

OBSERVATION

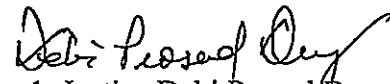
Abdul Momen Gazi, Assistant Teacher, Bengali (H/PG) : The petitioner is claiming himself to be an Assistant Teacher, Bengali of the Madrasah, appointed by the Managing Committee on 21.01.2016 and has been working on and from 25.01.2016. In support of his contention, he has filed Work Done Certificate issued by the present Teacher-in-Charge, Marui Beria Ainul Ulum Sr. Madrasah, South 24 Parganas. On scrutiny, we find that the petitioner has no requisite qualification (having no B.Ed. degree and less than 50% in aggregate) to be appointed as Assistant Teacher, Bengali. Sudip Kumar Maity, D.I. of Schools has specifically stated that no intimation/permission of the D.I. of Schools was ever taken by the Managing Committee of the Madrasah for the recruitment of the petitioner. On the contrary, the D.I. of Schools produced the declaration made by previous Teacher-in-Charge, Md. Abdul Rafique Khan that the petitioner was not known to him and was not associated with the Madrasah in any capacity. The D.I. of Schools further stated that there was no Managing Committee and as such the then Teacher-in-Charge gave a declaration that there was no Resolution Book of the Madrasah from 2016 to 2019. The present Teacher-in-Charge, Nuruddin Mondal has filed such declaration of the previous Teacher-in-Charge. One written submission was filed under the signature of Nuruddin Mondal. Nuruddin Mondal, the Teacher-in-Charge specifically stated that one Parvez Ahmed Mallick son of member of Zilla Parishad forcibly took his signature on such written submission and he had no idea about the contents of the written submission or about the copies of the resolution and documents attached with such written submission. The Superintendent Nuruddin Mondal had no knowledge about the appointment of the petitioner. The copies of resolution filed along with such written submission could not be verified due to non-production of the original Resolution Book. Such copies are also not certified by any competent authority. Moreover, the previous Teacher-in-Charge has stated that there was no Managing Committee for years together in the Madrasah. The present Teacher-in-Charge was forced by one Parvez Ahmed Mallick son of the member of Zilla Parishad to sign on Work Done Certificate and out of ^{fear} ~~love~~ he was compelled to sign on Work Done Certificate. In fact, the petitioner never worked in the Madrasah. There is no signature of the petitioner in the Attendance Register from 2020 till 2022. The Teacher-in-Charge also never had the occasion to go through the original Resolution Book for the period from 2015 to 31.12.2019. It is, therefore, apparent that in a desperate attempt to legalize the appointment of the petitioner, who had no requisite qualification to be appointed as Asst. Teacher, the Teacher-in-Charge was terrorized to issue Work Done Certificate and to sign on a written submission under the pressure of one Parvez Ahmed Mallick.

The D.I. of Schools also filed a report stating inter-alia that the petitioner was never recruited following Rules of Recruitment as per Govt. Notification No. 93-SE/S/10R-14/2013 dated 09.02.2015.

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Under the circumstances stated above, we are of the considered view that the documents filed by the petitioner were manufactured or Nuruddin Mondal was forced to prepare such certificates at the behest of one Parvez Ahmed Mallick.

Considering the totality of the circumstances, and the statements made by the Superintendent and the D.I. of Schools, 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. There is no signature of the petition in the official Attendance Register. The copies of Attendance Register filed by the petitioner are not certified by the Teacher-in-Charge and obviously the same has been manufactured. Therefore, it may also be stated that the petitioner never worked in that Madrasah.



1. Justice Debi Prosad Dey
(Chairman)

01/08/2023



2. Shri Manish Gupta
(Member)

01/08/2023

3. Shri Sripati Mukhopadhyay
(Member)

OBSERVATION

Masum Gazi, Assistant Teacher, Geography (Pass) : The petitioner is claiming himself to be an Assistant Teacher, Geography (Pass) of the Madrasah, appointed by the Managing Committee on 21.01.2016 and has been working on and from 25.01.2016. In support of his contention, he has filed Work Done Certificate issued by the present Teacher-in-Charge, Marui Beria Ainul Ulum Sr. Madrasah, South 24 Parganas. Sudip Kumar Maity, D.I. of Schools has specifically stated that no intimation/permission of the D.I. of Schools was ever taken by the Managing Committee of the Madrasah for the recruitment of the petitioner. On the contrary, the D.I. of Schools produced the declaration made by previous Teacher-in-Charge, Md. Abdul Rafique Khan that the petitioner was not known to him and was not associated with the Madrasah in any capacity. The D.I. of Schools further stated that there was no Managing Committee and as such the then Teacher-in-Charge gave a declaration that there was no Resolution Book of the Madrasah from 2016 to 2019. The present Teacher-in-Charge, Nuruddin Mondal has filed such declaration of the previous Teacher-in-Charge. One written submission was filed under the signature of Nuruddin Mondal. Nuruddin Mondal, the Teacher-in-Charge specifically stated that one Parvez Ahmed Mallick son of member of Zilla Parishad forcibly took his signature on such written submission and he had no idea about the contents of the written submission or about the copies of the resolution and documents attached with such written submission. The Superintendent, Nuruddin Mondal had no knowledge about the appointment of the petitioner. The copies of resolution filed along with such written submission could not be verified due to non-production of the original Resolution Book. Such copies are also not certified by any competent authority. Moreover, the previous Teacher-in-Charge has stated that there was no Managing Committee for years together in the Madrasah. The present Teacher-in-Charge was forced by one Parvez Ahmed Mallick son of the member of Zilla Parishad to sign on Work Done Certificate and out of ^{fear} here he was compelled to sign on Work Done Certificate. In fact, the petitioner never worked in the Madrasah. There is no signature of the petitioner in the Attendance Register from 2020 till 2022. The Teacher-in-Charge also never had the occasion to go through the original Resolution Book for the period from 2015 to 31.12.2019. It is, therefore, apparent that in a desperate attempt to legalize the appointment of the petitioner to be appointed as Asst. Teacher, the Teacher-in-Charge was terrorized to issue Work Done Certificate and to sign on a written submission under the pressure of one Parvez Ahmed Mallick.

