



सत्यमेव जयते

राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes
(भारत के संविधान के अनुच्छेद 338क के अंतर्गत एक संवैधानिक निकाय)
(A Constitutional body under Article 338A of the Constitution of India)

File No. NCST/SER-775/MCOL/6/2023-SSW

Dated: - 08.11.2023

To,

Shri Ambika Prasad Panda
Chairman-cum-Managing Director
Eastern Coalfields Limited,
Post- Dishergarh, District- West Bardhaman -713 333(West Bengal)
Email:- cmd.ecl.cil@coalindia.in, Phone:- 0341- 2520545

Sub:- अनुसूचित जनजाति के व्यक्ति की मृत्यु के बाद अनुकम्पा आधार पर. ई.सी.एल द्वारा नियुक्ति न देने के संबंध में - श्रीमती बंदना मझीआईन, पत्नी स्व. श्री सनातन मांझी, मुगमा क्षेत्र के कुमारधुवी कोलीयारी (धनबाद) में कार्यरत का अभ्यावेदन।

महोदय,

I am directed to enclose herewith a copy of the minutes of meeting held under the Chairmanship of Shri Ananta Nayak, Hon'ble Member, NCST on 31.10.2023 at 02:30 PM in the National Commission for Scheduled Tribes, Lok Nayak Bhawan, Khan Market, New Delhi 110003 on the above mentioned subject.

2. It is stated that in the meeting, the petitioner has submitted supporting documents in respect of her case i.e Saving Bank Passbook (Joint Account), SBI, Branch at Kumardhubi; Family List Certificate dated 06.12.2018 issued by Ms. Lakhi Devi, Mukhiya Gram Panchayat Egyarkund; Relationship Certificate dated 07.03.2021 issued by Ms. Aparna Sengupta, Member of Legislative Assembly (Nirsha Constituency), Jharkhand State; Family List Certificate dated 31.05.2017 issued by Anchal Adhikari, Nirsha; Addhar Card of Smt. Bandana Majhiyain; Addhar Card of Sonu Kumar (Son); Addhar Card of Manoj Majhi (Son) and Addhar Card of Raj Majhi (Son); Election Voter Card of Smt. Bandana Majhiyain and Report of Police Department of District Dhanbad regarding Claims of petitioner, as wife of Late Sanatan Majhi. The copies of these document are also enclosed.

3. It is requested that the action taken/ to be taken in the matter may be intimated to NCST within stipulated time from receipt of the letter for placing it before the Hon'ble Member. In this context it is also pointed out that the Commission may be constrained to take action against officials of ECL under the SC/ST Prevention of Atrocities Act, if, the callous attitude and contradictory stance of ECL officials continues to deprive Smt. Bandana Majhiyain of her rights.

Yours faithfully,

Encl:- as above

(आर.एस.मिश्र / R.S. Misra)
अनुसंधान अधिकारी / Research Officer
Tel:-24641640

Copy to:-

श्रीमती बंदना मझीआईन पत्नी स्व. श्री सनातन माझी
एग्यारकुंड, पुराना एक्सचेंज,
पोस्ट-कुमारधुवी, जिला-धनबाद-828203 (झारखंड)
(मो नं. 6206853205)



(आर.एस.मिश्र / R.S. Misra)
अनुसंधान अधिकारी / Research Officer
Tel:-24641640

Copy for information

1. PS to Hon'ble Member, NCST.
2. NIC, NCST for uploading on the website of the Commission.

**National Commission for Scheduled Tribes
(F. No. NCST/SER-775/MCOL/6/2023-SSW)**

Minutes of the Meeting held under the Chairmanship of Shri Ananta Nayak, Hon'ble Member, National Commission for Scheduled Tribes at Lok Nayak Bhawan, New Delhi, in the case of Smt. Bandana Majhiyain wife of Late Shri Sanatan Majhi, Employee of Eastern Coalfields Limited regarding denial of compassionate appointment to her after death of her husband.

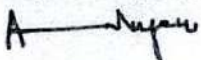
**Date of the Meeting: 31/10/2023, 02:30 PM
Participants in the Meeting- As per Annexure**

Shri Prabhunath Paswan, General Secretary, All India SC/ST/OBC Employees Coordination Council, Eastern Coalfield Ltd., vide Letter dated 01.01.2023 placed the matter pertaining to denial of Compassionate employment to Smt. Bandana Majhiyain wife of Late Sanatan Majhi, Employee of Kumardhubi Colliery, Dhanbad (Underground Loader) after his demise. Smt. Bandana Majhiyain in her letter dated 23.12.2022 had requested appropriate action from the CMD of ECL, Wardhman but no response had been received from the Department till date.

