

ALL INDIA INSURANCE EMPLOYEES' ASSOCIATION
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Cir. No. 21/2020

28th May, 2020

To
All the Zonal/Divisional/State/Regional Units

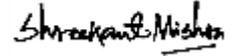
Dear Comrades,

The major joint front Unions addressed a letter to Chairman, LIC in response to the CO circular dated 26.5.2020 regarding Classification of absence during Lockdown due to Covid19".

The same is appended hereunder for your information.

With greetings,

Comradely Yours



General Secretary

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FEDERATION OF LIC CLASS I OFFICERS' ASSOCIATIONS
NATIONAL FEDERATION OF INSURANCE FIELD WORKERS OF INDIA
ALL INDIA INSURANCE EMPLOYEES' ASSOCIATION

28.05.2020

The Chairman
L.I.C. of India
Central Office
MUMBAI

Dear Sir,

Re: Classification of Absence During Lockdown due to COVID19

The instruction issued by LIC dated 26th May 2020, on the captioned subject matter has given rise to consternation and resentment amongst all sections of the Employees. It takes away much of the goodwill and bonhomie that the initial response of the LIC had generated. We are constrained to observe that the compassion and empathy which informed LIC's instructions in the early period

of the lockdown are conspicuous by their absence in this instruction. These instructions have not even taken into consideration the existing provisions on issues relating to Quarantine and Curfew.

The extraordinary situation prevailing in the country due to the Covid-19 pandemic does not seem to have been factored in while classifying absence during the lockdown. We also feel that the all-pervasive sense of foreboding that gripped an entire nation in the run-up to the announcement of the lockdown has not been given due consideration while issuing this Circular. The said Circular makes a blanket provision that absence of all those who left headquarters for personal reasons but could not come back will be treated as Privilege Leave. There were many categories of absence.

- For example, there were employees on sanctioned leave prior to the issue of lockdown orders (dated 25.03.2020) and their leave ended during the lockdown period,
- there were employees on sanctioned leave prior to the issue of lockdown orders and their leave ended on 21.03.2020 but could not join duty because lockdowns were already in place in some States by that time,
- there were also employees who left office on week end on 21st March (22nd March being a Sunday and the day of the much publicised Janata Curfew) but could not come back because some States had already declared lockdown and Public Transport had stopped plying and even Metro and Sub Urban Trains had stopped running w.e.f. 22nd March 2020; midnight.

One has to appreciate that many States had declared the lockdown much before the announcement of the national level lockdown on 24th of March 2020. It is also to be noted that many of the Employees did not come to the Office on 23rd/24th March 2020, because the LIC had already issued instructions dated 22nd March 2020 asking employees of 75 locked down Districts to work from home.

It must be appreciated that the definition of headquarters has changed over a period of time due to rapid urbanisation and agglomeration and this fact is recognised in determining the service conditions. We can take the instance of our Employees and Officers working in New Delhi. While they work in the NCT of Delhi, most of them reside in the NCR Region. The National Capital Region (NCR) of Delhi, as we all know, covers 24 Districts of three neighbouring States of Haryana, Uttar Pradesh and Rajasthan along with the whole of NCT of Delhi. The Noida, Gurugram and Faridabad, for example, have today become synonymous with Delhi. At a time when even Doctors (medical Practitioners) were not allowed to commute between Delhi and Gurugram because of the restrictions in place, one can imagine the plight of LIC employees. One has to appreciate that there were not only inter State restrictions on movements, there were inter District restrictions, as well. We can take the example of Bhilai and Raipur in Central Zone. These cities are hardly 25.0 kms apart, but Bhilai is in Durg District while Raipur is in Raipur District.

