

**BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL -CUM- LABOUR COURT,  
ASANSOL.**

**PRESENT:** Shri Ananda Kumar Mukherjee,  
Presiding Officer,  
C.G.I.T-cum-L.C., Asansol.

**REFERENCE CASE NO. 09 OF 2011**

**PARTIES:** Smt. Amrita Mejhian  
**Vs.**  
Management of Ghanshyam Colliery of ECL

**REPRESENTATIVES:**

For the Union/Workman: None.  
For the Management of ECL: Mr. P. K. Das, Adv.

**INDUSTRY:** Coal.

**STATE:** West Bengal.

**Dated:** 09.01.2024

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**A W A R D**

In exercise of powers conferred under clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Government of India through the Ministry of Labour, vide its Order **No. L-22012/56/2011-IR(CM-II)** dated 04.07.2011 has been pleased to refer the following dispute between the employer, that is the Management of Ghanshyam Colliery under Kajora Area of Eastern Coalfields Limited and their workman for adjudication by this Tribunal.

**THE SCHEDULE**

*“ Whether the action of the management of Ghanshyam Colliery, Kajora Area, M/s Eastern Coalfields Limited in denying compassionate employment to Smt. Amita Mejhain dependent wife of Lt. Rashu Majhi, Ex. Line Mistry as per NCWA is legal & justified? To what relief the concerned workman is entitled to? ”*

1. On receiving Order **No. L-22012/56/2011-IR(CM-II)** dated 04.07.2011 from the Government of India, Ministry of Labour, New Delhi for adjudication of the dispute, a **Reference case No. 09 of 2011** was registered on 18.07.2011/09.12.2011 and an order was passed for issuing notice to the parties through registered post, directing them to appear and submit their written statements along with relevant documents in support of their claims and a list of witnesses.

2. Mr. P. K. Das, learned advocate for Eastern Coalfields Limited is present. The case is fixed up today for appearance of Amrita Mejhian, dependent wife of Late Rashu Majhi, Ex-employee and for hearing of argument. On repeated calls at 2.55 pm none appeared for Amrita Mejhian. Initially, Mr. G. P. Mal, learned advocate had appeared for the petitioner. Written statement and rejoinder were filed by the learned advocate for the petitioner wife and she adduced her evidence. Since 30.10.2018 none appeared for the

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dependent wife. In compliance with order dated 27.09.2022 Notice under registered post was issued to Amrita Mejhian directing her to appear in person and be properly represented for the proceeding. On six consecutive dates, none appeared for the dependent of Late Rashu Majhi.

3. On a perusal of the record, I find that Rashu Majhi has expired on 26.11.1994. Management of the company has examined Sri Proloy Dasgupta, Manager (Personnel) at Ghanshyam Colliery as Management witness-I. In his examination, witness produced a letter dated 29.03.2007/06.04.2007 issued by Personnel Manager (Empl) addressed to the Dy. C.P.M., Kajora Area, marked as Exhibit M-3, wherein he communicated that after going through the case file the competent authority has not agreed to consider the case as the relationship of female nominee with the deceased employee has not been established beyond doubt. This vital statement of witness and document has not been controverted on behalf of the claimant. Under such circumstance, I hold that the petitioner, Amrita Mejhian has not been able to establish her claim for compassionate appointment as dependent of Late Rashu Majhi. Reference case is accordingly dismissed.

Hence,

**ORDERED**

that an Award be drawn up in light of the above findings in respect of the above Reference case. Let copies of the Award in duplicate be sent to the Ministry of Labour and Employment, Government of India, New Delhi for information and Notification.

**(ANANDA KUMAR MUKHERJEE)**  
Presiding Officer,  
C.G.I.T.-cum-L.C., Asansol.