

20-04-2026
Item No.8
Subrata
Bhattacharyya
AR(C)

IN THE HIGH COURT AT CALCUTTA

Constitutional Writ Jurisdiction

Appellate Side

WPA No.7226 of 2026

Shyamali Mejhan

-vs-

M/s. Eastern Coalfields Limited & Ors.

Mr. Subhrangsu Panda
Ms. Haritri Roy
Ms. Sampurna Chowdhuri
Mr. Anupam Singha ...for the petitioner

Ms. Priti Banerjee
Ms. Swapna Sikder ...for the respondents

1. The petitioner claims to be the widowed daughter-in-law of a deceased employee of Eastern Coalfields Limited. The father-in-law of the petitioner died-in-harness on October 8, 2015 leaving behind his spouse and a son as his direct dependants.
2. On the death of the employee, his son, that is the husband of the petitioner, applied for compassionate appointment after obtaining the no-objection certificate from his mother, the widow of the deceased employee. Pending consideration of the application made by the son, he expired on October 10, 2016.
3. On the death of the son of the employee, the mother-in-law of the petitioner issued the no-objection certificate in favour of the present petitioner for getting employment. The mother-in-law of the petitioner also expired on April 30, 2018.

4. The application of the petitioner seeking employment is alleged to be kept pending for a considerable period of time and presently the petitioner has crossed the age limit of 35 years for getting employment. She prays for payment of Monthly Monetary Cash Compensation (MMCC). The application of the petitioner seeking MMCC was filed on February 2, 2026 and the same is alleged to be kept pending.
5. Prayer has been made to direct the respondents to consider the prayer of the petitioner for grant of MMCC.
6. Learned counsel for the Eastern Coalfields Limited opposes the prayer of the petitioner and submits that on the death of the employee, the petitioner was not the direct dependant. The spouse and the son of the employee were alive at the time of the death of the employee.
7. It has also been submitted that the petitioner, not being the direct dependant of the deceased employee, will not be entitled to receive either MMCC or employment.
8. I have heard the respective submissions made on behalf of both the parties and perused the provisions for Social Security under the National Coal Wage Agreement (VI), 2000.
9. Paragraph 9.3.2 of the said Agreement deals with employment to one dependant of the worker who dies while in service. It mentions that insofar as the female dependants are concerned, their employment/payment of monetary compensation would be governed by paragraph 9.5.0.
10. Paragraph 9.3.3 of the Agreement stipulates that the dependant for the purpose of providing

employment means the wife/husband, as the case may be, unmarried daughter, son and legally adopted son. If no such direct dependant is available for employment, brother, widowed daughter, widowed daughter-in-law or son-in-law residing with the deceased and almost wholly dependant on the earnings of the deceased may be considered to be the dependant of the deceased.

11. Paragraph 9.5.0 (ii) of the Agreement lays down that in case of death caused other than mine accident, if the female dependent is below the age of 45 years, she will have the option either to accept the monetary compensation or employment.
12. In the instant case, the petitioner claims to be the widowed daughter-in-law of the deceased employee and submits that she was wholly dependent upon the husband who was completely dependent on his father. On the death of her husband and her father-in-law and mother-in-law, she should be considered for grant of MMCC.
13. It appears that NCWA recognizes the right of widowed daughter-in-law either to be provided employment or MMCC, in the event she was wholly dependent on the earnings of the deceased.
14. Since it is alleged that the application made by the petitioner seeking MMCC is pending consideration at the end of the authority, without entering into the merits of the same at this stage, the instant writ petition is disposed of by directing the General Manager, Eastern Coalfields Limited, Kalipahari (R) Colliery, the fifth respondent herein, to consider and dispose of the

petitioner's application seeking MMCC in terms of NCWA at the earliest but positively within a period of twelve weeks from the date of communication of this order. A reasoned order shall be passed and communicated to the petitioner immediately thereafter.

15. If any document is required from the petitioner for the purpose of ascertaining her claim, the same shall be intimated to her. The petitioner shall be obliged to provide all documents as sought for the purpose of consideration of her application.
16. In the event the petitioner's claim for grant of MMCC is accepted, then the same shall be payable on and from the next date of death of the employee in terms of the minutes of the meeting of the Empowered Committee of Functional Directors of Eastern Coalfields Limited (4th of 2026) dated 9th February, 2026 as submitted by the learned counsel for ECL.
17. All parties are to act on the server copy of this order duly downloaded from the official website of this Court.
18. Certified copy of this order, if applied for, shall be made available to the parties.

[Amrita Sinha, J]

