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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.02.2020

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THE HONOURABLE MR. JUSTICE D.KRISHNAKUMAR

W.P.No.29078 of 2017 &
WMP.Nos.31313 and 31314 of 2017

All India General Insurance OBC
Employees' Welfare Association,
Rep. by its General Secretary,
C/o. United India Insurance Co. Ltd.,
No.24, Whites Road,
Chennai - 600 014.

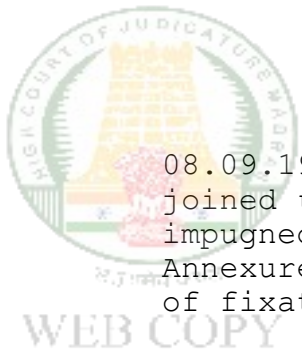
... Petitioner

vs.

1. The Union of India,
Ministry of Financial Services,
Rep. by its Secretary,
Jeewan Deep Building,
Parliament Street,
New Delhi.
2. The New India Assurance Co. Ltd.,
Rep. by its General Manager,
New India Assurance Bldg.,
87, M.G.Road, Fort,
Mumbai - 400 001.
3. The General Insurance Public
Sector Association,
Rep. by its Chairman,
III Floor, "Jeevan Vihar",
(Rear Portion)
Parliament Street,
New Delhi - 1.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, seeking for issuance of a Writ of Certiorari calling for the records relating to the impugned notice issued by the second respondent in proceedings Deptt.:CORP:HRM:2017, dated 10.11.2017, in respect of restricting the eligibility to exercise irrevocable letter of authorization (LoA) to only those employees and officers upto the cadre of Scale - IV who have been recruited after



08.09.1993, under OBC Category or applied under OBC category but joined under unreserved vacancies as provided at Clause 1 in the impugned notice, Clause 2.4 in Annexure A and Clause 4 in Annexure B of the impugned notice and quash the same in respect of fixation of the cut-off date 08.09.1993.

For Petitioner :Mr.B.Saravanan

For Respondents :Mr.R.Vasudevan,
Central Government Standing Counsel for R1

Mr.N.Perumal for R2

No appearance for R3

O R D E R

This Writ Petition is filed against the impugned proceedings passed by the second respondent dated 10.11.2017, in respect of restricting eligibility to exercise irrevocable Letter of Authorization (LoA) to only those employees and officers upto the cadre of Scale - IV, who have been recruited after 08.09.1993, under OBC category or applied under OBC category, but joined under unreserved vacancies as provided at Clause 1 in the impugned notice.

2. Heard the learned counsel for the respondents 1 and 2.

3. The learned counsel for the petitioner submitted a proceedings before this Court dated 27.02.2018, passed by the second respondent, wherein, they have permitted to participate all employees under OBC category and officers up to Scale IV, ie., including those who have been recruited before 08.09.1993 in the Check Off exercise for OBC employees.

4. The letter dated 27.02.2018 issued by the second respondent is extracted hereunder:

"Now, we have been informed by GIPSA, that the Governing Board in its Meeting held on 19.01.2018, decided to allow participation of all OBC Employees and Officers up to Scale IV, ie., including those who have been recruited before 08.09.1993 in the Check Off 2017 if they submit a valid OBC Certificate and the validity of this Check Off Exercise shall be co-terminus with the Check Off Exercise held in 2016.

As such, it is informed to all OBC serving employees upto Scale IV including those who have been recruited before 08.09.1993 under General



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category to submit valid OBC Certificate issued by appropriate authority to the Personnel Department of Regional Office concerned in order to update the SAP record.

The Last date for submission of such certificate and updation of SAP record by RO, Personnel Department is 28.03.2018. Updation should be based on Certificates submitted by the employees and verified by the Personnel Department in coordination with Liason Officer (OBC).

It may be noted that this updation of record and inclusion of all OBC employees in the Check Off, 2017 is PURELY FOR THE PURPOSE OF ASSESSING THE REPRESENTATIVE CHARACTER OF THE OBC WELFARE GROUPS IN CHECK OFF EXERCISES and not to be taken into consideration for any any other purpose."

5. In view of the aforesaid proceedings, nothing survives for further adjudication in the present Writ Petition. Therefore, by recording the aforesaid proceedings, this Writ Petition is disposed of. No costs. Consequently, the connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The Secretary,
The Union of India,
Ministry of Financial Services,
Jeewan Deep Building,
Parliament Street,
New Delhi.
2. The Chairman,
The General Insurance Public
Sector Association,
III Floor, "Jeevan Vihar",



(Rear Portion)
Parliament Street,
New Delhi - 1.

+1cc to Mr.B.Saravanan, Advocate, Sr.No.18208
+1cc to Mr.V.Perumal, Advocate, Sr.No.18016

W.P.No.29078 of 2017 &
WMP.Nos.31313
and 31314 of 2017

RSK(CO)
GS(13/07/2020)