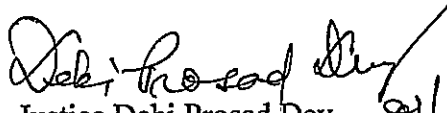
It is apparent from the original Resolution Book produced by the Headmaster of Kalmati High Madrasah that there is no whisper about the recruitment of the petitioner following the Rules of Recruitment. However, a separate Resolution Book has been manufactured presumably by the Headmaster of the said Madrasah showing the recruitment of the petitioner in the year 2015. No permission was obtained from the Government prior to the recruitment of the petitioner in terms of Section 4 (1) (ii) of The West Bengal Schools (Control of Expenditure) Act, 2005. Curiously enough, the appointment was given by the Headmaster and the petitioner has reported before the Headmaster ignoring the Provision of West Bengal Rules for Management of Recognized Non-Government Madrasahs (Aided and unaided), 2002, wherein the Secretary is only authorized to issue the letter of appointment on behalf of the Managing Committee and the petitioner should report before the Secretary at the time of his joining.

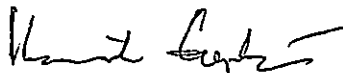
Three regular full time teachers of Kalmati High Madrasah, namely, Safiur Rahman Sarkar, Dewan Sabibul Alam and Md. Hatim Ali have emphatically stated that the petitioner never attended the Madrasah and he never worked there. Mustafizur Rahaman, the Secretary of the Managing Committee of Kalmati High Madrasah also stated that Bilal Hossain Mallik was trying to push some persons as employees of the Madrasah but, they resisted such illegal action of Bilal Hossain Mallik.

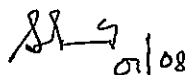
A separate Resolution Book appears to have been manufactured by the Headmaster, has been produced before this Committee. The Headmaster cannot issue the letter of appointment and cannot accept the joining report. The vacancies ought to be published in State Level Dailies but, in order to avoid that the impact of that clause, that the vacancy was published in a local newspaper of North Bengal without giving requisite particulars of the vacancies as stipulated under the Rules of Recruitment. The D.I. of School, Coochbehar has categorically stated the claims of the petitioners of the Madrasah are all fake and fabricated and they were never recruited following the Rules of Recruitment 486-MD/O/2M-11/2016 dated 03/03/2016 & 93-SE/S/10R—14/2013 dated 09/02/2015.

SLI
01/08/23 HSI/08/2023

We are of considered opinion that Nur Jamal Hossain Mallik was never recruited following the Rules of Recruitment and he never worked in the Kalamati High Madrasah, Coochbehar as Gr. 'D' employee.


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)