

ORDER

Serial 38.
August 27, 2013.
SG

W.P. No. 24905 (W) of 2013

Shri Vijay Agarwal
-versus-
Life Insurance Corporation of India and others

Mr. Kishore Datta
Ms. Sumita Shaw
... for the petitioner.

Mr. Soumya Majumder
Ms. Saswati Chatterjee
...for the respondent no.1.

The petitioner has been subjected to an enquiry by the appropriate body under the Life Insurance Corporation of India (Agents) Regulations, 1972 into the allegations of impropriety on the petitioner's part for the purpose of terminating the agency of the petitioner. The petitioner complains of the refusal by the body to summon employees or other personnel engaged by the Corporation at the behest of the petitioner.

In the context of the present proceedings, nothing more than what is absolutely necessary need be said. It would suffice to recognise that the primary charge against the petitioner is of causing an application to be made for a policy of a deceased person. The petitioner's defence is that at the time that the application was made, the person was alive and he died subsequently in a road accident.

The petitioner informed the authority conducting the inquiry or the disciplinary proceedings by a letter dated July 26, 2013 that

the petitioner desired to cross-examine "some of the employees of Life Insurance Corporation of India and the doctors ..." The petitioner harbours the impression that it is the obligation of the authority conducting the enquiry to ensure the presence of the relevant employees of the Corporation or the concerned medical practitioner to afford the petitioner a chance to cross-examine them.

In support of the petitioner's contention, reliance has been placed on the judgments reported at 1979(1) All ER 209 and 1982 (1) All ER 646 for the proposition that the prosecution cannot suppress any material fact or key witness if it is within the special knowledge of the prosecution that the fact or the witness may demolish the prosecution case. The principle is too well-known to be doubted.

In course of any enquiry to assess whether the agent is guilty of the impropriety complained of, the authority conducting the enquiry should ensure a fair procedure that would allow the agent a chance to rebut the charges or disprove the same. Towards such end, the authority has to facilitate the petitioner calling any witness for such purpose, as long as the authority is satisfied that the petitioner is not attempting to delay the process by calling irrelevant witnesses. But the authority would be no obligation to ensure the presence of any witness or furnish the names of the employees who may have been involved in processing the relevant policy. It would be for the petitioner to discover such facts as would enable the petitioner to rebut the charges.

The petitioner does not refer to any material or fact for the application of the principle recognised in the reported judgments.

WP No. 24905 (W) of 2013 is disposed of by observing that the authority conducting the enquiry will allow the petitioner to call any witness as long as the evidence is relevant to the issues that arise in the proceedings, but the authority will not be obliged to furnish the names of any employee of the Corporation or summon such employees or any other person for the purpose of the petitioner cross-examining them.

It will be open to the petitioner to forward a copy of this order immediately to the appropriate authority conducting the enquiry for the authority to consider whether the hearing is to be reopened to afford the petitioner an opportunity to present the petitioner's evidence.

There will be no order as to costs.

Certified website copies of this order, if applied for, be urgently made available to the parties, subject to compliance with all requisite formalities.

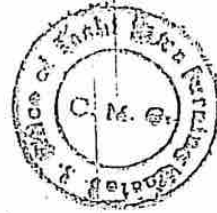
(Sanjib Banerjee, J.)

THE KOLKATA MUNICIPAL CORPORATION
HEALTH DEPARTMENT

183



21639



Form No.-6
(See Rule 9, W. B. Birth & Death Registration Rules)

DEATH CERTIFICATE

(Issued under Section 12(17) of R.B.D. Act 1969)

This is to certify that the following information has been taken from the original record of death which is the register for (Local Area).....

... K. M. B. G. ... under Kolkata Municipal Corporation of District Kolkata of State West Bengal.

Name: PRASANTJIT DAS
Name of Father/Husband: Sr. Pradip K. Das
Address: D 6A, Kebab Krishna Swa Street, Kol-5
Sex: Male
Date of Death: 10-04-04
Place of Death: Nepal Neerji St., Kolkata-5
Registration No: 184/04/O.T.
Date of Registration: 11.04.04

11.04.04
Signature of issuing authority
Sub-Registrar K.M.B.G.
The Cal. M.C. Corporation
(C.M.C.)

Date: 11.04.04

No Disclosure shall be made of particulars regarding the cause of death as entered in the Register. See proviso to Section 17(1)

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There will be no order as to costs.

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(Sanjib Banerjee, J.)

District : Calcutta.

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
APPELLATE SIDE.

In the matter of :
W. P. No. 2495(W) of 2013.

Subject matter relating to Residuary
falling under Group IX of the
Classification List.

In the matter of :
Shri Vijay Agarwal.

... Petitioner.

- Versus -

Life Insurance Corporation of India and
others.

... Respondents.

Advocate on Record :
Ms. Sumita Shaw, Advocate,
28/25, Dhakuria Station Road,
Kolkata-700031.

SUMITA SHAW

ADVOCATE

28/25, Dhakuria Station Road, Kolkata - 700031,

Residence :

14/1A, Jogendra Garden, Kolkata - 700078,

Ph. No. 9836111231

17th August, 2013

1. The Chief Secretary
Life Insurance Corporation of India,
Yogakshema, Jeevan Bima Marg,
Mumbai-400021.
2. The Zonal Manager, Eastern Zone,
Life Insurance Corporation of India,
4, Chittaranjan Avenue, Hindus-than Building,
Kolkata-700072.
3. The Branch Manager,
Salt Lake Branch,
Life Insurance Corporation of India,
CF-335, Salt Lake City, Kolkata - 700 064.

Re: W.P. NO. 24905 (W) OF 2013.

Shri Vijay Agarwal
VS.

Life Insurance Corporation of India and
others..

Sir(s),

Enclosed please find herewith a copy of the above application under Article 226 of the Constitution of India along with all annexures thereto which will speak for itself.

Please note that the aforesaid matter will appear before the Hon'ble Justice Sanjib Banerjee on 23.08.2013 or soon thereafter as the business of the Hon'ble Court permits.

Thanking you.

Yours faithfully,

Sumita Shaw

Advocate.

Encl : As above.

भारतीय जीवन बीमा निगम/ L.I.C. of India	
4, चित्तारंजन एवेंयू / 4, C.R. Avenue / 700072	
दिनांक 10 अगस्त 2013	10 AUG 2013
भारत/RECEIVED By...	Mail E. B.
Contents not Verified	

SUMITA SHAW

ADVOCATE

28/25, Dhakuria Station Road, Kolkata - 700031,

Residence :

14/1A, Jogendra Garden, Kolkata - 700078,

Ph: No. 9836111231

17th August, 2013

Senior Divisional Manager,
Life Insurance Corporation of India,
KSDO, DD-5, Salt Lake City, 3rd Fl.
Kolkata-700064.

Re: W.P. NO. 24905 (W) OF 2013.
Shri Vijay Agarwal
VS.
Life Insurance Corporation of India and
others..


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Thanking you.

Yours faithfully,



Advocate.

Encl : As above.



19/8/13

L. I. C. I.
SALT LAKE BRANCH
RECEIVED
DATE 19.8.13

SUMITA SHAW

ADVOCATE

28/28 Dhaulandi Station Road, Kolkata - 700031,

Residence :

44/1A Jyendrapur Garden, Kolkata - 700078,

Ph. No. 9836111231

17th August, 2013

1. The Chief Secretary
Life Insurance Corporation of India,
Yogakshema, Jeevan Bima Marg,
Mumbai-400021.
2. The Zonal Manager, Eastern Zone,
Life Insurance Corporation of India,
4, Chittaranjan Avenue, Hindusthan Building,
Kolkata-700072.
3. The Branch Manager,
Salt Lake Branch,
Life Insurance Corporation of India,
28/28 Dhaulandi Station Road - 700031.

Re: W.P. NO. 24905 (W) OF 2013.

Shri Vijay Agarwal

VS.

Life Insurance Corporation of India and
others..

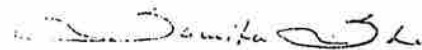
Sir(s),

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Please note that the above application will appear before the Hon'ble Justice Sanjay Banerjee on 23.08.2013 or soon thereafter as the business of the Hon'ble Court permits.

Thanking you.

Yours faithfully,



Advocate.

Enclo : As above.

भारतीय डाक



5F HEENSTAN BUILDING PG 700072
EMR33047095IN
Counter No:1, CP Code:6B
To: THE CHAIRMAN, LIC
INDIA, PIN-400021
From: SMITA SHARMA, KUL: 31
Wt: 100 grams
Amt: 150.00 ₹, 19/08/2013, 12:28
Taxes: ₹. 20.00 (If not a holiday): 00:00:00

District : Calcutta.

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
APPELLATE SIDE,

In the matter of :
W. P. No. (W) of 2013.
- And -

In the matter of :
An application under Article 226 of
the Constitution of India.
- And -

In the matter of ;
Shri Vijay Agarwal.
... Petitioner.

- Versus -
Life Insurance Corporation of India
and others.

... Respondents.

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District : Calcutta.

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
APPELLATE SIDE.

In the matter of :
W. P. No. (W) of 2013.
- And -

In the matter of :
An application under Article 226 of
the Constitution of India.
- And -

In the matter of ;
Shri Vijay Agarwal.
... Petitioner.

- Versus -
Life Insurance Corporation of India
and others.
... Respondents.

LIST OF DATES

Dated	Events.
In 1992	: The petitioner qualified for the Chairman's Club.
13. 02. 2004	: The petitioner brought in a proposal of one Shri Prasenjit Das, aged about 23 years for an insurance policy with LIC.
12. 03. 2012	: The proposer duly underwent medical examination

from the Authorised Medical Examiner of LIC. Such proposal was submitted on 25th of March, 2004 and the same was registered on 31st March, 2004.

31. 03. 2004 : The proposal was registered by the LIC. However, but the respondent authorities proceeded on the basis that the proposal was registered on 16th April, 2004.

May, 2004 : In the first week of May, 2004, the petitioner came to learn that Shri Prasenjit Das had died in a road accident on the 10th of April, 2004.

22. 05. 2004 : The petitioner duly informed the respondents of the death.

03. 07. 2004 : Claim Forms were submitted by the nominees of Shri Das.

10. 08. 2005 : The petitioner received a letter from LIC through the Senior Divisional Manager withdrawing the petitioner's authority for giving Moral Hazards Report on the ground that on examination of relevant papers pertaining to the claim under the six policies on the life of Late Prasenjit Das had found the same to be a

bad claim.

- : LIC registered a Vigilance Case against the petitioner to investigate and examine the papers relating to the said policies.
- 30. 10. 2006 : By a letter, the petitioner was duly informed about registration of Vigilance Case and the petitioner was asked not to procure any new LIC business till finalization of the Vigilance Case.
- 20. 11. 2006 : By a letter, the petitioner gave a reply to the said letter dated 30th October, 2006 stating therein that the proposals brought by the petitioner had been converted into policies after completion of all procedures and formalities laid down by LIC through various authorized personnel of LIC.
- 26. 12. 2006 : The petitioner received a notice intimating the petitioner about initiation of a disciplinary proceeding against the petitioner issued by the Senior Divisional Manager. Such notice proposed termination of Agency and forfeiture of renewal commission and directed the petitioner to show cause on various charges.

