

Government of West Bengal
Education Directorate
Bikash Bhawan Saltlake,
Kolkata - 700 091

Suspension

Memo No. 647-Admn.
(A)10M - 67/12

Dated 02-11-2012

WHEREAS a criminal case under section 498A/406/325 of Indian Penal Code has been instituted against Sri Sanjib Ghosh, Cashier, Lady Brabourne College, Kolkata, vide Baguihati P.S. Case No. 329 dated 26-04-2012;

AND WHEREAS Sri Sanjib Ghosh was arrested by the Police authority in connection with the abovestated case on 30.7.2012;

AND WHEREAS Shri Sanjib Ghosh was under judicial custody till 13.8.2012;

NOW it is ordered that Sri Sanjib Ghosh, Cashier, Lady Brabourne College, Kolkata is/was under suspension and/or deemed to be under suspension w.e.f. 30.7.2012 in terms of Rule 7(1)(c) read with Rule 7(3) of West Bengal Services (Classification, Control and Appeal) Rules, 1971 until further orders.

Shri Sanjib Ghosh is entitled to subsistence allowance w.e.f. 30.7.12 until further orders.

All concerned are being informed.

sd/-
Director of Public Instruction, West Bengal.

No. 647(5)-Admn.

Dated 02-11-2012

Copy forwarded for information and necessary action to :

1. The Accountant General (A&E), West Bengal, Treasury Buildings, Kolkata - 700001.
2. The Joint Secretary, Appointment Branch, Higher Education Department, Bikash Bhavan, 6th Floor, Salt Lake, Kolkata -91.
3. The Pay & Accounts Officer, Kolkata Pay & Accounts Office-I, 81/2/2, Phears Lane, Kolkata -700012.
4. The Principal, Lady Brabourne College, P-1/2, Suhrawardy Avenue, Kolkata - 700017.
- ✓ 5. Shri Sanjib Ghosh, Cashier, Lady Brabourne College, P-1/2, Suhrawardy Avenue, Kolkata -700017.

sample
For Director of Public Instruction, West Bengal.

Forwarded to
Barabalu, SBC Office
Sg. arkar
21-9-16

Rejoining
Intimation



Government of West Bengal
Higher Education Department
Integrated Law Cell
Bikash Bhavan, Salt Lake, Kolkata - 700091

Memo. No. 211 J.L.C
1C-88L/2016

Dated 30.8.16

From :: The Law Officer,
Higher Education Department.

To :: The Principal,
Lady Brabourne College,
P-1/2, Subrawardy Avenue,
Kolkata - 700 017.

Sub.: According permission to Sri Sanjib Ghosh Petitioner in W.P. No.10395 (W) of 2016 to rejoin his duties in compliance with the order dtd. 11.07.2016 of the Hon'ble High Court, Calcutta.

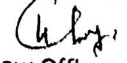
Madam,


In reference to the above mentioned subject I am directed to convey that Sri Sanjib Ghosh petitioner in W.P. No. 10395 (W) of 2016 and Cashier of the College, now put under suspension, may be permitted to rejoin his duties as early as possible in compliance with the order passed by the Hon'ble High Court, Calcutta on 11.07.2016.

It is pertinent to mention that subsistence allowance is already sanctioned by this Directorate Vide No. 348-AC dt. 04.07.2016.

Report confirming compliance as above may please be submitted to this department soon thereafter.

Yours faithfully,


Law Officer,
Integrated Law Cell,
Higher Education Deptt.


24.08.2016

High Court Order

A. 10 Noting by Office or Advocate	Serial No.	Date	Office notes, reports, Orders or proceedings with signature
(S)		July 11, 2016 R.C.	<p style="text-align: center;">W.P. 10395 (W) OF 2016</p> <p style="text-align: center;">Sanjib Ghosh Vs. State of West Bengal & Ors. ==</p> <p>Mr. Shibaji Das Mr. Koustav Bagchi ...for Petitioner</p> <p>Md. Nizamuddin, ...for Respondent No.5</p> <p>Mrs. Chama Mukherjee Mrs. Paramita Pakl ...for State</p> <p>The petitioner complains that the petitioner has not been allowed to rejoin his duties as a chashier by the college.</p> <p>The learned advocate for the petitioner submits that the petitioner was taken into police custody in respect of a proceeding under section 498A/406/325 of the Indian Penal Code. He was subsequently enlarged on bail. The petitioner was placed under suspension on July 30, 2012. Since then no departmental proceedings has been initiated against the petitioner. The petitioner has not been paid the subsistence allowance from the date of suspension till date. In the criminal proceeding a chargesheet has been filed.</p> <p>The State authorities are represented.</p> <p>The learned advocate for the State submits that appropriate directions may be issued with regard to the rejoining of the petitioner in view of the non-initiation of a disciplinary proceedings which ought to have been initiated by the college concerned. So far as the subsistence allowance is concerned, the same will be paid in accordance with law to the petitioner within the time that may be granted by the Court.</p> <p>I have considered the rival contentions of the parties and the materials made available on record.</p>

