



भारत सरकार

Government of India

राष्ट्रीय अनुसूचित जन जाति आयोग

National Commission for Scheduled Tribes

(A Constitutional Body set up under Art. 338A of the Constitution of India)

*By Speed post*

Case File No. BK/1/2017/MCOL1/SEOTH/RU-IV

Dated: 09.08.2018

To,

The Chairman cum Managing Director,  
Central Coalfield Limited,  
Darbhanga House,  
Ranchi – 834 001 (Jharkhand).

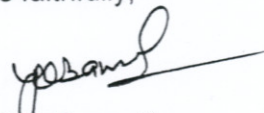
**Sub:** Proceedings of the Sitting taken by Miss Anusuiya Uikey, Hon'ble Vice-Chairperson, National Commission for Scheduled Tribes (NCST) on 31.07.2018 in the matter of Shri Baldeo Kumar, Asst. Secretary, All India SC/ST/BC Employees Co-Council, Ramgarh, Jharkhand regarding compassionate appointment to Shri Ajit Manjhi S/o late Benia Manjhi, Ex-pump Khalasi, Sayal-D Colliery, Barka-Sayal.

Sir,

I am directed to enclose a copy of the Proceedings of the Sitting held on 31.07.2018 under the Chairmanship of Miss Anusuiya Uikey, Hon'ble Vice-Chairperson, National Commission for Scheduled Tribes on the above mentioned subject.

It is requested that action taken report in the matter may please be intimated to the Commission, at an early date.

Yours faithfully,

  
(Y.K. Bansal)  
Research Officer

Copy to:

Shri Baldeo Kumar,  
Asst. Secretary,  
All India SC/ST/BC Employees  
Co-ordination Council,  
CCL-Barka – Sayal, Area,  
At-Railway Siding Tipla,  
PO – Sayal,  
District Ramgarh - 829125  
(Jharkhand).

*Copy to: - SAS, NIC, NCST.*



**NATIONAL COMMISSION FOR SCHEDULED TRIBES**

BK/1/2017/MCOL1/SEOTH/RU-IV

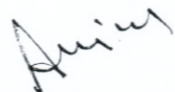
PROCEEDINGS OF SITTING HELD ON 31.07.2018 AT 12.00 NOON CHAIRED BY MISS ANUSUIYA UIKEY, HON'BLE VICE-CHAIRPERSON, NATIONAL COMMISSION FOR SCHEDULED TRIBES (NCST) IN THE CASE OF SHRI BALDEO KUMAR, ASSISTANT SECRETARY ALL INDIA SC/ST/BC EMPLOYEES CO-ORDINATION COUNCIL CCL, BARKA SAYAL REGION, DISTRICT RAMGARH, JHARKHAND REGARDING DENIAL OF COMPASSIONATE APPOINTMENT TO SHRI AJIT KUMAR, S/O LATE SHRI BENIA MANJHI, EX-PUMP KHALASI, CCL, BARKA SAYAL REGION.

Date of Sitting: 31.07.2018

List of officers present in sitting is Annexed.

The National Commission for Scheduled Tribes was received a representation dated 21.03.2017 from Shri Baldeo Kumar, Assistant Secretary, All India SC/ST/BC Employees Co-ordination Council, Ramgarh, Jharkhand regarding denial of compassionate appointment to Shri Ajit Kumar, S/o late Shri Benia Manjhi, Ex-Pump Khalasi, CCL, Barka Sayal region. The Association has represented that Shri Benia Manjhi was working as Pump Khalasi at CCL, Barka Sayal project and he had expired in harness on 04.05.2009. Upon his death, his wife, Smt. Rato Devi had submitted an application for compassionate appointment under 9.3.0 of Compassionate Appointment Policy for her son Shri Ajit Kumar on 05.04.2010 and 23.09.2010 to the CCL, Regional office, Barka Sayal. The CCL Regional Office had sought certain documents, which was provided by the petitioner. Again Shri Ajit Kumar had submitted the requisite documents to the CCL Regional Office, Barka Sayal in reference to the CCL, Barka Sayal Region letter number Proj.Off/Sayal/Per/9.3.0/16/5078 dated 23.12.2016. Neither, the Project Officer, Barka Sayal, CCL did not examine the petitioner's application/documents and nor did not send the application to the CCL, Head Office. However, the CCL Administration, Ranchi vide its letter dated 06/07.01.2016 has intimated that the appointment application of Shri Ajit Kumar is rejected on the grounds of non receipt of the relevant documents and application within the prescribed time limit.

