



स्पीट पोस्ट <sup>Speed Post</sup>  
SPEED POST

Government of India  
National Commission for Scheduled Tribes  
(A Constitutional Commission set up under Art. 338A  
of the Constitution of India)

File No. ST/2/2011/MCOL1/SEOTH/RU-IV

04.10.2016

To,


The Chairman cum Managing Director,  
Eastern Coal Field Ltd.,  
Sanctoria,  
Post Dishergarh – Burdwan – 713333  
West Bengal.

**Sub: Representation of Shri Sunil Tudu, Dhanbad, Jharkhand  
regarding compassionate appointment in the Eastern Coal Fields  
Ltd..**

Sir,

I am directed to enclose a copy of the Proceeding of the Sitting held in the NCST on 02.09.2016 on the above mentioned subject for necessary action and to send the action taken report to the Commission at an early date.

Yours faithfully,

  
(V.P. Shahi)  
Assistant Director

Copy to:-

Shri Sunil Tudu,  
Gram- Pokhriya Mishan,  
Post – Ponkharia, Dundi,  
Dhanbad – Jharkhand.

6735-42  
05/10/16  
जारी किया  
**ISSUED**

o/c

**Proceedings of the Sitting taken by the Vice-Chairperson, NCST on 02.09.2016 in the matter of Shri Sunil Tudu, Dhanbad, Jharkhand regarding compassionate appointment in Eastern Coalfields Ltd.**

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Date of sitting: 02.09.2016

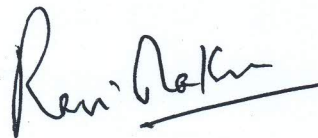
List of the officers present: **(Annex - I)**

A representation was received from Shri Sunil Tudu, the son-in-law of the late Shri Prem Prakash Hembram for appointment on compassionate grounds in the Eastern Coalfields Limited, West Bengal.

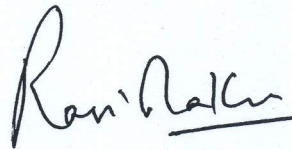
2. Late Shri Prem Prakash Hembram was working in Eastern Coalfield Limited and he died on 15/08/1999 while in service. At the time of his death his two sons were alive. However later on his two sons also passed away. Now the family of the deceased is being looked after by his son-in-law, Shri Sunil Tudu. That is why the request is being made for appointment of the Son-in-law by the family of the deceased.

3. The stand taken by the ECL is that the company has no power to give employment beyond the provisions of National Coal Wage Agreement (NCWA). The provisions of NCWA is that employment can be given to the dependent of the deceased employee like brother, widow, daughter, daughter-in law or son-in-law. This is only when no direct dependent is available for employment and the position is taken on the date of the death of the deceased employee.

4. The Commission has called for a hearing in the case and a hearing was fixed on 2/09/2016 at 11.00 am.



5. No representative from the Company attended the meeting since 2/9/2016 happened to be a day when a strike was called by the trade Unions and the presence of the CMD was needed in the headquarter to deal with the situation.
6. Smt. Prem Prakash Hembram , the wife of Prem Prakash Hembram, her daughter and her son-in-law attended the hearing.
7. They explained the case and expected the Commission to take a lenient view in the matter.
8. Shri K.S. Chatterjee, ex- MLA from West Bengal also attended the meeting to appraise the Commission on the sufferings of the petitioner.
9. After hearing the petitioner the Commission would like to direct the ECL authorities to provide an employment to the son-in-law of Shri Prem Prakash Hembram keeping in view the fact that the provisions of NCWA are to provide relief to the deceased family. Since both the sons are no more alive and the family is being looked after by the son-in-law by means of daily wage earning, it is a fit case for considering him as a dependent under NCWA and offer him a job to the family whose bread winner has died in harness. The Commission orders accordingly and it is expected from Eastern Coalfield Limited to comply with the directions within 15 days from the date of receipt of these proceedings and a compliance report be sent within the same time period.



रवि ठाकुर/RAVI THAKUR  
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-1**

**ST/2/2011/MCOL1/SEOTH/RU-IV**

**List of participants**

**NCST**

1. Shri Ravi Thakur, Hon'ble Vice Chairperson (In chair)
2. Mrs. K.D. Bhansor, Director
3. Ms. N. Singsit, Assistant Section Officer

**Officers of Eastern Coalfields Ltd.**

Due to strike no one came and it was intimated vide letter dated 01.09.2016.

**Petitioners**

1. Shri Sunil Tudu
2. Smt. Sarla Hembram
3. Smt. Deepika Hembram
4. Shri K.S. Chatterjee