

Court No. 17

WPA 2005 of 2022

20.09.2023

Santanu Sit & Ors.

(AD 1)

Vs.

The State of West Bengal & Ors.

(S. Banerjee)

Mr. Dibyendu Chatterjee
Mr. Pritam Majumdar
Mr. Rahul Deb Goenka
Mr. Mainak Singha Barma

... for the petitioners

Ms. Iti Dutta

... for the State

Mr. Billwadal Bhattacharya, DSGI
Mr. Arijit Majumdar

... for the WBBPE

Mr. Saikat Banerjee
Mr. Ratul Biswas
Mr. Kaushik Chowdhury

... for the WBBPE

In this matter I passed an order on 04.04.2023 stating that I would stay my hands till I receive an order from the Hon'ble Supreme Court that I could proceed with the digitized OMR sheets as are being passed on as true copies of the OMR sheets. After going through the complete order of the Hon'ble Supreme Court and on a complete reading of the Supreme Court's order, that part of the order dated 04.04.2023 is recalled as there is no stay granted by the Hon'ble Supreme Court for which this court can stay its hands and in respect of the digitized answer scripts, the Hon'ble Supreme Court only gave some protection to Dr.

Manik Bhattacharya and the Hon'ble Supreme Court did not prevent this court from hearing the matter on the present aspect that is the digitized OMR sheets as are being supplied by the West Bengal Board of Primary Education.

In one of the volumes of the case diary I have checked the questions put to three of the candidates who did not get qualifying marks in TET 2014 but got the appointment letter. I do not find any meaningful question was put to them in respect of transaction of money. They have avoided the questions by saying that they did not know anything in that regard and they received the sms through their mobile number and they have stated that they got the job on their own merit only. There is nothing as to transaction of money, whereas the whole allegation of appointment of teachers for the primary schools recruitment scam is transaction of money between the unfit candidates and some persons who arranged the job for them against payment of money.

Again I am surprised and astonished to see the complete casual approach of CBI in questioning the candidates who did not even qualified in TET. I have reason to believe that if I checked the statements of other unqualified candidates who have got job, the same and identical thing could be found. It has been recorded

by one Deputy Superintendent of Police, namely Sanjay Kumar Samal, who has not put the most pertinent questions as to transaction of money. When I asked the Investigating Officer, Mr. Wasim Akram Khan, whether any of such persons have been arrested, he submitted that only four such unqualified candidates admitted transaction of money and they were arrested by the court. It appears that CBI did not arrest them. In the meantime, I am told, they have got bail.

It is again evident that CBI is playing with the court and not at all investigating the matter with due importance to unearth the corruption.

Therefore, I direct the Director of CBI to take note of this matter and to talk to his officers who are in the Special Investigation Team and to file a report signed by him as to the performance of CBI vis-à-vis the observation made by this court today in this matter. The report of the Director CBI, Mr. Prabin Kumar Sood is to be filed before this court on 4th October, 2023 when this matter will appear at 2 p.m. and Mr. Sood must appear before this court via video conference so that the questions that may be put to him by the court can be replied by him.

In this matter the order for investigation by CBI was passed on 27.09.2022. Today (20.09.2023), almost

one year is passed but it appears to this court that CBI has not taken any reasonable step to unearth the primary teachers' recruitment scam.

List the matter accordingly.

(Abhijit Gangopadhyay, J.)