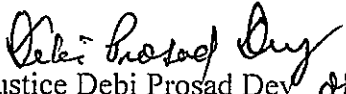
The D.I. of Schools also filed a report stating inter-alia that the petitioner was never recruited following Rules of Recruitment as per Govt. Notification No. 93-SE/S/10R-14/2013 dated 09.02.2015.


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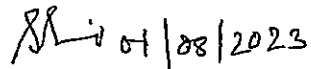
Under the circumstances stated above, we are of the considered view that the documents filed by the petitioner were manufactured or Nuruddin Mondal was forced to prepare such certificates at the behest of one Parvez Ahmed Mallick.

Considering the totality of the circumstances, and the statements made by the Superintendent and the D.I. of Schools, 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. There is no signature of the petitioner in the official Attendance Register. The copies of Attendance Register filed by the petitioner are not certified by the Teacher-in-Charge and obviously the same has been manufactured. Therefore, it may also be stated that the petitioner never worked in that Madrasah.

Under the circumstances stated above, we are of the considered opinion that the petitioner was never recruited following Rules of Recruitment being 93-SE/S/10R-14/2013 dated 09.02.2015 and he never worked in that Madrasah.


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


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


3. Shri Sripati Mukhopadhyay
(Member)

OBSERVATION

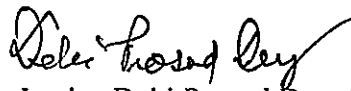
Abdus Selim Gazi, Assistant Teacher, Primary Section : The petitioner is claiming himself to be an Assistant Teacher, Primary, Section of the Madrasah, appointed by the Managing Committee on 20.01.2016 and has been working on and from 25.01.2016. In support of his contention, he has filed Work Done Certificate issued by the present Teacher-in-Charge, Marui Beria Ainul Ulum Sr. Madrasah, South 24 Parganas. On scrutiny, we find that the petitioner has no requisite qualification (having no B.Ed. degree and less than 50% in aggregate) to be appointed as Assistant Teacher, Bengali. Sudip Kumar Maity, D.I. of Schools has specifically stated that no intimation/permission of the D.I. of Schools was ever taken by the Managing Committee of the Madrasah for the recruitment of the petitioner. On the contrary, the D.I. of Schools produced the declaration made by previous Teacher-in-Charge, Md. Abdul Rafique Khan that the petitioner was not known to him and was not associated with the Madrasah in any capacity. The D.I. of Schools further stated that there was no Managing Committee and as such the then Teacher-in-Charge gave a declaration that there was no Resolution Book of the Madrasah from 2016 to 2019. The present Teacher-in-Charge, Nuruddin Mondal has filed such declaration of the previous Teacher-in-Charge. One written submission was filed under the signature of Nuruddin Mondal. Nuruddin Mondal, the Teacher-in-Charge specifically stated that one Parvez Ahmed Mallick son of member of Zilla Parishad forcibly took his signature on such written submission and he had no idea about the contents of the written submission or about the copies of the resolution and documents attached with such written submission. The Superintendent Nuruddin Mondal had no knowledge about the appointment of the petitioner. The copies of resolution filed along with such written submission could not be verified due to non-production of the original Resolution Book. Such copies are also not certified by any competent authority. Moreover, the previous Teacher-in-Charge has stated that there was no Managing Committee for years together in the Madrasah. The present Teacher-in-Charge was forced by one Parvez Ahmed Mallick son of the member of Zilla Parishad to sign on Work Done Certificate and out of ^{lean} ~~force~~ _{of} he was compelled to sign on Work Done Certificate. In fact, the petitioner never worked in the Madrasah. There is no signature of the petitioner in the Attendance Register from 2020 till 2022. The Teacher-in-Charge also never had the occasion to go through the original Resolution Book for the period from 2015 to 31.12.2019. It is, therefore, apparent that in a desperate attempt to legalize the appointment of the petitioner, who had no requisite qualification to be appointed as Asst. Teacher, the Teacher-in-Charge was terrorized to issue Work Done Certificate and to sign on a written submission under the pressure of one Parvez Ahmed Mallick.