27. 12. 2006 : By a letter, the petitioner duly replied to the said show cause notice.
10. 03. 2007 : By a letter, the petitioner was forwarded the final order also dated 10th March, 2007 passed by the Senior Divisional Manager. The petitioner was found guilty of charges mentioned in the said show cause notice and thereby terminating the agency of the petitioner.
15. 03. 2007 : By a letter, the petitioner duly appealed against the said final order dated 10th March, 2007 before the Zonal Manager of LIC, Eastern Zonal Office asking for reconsideration of the order.
06. 11. 2007 : By a letter, the petitioner was informed that the Competent Authority did not reconsider the aforesaid appeal.
29. 06. 2009 : The petitioner preferred a Memorial before the Chairman of LIC.
12. 08. 2009 : By an order passed by the Chairman, the Chairman held that the penalty imposed on the petitioner was justified thereby disposing of the said Memorial

dated 29th June, 2009.

20. 07. 2010 : By a letter addressed to the respondent No.2 through the petitioner's Advocate, the petitioner requested for reconsideration of the said order dated 12th August, 2009, which has not been reconsidered till date.

14. 09. 2010 : By a letter, the petitioner requested the respondent authorities to withdraw the allegations against the petitioner and to release all commission amounts due to the petitioner within 15 days from the date of receipt of the said letter.

28. 09. 2010 : The respondent authorities by a letter stated that such allegations against the petitioner would not be withdrawn and the request was not tenable as the same have already been settled by the said order dated 12th August, 2009 passed by the Chairman of LIC with regard to the petitioner's Memorial dated 29th June, 2009.

: The petitioner filed a writ application before this Hon'ble Court.

18.03.2013 : By an order, the Hon'ble Justice Dipankar Datta allowed the said writ petition and directed that the proceeding must immediately start from the stage after submission of reply given by the petitioner. The Disciplinary Authority was directed to extend opportunity of hearing to the petitioner and ensure that the proceedings are brought to its logical conclusion as early as possible, but not later than September, 2013.

14.04.2013 : The petitioner received through Speed Post, a letter dated 5th March, 2013 issued by the Senior Divisional Manager of the respondent no.1 where it appears that in compliance of the order dated 18th March, 2013, the respondent authorities have sent the documents mentioned therein which were relied on by the Disciplinary Authority in the disciplinary proceeding.

23.04.2013 : By a letter, the petitioner pointed out before the respondent authorities that when the order passed by this Hon'ble Court on 18th March, 2013, how the respondents could issue the letter dated 5th March, 2013 in compliance with the order of this Hon'ble Court.

- 26.04.2013 : By a letter, the Manager (L&HPF) of the respondent no.1 informed the petitioner that the date of issuance of the letter is 5th April, 2013 instead of 5th March, 2013.
- 16.05.2013 : By a letter, the petitioner requested the Senior Divisional Manager of the respondent no. 1 to let him know which of the documents the respondent authorities want to rely and for what purpose so that the petitioner can prepare his reply effectively.
- 22.05.2013 : By a letter, the Divisional Manager (In-Charge) of the respondent no.1 informed the petitioner that all the documents, put together, which had already been sent to the petitioner by the letter 5th April, 2013, comprise the evidence which have been relied upon by the Disciplinary Authority in the disciplinary proceeding.
- 03.06.2013 : By a letter, the petitioner informed the Senior Divisional Manager of the respondent no.1 that the petitioner did not agree with the handwriting expert report dated 12th July, 2006 and requested him that the petitioner wants to examine the Medical

Examiner who had given the reports.

- 13.06.2013 : By a letter, the Divisional Manager (In-Charge) of the respondent no.1 requested the petitioner to submit the reply in writing along with the documents which the petitioner wants to rely at the time of hearing of the proceedings to enable the respondents to proceed further as per direction of this Hon'ble Court.
- 25.06.2013 : By a letter, the petitioner requested the respondent authorities to furnish various documents viz. (i) claim Forms submitted by the family members of Late Prasenjit Das on 3rd July, 2004; (ii) the letter issued by the father of the deceased between April, 2004 to 31st December, 2004 requesting for release of death claim; and (iii) demand notice issued by the Advocate against inaction to pay the death claim on 31st December, 2004.
- 02.07.2013 : By a letter, the Divisional Manager (In-Charge) of the respondent no.1 informed the petitioner that the respondent authorities intended to fix up a date of personal hearing of the petitioner with the Disciplinary Authority on receipt of reply of the

petitioner and the petitioner was requested to submit his reply within seven days.

08.07.2013 : By an e-mai, the respondent authorities informed the petitioner that the respondent authorities had received the reply of the petitioner dated 25th June, 2013 and as such the respondent authorities requested the petitioner to ignore the letter dated 2nd July, 2013.

18.07.2013 : By a letter, the Divisional Manager of the Respondent no.1 forwarded three documents as per the request of the petitioner made on 25th June, 2013 and requested the petitioner to visit the office of the Divisional Manager (In-Charge) of the respondent no.1 on 5th August, 2013 at 11.30 A.M. by way of providing an opportunity of personal hearing.

26.07.2013 : By a letter, the petitioner informed the Senior Divisional Manager of the respondent no.1 that the petitioner, in order to defend himself in respect of the charges levelled against him, wants to cross-examine some of the employees of the respondent no.1 and the doctors. In the said letter, the

petitioner requested the respondent authorities to produce those persons positively on 5th August 2013 for cross-examination.

05.08.2013 : The petitioner appeared before the Disciplinary Authority and sought permission to examine those persons as mentioned in the letter of the petitioner dated 26th July, 2013 as according to him, the order of this Hon'ble Court directs only opportunity of personal hearing. The petitioner was also informed that as there was no direction in the order of this Hon'ble Court for examination or cross-examination and that the instant proceeding is not the forum for doing such examination or cross-examination, the petitioner would not be allowed to examine or cross examine the persons as mentioned in the letter of the petitioner dated 26th July, 2013. Finally, the disciplinary authority concluded the hearing and the proceedings of the meeting was incorporated in the minutes dated 5th August, 2013.

District : Calcutta.

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
APPELLATE SIDE.

In the matter of :

W. P. No. (W) of 2013.

- And -

In the matter of :

An application under Article 226 of
the Constitution of India.

- And -

In the matter of ;

Shri Vijay Agarwal.

... Petitioner.

- Versus -

Life Insurance Corporation of India
and others.

... Respondents.

Points of Law

1. Whether the final order passed by the Senior Divisional Manager holding the petitioner guilty of charges and terminating the agency of the petitioner under Rule 16(1) and (2) of the said Rules and forfeiting all renewal commission payable to the petitioner under Rule 19(1) read with Rule 10(6) of the said Rules is tenable in law ?
2. Whether the Chairman of Life Insurance Corporation of India

was justified in upholding the view of the Senior Divisional Manager ?

3. Whether the actions of the respondents have seriously prejudiced the rights of the petitioner and have consequently resulted in loss of livelihood of the petitioner in a manner not sanctioned by law ?
4. Whether the punishment imposed on the petitioner is shockingly disproportionate to the gravity of the charges and whether the same is sustainable in law ?
5. Whether the decision taken by the respondent authorities as incorporated in the minutes dated 5th August, 2013 is in conformity with the directions of this Hon'ble Court ?
6. Whether the personal hearing given by the respondent authorities is said to be a hearing in compliance with the principles of natural justice ?
7. Whether the petitioner is entitled to the reliefs prayed for in the writ petition ?

2

District: Calcutta.

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

APPELLATE SIDE.

In the matter of :

W. P. No. (W) of 2013.

- And -

In the matter of :

An application under Article 226 of the
Constitution of India.

In the matter of:

A Writ of and/or in the nature of
Mandamus and/or Certiorari and/or
Prohibition and/or issuance of any
other appropriate writ or writs, order
or orders, direction or directions;

-And-

In the matter of:

Life Insurance Corporation of India.

-And-

In the matter of:

Life Insurance Corporation of India
(Agents) Rules, 1972.

-And-

In the matter of :

Purported decision taken by the
Disciplinary Authority in the meeting
held on 5th August, 2013 declaring the
proceeding to come to an end.

-And-

In the matter of :

Shri Vijay Agarwal, son of Hari Ram
Agarwal and residing at Flat No. 4-D,
North, Divine Bliss, 2/3, Judges Court
Road, Kolkata - 700 027.

... Petitioner.

-Versus-

1. Life Insurance Corporation of India,
service through the Chief
Secretary, Life Insurance Corpo-
ration of India, Yogak-shema,
Jeevan Bima Marg, Mumbai-
400021.
2. The Chairman, Life Insurance
Corporation of India, Yogakshema,

Jeevan Bima Marg, Mumbai-400021.

3. The Managing Director, Life Insurance Corporation of India, Yogakshema, Jeevan Bima Marg, Mumbai-400021.
4. The Zonal Manager, Eastern Zone, Life Insurance Corporation of India, 4, Chittaranjan Avenue, Hindusthan Building, Kolkata-700072.
5. The Divisional Manager, Life Insurance Corporation of India, KSDO, DD-5, Salt Lake City, Kolkata-700064.
6. The Branch Manager, Salt Lake Branch, Life Insurance Corporation of India, CF-335, Salt Lake City, Kolkata - 700 064.
7. The Disciplinary Authority, Life Insurance Corporation, Kolkata

Suburban Divisional Officer, Jeevan
Prava, DD-5, Sector-I, Salt Lake
City, Kolkata-700064.

8. Senior Divisional Manager, Life
Insurance Corporation of India,
KSDO, DD-5, Salt Lake City,
Kolkata-700064.

... Respondents.

To

The Hon'ble Mr.Arun Mishra, Chief Justice and His Companion
Justices of the said Hon'ble Court.

The humble petition on behalf of the
petitioner above named most respectfully -

Sheweth: -

1. The petitioner is a law abiding and peace loving citizen of India
and residing at the address furnished in the cause title.
2. The petitioner was a direct Insurance agent of Life Insurance
Corporation of India, Kolkata Suburban Division, Eastern Zonal
Office and having Code No.97633411D till 27th March, 2007

since his agency was wrongfully terminated by the respondents being the subject matter of challenge in this proceeding.

3. The respondent No.1 is Life Insurance Corporation of India, a statutory body within the meaning of Article 12 of the Constitution of India and having its Head Office at the address mentioned in the cause title. The respondent No. 2 is the Chairman of the respondent No.1 organization and is the final authority in all disciplinary matters against the agents of Life Insurance Corporation of India. The respondent No.3 is the Managing Director of the respondent No.1 organization and is responsible for the overall functioning of the organization. The respondent No.4 is the Zonal Head for the Eastern Zone of the respondent No.1 organization and is responsible for the overall functioning of the organization in the Eastern Zone and is also the Appellate Authority for disciplinary proceedings initiated against agents of Life Insurance Corporation of India. The respondent No.5 is the Divisional Head of the Salt Lake Branch of Kolkata Suburban Divisional Office of Life Insurance Corporation of India and is the Disciplinary Authority for proceedings initiated against agents of Life Insurance Corporation of India. The respondent No.6 is the Head of the Salt Lake Branch of the respondent No. 1 organization being the Branch where the petitioner was attached at the relevant time.