The Employees working in our LIC Offices in Raipur but staying in Bhilai could not attend office on 23rd/24th of March 2020 because of restrictions on inter District movements. It is common knowledge that many of our Employees and Officers in Mumbai commute daily from nearby areas like Navi Mumbai, Thane, Kalyan etc. The local train services, the veritable lifeline of Mumbai stopped plying from 22nd March 2020; midnight. It was, therefore well-nigh impossible for them to attend Office on 23rd March 2020. The same was the position in all the metro cities and countless other centres in different parts of the Country. It would be totally unfair to treat them as absent from headquarters. Many State governments and public institutions while deciding these issues have clearly said that if any employee could not attend Office due to reasons beyond his/her control, that employee should be treated as on work from home.

The absence from headquarters should not be viewed in isolation. The context should also be taken into account. One can imagine the chaos, confusion and utter helplessness caused by the sudden announcement of a complete lockdown. No less an authority than the Honourable Prime Minister of the Country said that the lock down was not a de jure curfew but de facto; it most certainly was. The Officers and Employees of LIC, basically the probationers and trainees, were left high and dry. Without any proper accommodation and bereft of any assured supply of food due to closure of hotels and restaurants, they had no other choice than to somehow scamper home. Therefore, there is a need to treat these cases with more empathy. The future of the young boys and girls who have joined LIC in different cadres by aligning their future with that of the Life Insurance Corporation of India should not be allowed to be blighted by a casual interpretation of the rules.

It is also strange that the Circular issued on 26th of May 2020 directs Employees on suggested quarantine by the Office to seek Privilege Leave. The blanket provisions to direct employees to seek Privilege Leave seem to fly in the face of LIC's long standing and established procedures. **There are clear provisions of Quarantine Leave in our Staff Regulations. Regulation 68 of the Staff Regulations defines "Quarantine leave is absence from duty necessitated by orders not to attend Office in consequence of the presence of infectious diseases in the household of a Corporation Employee. Such leave may be granted by the competent authority on the certificate of a Medical or Public Health Officer for a period not exceeding 21 days or in exceptional circumstances, 30 days."** Going further, the Leave Rules in our OS Manual vide clause VI (g) (i) mentions that once the employee informs the Office of an infectious disease in the household and submits a certificate from a doctor, all the Privilege Leave that was sanctioned to him prior to this date of information will be cancelled and Quarantine Leave will be sanctioned in lieu thereof. This considerate and empathetic provision in our own Manual seems to have been ignored in the Circular issued on 26th of May 2020. A pandemic is surely thousand times more dangerous than an infectious disease in the household. Here, 'orders not to attend Office' is not accompanied by a mere medical certificate. A national level lockdown, as we have all seen and experienced for the first time ever in our lifetime, is much more than 'order not to attend office'.

Any violation of this 'order not to attend office', as clearly mentioned in so many of our own Circulars during the period, also meant attracting the penal provisions of Section 51 to 60 of the Disaster Management Act, 2005 and Section 188 of the IPC. Therefore, there is a need to view the entire gamut of issues in line with our extant provisions, particularly Regulation 67 and 68 of the Staff Regulations Act 1960.

Today we are living in extraordinary situations that call for responses of extraordinary nature. The workforce of the LIC cutting across class and cadre barriers, have displayed extraordinary commitment to make sure that the LIC continues to maintain its leadership position in the market. They have shown this exemplary commitment during the period of lockdown also. Employees have unquestioningly co-operated even when the sanitisation and other preventive measures were virtually absent. We have closed our books with a glorious performance in the most trying situations. The Employees will once again take up their assigned tasks with renewed vigour once the situation stabilises. What is needed in the meanwhile; is an extraordinarily sympathetic and considerate treatment to the issues mentioned here.

In the circumstances, we request you to kindly treat all the involuntary absence during the lockdown either as Quarantine Leave or Special Leave.

Thanking You,

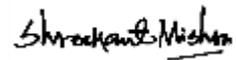
Yours faithfully



S. Rajkumar
General Secretary
Federation of LIC
Class I Officers' Associations



Vivek Singh
Secretary General
NFIFWI



Shreekant Mishra
General Secretary
AIEA