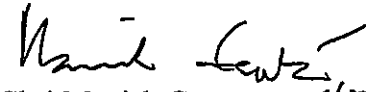
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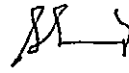
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Under the circumstances stated above, we are of the considered view that the documents filed by the petitioner were manufactured or Nuruddin Mondal was forced to prepare such certificates at the behest of one Parvez Ahmed Mallick.

Considering the totality of the circumstances, and the statements made by the Superintendent and the D.I. of Schools, 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. There is no signature of the petition in the official Attendance Register. The copies of Attendance Register filed by the petitioner are not certified by the Teacher-in-Charge and obviously the same has been manufactured. Therefore, it may also be stated that the petitioner never worked in that Madrasah.


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

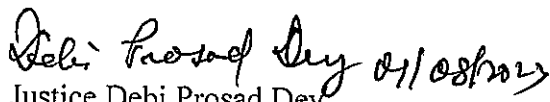

2. Shri Manish Gupta 01/08/2023
(Member)

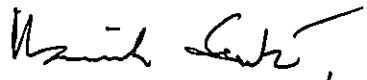

3. Shri Sripati Mukhopadhyay 01/08/2023
(Member)

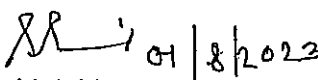
OBSERVATION

Lipika Mondal, Group - C (Clerk) : Lipika Mondal is a resident of Borjora, district – Bankura and she has been residing with her husband, who has got one hardware shop at Borjora. Her native place is at Kalna, district – Burdwan and the Madrasah is situated far away from her native place as well as from the father-in-law's house. In absence of any original Resolution Book of the Managing Committee, we could not find any relevance of the appointment letter which was issued in terms of special meeting no. 2 of 20.01.2016. Nuruddin Mondal, the Teacher-in-Charge has denied all the contents of written submission filed under his signature on the ground that he was terrorized by one Parvez Ahmed Mallick son of the member of Zilla Parishad to put his signature on the last page of the written submission. Nuruddin Mondal has had no knowledge about the contents of the written submission or about the documents annexed therewith. He had no occasion to see the original Resolution Book for the period from 2015 to 2019. The D.I. of Schools also stated that the petitioner was never recruited following Rules of Recruitment and to that effect the previous Teacher-in-Charge had given a written declaration having regard to the statement of Teacher-in-Charge, D.I. of Schools in absence of the original Resolution Book. we are of the considered opinion that the petitioner was never recruited following the Rules of Recruitment as per Govt. Orders No. 93-SE/S/10R-14/2013 dated 09.02.2015 and the petitioner (having no signature in the official Attendance Register) never worked in the Madrasah. The petitioner in a desperate move forcibly took the signature of the Teacher-in-Charge on the Work Done Certificate and the declaration filed allegedly on behalf of the Teacher-in-Charge cannot be accepted. In view of such statement of Nuruddin Mondal and thus we reject the documents and the written declaration as well as the Work Done Certificate filed under the signature of Nuruddin Mondal.

Under the circumstances stated hereinabove, we are of the considered opinion that the petitioner was never recruited following Rules of Recruitment as per Govt. Notification No. 93-SE/S/10R-14/2013 dated 09.02.2015 and the petitioner never worked in that Madrasah.


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

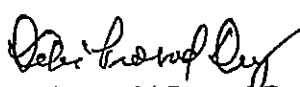
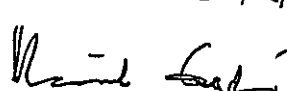
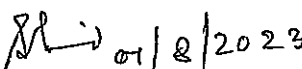

2. Shri Manish Gupta 01/08/2023
(Member)


3. Shri Sripati Mukhopadhyay 01/8/2023
(Member)

OBSERVATION

Parvez Ahamed Mollick, Group – C (Clerk) : In absence of any original Resolution Book of the Managing Committee, we could not find any relevance of the appointment letter which was issued in terms of special meeting no. 2 of 20.01.2016. Nuruddin Mondal, the Teacher-in-Charge has denied all the contents of written submission filed under his signature on the ground that he was terrorized by one Parvez Ahmed Mallick son of the member of Zilla Parishad to put her signature on the last page of the written submission. Nuruddin Mondal has had no knowledge about the contents of the written submission or about the documents annexed therewith. He had no occasion to see the original Resolution Book for the period from 2015 to 2019. The D.I. of Schools also stated that the petitioner was never recruited following Rules of Recruitment and to that effect the previous Teacher-in-Charge had given a written declaration having regard to the statement of Teacher-in-Charge, D.I. of Schools in absence of the original Resolution Book, we are of the considered opinion that the petitioner was never recruited following the Rules of Recruitment as per Govt. Orders No. 93-SE/S/10R-14/2013 dated 09.02.2015 and the petitioner (having no signature in the official Attendance Register) never worked in the Madrasah. The petitioner in a desperate move forcibly took the signature of the Teacher-in-Charge on Work Done Certificate and the submission filed allegedly on behalf of the Teacher-in-Charge. In view of such statement of Nuruddin Mondal, we reject the documents and the written submission as well as the Work Done Certificate filed under the signature of Nuruddin Mondal.