1

4. The petitioner states that the petitioner became an agent of Life Insurance Corporation of India (hereinafter referred to as LIC), being the respondent No.1 herein in the year 1988 and has since acted successfully as such. The petitioner brought proposals to LIC estimating on an average Rs.8 Crores annually with a yearly payment of premium of more than Rs.40 lakhs. The petitioner's total business to LIC in force as of date will be approximately Rs.102 Crores with a first premium income of Rs.3 Crores. The petitioner has issued insurance coverage for more than 4,000 lives, which bring it a renewal commission of Rs.15 lakhs a year.

Photostat copy of the Licence is annexed herewith and marked as Annexure "P1".

5. The petitioner qualified for the Chairman's Club in the year 1992 and has also been qualifying for the Million Dollar Round Table of LIC agents for the last 12 years. The petitioner has occupied various prestigious positions as an agent of LIC for since the year 1989. The petitioner also occupied the first position in the club for four years. The petitioner was invited as a teacher to Training Classes for agents of LIC at the Training Centre both at the Divisional Level Training Centre as also at the Zonal Level Training Centre. The petitioner has also been a regular Invitee by most of the branches of LIC and at the Divisional Offices for motivating other agents of LIC. The petitioner is a founder

member of the Corporate Club of LIC and had been working as a direct agent of LIC for more than 18 years i.e. up to March, 2007.

A compilation of the achievements of the petitioner as an agent of LIC is annexed hereto and marked as Annexure "P2".

6. The petitioner is the sole bread earner of the family which consists of himself, his wife, two children both of whom are going to college and dependant mother. The petitioner's mother earns a paltry sum of Rs.3,000/- per month as widow's pension. The petitioner's primary and only source of earning was the commission he received from the Policies he procured for Life Insurance Corporation of India as the petitioner was a full time LIC Agent with no other occupation.
7. The petitioner states that in an around 13th February, 2004 the petitioner brought in a proposal of one Shri Prasenjit Das, aged about 23 years for an insurance policy with LIC. This being the 1st Policy of Prasenjit Das through the petitioner, the petitioner duly caused enquiries and submitted his Moral hazard Report along with such proposal. The petitioner states that the petitioner thought that the proposal was genuine and would mature into a Policy. The proposal being rather large attracted special reports, which were done by various medical laboratories

authorized by LIC for the purpose. The proposer duly underwent medical examination from the Authorised Medical Examiner of LIC on the 12th of March, 2004 and the proposer duly signed the same in the presence of the Authorised Medical officer. The petitioner states that the Authorised Medical Examiner as per practice directly sent the proposal to the respondent no. 6. The petitioner subsequently learnt that such proposal along with Medical Reports was submitted on the 25th of March, 2004 and the same was registered on 31st March, 2004.

Photostat copy of the proposal along with enclosures is annexed hereto and marked as Annexure "P3".

8. The petitioner states that the proposal was duly scrutinized by the respondent authorities, primarily the respondents no. 6 and thereafter by the respondent no.5 herein above. As the proposals were in order and no defects or deficiencies arose during such scrutiny finally 6 policies were issued in the name of the proposed the details of which are given herein below:

<u>Sl. No.</u>	<u>Policy No.</u>	<u>Sum Assured (Rs.)</u>	<u>Quarterly Premium (Rs.)</u>
i.	423881681	1,01,000	587
ii.	423881682	1,01,000	627
iii.	423881683	1,01,000	631
iv.	423881684	1,01,000	615
v.	423881685	1,01,000	567
vi.	423881686	10,00,000	1,325 (half yearly)

9. The petitioner states that such proposal was duly scrutinized by the respondent no.5 and duly approved by the respondent no. 6 and such policy was finally accepted and Policies issued. The petitioner states that the petitioner subsequently learnt from the respondent authorities that the proposal was registered only on the 31st March, 2004 after completion of necessary paperwork and due compliance of formalities although the proposal was received on the 25th of March, 2004. The petitioner states that the Policies however commenced on and from the 28th of February, 2004.
10. It is submitted in this connection that though the proposal was registered by the LIC on 31st March, 2004, but the respondent authorities proceeded on the basis that the proposal was registered on 16th April, 2004. Hence, the respondents proceeded on a wrong basis and contrary to the documents on record.
11. The petitioner states that in the first week of May, 2004, the petitioner came to learn that Shri Prasenjit Das had died in a road accident on the 10th of April, 2004 on his way to Digha. The petitioner received such information from the nominees of the deceased. The petitioner after having come to know of the death duly informed the respondents of the death on the 22nd of May,

2004. Claim Forms were submitted by the nominees of Shri Das dated 3rd July, 2004 at the office of the respondent no.6 on 5th July, 2004.

12. The petitioner states that the petitioner received a letter from LIC through the Senior Divisional Manager dated 10th August, 2005 withdrawing the petitioner's authority for giving Moral Hazards Report with regard to intending client's with immediate effect. The reasons of such withdrawal being that LIC on examination of relevant papers pertaining to the claim under the six policies on the life of Late Prasenjit Das had found the same to be a bad claim. Even after such withdrawal, LIC accepted the business earned by the petitioner for LIC which was to the tune of Rs.4-5 crores.

Photostat copy of the said letter dated 10th August, 2005 is annexed herewith and marked as Annexure "P4".

13. The petitioner states that the petitioner is not aware what constitutes a Bad Claim. The petitioner states that such letter was issued to the petitioner after expiry of more than a year since the claim of Late Prasenjit Das. The petitioner states that till then no Show Cause had been issued on the petitioner giving the petitioner an opportunity to defend himself against any charges.

14. The petitioner states that LIC registered a Vigilance Case being Regular Vigilance Case No.VIG/EZ/811/9629 against the petitioner to investigate and examine the papers relating to the said policies which was informed to the petitioner by letter dated 30th October, 2006. By the said letter the petitioner was asked not to procure any new LIC business in accordance with Rule 16(3) of the Life Insurance Corporation of India (Agents) Regulations/Rules, 1972 (hereinafter referred to as "the said Rules") till finalization of the Vigilance Case.

Photostat copy of the said letter dated 30th October, 2006 and a copy of the Life Insurance Corporation (Agents) Regulation Rules, 1972 are annexed hereto and marked as Annexure "P5".

15. The petitioner has not been communicated of the result of such vigilance case till date.

16. The petitioner states that by the said letter dated 30th October, 2006 the Competent Authority alleged that on reviewing policy bearing No. 423881681 various alleged anomalies were noticed. Such anomalies were in the nature of: -

a) All the policies were adjusted against a proposal deposit vide BOC No. 11657 on 12th February, 2004 in the name of one

Shri R. L. Gupta and no deposit was made in the name of the deceased policy holder.

- b) All proposals though dated 25th March, 2004 were registered on 16th April, 2004 i.e. after the death. No information regarding the death of life assured was given to the office before registration.
- c) It has been established that the proposals relating to the said policies were not signed by the Life Assured.
- d) In the proposal, a cousin brother, Shri Biswajit Das, was named as nominee while the parents of the deceased is alive and thus insurable interest is under question.

The petitioner states that such letter was not a Show Cause notice but it in effect suspended the License till finalization of the vigilance case.

17. The petitioner states that it is the discretion of the proposer to appoint a nominee and the petitioner has no say whatsoever in the said matter. The petitioner denies that the proposals were not signed by the proposer. The petitioner states that not only were the proposals signed by the proposer but the proposer also underwent various medical tests as was mandatory. The

petitioner states that after submission of a proposal with the authorized medical examiner it is for the respondent authorities to take action in the matter by issuing insurance policies and it is not open to the agent to act any further in the matter. The petitioner states that BOC No. 11657 dated 12th February, 2004 in the name of one Shri R. L. Gupta had inadvertently been entered against the proposal. Hence, BOC No. 11657 against the said proposal was accepted and approved by the respondents.

18. The petitioner states that by a letter dated 20th November, 2006 the petitioner gave a reply to the said letter dated 30th October, 2006 stating therein that the proposals brought by the petitioner had been converted into policies after completion of all procedures and formalities laid down by LIC. Such formalities were completed through various authorized personnel of LIC. The petitioner further stated that the policies were adjusted under third party BOC i.e. under the name of Shri R.L. Gupta by LIC. The claims after the death of Shri Das were made to the Claims Manager, and was ultimately sent to the Divisional Office for the satisfaction of Shri P. B. Roy, who was then the Senior Divisional Manager.

Photostat copy of such letter dated 20th November, 2006 is annexed hereto and marked as Annexure "P6".

19. The petitioner states that the petitioner thereafter received a notice dated 20th December, 2006 intimating the petitioner about initiation of a disciplinary proceeding against the petitioner under Rules 16(1)(a) and (b) read with Rule 19(1) and 10(6) of the Life Insurance Corporation (Agents) Rules, 1972 issued by the Senior Divisional Manager. Such notice proposed termination of Agency and forfeiture of renewal commission and directed the petitioner to show cause on the charges that -

- (i) The six policies in the name of Shri Prasenjit Das introduced by the petitioner were not signed by the life assured, namely, Shri Prasenjit Das.
- (ii) Such policies were adjusted against a proposal deposit with BOC No. 11657 dated 13th February, 2004 in the name of Shri R. L. Gupta and no deposit was made in the name of the deceased policy holder, Shri Prasenjit Das.
- (iii) The proposal resulted in six policies on the life of Shri Prasenjit Das with registration dated 16th April, 2004. The policy was in pre-death claim, who died on 10th April, 2004, which was before the registration of the policies even though the proposals were dated 25th March, 2004.

(iv) The signature of the life assured on the proposal papers and related documents of the policy were proved to be vague and no intimation on the death of the life assured was sent to LIC by Shri V. K. Agarwal.

20. The petitioner states that such purported notice did not disclose any documents through which such charges were to be proved nor did it disclose the name of the witness to be produced at the trial.

21. The petitioner states that by such notice the respondents proposed to terminate the petitioner's agency and also forfeit renewal commission payable to the petitioner. The petitioner was directed by such notice to show cause in writing within 15 days as to why he should not be held guilty of such charges and the punishment proposed should not be imposed on the petitioner.

Photostat copy of the said show cause notice dated 20th December, 2006 along with the forwarding letter is annexed hereto and marked as Annexure "P7".

22. The petitioner states that by a letter dated 27th December, 2006 the petitioner duly replied to the said show cause notice dated 20th December, 2006. The petitioner duly stated therein that the

signatures and the proposals were of the deceased introduced by the petitioner and stating that the proposal was registered on 31st March, 2004. The petitioner also stated that the petitioner being unaware of the death of the policy-holder had not informed LIC and only informed LIC of the same in May, 2004.

