

ALL INDIA INSURANCE EMPLOYEES' ASSOCIATION
LIC BUILDING SECRETARIAT ROAD HYDERABAD 500 063
(E-mail: aiieahyd@gmail.com)

Cir. No. 14 / 2017

14th July, 2017

To

All the Zonal/Divisional/Regional/State Units,

Dear Comrades,

Implementation of CGIT Award

We have already informed you through our circular no. 11/ 2017 dated 3.6.2017 the letter addressed to Chairman, LIC regarding the improper implementation of CGIT Award. Meanwhile, South Central Zone Insurance Employees' Federation affiliated to AIIEA approached the Court for proper implementation of Supreme Court's Order dated 18.03.2015. We are happy to inform that the Hon'ble High Court of AP & Telangana states directed LIC, Hyderabad and Secunderabad Divisions to consider the absorption of all the eligible CGIT candidates who have applied for absorption in response to the notification of LIC dated 21.7.2015 by setting aside the Clause 4 (C) in the instructions issued by LIC in its circular dated 21.5.2017.

We reproduce hereunder the letter addressed by AIIEA to the Chairman, LIC urging him to implement the CGIT Award in letter and spirit by avoiding further litigation in the matter.

With greetings,

Comradely yours,



General Secretary.

July 14, 2017

The Chairman,
LIC of India,
Central Office,
Mumbai.

Dear Sir,

CGIT Award dated 18/6/2001 in ID No. 27 of 1991
Orders of the AP & Telangana High Court

This is further to our letter dated 3/6/2017 wherein we had pointed out that the manner in which LIC is implementing the Orders of the Supreme Court which restored the CGIT Award dated 18/6/2001 in ID No.27 of 1991 is legally not tenable. We had stated that the matter referred to the CGIT for adjudication was not a dispute in persona but a dispute in

rem. Para 94 of the CGIT Award very clearly laid down the procedure to be adopted for absorption of the candidates; LIC is not entitled to insist on the requirement of submitting the copy of the statement of claim submitted by the Association having the name of the applicant to the CGIT; and LIC cannot restrict the implementation of the CGIT Award only to the petitioners. Since the Award is applicable to all eligible candidates who qualify having worked during the stipulated period, we requested you to remove the restrictive clause and consider the applications of all eligible candidates who made their applications in response to the LIC notification dated 21st July 2015. Unfortunately, LIC did not act on our representation.

The action of LIC is now challenged in the High Court of Judicature at Hyderabad for the State of Telangana and the State of Andhra Pradesh by some aggrieved workmen and the South Central Zone Insurance Employees' Federation, a Zonal organization of the All India Insurance Employees' Association. We are happy to inform you that the Hon'ble High Court was pleased to pass the following orders on 11th July 2017:

“Prima facie, sub-Clause (c) in Clause (iv) of Para no.2 of the Circular dt.16.05.2017 is in contravention of the order dt.18.03.2015 in Civil Appeal No.6950 of 2009 and batch, decided by the Supreme Court, and the Supreme Court did not confine it only to persons who are petitioners before the Central Government Industrial Tribunal and whose names are filed before the said Tribunal by the employees of the organization.

Therefore, there shall be interim direction to respondents to consider absorbing the petitioners in terms of applications submitted by them pursuant to notice dt.21.07.2015 along with others without reference to the aforesaid sub-clause in the Circular dt.16.05.2017 within a period of four (04) weeks from the date of receipt of a copy of the order”.

The Order of the Hon'ble High Court is clear and unambiguous. This order vindicates the stand of the AIEEA. We, therefore, request you to immediately issue revised instructions for the implementation of the CGIT Award in its full without any violation by considering the applications of all eligible candidates received in response to the notification issued by you on 21st July 2015.

Thanking you,

Yours faithfully,
Sd/-
V. Ramesh
General Secretary.