Under the circumstances stated hereinabove, we are of the considered opinion that the petitioner was never recruited following Rules of Recruitment as per Govt. Notification No. 93-SE/S/10R-14/2013 dated 09.02.2015 and the petitioner never worked in that Madrasah.

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

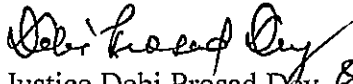
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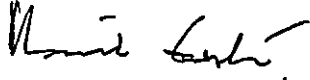
Tahamina Khatun, Assistant Teacher, Bengali (H/PG) : The petitioner is claiming herself to be an Assistant Teacher, Bengali (H/PG) of the Madrasah, appointed by the Managing Committee on 21.01.2016 and has been working on and from 25.01.2016. In support of her contention, she has filed a Work Done Certificate issued by the present Teacher-in-Charge, Marui Beria Ainul Ulum Sr. Madrasah, South 24 Parganas. On scrutiny, we find that the petitioner has no requisite qualification (having no B.Ed. degree and less than 50% in aggregate) to be appointed as Assistant Teacher, Bengali. Sudip Kumar Maity, D.I. of Schools has specifically stated that no intimation/permission of the D.I. of Schools was ever taken by the Managing Committee of the Madrasah for the recruitment of the petitioner. On the contrary, the D.I. of Schools produced the declaration made by previous Teacher-in-Charge, Md. Abdul Rafique Khan that the petitioner was not known to him and was not associated with the Madrasah in any capacity. The D.I. of Schools further stated that there was no Managing Committee and as such the then Teacher-in-Charge gave a declaration that there was no Resolution Book of the Madrasah from 2016 to 2019. The present Teacher-in-Charge, Nuruddin Mondal has filed such declaration of the previous Teacher-in-Charge. One written submission was filed under the signature of Nuruddin Mondal. Nuruddin Mondal, the Teacher-in-Charge specifically stated that one Parvez Ahmed Mallick son of member of Zilla Parishad forcibly took his signature on such written submission and he had no idea about the contents of the written submission or about the copies of the resolution and documents attached with such written submission. The Superintendent Nuruddin Mondal had no knowledge about the appointment of the petitioner. The copies of resolution filed along with such written submission could not be verified due to non-production of the original Resolution Book. Such copies are also not certified by any competent authority. Moreover, the previous Teacher-in-Charge has stated that there was no Managing Committee for years together in the Madrasah. The present Teacher-in-Charge was forced by one Parvez Ahmed Mallick son of the member of Zilla Parishad to sign on Work Done Certificate and out of ^{fear} ~~love~~ he was compelled to sign on Work Done Certificate. In fact, the petitioner never worked in the Madrasah. There is no signature of the petitioner in the Attendance Register from 2020 till 2022. The Teacher-in-Charge also never had the occasion to go through the original Resolution Book for the period from 2015 to 31.12.2019. It is, therefore, apparent that in a desperate attempt to legalize the appointment of the petitioner, who had no requisite qualification to be appointed as Asst. Teacher, the Teacher-in-Charge was terrorized to issue Work Done Certificate and to sign on a written submission under the pressure of one Parvez Ahmed Mallick.


The D.I. of Schools also filed a report stating inter-alia that the petitioner was never recruited following Rules of Recruitment as per Govt. Notification No. 93-SE/S/10R-14/2013 dated 09.02.2015.

Under the circumstances stated above, we are of the considered view that the documents filed by the petitioner were manufactured or Nuruddin Mondal was forced to prepare such certificates at the behest of one Parvez Ahmed Mallick.

Considering the totality of the circumstances, and the statements made by the Superintendent and the D.I. of Schools, 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. There is no signature of the petition in the official Attendance Register. The copies of Attendance Register filed by the petitioner are not certified by the Teacher-in-Charge and obviously the same has been manufactured. Therefore, it may also be stated that the petitioner never worked in that Madrasah.


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



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

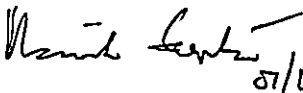

3. Shri Sripati Mukhopadhyay 01/8/2023
(Member)

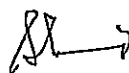
OBSERVATION

Md. Safiqul Alam Mollick, Group - D : In absence of any original Resolution Book of the Managing Committee, we could not find any relevance of the appointment letter which was issued in terms of special meeting no. 2 of 20.01.2016. Nuruddin Mondal, the Teacher-in-Charge has denied all the contents of written submission filed under his signature on the ground that he was terrorized by one Parvez Ahmed Mallick son of the member of Zilla Parishad to put her signature on the last page of the written submission. Nuruddin Mondal has had no knowledge about the contents of the written submission or about the documents annexed therewith. He had no occasion to see the original Resolution Book for the period from 2015 to 2019. The D.I. of Schools also stated that the petitioner was never recruited following Rules of Recruitment and to that effect the previous Teacher-in-Charge had given a written declaration having regard to the statement of Teacher-in-Charge, D.I. of Schools in absence of the original Resolution Book. We are of the considered opinion that the petitioner was never recruited following the Rules of Recruitment as per Govt. Orders No. 93-SE/S/10R-14/2013 dated 09.02.2015 and the petitioner (having no signature in the official Attendance Register) never worked in the Madrasah. The petitioner in a desperate move forcibly took the signature of the Teacher-in-Charge on Work Done Certificate and the declaration of the Teacher-in-Charge. In view of such statement of Nuruddin Mondal, we reject the documents filed by the petitioner and the written submission as well as the Work Done Certificate filed under the signature of Nuruddin Mondal.

