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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

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+ **W.P.(C) 3362/2020 & CM APPLs. 11901-2/2020, 17666/2020**

BAR COUNCIL OF DELHI THROUGH ITS CHAIRMAN

K. C. MITTAL

..... Petitioner

Through: Mr. Kailash Vasdev, Senior Advocate
with Mr. K. C. Mittal, Chairman,
BCD along with Mr. Yugansh Mittal
and Mr. Amit P. Shahi, Advocates.

versus

GOVERNMENT OF NCT OF DELHI & ORS. Respondents

Through: Mr. Rajeev Nayyar, Senior Advocate
with Mr. Satyakam, ASC for
GNCTD.

Mr. Anil Soni, Advocate for UOI.

Mr. Kamal Mehta, Advocate for LIC.
(M:9810249271)

WITH

3

+ **W.P.(C) 4303/2020 & CM APPL. 15480/2020**

BAR COUNCIL OF DELHI THROUGH

ITS CHAIRMAN K. C. MITTAL

..... Petitioner

Through: Mr. K. C. Mittal, Chairman, BCD
with Mr. Yugansh Mittal and Mr.
Amit P. Shahi, Advocates. (M:
9582695868)

versus

GOVT. OF NCTD & ORS.

..... Respondents

Through: Mr. Rajeev Nayyar, Senior Advocate
with Mr. Satyakam, ASC for
GNCTD.

Mr. Kamal Mehta, Advocate for LIC.

WITH

15

+ **W.P.(C) 3298/2020 & CM APPL. 11567-68/2020**

GOVIND SWAROOP CHATURVEDI Petitioner

Through: Petitioner in person.

versus

STATE OF NCT OF DELHI & ORS. Respondents

Through: Mr. Rajeev Nayyar, Senior Advocate with Mr. Satyakam, ASC for GNCTD.

Mr. K. C. Mittal, Chairman, BCD with Mr. Yugansh Mittal and Mr. Amit P. Shahi, Advocates for BCD.

Mr. Kamal Mehta, Advocate for LIC.

WITH

16

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W.P.(C) 3357/2020

BALVINDER SINGH BAGGA & ORS. Petitioners

Through: Mr. Amit Sibal, Senior Advocate with Mr. Naginder Benipal with Mr. Petitioner No.1 and Petitioner No.5 in person. (M:9999329299)

versus

GOVERNMENT OF NCT OF DELHI & ORS. Respondents

Through: Mr. Rajeev Nayyar, Senior Advocate with Mr. Satyakam, ASC for GNCTD.

Mr. K. C. Mittal, Chairman, BCD with Mr. Yugansh Mittal and Mr. Amit P. Shahi, Advocates for BCD.

Mr. Kamal Mehta, Advocate for LIC.

AND

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W.P.(C) 4304/2020 & CM APPL. 15481/2020

BAR COUNCIL OF DELHI THROUGH ITS CHAIRMAN

K. C. MITTAL

..... Petitioner

Through: Mr. K. C. Mittal, Chairman, BCD with Mr. Yugansh Mittal and Mr. Amit P. Shahi, Advocates.

versus

GOVT. OF NCTD & ORS.

..... Respondents

Through: Mr. Rajeev Nayyar, Senior Advocate
with Mr. Satyakam, ASC for
GNCTD.

Mr. Anil Soni, Advocate.

Mr. Kamal Mehta, Advocate for LIC.

CORAM:

JUSTICE PRATHIBA M. SINGH

ORDER

% **28.08.2020**

1. This hearing has been done by video conferencing.
2. The status report has been filed by the GNCTD. A perusal of the same shows that after opening of the financial bids, the insurance companies have substantially increased the amount of premium and reneged on their earlier quotations given in November/December, 2019. The premium, which the insurance companies are now demanding, is almost double for both - the group insurance policy and medi-claim policy.
3. Mr. K. C. Mittal, Chairman, Bar Council of Delhi and Mr. Nayyar, Id. Senior Counsel along with Mr. Satyakam, Id. ASC have shown to this Court the quotations given by the insurance companies. The Court has perused the earlier quotations and premium, as well as the quotations and premium that have been demanded now. It is clear that the same is almost double what was demanded earlier. The rates quoted by the New India Assurance Company (*hereinafter*, "NIAC") in November-December, 2019 for providing group media-claim insurance are as under:

SI no	No. of advocates	Premium rate per policy (in Rs.)	Total value (in Rs.)
1.	40115	8500/-	34,09,77,500/-

However, the revised rates quoted by the NIAC are as follows:

SI No.	No. of advocates	Rate of premium (per policy) (in Rs.)	Total Value (in Rs.)
1.	29077	22945.1/-	66,71,74,673/-

Similarly, the Life Insurance Corporation of India (*hereinafter*, “LIC”) had initially quoted the following rates for providing group (term) life-insurance:

Age	Rate	No. of advocates	Cover	Premium Amount (in Rs.) per advocate	Total (in Rs.)
upto 60	2.478	35873	1000000/-	2478/-	88893294/-
61-75	2.8	4242	1000000/-	2800/-	11877600/-
Total no. of advocates		40115			10,07,70,894/-

However, LIC has in its financial bid given the basic rate (inclusive of GST) for 28,774 advocates as Rs.20,40,59,453/- i.e., at an average per policy premium rate of Rs.7091.7/-.

4. This Court is of the opinion that this sudden increase in the premium within a matter of eight months is very steep. The Chief Minister’s Advocates Welfare Scheme would be completely defeated at this rate.

5. Mr. Kamal Mehta, who is the nominated counsel for LIC has appeared before the Court. Considering the fact that the quotation has increased by 2.5 times, a meeting shall be held with a senior official of the LIC who is capable of taking decisions, to be nominated by the Mr. Vipin Anand, Managing Director of LIC. The said official should be empowered to negotiate the terms and conditions of the group insurance policy. The said meeting shall take place on **4th September, 2020 at 3:00 pm**. In the said meeting, members of the Technical Evaluation Committee, which was

constituted by the GNCTD, along with two representatives of the Bar Council of Delhi shall also participate. The meeting may be held through video conferencing. The minutes of the said meeting shall be drawn up by the Secretary (Law). An endeavour shall be made by LIC to find a solution so as to ensure that the premium of the life insurance policies is not increased to such a high level compared to what was given in November and December, 2019.

6. Similarly, Mr. Atul Sahai, the Chairman/Managing Director of New India Assurance Company Ltd shall also appoint a senior official to hold a meeting with the TEC and representatives of the Bar Council to arrive at a solution in respect of the premium payable. The said meeting be held on **10th September at 3.00 pm** by video conferencing. Minutes of this meeting shall also be drawn by the Secretary (Law) and placed before this Court.

7. Let a copy of this order be also communicated to the Chairman/Managing Director of both LIC and NIAC. On the next date the said companies shall depute senior officials, who are capable of taking a decision regarding the rates quoted, to join the proceedings on the next date. Registry to give intimation of the passing of this order to Mr. J. P. N. Shahi, Advocate for NIAC (M: 9811148998, Email ID: advjpnshahi@gmail.com) for compliance.

8. List on 15th September, 2020 at 2:15 pm.

PRATHIBA M. SINGH, J.

AUGUST 28, 2020/dk/T