Photostat copy of the said reply dated 27th December, 2006 is annexed hereto and marked as Annexure "P8".

23. It is stated in this connection that as an agent, the petitioner had no obligation to inform the LIC about the death of the policy holder. The proposals having been registered on 31st March, 2004 and the policy holder having expired on 10th April, 2004, it was incumbent on the beneficiaries and/or the nominees to inform the LIC of the death of the policy holder.
24. The petitioner states that by a letter dated 10th March, 2007 the petitioner was forwarded the final order also dated 10th March, 2007 by the Senior Divisional Manager in respect of the proceedings initiated under the said Rules. The petitioner was therein allegedly found guilty of charges mentioned in the said show cause notice dated 20th December, 2006 and thereby terminating the agency of the petitioner under Rule 16(1) and (2) of the said Rules and forfeiting all renewal commission

payable to the petitioner under Rule 19(1) read with Rule 10(6) of the said Rules.

Photostat copy of the said forwarding letter along with the final order both dated 10th March, 2007 in the disciplinary proceedings is annexed hereto and marked as Annexure "P9".

25. The petitioner states that the said purported final order was cryptic and does not disclose any ground for holding the petitioner guilty of charges as mentioned in the show cause dated 20th December, 2006. The said impugned Order was made mechanically without disclosing the materials which were taken in consideration nor any reasons were assigned for the conclusion arrived at in the said impugned order. In the said impugned Order there was no finding to the effect that the petitioner has committed any fraud.
26. It is submitted that since no reasons were spelt out in the final order, no subjective satisfaction has been rendered therein in support of the finding of guilt. No opportunity of hearing was given to the petitioner. The entire proceeding was held in an arbitrary and unfair manner. It is well settled that there cannot be any fair appeal to an unfair trial.

27. The petitioner states that the petitioner duly appealed against the said final order dated 10th March, 2007 before the Zonal Manager of LIC, Eastern Zonal Office by a letter dated 15th March, 2007 asking for reconsideration of the order. By a letter dated 6th November, 2007 the petitioner was informed that the Competent Authority did not reconsider the aforesaid appeal.

Photostat copy of the said letter dated 6th November, 2007 is annexed hereto and marked as Annexure "P10"

28. It would appear from the letter dated 6th November, 2007 that the appellate authority did not apply its mind and has passed one line order rejecting the appeal of the petitioner. The appellate authority did not discharge its duties as required in law and has acted mechanically and in complete non-application of mind.

29. It is well settled principle of law that the appellate authority has the duty to give reasons, give an opportunity of hearing dealing with the contentions raised in the appeal, consider the evidence on record and express its own views and pass a reasoned order. In this case, the appellate authority did not discharge its duties and functions as an appellate authority and has mechanically rejected the appeal of the petitioner.

30. The petitioner states that the Order of Appellate Authority was equally cryptic and no reason whatsoever was assigned for as to why the said appeal was dismissed. The said impugned Order was thus wholly without any reason and does not show any application of mind by the Appellate authority. In the said order also the Appellate Authority did not come to any finding that any fraud was practiced or involved.

31. The petitioner states that under the Agents (Regulation, 1972) after the appeal, an agent gets a further opportunity to present a memorial to the Chairman of the Corporation within the period of three months from the date of receipt by the agent a copy of the order of the Appellant Authority and in terms of the said Provision. The Chairman is required to make an enquiry as he deems necessary and to pass such Order thereon as the circumstances of the case justify.

32. The petitioner states that the petitioner accordingly preferred a Memorial dated 29th June, 2009 before the Hon'ble Chairman of LIC to kindly consider the Memorial.

Photostat copy of the said Memorial dated 29th June, 2009 is annexed hereto and marked as Annexure "P11".

33. The petitioner states that by an order dated 12th August, 2009 passed by the Chairman and communicated to the petitioner by a letter dated 14th August, 2009 inter alia held that the penalty imposed on the petitioner was justified thereby disposing of the said Memorial dated 29th June, 2009.

Photostat copy of the order dated 12th August, 2009 is annexed hereto and marked as Annexure "P12".

34. The petitioner states that by a further letter dated 14th September, 2010 the petitioner requested the respondent Authorities to withdraw the allegations against the petitioner and to release all commission amounts due to the petitioner within 15 days from the date of receipt of the said letter dated 14th September, 2010. Such demand for justice on behalf of the petitioner was duly received by the respondents and replied to by a letter dated 28th September, 2010 stating that such allegations against the petitioner would not be withdrawn and the request was not tenable as the same have already been settled by the said order dated 12th August, 2009 passed by the Chairman of LIC with regard to the petitioner's Memorial dated 29th June, 2009.

Photostat copies of such letters dated 14th September, 2010 and the reply thereto dated 28th September, 2010 are annexed hereto and collectively marked as Annexure "P13".

35. The petitioner states that the Chairman of the Respondent No.1 went beyond the memorial as well as orders of the disciplinary authority as well as appellate authority in passing the impugned order. In passing the said impugned Order the Chairman did not give the petitioner a hearing nor considered the facts in proper perspective. The Chairman proceeded on the basis that the petitioner had proposed insurance on the life of a dead person overlooking the fact that the proposal was made out when the deceased was alive. He also overlooked that the deceased as a proposed policy holder duly appeared for various medical examinations before various doctors and clinics which were recognized by the Life Insurance Corporation. The said Chairman without any foundation came to the conclusion that medical reports were manipulated in coming to the said conclusion the Chairman overlooked the fact that no dispute was raised against the medical reports either before the Disciplinary Authority or before the Appellate Authority.

36. The Chairman also came to the conclusion that the petitioner had defrauded the Corporation. The Chairman found the

petitioner guilty of a charge which the petitioner was not defending.

37. The petitioner states that the Chairman of the Respondent, on the materials on record could not have come to any additional finding on charges which were not there either before the Disciplinary Authority or the Appellate Authority.
38. The petitioner states that on the findings entered by the Disciplinary Authority and the Appellate Authority, even if such finding was sustained, the petitioner was entitled to commission on premium received by the respondent no.1 in respect of the business secured by the petitioner even after termination but by reason of the final order, the petitioner has been debarred from receiving the commission on the premiums received by the respondent no.1 in respect of the business secured by the petitioner as such agent.
39. The petitioner states that at no stage did the Chairman of the Respondent No.1 disclose his mind and/or serve a notice to the petitioner indicating that he was inclined to hold the petitioner guilty of fraudulent act and or a manipulator of medical reports, which were not findings of the Disciplinary Authority as well as the Appellate Authority.

40. The petitioner states that the said order of the Chairman of the Respondent No.1 has, thus vitiated in law and is liable to be and should be set aside.
41. Challenging the action of the respondent authorities, the petitioner filed an application under Article 226 of India before this Hon'ble Court which was registered as W.P.No.12898 (W) of 2012 (Vijay Agarwal -Versus- Life Insurance Corporation and others).
42. The said writ petition was taken up for hearing on various occasions by His Lordship the Hon'ble Justice Dipankar Datta. Finally on 18th March, 2013, His Lordship was pleased to allow the said writ petition inter-alia, holding that omission to furnish the opinion of the hand writing expert together with the disputed signatures to the petitioner constitutes a serious infirmity in the decision making process of the Chairman and it is in clear violation of principle of fairness, transparency and non-arbitrariness which is the sole of Article.14 of the Constitution of India. His Lordship was further pleased to hold that as the Chairman has levelled new allegations in his order and has found the petitioner to be guilty thereof, His Lordship was of the view that it was not open to the Chairperson to proceed to hold the petitioner guilty of an allegation for which he was never charged. His Lordship was further pleased to hold that the proceedings

having been conducted in clear breach of principle of natural justice, the order of the Chairman and the orders that merged in his order are indefensible. Accordingly, His Lordship was pleased to set aside the said order. His Lordship was further pleased to direct that considering the gravity of the allegations levelled against the petitioner, the proceeding must immediately start from the stage after submission of reply given by the petitioner. It was further directed that the Corporation shall make available to the petitioner within a fortnight from the date of receipt of a copy of the order all documents that it seeks to rely on to derive home the allegations levelled against the petitioner. The Disciplinary Authority shall thereafter extend opportunity of hearing to the petitioner and ensure that the proceedings are brought to its logical conclusion as early as possible, but not later than September, 2013. His Lordship was also pleased to direct that the petitioner shall be entitled to submit evidence in support of his defence and raise appropriate contentions which shall be given the considerations the same deserves.

Photostat copy of the said order dated 18th March, 2013 is annexed herewith and marked as Annexure "P14".

43. Surprisingly, on 14th April, 2013, the petitioner received through Speed Post, a letter dated 5th March, 2013 issued by the Senior Divisional Manager of the respondent no.1 where it appears that

in compliance of the order dated 18th March, 2013, the respondent authorities have sent the documents mentioned therein which were relied on by the Disciplinary Authority in the disciplinary proceeding.

Photostat copy of the said letter dated 5th March, 2013 is annexed herewith and marked as Annexure "P15".

44. On receiving the said letter, the petitioner by a letter dated 23rd April, 2013 pointed out before the respondent authorities that when the order passed by this Hon'ble Court on 18th March, 2013, how the respondents could issue the letter dated 5th March, 2013 in compliance with the order of this Hon'ble Court.

Photostat copy of the said letter dated 23rd April, 2013 is annexed herewith and marked as Annexure "P16".

45. On 26th April, 2013, the Manager (L&HPF) of the respondent no.1 informed the petitioner that the date of issuance of the letter is 5th April, 2013 instead of 5th March, 2013.

Photostat copy of the said letter dated 26th April, 2013 is annexed herewith and marked as Annexure "P17".

46. By the letter dated 5th March, 2013 which was alleged to be 5th April, 2013, the respondent authorities forwarded host of documents to the petitioner. In such circumstances, the petitioner by a letter dated 16th May, 2013 requested the Senior Divisional Manager of the respondent no. 1 to let him know which of the documents the respondent authorities want to rely and for what purpose so that the petitioner can prepare his reply effectively.

Photostat copy of the said letter dated 16th May, 2013 is annexed herewith and marked as Annexure "P18".

47. In reply to the letter of the petitioner dated 16th May, 2013, the Divisional Manager (In-Charge) of the respondent no.1, by a letter dated 22nd May, 2013 informed the petitioner that all the documents, put together, which had already been sent to the petitioner by the letter 5th April, 2013, comprise the evidence which have been relied upon by the Disciplinary Authority in the disciplinary proceeding.

Photostat copy of the said letter dated 22nd May, 2013 is annexed herewith and marked as Annexure "P19".