Under the circumstances stated hereinabove, we are of the considered opinion that the petitioner was never recruited following Rules of Recruitment as per Govt. Notification No. 93-SE/S/10R-14/2013 dated 09.02.2015 and the petitioner never worked in that Madrasah.


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


Sahanaj Parveen, Assistant Teacher, Geography (H/PG) : The petitioner is claiming himself to be an Assistant Teacher, Geography (H/PG) of the Madrasah, appointed by the Managing Committee on 21.01.2016 and has been working on and from 25.01.2016. In support of his contention, he has filed Work Done Certificate issued by the present Teacher-in-Charge. Marui Beria Ainul Ulum Sr. Madrasah, South 24 Parganas. On scrutiny, we find that the petitioner has no requisite qualification (having no B.Ed. degree and less than 50% in aggregate) to be appointed as Assistant Teacher, Bengali. Sudip Kumar Maity, D.I. of Schools has specifically stated that no intimation/permission of the D.I. of Schools was ever taken by the Managing Committee of the Madrasah for the recruitment of the petitioner. On the contrary, the D.I. of Schools produced the declaration made by previous Teacher-in-Charge, Md. Abdul Rafique Khan that the petitioner was not known to him and was not associated with the Madrasah in any capacity. The D.I. of Schools further stated that there was no Managing Committee and as such the then Teacher-in-Charge gave a declaration that there was no Resolution Book of the Madrasah from 2016 to 2019. The present Teacher-in-Charge, Nuruddin Mondal has filed such declaration of the previous Teacher-in-Charge. One written submission was filed under the signature of Nuruddin Mondal. Nuruddin Mondal, the Teacher-in-Charge specifically stated that one Parvez Ahmed Mallick son of member of Zilla Parishad forcibly took his signature on such written submission and he had no idea about the contents of the written submission or about the copies of the resolution and documents attached with such written submission. The Superintendent, Nuruddin Mondal had no knowledge about the appointment of the petitioner. The copies of resolution filed along with such written submission could not be verified due to non-production of the original Resolution Book. Such copies are also not certified by any competent authority. Moreover, the previous Teacher-in-Charge has stated that there was no Managing Committee for years together in the Madrasah. The present Teacher-in-Charge was forced by one Parvez Ahmed Mallick son of the member of Zilla Parishad to sign on Work Done Certificate and out of ^{fear} ~~love~~ he was compelled to sign on Work Done Certificate. In fact, the petitioner never worked in the Madrasah. There is no signature of the petitioner in the Attendance Register from 2020 till 2022. The Teacher-in-Charge also never had the occasion to go through the original Resolution Book for the period from 2015 to 31.12.2019. It is, therefore, apparent that in a desperate attempt to legalize the appointment of the petitioner. who had no requisite qualification to be appointed as Asst. Teacher. the Teacher-in-Charge was terrorized to issue Work Done Certificate and to sign on a written submission under the pressure of one Parvez Ahmed Mallick.

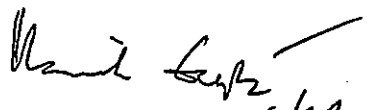
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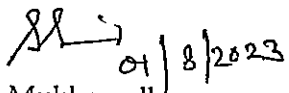

01/8/23

Under the circumstances stated above, we are of the considered view that the documents filed by the petitioner were manufactured or Nuruddin Mondal was forced to prepare such certificates at the behest of one Parvez Ahmed Mallick.

Considering the totality of the circumstances, and the statements made by the Superintendent and the D.I. of Schools, 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. There is no signature of the petition in the official Attendance Register. The copies of Attendance Register filed by the petitioner are not certified by the Teacher-in-Charge and obviously the same has been manufactured. Therefore, it may also be stated that the petitioner never worked in that Madrasah.


