

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

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16<sup>th</sup>

To  
All the Zonal/Divisional/State/Regional Units

Dear Comrades,

**CGIT ACCEPTS AIIEA'S CONTENTIONS**  
**A MASSIVE STEP TOWARDS SECURING JUSTICE**  
**TO CONCERNED WORKMEN**

The Supreme Court had directed the CGIT, Delhi to submit its report on the issue of eligibility of claimants in terms of its orders dated 12/12/2018. This was necessitated as LIC had taken up the position that only those claimants whose names appear in the CGIT List in the Industrial Dispute 27/1991 can be extended the benefit of the Supreme Court Judgement. This was contested by Unions as misread of the judgement and various provisions of the Industrial Disputes Act. Accordingly, after a thorough examination and recording of evidence by all concerned parties, Justice Avtar Chand Dogra, Presiding Officer, CGIT-cum-Labour Court No.1, New Delhi has submitted its Report to the Supreme Court. The issue is listed in the Supreme Court on 23<sup>rd</sup> July, 2019 for consideration.

We are very happy that the CGIT has accepted the argument of the AIIEA that the Award passed in Industrial Dispute ID 27/1991 is on a dispute not in persona but a dispute in rem. Therefore, the benefit of the Award cannot be restricted to only those who were the petitioners or whose names appeared in the List submitted to the CGIT but has to be extended to all similarly placed workmen in the industry. This being the case the AIIEA submitted that under the binding legal provision of Industrial Disputes Act, 1947, all the workmen who satisfy and possess the prescribed conditions of absorption i.e. the workmen who worked for a period of 85 days in 2 years in class III & 70 days in 3 years in class IV cadres between 20.05.1985 to 04.03.1991 are the concerned workmen eligible for absorption in the services of LIC.

The AIIEA also placed its arguments before the CGIT that stipulations put forth by LIC through its circular that the eligibility was restricted to those workmen who were the petitioner before CGIT is against the Labour Laws and collective bargaining rights and that such stipulations are contrary to law, terms of the Award itself and various Supreme Court Judgements and orders. It was AIIEA's contention that all the workmen, who satisfy the eligibility conditions as prescribed in the Award by the

Hon'ble Tribunal automatically get entitled to be absorbed. The list of eligible workmen, their names, place of work and period of work along with documents were filed before the Tribunal by the AIIEA.

The AIIEA further submitted that the dispute referred for adjudication was undeniably a collective dispute involving large number of workmen all over the country. Quoting Supreme Court Judgement, it was argued that each and every concerned workman is not expected to implead himself or herself as a party to the reference. It was powerfully argued *by our Counsel Dr. P. Ravishankar* that Life Insurance Corporation wanted to misread the award and such an act is prohibited under the law and it must be read in consonance with provision of Industrial Disputes Act.

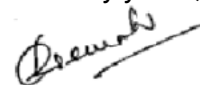
The AIIEA submitted a list of 3337 candidates with all relevant records and said that all these candidates have worked between the period 20/5/1985 and 04/03/1991 for the stipulated number of days and hence are eligible for the benefit of absorption in terms of the Supreme Court Order. The LIC could not dispute that these candidates did not work during this period. Their only argument was that these candidates did not figure in the list submitted to the CGIT in 1991.

We are happy that the CGIT has accepted our arguments that the Industrial Dispute raised is in REM and not in PERSONA and all those who worked between the period 20/5/1985 to 4/3/1991 for the stipulated number of days are eligible for the benefit of absorption. The CGIT has submitted to the Supreme Court that of the 3337 claims filed by AIIEA, 3332 are eligible for absorption subject to the final orders of the Supreme Court.

The AIIEA has made a great advancement to secure justice for the concerned workmen. The issue will come up before the Supreme Court on 23/7/2019 for consideration of the Report submitted by CGIT. The AIIEA will make all efforts to ensure that the workmen get justice and are absorbed into the services of LIC early. Thus the decades long struggle is coming to fruition.

With greetings,

Comradely yours,



V. Ramesh  
General Secretary