2. As per procedure, the NCST vide its letter dated 22.05.2017, and reminder dated 27.10.2017 had sought the report from the CMD, CCL. Thereafter, the CCL Admn., Ranchi vide its letter dated 04.04.2018 has submitted facts in this case that the applicant's (Shri Ajit Kumar) case of compassionate appointment has earlier been rejected and communicated to Smt. Rato Devi W/o the deceased by a letter dated 24.11.2011 followed by 15.02.2016 on the ground that she did not apply in the prescribed Application Form and also did not submit the requisite papers/documents for consideration of applicant's case of compassionate appointment. On receipt of representation dated 15.03.2017 of the petitioner Shri Baldeo Kumar, the case was examined and outcome thereof was communicated to him by this office letter dated

  
सुश्री अनुसुईया उइके/Miss Anusuiya Uikey  
उपाध्यक्ष/Vice Chairperson  
राष्ट्रीय अनुसूचित जनजाति आयोग  
National Commission for Scheduled Tribes  
भारत सरकार/Govt. of India  
नई दिल्ली/New Delhi



19.05.2017. In this case, the employee died on 04.05.2009 and the applicant did not comply the requisite requirement even despite series of requests causing delay on their part and this delay itself defeats the very purpose and object of compassionate appointment.

3. Since the Departments report was found to be unsatisfactory. Hence, a Sitting was held on 31.07.2018 in the Commission.

4. During the Sitting, the CMD, CCL along with the petitioners appeared before the Commission and thereafter, they made their submissions.


5. The Commission has asked the CMD, CCL to clarify the reasons about seeking required documents from the petitioner vide Project Officer, Barka Sayal, CCL letter dated 23.12.2016 despite rejection of the compassionate appointment application of Shri Ajit Kumar vide CCL Ranchi letter dated 15.02.2016.

The CMD, CCL was stated that he was not aware of issuing of letter dated 23.12.2016. However, the matter will be inquired and responsibility will be fixed for this lapse.

6. After hearing both sides, the Commission observed that after death of Shri Beniya Manjhi, his wife Smt. Rato Devi has submitted application for compassionate appointment to her son Shri Ajit Kumar to the CCL Project Office at Barka Sayal on 05.04.2010 and 23.09.2010. Thereafter, on the basis of the CCL Project Office letter dated 14.09.2010, Shri Ajit Kumar had also submitted all requisite documents to the concerned authority in the prescribed time limit. However, the CCL Head Office vide its letter dated 28.10.2015 had informed to the petitioner that application for compassionate appointment under 9.3.0 to her son Shri Ajit Kumar was rejected on the grounds of non submission of required documents to the concerned authority in prescribed time limit. In the meanwhile, the CCL, Barka Sayal Project Officer vide its letter dated 23.12.2016 had asked the petitioner to submit the required documents for consideration of compassionate appointment within a week. Accordingly, in compliance with the information asked by the Project Officer, Barka Sayal, CCL, the petitioner has submitted all requisite documents to the authority concerned within a week period. The Project Officer, Barka Sayal, CCL did not examine the petitioner's application and documents and also has not forwarded the petitioner's case to the CCL Head Office for consideration. Thus, it appears that due to lapses from the Project Officer, Barka Sayal Region, the petitioner lost the opportunity of compassionate appointment. Moreover, the CCL Administration vide its letter dated 18.02.2017 has again informed the petitioner regarding CCL's decision dated 15.02.2016 about rejection of the compassionate appointment to Shri Ajit Kumar.

7. The Commission therefore, recommends that CCL authority should review the petitioner's compassionate appointment in positive way by considering the petitioner's documents deposited by him in pursuance of Project Officer, Barka Sayal, CCL Office letter dated 23.12.2016. An action taken report should be submitted to the Commission within one month.

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सुश्री अनुसुईया उइके/Miss Anusuiya Uikey  
उपाध्यक्ष/Vice Chairperson  
राष्ट्रीय अनुसूचित जनजाति आयोग  
National Commission for Scheduled Tribes  
भारत सरकार/Govt. of India  
नई दिल्ली/New Delhi

**NATIONAL COMMISSION FOR SCHEDULED TRIBES**

**Annexure**

(File No. BK/1/2017/MCOL1/SEOTH/RU-IV)

**List of participants**

**NCST**

1. Miss Anusuiya Uikey, Hon'ble Vice-Chairperson (In chair)
2. Mrs. Maya Chintamn Ivnate, Hon'ble Member
3. Shri Raghav Chandra, Secretary
4. Shri S.K. Ratho, Joint Secretary
5. Shri Y.K. Bansal, Research Officer
6. Shri H.R. Meena, Sr. Investigator

**Officers of Central Coal Field Ltd., Ranchi, Jharkhand**

1. Shri Gopal Singh, CMD
2. Shri R.S. Mohapatra, D(P)
3. Shri Avinash Srivastava, Sr. Manager (Personnel)
4. Shri A. Mukherjee, Ch. Manager (Min), L&R
5. Shri L.K. Mohapatra, Ch. Manager (Min), N.K. Area

**Petitioners**

1. Shri Ram Pradesh Ram
2. Shri Baldeo Kumar
3. Shri Baijnath Ram
4. Shri Brijkishor Ram