1. Justice Debi Prosad Dey
(Chairman)


2. Shri Manish Gupta
(Member)


3. Shri Sripati Mukhopadhyay
(Member)

OBSERVATION

Mabuda Khatun, Assistant Teacher, Work Education (Pass) : The petitioner is claiming himself to be an Assistant Teacher, Work Education (Pass) of the Madrasah, appointed by the Managing Committee on 21.01.2016 and has been working on and from 25.01.2016. In support of his contention, he has filed Work Done Certificate issued by the present Teacher-in-Charge, Marui Beria Ainul Ulum Sr. Madrasah, South 24 Parganas. Sudip Kumar Maity, D.I. of Schools has specifically stated that no intimation/permission of the D.I. of Schools was ever taken by the Managing Committee of the Madrasah for the recruitment of the petitioner. On the contrary, the D.I. of Schools produced the declaration made by previous Teacher-in-Charge. Md. Abdul Rafique Khan that the petitioner was not known to him and was not associated with the Madrasah in any capacity. The D.I. of Schools further stated that there was no Managing Committee and as such the then Teacher-in-Charge gave a declaration that there was no Resolution Book of the Madrasah from 2016 to 2019. The present Teacher-in-Charge, Nuruddin Mondal has filed such declaration of the previous Teacher-in-Charge. One written submission was filed under the signature of Nuruddin Mondal. Nuruddin Mondal, the Teacher-in-Charge specifically stated that one Parvez Ahmed Mallick son of member of Zilla Parishad forcibly took his signature on such written submission and he had no idea about the contents of the written submission or about the copies of the resolution and documents attached with such written submission. The Superintendent, Nuruddin Mondal had no knowledge about the appointment of the petitioner. The copies of resolution filed along with such written submission could not be verified due to non-production of the original Resolution Book. Such copies are also not certified by any competent authority. Moreover, the previous Teacher-in-Charge has stated that there was no Managing Committee for years together in the Madrasah. The present Teacher-in-Charge was forced by one Parvez Ahmed Mallick son of the member of Zilla Parishad to sign on Work Done Certificate and out of ^{fear} ~~love~~ he was compelled to sign on Work Done Certificate. In fact, the petitioner never worked in the Madrasah. There is no signature of the petitioner in the Attendance Register from 2020 till 2022. The Teacher-in-Charge also never had the occasion to go through the original Resolution Book for the period from 2015 to 31.12.2019. It is, therefore, apparent that in a desperate attempt to legalize the appointment of the petitioner to be appointed as Asst. Teacher, the Teacher-in-Charge was terrorized to issue Work Done Certificate and to sign on a written submission under the pressure of one Parvez Ahmed Mallick.


The D.I. of Schools also filed a report stating inter-alia that the petitioner was never recruited following Rules of Recruitment as per Govt. Notification No. 93-SE/S/10R-14/2013 dated 09.02.2015.

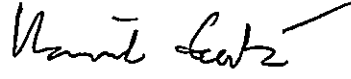
SR
01/8/22

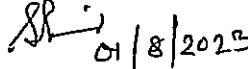
Under the circumstances stated above, we are of the considered view that the documents filed by the petitioner were manufactured or Nuruddin Mondal was forced to prepare such certificates at the behest of one Parvez Ahmed Mallick.

Considering the totality of the circumstances, and the statements made by the Superintendent and the D.I. of Schools, 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. There is no signature of the petition in the official Attendance Register. The copies of Attendance Register filed by the petitioner are not certified by the Teacher-in-Charge and obviously the same has been manufactured. Therefore, it may also be stated that the petitioner never worked in that Madrasah.

Under the circumstances stated above, we are of the considered opinion that the petitioner was never recruited following Rules of Recruitment being 93-SE/S/10R-14/2013 dated 09.02.2015 and he never worked in that Madrasah.


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


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


3. Shri Sripati Mukhopadhyay 01/8/2023
(Member)

OBSERVATION

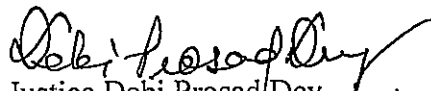
Rexona Khatun, Assistant Teacher, History (Pass) : The petitioner is claiming ^{himself} to be an Assistant Teacher, History (Pass) of the Madrasah, appointed by the Managing ^{Committee} on 21.01.2016 and has been working on and from 25.01.2016. In support of his contention, he has filed Work Done Certificate issued by the present Teacher-in-Charge, Marui Beria Ainul Ulum Sr. Madrasah, South 24 Parganas. On scrutiny, we find that the petitioner has no requisite qualification (having no B.Ed. degree and less than 50% in aggregate) to be appointed as Assistant Teacher, Bengali. Sudip Kumar Maity, D.I. of Schools has specifically stated that no intimation/permission of the D.I. of Schools was ever taken by the Managing Committee of the Madrasah for the recruitment of the petitioner. On the contrary, the D.I. of Schools produced the declaration made by previous Teacher-in-Charge, Md. Abdul Rafique Khan that the petitioner was not known to him and was not associated with the Madrasah in any capacity. The D.I. of Schools further stated that there was no Managing Committee and as such the then Teacher-in-Charge gave a declaration that there was no Resolution Book of the Madrasah from 2016 to 2019. The present Teacher-in-Charge, Nuruddin Mondal has filed such declaration of the previous Teacher-in-Charge. One written submission was filed under the signature of Nuruddin Mondal. Nuruddin Mondal, the Teacher-in-Charge specifically stated that one Parvez Ahmed Mallick son of member of Zilla Parishad forcibly took his signature on such written submission and he had no idea about the contents of the written submission or about the copies of the resolution and documents attached with such written submission. The Superintendent Nuruddin Mondal had no knowledge about the appointment of the petitioner. The copies of resolution filed along with such written submission could not be verified due to non-production of the original Resolution Book. Such copies are also not certified by any competent authority. Moreover, the previous Teacher-in-Charge has stated that there was no Managing Committee for years together in the Madrasah. The present Teacher-in-Charge was forced by one Parvez Ahmed Mallick son of the member of Zilla Parishad to sign on Work Done Certificate and out of ^{fear} ~~love~~ he was compelled to sign on Work Done Certificate. In fact, the petitioner never worked in the Madrasah. There is no signature of the petitioner in the Attendance Register from 2020 till 2022. The Teacher-in-Charge also never had the occasion to go through the original Resolution Book for the period from 2015 to 31.12.2019. It is, therefore, apparent that in a desperate attempt to legalize the appointment of the petitioner, who had no requisite qualification to be appointed as Asst. Teacher, the Teacher-in-Charge was terrorized to issue Work Done Certificate and to sign on a written submission under the pressure of one Parvez Ahmed Mallick.