2. The NCST, vide notice dated 20-02-2023 had referred the matter to the CMD, Eastern Coalfields Limited as well as Secretary, Ministry of Coal for furnishing the facts and comments within 15 days from the receipt of the notice.

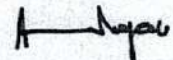
3. The Eastern Coalfields Ltd vide their letter no. ECL/CMD/C-6/E-8/VIP-783/2209 dated 01.03.2023, has stated that, since the name of Smt. Bandana Mejhain was not available in any official records as the wife of Late Sanatan Majhi, the case was referred to the Superintendent of Police, District-Dhanbad to ascertain the relationship between Smt. Bandana Majhiyain and Late Shri Sanatan Majhi. After receiving the Police verification report, the proposal was processed at the Mugma Area, and the employment file was received at HQs in January 2022. Employment files received from different areas at HQs are being processed and maintained in chronological order. The status of the employment file is available on the ECL website. This letter of ECL was communicated to the Petitioner vide NCST letter dated 17.03.2023.

4. Shri Prabhunath Paswan and Smt Bandana Majhiyain vide letter dated 27-03-2023, expressed dissatisfaction with ECL's reply and requested for issuance of directions to ECL for compassionate appointment.


अनंत नायक/ANANTA NAYAK
सदस्य/Member
राष्ट्रीय अनुसूचित जनजाति आयोग
NATIONAL COMMISSION FOR SCHEDULED TRIBES
भारत सरकार/Govt. of India
नई दिल्ली/New Delhi

5. The Commission decided to discuss the issue with the Authority and Petitioner on 31.10.2023 at 02:30 PM. Accordingly, meeting letter was issued to Shri Ambika Prasad Panda, CMD, Eastern Coalfields Ltd, District – Wardhman (West Bengal) on 16-10-2023 to appear on 31-10-2023 and the Petitioner was also informed to attend the meeting. The Director, Personnel of ECL appeared before the Commission.
6. The Commission inquired about the action taken for compassionate appointment of the petitioner (Smt Bandana Majhiyain) since the ECL had informed the Commission that the police verification has been completed vide letter dated 01.03.2023. The petitioner was also asked to explain the present position of the verification conducted by the police. The petitioner informed and also produced a copy of the police verification report (District Dhanbad) submitted to ECL. The petitioner also submitted numerous documents to establish her marriage, including the Family List Certificate and Relationship Certificate, her joint bank account statement (2001), her children's Aadhar card, etc.
7. The Commission is of the view that in light of the documents produced by the Petitioner and Supdt. Police-Dhanbad verification report, the Petitioner (Smt. Bandana Majhiyain) is clearly established as the wife of Late Sanatan Majhi and she is eligible for compassionate appointment. The Commission recommends that her case may be viewed sympathetically and the fact of omission by her late husband, to include the name of the wife in Official records may be condoned in view of the fact that he was employed in ECL, as an Underground Loader.
8. After discussion with the officials of ECL and documents provided by the Petitioner were handed over to the officials of ECL in the meeting.
9. The Commission recommends ECL Management to take action at the earliest for compassionate appointment of Smt Bandana Majhiyain wife of Late Sanatan Majhi.

An Action Taken Report has to be furnished to the Commission within 15 days from the receipt of Minutes.



(Ananta Nayak)
Member,
NCST, New Delhi

अनंत नायक/ANANTA NAYAK
सदस्य/Member
राष्ट्रीय अनुसूचित जनजाति आयोग
NATIONAL COMMISSION FOR SCHEDULED TRIBES
भारत सरकार/Govt. of India
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Annexure

List of participants of the sitting held on 31.10.2023 at 2:30 PM under the Chairmanship of Shri Ananta Nayank, Hon'ble Member, NCST, New Delhi in the case of Smt. Bandana Majhiyain W/o Late Shri Sanatan Majhi, Employee of Eastern Coalfields Ltd regarding denial of compassionate appointment to her after death of her husband.

I	<u>Eastern Coalfields Ltd</u>
1.	Ms. A. Swain, Director (Personnel)
2.	Shri Nazrul Islam, Dy. General Manager (PERS)/ECL
II	<u>Petitioner</u>
1.	Smt. Bandana Majhiyain
2.	Shri Prabhunath Paswan (Representative)