48. Thereafter, by a letter dated 3rd June, 2013, the petitioner informed the Senior Divisional Manager of the respondent no.1

that the petitioner did not agree with the handwriting expert report dated 12th July, 2006. The petitioner reserved his right to produce necessary evidence in this regard. The petitioner also raised his objection that Medical Reports/Documents containing the signatures of Late Prasenjit Das have not been sent to the handwriting expert for his opinion. In the said letter, the petitioner also reserved his right to produce oral and documentary evidence in support of his defence in course of the proceedings to be held as directed by this Hon'ble Court by the order dated 18th March, 2013. In the said letter the petitioner categorically mentioned that the petitioner wants to examine the Medical Examiner who had given the reports.

Photostat copy of the said letter dated 3rd June, 2013 is annexed herewith and marked as Annexure "P20".

49. On 13th June, 2013, the Divisional Manager (In-Charge) of the respondent no.1 by a letter requested the petitioner to submit the reply in writing along with the documents which the petitioner wants to rely at the time of hearing of the proceedings to enable the respondents to proceed further as per direction of this Hon'ble Court.

Photostat copy of the said letter dated 13th June, 2013 is annexed herewith and marked as Annexure "P21".

50. In response to the letter of the respondent authority dated 13th June, 2013, the petitioner by a letter dated 25th June, 2013 made a representation before the Senior Divisional Manager of the respondent no.1. In the said letter dated 25th June, 2013, the petitioner requested the respondent authorities to furnish various documents viz. (i) claim Forms submitted by the family members of Late Prasenjit Das on 3rd July, 2004; (ii) the letter issued by the father of the deceased between April, 2004 to 31st December, 2004 requesting for release of death claim; and (iii) demand notice issued by the Advocate against inaction to pay the death claim on 31st December, 2004.

Photostat copy of the said letter dated 25th June, 2013 is annexed herewith and marked as Annexure "P22".

51. By a letter dated 2nd July, 2013, the Divisional Manager (In-Charge) of the respondent no.1 informed the petitioner that the respondent authorities intended to fix up a date of personal hearing of the petitioner with the Disciplinary Authority on receipt of reply of the petitioner. In such circumstances, the petitioner was requested to submit his reply within seven days.

Photostat copy of the said letter dated 2nd July, 2013 is annexed herewith and marked as Annexure "P23".

52. By an e-mail dated 8th July, 2013, the respondent authorities informed the petitioner that the respondent authorities had received the reply of the petitioner dated 25th June, 2013 and as such the respondent authorities requested the petitioner to ignore the letter dated 2nd July, 2013.

Photostat copy of the said e-mail dated 8th July, 2013 is annexed herewith and marked as annexure "P24".

53. By a letter dated 18th July, 2013, the Divisional Manager of the Respondent no.1 forwarded three documents as per the request of the petitioner made on 25th June, 2013. By the said letter, the petitioner was requested to visit the office of the Divisional Manager (In-Charge) of the respondent no.1 on 5th August, 2013 at 11.30 A.M. by way of providing an opportunity of personal hearing.

54. Photostat copy of the said letter dated 18th July, 2013 is annexed herewith and marked as Annexure "P25".

55. The petitioner by a letter dated 26th July, 2013 informed the Senior Divisional Manager of the respondent no.1 that the petitioner, in order to defend himself in respect of the charges levelled against him, wants to cross-examine some of the

employees of the respondent no.1 and the doctors viz. (i) employees who were connection with the registration of the proposal forms; (ii) the empanelled Medical Examiner who examined Late Prasenjit Das as well as the authorized empanelled doctors who prepared the special medical reports; (iii) the officers who under-wrote the proposal accepting the same; and (iv) the investigating officer who was deployed by the respondent no.1 to investigate the case after the death of Late Prasenjit Das. In the said letter, the petitioner requested the respondent authorities to produce those persons positively on 5th August 2013 for cross-examination.

Photostat copy of the said letter dated 26th July, 2013 is annexed herewith and marked as Annexure "P26".

56. On 5th August, 2013, when the petitioner appeared before the Disciplinary Authority and sought permission to examine those persons as mentioned in the letter of the petitioner dated 26th July, 2013, the Disciplinary Authority refused to allow the petitioner to examine those persons. Moreover, the petitioner was informed that as per the order of this Hon'ble Court, only opportunity of personal hearing was extended to the petitioner and the petitioner was free to place his submission. The petitioner was also informed that as there was no direction in the order of this Hon'ble Court for examination or cross-examination

and that the instant proceeding is not the forum for doing such examination or cross-examination, the petitioner would not be allowed to examine or cross examine the persons as mentioned in the letter of the petitioner dated 26th July, 2013. Finally, the disciplinary authority concluded the hearing and the proceedings of the meeting was incorporated in the minutes dated 5th August, 2013.

Photostat copy of the minutes dated 5th August, 2013 is annexed herewith and marked as Annexure "P27".

57. In the said meeting, the petitioner categorically submitted that examination and cross-examination of the persons mentioned in the letter of the petitioner dated 26th July, 2013 is very much necessary to prove the petitioner as innocent.
58. The petitioner submits that by the order dated 18th March, 2013, His Lordship the Hon'ble Justice Dipankar Datta was pleased to specifically direct that the proceedings against the petitioner must immediately start from the stage after submission of reply given by the petitioner. In the said order, His Lordship the Hon'ble Justice Dipankar Datta was also pleased to direct the respondent authorities to extend opportunity of personal hearing to the petitioner. As per direction of this Hon'ble Court and in accordance with the principles of natural justice, the petitioner

should be given an reasonable opportunity of hearing, that means, the hearing must be a genuine and effective hearing and not to comply with empty formality. The respondents being the welfare State are duty bound to act fairly and reasonably.

59. The petitioner submits that instead of giving the petitioner proper opportunity of hearing, the respondents maintained only empty formality. Such formal hearing is only to show that the respondents have complied with the order of this Hon'ble Court though the petitioner was not provided with proper opportunity to substantiate his case.
60. The petitioner submits that the petitioner should have been given an effective opportunity of hearing and since this was not done, the principle of natural justice has been violated and as such the declaration of conclusion of hearing as incorporated in the minutes dated 5th August, 2013 stood vitiated. In such a situation, on the basis of the fake hearing, the respondent authorities should not be allowed to take any final decision.
61. It is submitted that the persons mentioned in the letter of the petitioner dated 26th July, 2013 are required to be examined in the proceedings for proving innocence of the petitioner.

62. It is submitted that opportunity of hearing as directed by this Hon'ble Court impasses an effective hearing which includes production of evidence, material witnesses who were involved in the processing of the application for insuring the life of Prasenjit Das, the doctor who has examined Prasenjit Das and all persons connected with the processing of such application.
63. The petitioner reasonably apprehends that in view of the recordings in the minutes dated 5th August, 2013, the respondent no.8 would pass the final order even without affording any opportunity to the petitioner as directed by this Hon'ble Court.
64. The petitioner submits that in the instant proceeding, the petitioner categorically asked for an opportunity to examine and cross-examine the employees who were connection with the registration of the proposal forms; (ii) the empanelled Medical Examiner who examined Late Prasenjit Das as well as the authorized empanelled doctors who prepared the special medical reports; (iii) the officers who under-wrote the proposal accepting the same; and (iv) the investigating officer who was deployed by the respondent no.1 to investigate the case after the death of Late Prasenjit Das as mentioned in the letter of the petitioner dated 26th July, 2013. In spite of the same, the respondent

authorities denied the petitioner to extend such opportunity to the petitioner.

65. As stated above, on 5th August, 2013, the disciplinary authority concluded the hearing without giving the petitioner an effective opportunity to substantiate his case and as such the decision taken in the said meeting is not a decision at all in the eye of law as the said decision has been taken in gross violation of the principles of natural justice and thus the same is liable to be struck down.
66. The petitioner submits that the direction of this Hon'ble Court to give an opportunity of hearing means that the petitioner should be allowed to deal with the materials submitted against him and which are relied upon by the respondent authorities. Thus, the petitioner should have been given an opportunity to examine or cross-examine the persons who had supplied those materials or given evidence against the petitioner. Since, in this case, the materials were gathered behind the back of the petitioner, the petitioner should have been allowed to examine those persons who had given evidence against the petitioner.
67. The petitioner submits that all actions which involve penal or adverse consequences must be in accordance with the principles of natural justice. The basic requirement is that the action of the

respondents must in a free and fair manner and the decision taken by the disciplinary authority must be arrived at in a just and objective manner with regard to the relevance of the materials and reasons. As the petitioner was not allowed to examine and cross-examine those persons who had supplied the materials against the petitioner, the opportunity of personal hearing given to the petitioner cannot be said to be a reasonable opportunity of hearing and is thus violative of the principles of natural justice. Accordingly, the proceedings initiated against the petitioner is vitiated in law and is liable to be dropped.

68. The petitioner submits that the statement taken from a third party and the documents gathered from the third party were all behind the back of the petitioner and the same cannot be utilized against the petitioner without giving the petitioner an opportunity to controvert those statements and/or documents.
69. The petitioner submits that to provide an adequate opportunity to the petitioner means the petitioner should have been provided with an opportunity to examine or cross-examine those persons mentioned in letter of the petitioner dated 26th July, 2013. In not doing so, the respondents have denied the petitioner an opportunity of effective hearing and thereby the petitioner has been greatly prejudiced. The decision taken by the respondents as incorporated in the minutes dated 5th August, 2013 to

conclude the hearing being violative of the principles of natural justice is thus arbitrary, unreasonable and liable to be recalled and/or set aside.

70. The petitioner submits that in not giving the petitioner an opportunity of proper hearing, the principle of natural justice has been violated and on this ground alone, the impugned proceeding against the petitioner is null and void and liable to struck down.
71. The petitioner submits that the respondent authorities merely granted the petitioner to place his submission, but that did not cure the incurable defect in the proceeding. Furthermore, this Hon'ble Court by the order dated 18th March, 2013 directed the respondents to give an opportunity of personal hearing to the petitioner. Opportunity of personal hearing was meant to allow the petitioner a full fledged hearing including opportunity to deal with the documents and to examine and cross-examine those persons named in letter of the petitioner dated 26th July, 2013. It is pertinent to mention that by giving the petitioner an effective hearing, the respondent authorities will not be prejudiced in any manner.
72. The petitioner submits that there is no doubt that as per the order of this Hon'ble Court dated 18th March, 2013, an

opportunity of hearing, as an attribute of the principles of natural justice, is an essential requirement in the instant case. Therefore, there is no difficulty in holding that the declaration to conclude the hearing as taken by the respondent authorities in the instant case is not in compliance with the direction of this Hon'ble Court.