07.08.16

Noting by Office or Advocate	Serial No.	Date	Office notes, reports, Orders or proceedings with signature
			<p>The petitioner is a cashier of a college. He was suspended with effect from July 30, 2012 in connection with a criminal proceeding. The petitioner is now on bail. The criminal proceedings have not attained its finality. A chargesheet has been filed in the criminal proceedings. The college authorities have not initiated any disciplinary proceeding subsequent to the issuance of the suspension of the petitioner. The petitioner has also not been paid the subsistence allowance from the date of suspension.</p> <p>In such circumstances, interest of justice would be subserved by permitting the petitioner to rejoin his duties. The respondent no.3 will permit the petitioner to rejoin his duties without prejudice to the rights and contentions of the parties on the production of the certified copy of this order. The State authorities will disburse the subsistence allowance of the petitioner in accordance with law within July 30, 2016. This order will not prevent the authorities from initiating any disciplinary proceeding against the petitioner, if they are entitled to do so in law.</p> <p>With the aforesaid directions, W.P. 10395 (W) OF 2016 is disposed of without any order as to costs.</p> <p>Urgent certified website copies of this order, if applied for, be made available to the parties upon compliance of the requisite formalities.</p> <p style="text-align: right;"><i>Sd/- D. Basak, J.</i> (DEBANGSU BASAK, J.)</p> <p style="text-align: center;">07.08.16</p>

----- Forwarded message -----

From: **Arindam Dasgupta** <arindam.dasgupta184@gmail.com>

Date: Mon, 1 Apr, 2024, 12:22

Subject: Information required for Sanjib Ghosh, Cashier lady Brabourne College

To: Lady Brabourne Pri <prj@ladybrabourne.com>

Madam

With reference to W.P. 10395(W) of 2016, regarding the verdict of the Hon'ble High Court, Justice Debanngshu Basak, in Sanjib Ghosh Vs State of West Bengal & others, you are requested to kindly furnish two information:

1. Whether the college has disbursed subsistence allownace from 13.08.2012 to 30.07.2016 fully or not to comply with the above stated court order. If not kindly state the reason with proper documents
2. Kindly state whether Shri Ghosh is receiving full salary after he was allowed to join as per Hon'ble High Court Order as per above stated order. If no, kindly state the reason for not getting the full salary after he has joined. If yes, kindly furnish documents of receiving full salary.

Please send your reply in this e-mail by 04.04.2024. Please treat it as urgent

Yours sincerely

Arindam dasgupta

JDPI

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Fwd: Reply to the Information required for Sanjib Ghosh, Cashier lady Brabourne College

Lady Brabourne Pri

to me

1:42 PM (9 minutes ago)

Inbox x



Forwarded message

From: Lady Brabourne Pri <prl@ladybrabourne.com>

Date: Tue, 2 Apr 2024 at 2:01 PM

Subject: Reply to the Information required for Sanjib Ghosh, Cashier lady Brabourne College

To: ARINDAM DASGUPTA <arindam.dasgupta184@gmail.com>

Sir

In response to the queries placed from your end regarding the salary of Sri Sanjib Ghosh, Cashier, Lady Brabourne College, I would like to state that:

1. The college has disbursed subsistence allowance in full to Sri Sanjib Ghosh for the mentioned period (13.08.2012 to 30.07.2016).
2. Sri Sanjib Ghosh is not receiving full salary after he was allowed to join as per Hon'ble High Court Order (W.P. 10395 (W) of 2016). It may kindly be noted that the court order referred above and the subsequent letter received from the Law Officer, Integrated Law Cell, Higher Education Deptt. (Memo No. 2111TL/C/1C-88L/2016 dated 30.08.16) has no mention of his eligibility to get 'full salary' whereas the term 'subsistence allowance' has been mentioned as sanctioned.

Moreover, the court case against him has still not been resolved and the Lady Brabourne College authority has not received any order from Deptt. of Higher Education to give him 'salary' instead of 'subsistence allowance' despite the case not being resolved in the court of law.

Hope I have been able to clarify the queries put forward by you.

Best Regards

Siuli Sarkar

Principal

Lady Brabourne College