



ALL INDIA INSURANCE EMPLOYEES' ASSOCIATION

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V. RAMESH

November 16, 2016

The Chairman (In-Charge),
LIC of India,
Central Office,
Mumbai

URGENT AND IMPORTANT

Dear Sir,

Supreme Court Order dated 20.10.2016 on Civil Appeal No.2268/2011

We understand that you have started the process to implement the Supreme Court Order dated 20.10.2016 on Civil Appeal No.2268/2011. This relates to the regularisation of employees who have been working temporarily in the cadre of Assistant for over 15/16 years through a scheme approved by the Apex Court. We are hopeful that the written test and interview for these temporary employees will be conducted in the true spirit of the Supreme Court Order of 18th January 2011 in Civil Appeal No.953-968 of 2005 (LIC of India vs Anil Kumar). The entire process must be to select and not to eliminate as these employees have been serving LIC ably and efficiently for such long periods.

However, it is unfortunate that LIC has decided to implement this order only to 99 employees from Uttar Pradesh and 7 from Uttarakhand. This effectively denies the opportunity to a few more employees from these two States who were not the appellants/petitioners in the said case and a little over 100 from other parts of the country. These employees are similarly placed and it is legally not tenable to restrict the benefit of regularisation to them. **It is a settled issue through various judgements of the Apex Court that employees similarly placed should also be extended the benefit of the Court decision. In the case of LIC of India vs Anil Kumar the benefit of the Court approved scheme was extended to all similarly placed employees. We would like to point out that a similar situation was decided by the Apex Court in CA 3338/2014 on 7/3/2014 by directing that benefit cannot be restricted to appellants/petitioners but was extended to all similarly placed employees. Recently, the LIC has also paid interim relief to all similarly placed employees in the Pension case as directed by Supreme Court.**

We, therefore, request you to consider for regularisation under this scheme all similarly placed employees and avoid further litigation on this issue. It is harsh to force the temporary employees who are working continuously for more than 10 years to seek legal remedy incurring huge cost both for them and LIC when the principle has already been laid down by various judgements of the Apex Court and the decisions of LIC itself in the past.

We hope that you will initiate action in the true spirit of the Order of Supreme Court and avoid further litigation on this issue. It is also an occasion to demonstrate that LIC is not only the premier public institution in this country but also a model employer.

Thanking you,

Yours faithfully,

A handwritten signature in black ink, appearing to read 'D. S. Srinivasan', written over a horizontal line.

General Secretary