73. The petitioner submits that the respondent authorities were required to follow the principles of natural justice by giving the petitioner an opportunity to examine or cross-examine the witnesses and to present their evidence fairly. Since this requirement was not fulfilled in the proceedings initiated against the petitioner, such proceeding should be set aside and the petitioner must be allowed to examine the witnesses and to present his case properly.
74. The petitioner, thus, most humbly and respectfully states that the impugned decision to conclude the hearing is liable to be and should be set aside and/or quashed since it is hit by Article 14, 19 and 21 of the Constitution.
75. Thus being aggrieved by and/or dissatisfied with the action of the respondent authorities and being further aggrieved by the decision of the disciplinary authority as incorporated in the

minutes dated 5th August, 2013, the petitioner begs to prefer an appeal there from on amongst others the following -

G R O U N D S

- I. For that by the order dated 18th March, 2013, this Hon'ble Court was pleased to direct that the proceedings against the petitioner must immediately start from the stage after submission of reply given by the petitioner and that the respondent authorities were further directed to extend opportunity of personal hearing to the petitioner. As per direction of this Hon'ble Court and in accordance with the principles of natural justice, the petitioner should be given an reasonable opportunity of hearing, that means, the hearing must be a genuine and effective hearing and not to comply with empty formality. The respondents being the welfare State are duty bound to act fairly and reasonably.

- II. For that instead of giving the petitioner proper opportunity of hearing, the respondents maintained only empty formality. Such formal hearing is only to show that the respondents have

complied with the order of this Hon'ble Court though the petitioner was not provided with proper opportunity to substantiate his case.

- III. For that the petitioner should have been given an effective opportunity of hearing and since this was not done, the principle of natural justice has been violated and as such the declaration of conclusion of hearing as incorporated in the minutes dated 5th August, 2013 stood vitiated. In such a situation, on the basis of the fake hearing, the respondent authorities should not be allowed to take any final decision.
- IV. For that the persons mentioned in the letter of the petitioner dated 26th July, 2013 are required to be examined in the proceedings for proving innocence of the petitioner.
- V. For that opportunity of hearing as directed by this Hon'ble Court impasses an effective hearing which includes production of evidence, material witnesses who were involved in the processing of the application for insuring the life of Prasenjit Das, the doctor who has examined Prasenjit Das

and all persons connected with the processing of such application.

VI. For that the petitioner reasonably apprehends that in view of the recordings in the minutes dated 5th August, 2013, the respondent no.8 would pass the final order even without affording any opportunity to the petitioner as directed by this Hon'ble Court.

VII. For that in the instant proceeding, the petitioner categorically asked for an opportunity to examine and cross-examine the employees who were connection with the registration of the proposal forms; (ii) the empanelled Medical Examiner who examined Late Prasenjit Das as well as the authorized empanelled doctors who prepared the special medical reports; (iii) the officers who under-wrote the proposal accepting the same; and (iv) the investigating officer who was deployed by the respondent no.1 to investigate the case after the death of Late Prasenjit Das as mentioned in the letter of the petitioner dated 26th July, 2013. In spite of the same, the

respondent authorities denied the petitioner to extend such opportunity to the petitioner.

VIII. For that on 5th August, 2013, the disciplinary authority concluded the hearing without giving the petitioner an effective opportunity to substantiate his case and as such the decision taken in the said meeting is not a decision at all in the eye of law as the said decision has been taken in gross violation of the principles of natural justice and thus the same is liable to be struck down.

IX. For that the direction of this Hon'ble Court to give an opportunity of hearing means that the petitioner should be allowed to deal with the materials submitted against him and which are relied upon by the respondent authorities. Thus, the petitioner should have been given an opportunity to examine or cross-examine the persons who had supplied those materials or given evidence against the petitioner. Since, in this case, the materials were gathered behind the back of the petitioner, the petitioner should have been allowed to examine those persons who had given evidence against the petitioner.

- X. For that all actions which involve penal or adverse consequences must be in accordance with the principles of natural justice. The basic requirement is that the action of the respondents must in a free and fair manner and the decision taken by the disciplinary authority must be arrived at in a just and objective manner with regard to the relevance of the materials and reasons. As the petitioner was not allowed to examine and cross-examine those persons who had supplied the materials against the petitioner, the opportunity of personal hearing given to the petitioner cannot be said to be a reasonable opportunity of hearing and is thus violative of the principles of natural justice. Accordingly, the proceedings initiated against the petitioner is vitiated in law and is liable to be dropped.
- XI. For that the statement taken from a third party and the documents gathered from the third party were all behind the back of the petitioner and the same cannot be utilized against the petitioner without giving the petitioner an opportunity to controvert those statements and/or documents.

- XII. For that to provide an adequate opportunity to the petitioner means the petitioner should have been provided with an opportunity to examine or cross-examine those persons mentioned in letter of the petitioner dated 26th July, 2013. In not doing so, the respondents have denied the petitioner an opportunity of effective hearing and thereby the petitioner has been greatly prejudiced. The decision taken by the respondents as incorporated in the minutes dated 5th August, 2013 to conclude the hearing being violative of the principles of natural justice is thus arbitrary, unreasonable and liable to be recalled and/or set aside.
- XIII. For that in not giving the petitioner an opportunity of proper hearing, the principle of natural justice has been violated and on this ground alone, the impugned proceeding against the petitioner is null and void and liable to struck down.
- XIV. For that the respondent authorities merely granted the petitioner to place his submission, but that did not cure the incurable defect in the

proceeding. Furthermore, this Hon'ble Court by the order dated 18th March, 2013 directed the respondents to give an opportunity of personal hearing to the petitioner. Opportunity of personal hearing was meant to allow the petitioner a full fledged hearing including opportunity to deal with the documents and to examine and cross-examine those persons named in letter of the petitioner dated 26th July, 2013. It is pertinent to mention that by giving the petitioner an effective hearing, the respondent authorities will not be prejudiced in any manner.

XV. For that there is no doubt that as per the order of this Hon'ble Court dated 18th March, 2013, an opportunity of hearing, as an attribute of the principles of natural justice, is an essential requirement in the instant case. Therefore, there is no difficulty in holding that the declaration to conclude the hearing as taken by the respondent authorities in the instant case is not in compliance with the direction of this Hon'ble Court.

XVI. For that the respondent authorities were required to follow the principles of natural justice by giving

the petitioner an opportunity to examine or cross-examine the witnesses and to present their evidence fairly. Since this requirement was not fulfilled in the proceedings initiated against the petitioner, such proceeding should be set aside and the petitioner must be allowed to examine the witnesses and to present his case properly.

XVII. For that the impugned decision to conclude the hearing is liable to be and should be set aside and/or quashed since it is hit by Article 14, 19 and 21 of the Constitution.

76. It is submitted that under misconception and wrong advice, the petitioner has prayed for mercy from the respondents. It is submitted that since the entire proceedings are without jurisdiction and in breach of the principles of natural justice and since the same violates the fundamental rights of the petitioner, such mercy petition of the petitioner cannot debar the petitioner from challenging the actions of the respondents.

77. The petitioner has no other or alternative efficacious remedy and the reliefs as prayed for herein will afford complete remedy to the petitioner.

78. The petitioner has repeatedly demanded justice from the respondents which has however, been denied to the petitioner. As such, any further demand for justice is likely to result in mere idle and empty formality.
79. The petitioner has not filed any other writ application against the respondents or any of them on the self-same cause of action either under Article 226 or under Article 32 of the Constitution of India before this Hon'ble Court or any other High Court or before the Hon'ble Supreme Court of India.
80. The petitioner states that until and unless an order is passed as prayed for herein, the petitioner will suffer prejudice, justice, substantial loss and/or irreparable injury.
81. The petitioner states that all the records related to the instant case are lying with the Appellate Side Jurisdiction of this Hon'ble Court and as such this Hon'ble Court has jurisdiction to entertain and try this application in its Appellate Site.
82. The petitioner states that this application is made bonafide and for the ends of justice and the petitioner is not in guilty.

The petitioner therefore, humbly prays
before Your Lordships for -

- (a) A Writ of and/or in the nature of Mandamus do issue directing the respondent authorities to forthwith cancel and/or set aside and/or rescind and/or withdraw the purported decision as incorporated in the minutes dated 5th August, 2013 and all proceedings relating thereto and/or thereunder.
- (b) A Writ of and/or in the nature of Mandamus do issue directing the respondent authorities not to give any effect to and/or further effect to and/or to take any steps and/or further steps on the basis of the purported decision as incorporated in the minutes dated 5th August, 2013 and all proceedings relating thereto and/or thereunder.
- (c) A Writ of and/or in the nature of Mandamus do issue directing the respondent no. 8 to produce all

witnesses as requested by the petitioner in his letter dated 27th July, 2013 and to give an opportunity to the petitioner to examine such witnesses and allow the petitioner to produce his evidence in defence and thereafter to take a decision in the matter.

- (d) A Writ of and/or in the nature of Certiorari do issue commanding the respondents to transmit the entire records of the case to this Hon'ble Court forming the basis of the purported decision as incorporated in the minutes dated 5th August, 2013 and all proceedings relating thereto and/or thereunder and on being so certified quash the same so that conscionable justice may be rendered.
- (e) Rule Nisi in terms of prayers (a), (b), (c) and (d) above.

- (f) An order of injunction be passed directing the respondent authorities not to give any effect to and/or further effect to and/or to take any steps and/or further steps on the basis of the purported decision as incorporated in the minutes dated 5th August, 2013 and all proceedings relating thereto and/or thereunder and/or thereunder till the disposal of this application.
- (g) An order of stay do issue staying all further proceedings pursuant to the hearing held on 5th August, 2013 till the disposal of this application.
- (h) Ad-interim order in terms of prayers (f) and (g) above.
- (i) Such further or other order or orders be made and/or direction or directions be given as to this Hon'ble Court may deem fit and proper.

And your petitioner as in duty bound shall ever pray.

A F F I D A V I T

I, Vijay Agarwal, son of Hari Ram Agarwal, aged about 49 years, by religion Hindu, by occupation business residing at Flat No.4-D, North, Divine Bliss, 2/3, Judges Court Road, Kolkata-700027 do hereby solemnly affirm and say as follows :

1. I am the petitioner above-named and am well acquainted with the facts and circumstances of the case out of which the present application arises.
2. That the statements contained in paragraphs 1 to 56 are true to my knowledge and the rest are my humble submissions before this Hon'ble Court.

Prepared in my office.

Advocate.

The deponent is known to me.

Clerk to :

Advocate.

Solemnly affirmed before me on

this 16th day of August, 2013.

Commissioner.



बीमा विनियामक और विकास प्राधिकरण (बीमा अधिकर्ता अनुसूचन) विनियम, 2000
INSURANCE REGULATORY AND DEVELOPMENT AUTHORITY (LICENSING OF INSURANCE AGENTS) REGULATIONS, 2000.

बीमा विनियामक और विकास प्राधिकरण, हैदराबाद **INSURANCE REGULATORY AND DEVELOPMENT AUTHORITY, HYDERABAD**

अनुज्ञापि सं० **LICENCE NO: 761906**

बीमा अधिनियम, 1938 (1938 का 4) के भाग 2 के अधीन बीमा अधिकर्ता के रूप में कार्य करने के लिए अनुज्ञापि
LICENCE TO ACT AS AN INSURANCE AGENT UNDER PART II OF THE INSURANCE ACT, 1938 (IV OF 1938)

बीमा अधिकर्ता का नाम:
NAME OF INSURANCE AGENT:
 पता :
ADDRESS:

VIJAY AGARWAL
7, HARI SAVA STREET
KOLKATA
KOLKATA
WEST BENGAL -700023

विहित फीस के संदाय पर और आवश्यक घोषणा करने पर दोनों जीवन बीमाकर्ता तथा साधारण बीमाकर्ता के बीमा कारबार उपाय करने या उसके लिए आग्रह करने के लिए 15/10/2005 से तीन वर्ष के लिए बीमा अधिकर्ता का कार्य करने के लिए प्राधिकृत है।
 Having paid the prescribed fee and having made the necessary declaration is hereby authorized to act an insurance agent for three years from 15/10/2005 for procuring or soliciting insurance business of both Life Insurance & General Insurance.

