



GOVT. OF NCT OF DELHI
BEFORE THE COMMISSIONER EMPLOYEE'S COMPENSATION/
JOINT LABOUR COMMISSIONER
LABOUR DEPARTMENT (NORTH- EAST DISTRICT)
VISHWAKARMA NAGAR, JHILMIL COLONY, DELHI-110095

NO.CEC-I/NE/17/2022/2176-2178

Dated: 18/11/22

In the matter of:

Sh. Harsh Gupta S/o Sh. Deepak Gupta
R/o House No. 29, Street No.1-A, A-Block
Ambika Vihar, Shiv Vihar, Sher Pur
North East, Delhi-110094.

.....Claimant

Through

Shops & Commercial Workers Union (Regd.)
520/B/5, village Khera, G.T. Road, Shahdara,
Delhi-110095

.....AR of claimant

V/s

Mr. Karamveer Singh
M/s Simran Traders, House No.20, Khasra No. 13/5/1
Kamal Vihar, Karawal Nagar, Delhi-110094

..... Respondent

Proceeding-Cum-Order-Sheet

18/11/2022

For Claimant- Sh. Shatrujeet Singh along with Sh. Harsh Gupta

For Respondent – Sh. Karamveer Singh

Matter Discussed

That during the proceedings on 12.09.2022 the respondent Sh. Karamveer Singh has admitted that the claimant Sh. Harsh Gupta was working with him and during the course under his employment the hand of the claimant Sh. Harsh Gupta was got into the machine due to which his five fingers and the palm was got crushed on 24.06.2022.

The claimant was also enclosed copy of E-Pehchan card issued by ESIC bearing insurance no. 1014618672 and which was issued on 11/07/2021 and the date of appointment in the said E-Pehchan Card has been mentioned as 02/07/2021. Since the date of accident is 24.06.2021 therefore this claim is admitted under Compensation Act.

Therefore a letter was issued for Medical Disability Assessment to G.T.B. Hospital vide letter No. CEC-I/NE/17/2022/1619 dated 12/09/2022.

A letter No. F.17/GTBH/MD/SP/COURT/22/5658 dated 18/10/2022 has been received from Staff Physician of GTB Hospital forwarding the Permanent Disability Certificate no.1419/62/10/2022 dated 11/10/2022 in respect of Sh. Harsh Gupta showing the permanent Disability to the tune of 60 %.

Since, the respondent has admitted that the claimant meat with an accident in which his fingers and palm was crushed during the course of his employment therefore it is held that the claimant is entitled for compensation as per the provisions of Act.

Q. No. 11
HARSH
GUPTA

L.T.I of
Harsh Gupta

5/8
18/11/22

The claimant has file Aadhar Card bearing no. 556904596136, PAN Card No. DTLPG8016B and Voter ID. No. XCN3703873 wherein his date of birth has been shown as 14/10/2003 and the age of claimant comes to 18 years for which the relevant factor mentioned in the Act is 226.38. The last drawn wages stated by the claimant is Rs. 11,000/-. It was also enquired from the respondent that what amount he was paying to the claimant as salary on which the respondent told that he was paying Rs. 9,000/- as salary in case.

Both the claimant and the respondent failed to file any proof towards wages being receive by the claimant or wages being paid by respondent and therefore the last drawn wages is being considered as Rs. 15,000/- which is the amount for calculation of compensation accordingly the claimant is held entitled for compensation as under:-

1. Relevant factor for 18 years of age of claimant = 226.38
2. 60 % of last drawn wages = $15000 \times 60\% = 9,000$
3. Permanent Disability considered as per Medical Disability Certificate = 60 %

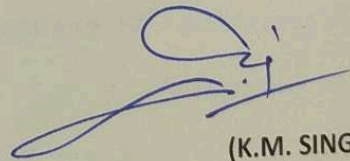
Accordingly compensation to which claimant is entitled = $\frac{9000 \times 226.38 \times 60}{100} = 12,22,452/-$

That as decided above, the Respondent **Sh. Karamveer Singh** is hereby directed to deposit the compensation amount of **Rs. 12,22,452/- (Rupees Twelve Lakh Twenty Two Thousand Four Hundred Fifty Two)** alongwith simple interest @ 12% per annum w.e.f. 24/07/2020 till the date of payment of the same by the way of Demand Draft/Pay Order in favour of "Commissioner Employee's Compensation-VIII" within 30 days from the date of issue of this order, failing which proceedings to recover the amount of compensation as well as the interest, as an arrears of land revenue, shall be initiated as per the provisions of Section 31 of the Act.

The proceedings have been briefed to both the parties in Hindi.

Copy of the order be given Dasti to the parties.

Given under my hand and seal of this court on 18th day of November, 2022.



(K.M. SINGH)

COMMISSIONER, EMPLOYEE'S COMPENSATION

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order
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HARSH
GUPTA

R.T.I.
of Harsh Gupta

18/11/22
(Copy received)
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