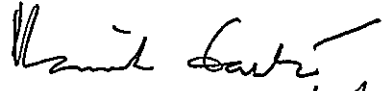
The D.I. of Schools also filed a report stating inter-alia that the petitioner was never recruited following Rules of Recruitment as per Govt. Notification No. 93-SE/S/10R-14/2013 dated 09.02.2015.

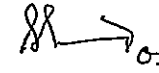
SLP
01/8/23

Under the circumstances stated above, we are of the considered view that the documents filed by the petitioner were manufactured or Nuruddin Mondal was forced to prepare such certificates at the behest of one Parvez Ahmed Mallick.

Considering the totality of the circumstances, and the statements made by the Superintendent and the D.I. of Schools, 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. There is no signature of the petition in the official Attendance Register. The copies of Attendance Register filed by the petitioner are not certified by the Teacher-in-Charge and obviously the same has been manufactured. Therefore, it may also be stated that the petitioner never worked in that Madrasah.


1. Justice Debi Prosad Dey
(Chairman) 09/08/2023

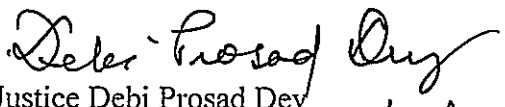

2. Shri Manish Gupta
(Member) 07/08/2023

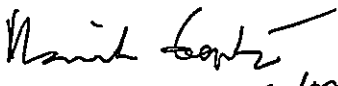

3. Shri Sripati Mukhopadhyay
(Member) 01/08/2023

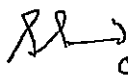
OBSERVATION

Fatema Khatun, Group - D : In absence of any original Resolution Book of the Managing Committee, we could not find any relevance of the appointment letter which was issued in terms of special meeting no. 2 of 20.01.2016. Nuruddin Mondal, the Teacher-in-Charge has denied all the contents of written submission filed under his signature on the ground that he was terrorized by one Parvez Ahmed Mallick son of the member of Zilla Parishad to put her signature on the last page of the written submission. Nuruddin Mondal has had no knowledge about the contents of the written submission or about the documents annexed therewith. He had no occasion to see the original Resolution Book for the period from 2015 to 2019. The D.I. of Schools also stated that the petitioner was never recruited following Rules of Recruitment and to that effect the previous Teacher-in-Charge had given a written declaration. Having regard to the statement of Teacher-in-Charge, D.I. of Schools and in absence of the original Resolution Book, we are of the considered opinion that the petitioner was never recruited following the Rules of Recruitment as per Govt. Orders No. 486-MD/O/2M-11/2016 dated 03.03.2016 and the petitioner (having no signature in the official Attendance Register) never worked in the Madrasah. The petitioner in a desperate move forcibly took the signature of the Teacher-in-Charge on the Work Done Certificate and on the alleged declaration of the Teacher-in-Charge. In view of such statement of Nuruddin Mondal, we ignore the documents and the written declaration as well as the Work Done Certificate filed under the signature of Nuruddin Mondal.

Under the circumstances stated hereinabove, we are of the considered opinion that the petitioner was never recruited following Rules of Recruitment as per Govt. Notification No. 486-MD/O/2M-11/2016 dated 03.03.2016 and the petitioner never worked in that Madrasah.


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

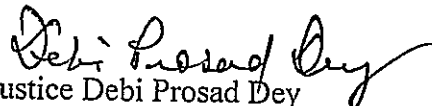

2. Shri Manish Gupta
(Member) 01/08/2023

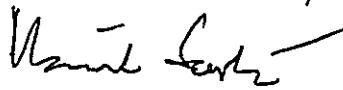

3. Shri Sripati Mukhopadhyay
(Member) 01/08/2023

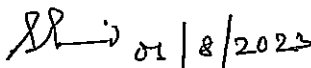
OBSERVATION

Mst. Salma Parvin, Assistant Teacher, English (H/PG) : The petitioner is a resident of about 100 kms. away from the Madrasah and having no requisite qualification she is claiming herself to be appointed as Assistant Teacher, English on 02.01.2019. In the year 2019, there was no relaxation in obtaining marks by an OBC candidate. The statement of Nuruddin Mondal, Teacher-in-Charge clearly revealed that he was forced to sign on a written submission by Parvez Ahmed Mallick and out of here he was compelled to sign on Work Done Certificate. We do not find any original resolution of the Managing Committee to come to a definite finding that following the recruitment rules as per Govt. Notification No. 486-MD/O/2M-11/2016 dated 03.03.2016 the petitioner was recruited. On the contrary, the D.I. of Schools by producing the undertaking the previous Teacher-in-Charge has specifically stated that the petitioner was never recruited following Rules of Recruitment. The present Teacher-in-Charge, Nuruddin Mondal also had no occasion to go through the original Resolution Book for the period from 2015 to 31.12.2019. In that view of this case, the copies of the resolution without having any certification by competent authority cannot be accepted as true copy of the original resolution. For that reason, we also reject the written submission under the signature of Nuruddin Mondal and the Work Done Certificate issued by him.