स्थान Place: Hyderabad

दिनांक Date: 23/8/2005

कृते बीमा विनियामक और विकास प्राधिकरण
 for Insurance Regulatory and Development Authority

वि. अ. अ. अ. अ.

अध्यक्ष Chairperson

अभिहित व्यक्ति Designated Person

अनुज्ञापिधारक के हस्ताक्षर Signature of Licence Holder

यह अनुज्ञापि तब तक विधिमान्य नहीं होगी जब तक बीमा विनियामक और विकास प्राधिकरण के अध्यक्ष के हस्ताक्षर की अनुज्ञापि और बीमा अधिकर्ता द्वारा प्राधिकृत व्यक्ति के आदेश, अनुज्ञापिधारी को हस्ताक्षर और पहचान-पत्र उपाय पर न हो। अनुज्ञापिधारी को अनुज्ञापि के प्राप्ति के तुरंत बाद प्राधिकृत व्यक्ति के पास प्रेषित करना चाहिए।


This licence is not valid unless it bears a facsimile of the signatures of the Chairperson of the Insurance Regulatory and Development Authority and the Designated Person. The licence holder should put his signature as soon as licence is received.

टिप्पण Notes

- यदि इस अनुज्ञापि को अतिरिक्त आवृत्ति के लिए नवीकृत करने की योजना है तो बीमा विनियामक और विकास प्राधिकरण (बीमा अधिकर्ता अनुसूचन) विनियम, 2000 के विनियम 3 में अधिकृत प्रक्रिया का अनुसरण किया जाएगा और नवीकरण के लिए आवश्यक अनुज्ञापि की समिति के पूर्व अभिहित व्यक्ति के पास प्रेषित करना चाहिए। इस संबंध में आपका ध्यान बीमा अधिनियम, 1938 की धारा 42 की त मामल (3) और (3A) के उपबन्धों की ओर भी आकर्षित किया जाता है।
- If it is desired to renew this licence for a further period the procedure laid down in Regulation 3 of INSURANCE REGULATORY AND DEVELOPMENT AUTHORITY (LICENSING OF INSURANCE AGENTS) REGULATIONS, 2000, shall be followed, and application for renewal should reach the Designated Person before the licence expires. In this connection attention is also invited to the provisions of sub-sections (3) and (3A) of section 42 of the Insurance Act, 1938.
- यह अनुज्ञापि, उसके अंतर्गत विनियमित बीमा कारबार के लिए अधिकर्ता के रूप में कार्य करने के लिए अनुज्ञापिधारी को प्राधिकृत करती है, और इस दिवस को ही पहचान करने वाला चिह्न या किसी ऐसी चीज का निशान, जिसके द्वारा बीमाकर्ता को पहचान हो सके, अनुज्ञापि पर नहीं रखा जाना चाहिए।
- This licence authorises the licence holder to act as an agent for the insurance business specified thereunder, and therefore no identifying mark or note of any description by which the identity of an insurer might be established should be placed on the licence.
- इस अनुज्ञापि पर कोई भी सुधार तब तक विधिमान्य नहीं होगा जब तक बीमा विनियामक और विकास प्राधिकरण के अध्यक्ष या उसके द्वारा इस विनियम प्राधिकृत व्यक्ति के पास पर आदेश न हो।
- No correction in this licence will be valid unless initiated by the Insurance Regulatory and Development Authority or a person authorised by him in this behalf.
- अनुज्ञापिधारी का ध्यान बीमा विनियामक और विकास प्राधिकरण (बीमा अधिकर्ता अनुसूचन) विनियम, 2000 के विनियम 8 के अधीन विनियमित आचार संहिता की ओर आकर्षित किया जाता है, और आचार-संहिता के किसी उल्लंघन का परिणाम अनुज्ञापि का रद्द करना होगा।
- The attention of the licence holder is drawn to the code of conduct specified under Regulation 8 of INSURANCE REGULATORY AND DEVELOPMENT AUTHORITY (LICENSING OF INSURANCE AGENTS) REGULATIONS, 2000, and any violation of code of conduct may result in cancellation of licence.

AGENCY CODE No 7633:111 Branch Office Salt Lake

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	का अनुमति सं. Licence No का नाम of the Agent का नाम 's/Husband's Name का नाम, जिसके तहत किया है। of the Insurer whom the agent is authorized to sell	029 761906 VIJAY AGARWAL HARI RAM AGARWAL LIFE INSURANCE CORPORATION OF INDIA
जारी किया Issued on: 23/8/2005 तक वैधता Valid upto: 14/10/2008 जन्म हुआ Born on: 23/5/1963	हस्ताक्षर Signature of बीमाकर्ता का नाम (मुद्रा सहित) Name of Insurer (with Seal)	(Please see on the reverse)
बीमाकर्ता का नाम और टेलीफोन संख्याएं: (यदि इस पत्र पर केवल एक ही व्यक्ति का नाम दर्ज है) Address and telephone numbers of the Insurer: contacted by any one in connection with the holder of the card.		
A. Dasgupta Marketing Manager Designating Person LIC, K.S.O. DD-5, Sector-1, Salt Lake City Kolkata-84		
पता ADDRESS शहर CITY जिला DISTRICT राज्य STATE	: : : : :	
अधिकारी का पता और टेलीफोन संख्याएं Address and telephone numbers of the Agent:		
भूखण्ड सं. HOUSE NO गली STREET शहर TOWN राज्य STATE दूरभाष PHONE	: 7 : HARI SAVA STREET : KOLKATA : WEST BENGAL -700023 : 033-4497370	

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BA

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CHAIRMAN CLUB MEMBER	CENTRAL OFFICE	FROM 1992 TO 2007	
M. D.R.T. (USA)	CENTRAL OFFICE	FROM 1997 TO 2007	
EASTERN ZONAL ROUND TABLE	ZONAL OFFICE	2002-2003	
NEW YEARS HONOUR N.B COMPETITION	DIVISIONAL OFFICE	2003-2004	
MDRT & MULTICROREPATI MEET	DIVISIONAL OFFICE	2003-2004	
ZONAL LEVEL CONVENTION	ZONAL OFFICE	1993-1994	
ALL INDIA ACE AGENTS MEET	CENTRAL OFFICE	1998-1999	
CROREPATI AGENTS MEET	DIVISIONAL OFFICE	1997-1998	
TOP PERFORMANCE AGENTS CONVENTION	DIVISIONAL OFFICE	1994-1995	
ALL INDIA ACE AGENTS MEET	CENTRAL OFFICE	1994-1995	
CROREPATI AGENTS MEET	DIVISIONAL OFFICE	1999-2000	
FELICITATION MDRT QUALIFIERS	CENTRAL OFFICE		06/09/1995
FELICITATION MDRT QUALIFIERS	CENTRAL OFFICE	27/05/1996	
FELICITATION MDRT QUALIFIERS	CENTRAL OFFICE		05/12/1997
FELICITATION MDRT QUALIFIERS	CENTRAL OFFICE		05/04/1998
FELICITATION MDRT QUALIFIERS	CENTRAL OFFICE	15/05/1999	
ALL INDIA ACE AGENTS MEET	CENTRAL OFFICE	1993-1994	
ALL INDIA ACE AGENTS MEET	CENTRAL OFFICE	1995-1996	
BLUEPRINT FOR SUCCESS	CENTRAL OFFICE	5TH TO 7TH MAY 2002	
ALL INDIA ACE AGENTS MEET	CENTRAL OFFICE	2001-2002	
ALL INDIA ACE AGENTS MEET	CENTRAL OFFICE	1994-1995	
CERTIFICATE OF MERIT	DIVISIONAL OFFICE		2002
FELICITATION MDRT QUALIFIERS	CENTRAL OFFICE	19/11/2002	
KUDOS TO FORERUNNERS	DIVISIONAL OFFICE		1993
HEARTY CONGRATULATION	DIVISIONAL OFFICE		1998
FELICITATION MDRT QUALIFIERS	CENTRAL OFFICE	21/02/2004	
EASTERN ZONAL ROUND TABLE	ZONAL OFFICE	2003-2004	
FELICITATION MDRT QUALIFIERS	CENTRAL OFFICE		06/12/2003
FELICITATION MDRT QUALIFIERS	CENTRAL OFFICE		07/07/2002
LETTER OF APPRIATION	ZONAL OFFICE	24/12/2001	
LETTER OF APPRIATION	BRANCH OFFICE	17/01/2002	
LETTER OF APPRIATION	DIVISIONAL OFFICE		06/01/2001
LETTER OF APPRIATION	DIVISIONAL OFFICE	23/04/2004	
LETTER OF APPRIATION	ZONAL OFFICE	23/04/2004	
THE PROFILE OF A MEGA SALESMAN	BRANCH OFFICE	20/08/2001	
75 LACS DHAMAKA	BRANCH OFFICE		08/04/2001
THE MASTERS OF MASTERS	BRANCH OFFICE	25/06/2001	
ONE CRORE DHAMAKA	BRANCH OFFICE	29/05/2001	
THE INVINCIBLE EPIC HERO	BRANCH OFFICE	21/06/2001	
OUR PRIDE MR VIJAY AGARWAL	DIVISIONAL OFFICE	2001-2002	
HAMARA GARV VIJAY AGARWAL	DIVISIONAL OFFICE	2002-2003	
MEGA PERFORMANCE BY MEGA STAR	DIVISIONAL OFFICE	2001-2002	
A MASTER PIECE OF PERFORMANCE	DIVISIONAL OFFICE	2003-2004	
TOPPER OF THE DIVISION ALL COUNTS	DIVISIONAL OFFICE	2003-2004	
TOPPER OF THE DIVISION ALL COUNTS	DIVISIONAL OFFICE	2003-2004	
TOPPER OF THE DIVISION ALL COUNTS	DIVISIONAL OFFICE	2004-2005	
TOPPER OF THE DIVISION ALL COUNTS	DIVISIONAL OFFICE	2005-2006	
TOPPER OF THE DIVISION ALL COUNTS	DIVISIONAL OFFICE	2006-2007	

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CORPORATE CLUB MEMBER
CORPORATE CLUB MEMBER
INVITATION LETTER TO GIVE LECTURE AT
INVITATION LETTER TO GIVE LECTURE AT

CORPORATE OFFICE 2004-2005
CORPORATE OFFICE 2005-2006
ZONAL OFFICE
ZONAL OFFICE

Aug-99
Nov-99

ENC-1



भारतीय जीवन बीमा निगम
Life Insurance Corporation of India

अभिकर्ताओं हेतु कॉर्पोरेट क्लब
सदस्यता प्रमाण पत्र



CORPORATE CLUB FOR AGENTS
Certificate of Membership

यह प्रमाण पत्र

विजय अगरवाल
This Certificate is awarded to
Vijay Agarwal

को विशिष्ट कार्य की मान्यता एवं जीवन बीमा के लाभों की अभिवृद्धि करने और इस प्रकार
in recognition of outstanding achievement in extending the benefits of Life Insurance

वर्ष 2005-06 के लिए क्लब की सदस्यता अर्जित करने के लिए प्रदान किया जाता है।
and thus qualifying for Membership of Club for the year 2005-06

मुंबई

Mumbai

दिनांक

Date

29.07.2006

सचिव / Chairman



भारतीय जीवन बीमा निगम
Life Insurance Corporation of India

अधिकतमों-हेतु कॉर्पोरेट क्लब
सदस्यता प्रमाण पत्र



CORPORATE CLUB FOR AGENTS
Certificate of Membership

यह प्रमाण पत्र

विजय अंगरवाल

This Certificate is awarded to

Vijay Agarwal

को विशिष्ट कार्य की मान्यता एवं जीवन बीमा के लाभों की अभिवृद्धि करने और इस प्रकार
in recognition of outstanding achievement in extending the benefits of Life Insurance
वर्ष 2004-05 के लिए क्लब की सदस्यता अर्जित करने के लिए प्रदान किया जाता है।
and thus qualifying for Membership of Club for the year 2004-05.