Under the circumstances stated hereinabove, we are of the considered opinion that the petitioner was never recruited as per Govt. order being no. 486-MD/O/2M-11/2016 dated 03.03.2016 and he never worked in that Madrasah (having no signature in the official Attendance Register maintained by the Madrasah).


1. Justice Debi Prosad Dey
(Chairman) 09/08/2023


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



3. Shri Sripati Mukhopadhyay
(Member)

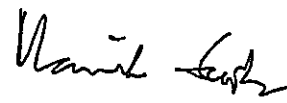
OBSERVATION

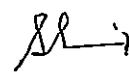
Abdul Karim Mondal, Assistant Teacher, Primary Section : The petitioner is a resident of about 200 kms. away from the Madrasah and having no requisite qualification he is claiming himself to be appointed as Assistant Teacher, Primary on 02.01.2019. The statement of Nuruddin Mondal, Teacher-in-Charge clearly revealed that he was forced to sign on a written submission of Parvez Ahmed Mallick and was compelled to sign on Work Done Certificate. We do not find any original resolution of the Managing Committee to come to a definite finding that following the recruitment rules as per Govt. Notification No. 486-MD/O/2M-11/2016 dated 03.03.2016 the petitioner was recruited. On the contrary, the D.I. of Schools by producing an undertaking of previous Teacher-in-Charge in which he has specifically stated that the petitioner was never recruited following Rules of Recruitment. The present Teacher-in-Charge, Nuruddin Mondal also had no occasion to go through the original Resolution Book for the period of from 2015 to 31.12.2019. In that view of this case, the copies of the resolution without having any certification by competent authority cannot be accepted as true copy of the original resolution. For that reason, we also reject the written submission under the signature of Nuruddin Mondal and the Work Done Certificate issued by him.

Under the circumstances stated hereinabove, we are of the considered opinion that the petitioner was never recruited as per Govt. order being no. 486-MD/O/2M-11/2016 dated 03.03.2016 and he never worked in that Madrasah (having no signature in the official Attendance Register maintained by the Madrasah).

Under the circumstances stated above, we are of the considered opinion that the petitioner was never recruited following Rules of Recruitment being 486-MD/O/2M-11/2016 dated 03.03.2016 and he never worked in that Madrasah.


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

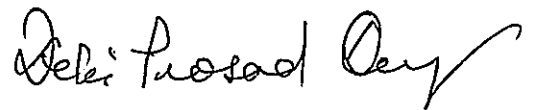

2. Shri Manish Gupta 01/08/2023
(Member)


3. Shri Sripati Mukhopadhyay 01/8/2023
(Member)

OBSERVATION

Ashib Mondal, Group - D : In absence of any original Resolution Book of the Managing Committee, we could not find any relevance of the appointment letter which was issued in terms of special meeting no. 2 of 20.01.2016. Nuruddin Mondal, the Teacher-in-Charge has denied all the contents of written submission filed under his signature on the ground that he was terrorized by one Parvez Ahmed Mallick son of the member of Zilla Parishad to put her signature on the last page of the written submission. Nuruddin Mondal has had no knowledge about the contents of the written submission or about the documents annexed therewith. He had no occasion to see the original Resolution Book for the period from 2015 to 2019. The D.I. of Schools also stated that the petitioner was never recruited following Rules of Recruitment and to that effect the previous Teacher-in-Charge had given a written declaration having regard to the statement of Teacher-in-Charge, D.I. of Schools in absence of the original Resolution Book, we are of the considered opinion that the petitioner was never recruited following the Rules of Recruitment as per Govt. Orders No. 93-SE/S/10R-14/2013 dated 09.02.2015 and the petitioner (having no signature in the official Attendance Register) never worked in the Madrasah. The petitioner in a desperate move forcibly took the signature of the Teacher-in-Charge on Work Done Certificate and the submission filed allegedly on behalf of the Teacher-in-Charge. In view of such statement of Nuruddin Mondal, we reject the documents and the written submission as well as the Work Done Certificate filed under the signature of Nuruddin Mondal.

Under the circumstances stated hereinabove, we are of the considered opinion that the petitioner was never recruited following Rules of Recruitment as per Govt. Notification No. 93-SE/S/10R-14/2013 dated 09.02.2015 and the petitioner never worked in that Madrasah.



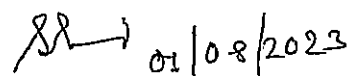
1. Justice Debi Prosad Dey
(Chairman)

01/08/2023



2. Shri Manish Gupta
(Member)

01/08/2023



3. Shri Sripati Mukhopadhyay
(Member)