मुंबई
Mumbai
दिनांक
Date

31.08.2005

अध्यक्ष / Chairman

देशीय मरिचक केन्द्र
हिन्दुस्थान बिल्डिंग (एनेक्स), 5th फ्लोर
4, चित्तारंजन एवेन्यू, कलकत्ता-700 072
फोन : 27-7800, 27-0365, 28-3431
ग्राम : बीमाप्रदेश



भारतीय जीवन बीमा निगम
Life Insurance Corporation of India

57
Zonal Training Centre
Hindusthan Building (Annexo)
(5th Floor)
4, Chittaranjan Avenue
Calcutta-700 072
Phone: 27-7800, 27-0365, 28-3431
Gram: BIMAPRADESH

Ref : EZTC/P

10th August, 1999

Sri Vijay Agarwala,
MDRT Qualifier,
LIC of India,
Salt Lake Branch,
CF-163, Salt Lake City,
Sector - 1,
Calcutta - 700 064.

Dear Sir,

Re: Invitation for giving lecture.

We are holding a Session [No.1081] for Target Group: CM's/ZM's Club Member Agents from 16.08.99 to 19.08.99 at ZTC Lecture Hall No. 1, Hindusthan Building [Annexe], 5th Floor, 4 Chittaranjan Avenue, Calcutta - 700 072.

We request you to kindly deliver a lecture on the following subject and interact with the participants on the following date:

Date : 17.08.99
Day : Tuesday
Time : 02.30 to 03.30PM
Subject : Marketing Analysis
Session with a Role Model

We also request you to take lunch with us at 1.30PM on that day.

Yours faithfully,

Principal (EZTC)

58



जीविका प्रशिक्षण केंद्र
हिन्दुस्तान बिल्डिंग्स (एन्नेक्स) 5वां तल
चिदंबरम एवेन्यू, कलकत्ता-700 072
फोन : 27-7600, 27-0356, 26-3431
पता : बीमाप्रदेश

भारतीय जीवन बीमा निगम
Life Insurance Corporation of India

Training Centre
Hindusthan Buildings (Annexe)
(5th Floor)
4, Chittaranjan Avenue
Calcutta-700 072
Phone: 27-7600; 27-0356, 26-3431
Dist: BIKRPRADESH

Ref: EZTC/P

12th November, 1999.

Sri Vijay Agarwal,
MDRT Qualifier,
CM's Club Member Agent,
LIC of India,
Salt Lake Branch,
CF-163, Salt Lake City,
Sector - I, Calcutta - 64.

Dear Sir,

Re: Invitation for giving lecture.

We are holding a session (No. 1111) for Target Group: CM's/ZM's Club Member Agents from 15.11.99 to 18.11.99 at ZTC Lecture Hall No. 1, Hindusthan Building, Annexe, 5th Floor, 4, C.R. Avenue, Calcutta - 72.

We request you to kindly deliver a lecture on the following subject and interact with the participants on the following date :

Date : 16.11.99
Day : Tuesday
Time : 02.30 to 03.30PM
 03.45 to 05.00PM
Subject : Marketing Analysis Session with a Role Model

We also request you to take lunch with us at 01.30PM on that day.

Yours faithfully,

Principal (EZTC).



लाइफ इन्शुरन्स कॉर्पोरेशन ऑफ इंडिया
भारतीय जीवन बीमा निगम
Life Insurance Corporation of India

कोला उपनगर मंडल कार्यालय, डीपी-5, सेक्टर-1, सल्टलेक रोड, कोलकाता-700 064
Kolkata Suburban Divisional Office, Jeevan Prabha, DP-5 Sec-1, Salt Lake City, Kolkata-700 064

Sri P.B. Roy,
Sr. Divisional Manager.

Dear Sri Agarwal,

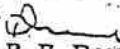
12th May, 2004.

Please accept my heartiest congratulations for occupying No.25th Position on N.O.P., No.14th Position on S.A. as on 31.3.2004 in Eastern Zone. Please keep it up. I expect many more laurels from you in the current financial year. A copy of the merit list of top 25 Agents as on 31.3.2004 of Eastern Zonal Office is enclosed herewith for your information.

With best wishes,

With kind regards,

Yours sincerely,



(P. B. Roy)

Sri Vijay Agarwal,
Agent,
LIC, Salt Lake Branch.


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Life Insurance Corporation of India
CALCUTTA SUBURBAN DIVISION



*Heartily
Congratulates*



Sri Vijay Agarwal
The Torch Bearer

61

Sri Vijay Agarwal, B. Com (H), Chairman's Club Member Since M.Y. 1994-95 has once again added a new and the most colourful feather in his cap by introducing business of more than 1 Crore with deposit of more than Rupees Six Lacs on today. Sri Agarwal has already Completed business of SA 1.51 Crs With Rs 8,97511.00 as FRI Day 27th Feb '98.

Born on 23rd May, 1963 in a family of Life Insurance Profession, he join LIC of India Salt Lake Branch office as Agent in 1987. The relinquished the position of a sales executive of "NESTLE" in search of a full time professional career in Life Insurance Marketing. He has qualified himself as a participant of MDRT of the year 1998 for the forth time in succession. He qualified himself as an All India Ace Agent on three previous occasions and for the year 97-98. He has also qualify as a Super-Star Agent in both count. For his performance in March '98, Calcutta Suburban division wishes him to be the MVP (Most Valuable Player) and the "Man of the year" for the year 97-98.

Dated-23-03-98

A. K. Bose
Sr. Divisional Manager

62

 Life Insurance Corporation of India

KOTTAYAM DIVISION

All India Convention for MDRT Qualifiers 2003
[FYC Period 01-04-2002 To 31-10-2002]

CERTIFICATE OF PARTICIPATION

*This is to certify that Sri/Smt AGARWAL V, AGENT
of Branch SALT LAKE under KSDO Division in
EASTERN Zone has participated in the above convention
held at Kumarakom, Kottayam on 19-11-2002*



PLACE : KOTTAYAM

DATE : 19-11-2002


Sr. Divisional Manager

ए. के. महातो
विपणन प्रबन्धक
A. K. Mahato
Marketing Manager



63
भारतीय जीवन बीमा निगम
Life Insurance Corporation of India
कोलकाता उपनगरीय पश्चिम कार्यालय
Kolkata Suburban Divisional Office
"जीवन प्रभा", "Jeevan Prabha"
डी. पी. ४, सेक्टर-१, डी.डी. सेक्टर-१
सॉल्टलेक सिटी, कोलकाता - ७०० ०६४
दूरभाष Phone : ३३१-२०८८, रेसि : ३३०-४३७४
ब्रान्च Fax : (०३३) ३३७-०००९
E-Mail : hccaddo@oai.vsnl.net.in

Apr. 23, 04

Sri Vijay Agarwal,
Agent, Chairman's Club Member,
LIC of India,
Salt Lake Branch
Kolkata : 700 064

Dear Sir,

Re : Your Performance for the year 2003 - 2004


At the outset I congratulate you for your brilliant performance during the year 2003-04. The Ranking List is enclosed. Your Composite performance in Absolute Terms is as follows :

		RANK
N O P	504	1ST
S. A:	10,34,82,887	1ST
F P I	38,18,380	2ND 1ST (Excluding Corporate Agents)

We are yet to receive Zonal Merit List and I believe you must get a berth in the same. For a successful person, some people say - "SKY IS THE LIMIT". But to me, for people like you - "SKY IS JUST A BEGINNING".

While wishing you every success in your future life, I expect many more laurels to come.

Yours faithfully,


Marketing Manager

Encls : u.u.

एस. सी. साहू
वरिष्ठ मंडल प्रबंधक
S. C. Sahu
Sr. Divisional Manager



64
भारतीय जीवन बीमा निगम
Life Insurance Corporation of India
कोलकाता उपनगरीय पश्चिम कार्यालय
Kolkata, Suburban Divisional Office
"जीवन प्रभा", "Jeevan Prabha"
डी डी-5, सेक्टर-1, DD-5, Sector-1
सॉल्टलेक सिटी, कोलकाता - 700 064
Salt Lake City, Kolkata - 700 064
दूरभाष Phone : 2337-0652/0232
फैक्स Fax : (033) 2337-0600
ई-मेल E-Mail : liccsdo@cal.vsnl.net.in

APRIL 27, 2004

Dear Sri Agarwal,

I convey my heartiest congratulations to you for bringing laurels to yourself and to our Division having stood number **ONE** in all the **3** Counts of **NOP, S.A. & I.P.I.**

You have achieved a rare feat. You have also added a feather in your cap of qualifying yourself as MDRT within only 3 months of MDRT Year.

I have seen you very closely; you are endowed with knowledge, intelligence, zeal & vigour and with all capabilities to make things happen to the best advantage of yours.

Frankly speaking, giving heart and soul backed by strong determination to scale new heights, you are one among the valued Agents of this Organisation who is able to do it.

Really, we are proud of you.

I pray Almighty to give you courage and strength to bring name and fame to this Division by ranking 1st in the Eastern Zone and in the country.

What seems to be impossible; becomes possible after some time, provided you desire sincerely.

I always believe in the saying "GOD HELPS THOSE WHO HELP THEMSELVES".

While wishing you all the best to your endeavour, I assure my sincere support at all times.

With regards,

Yours sincerely,

[S C Sahu]

SRI VIJAY AGARWAL,
AGENT, M.D.R.T.
CHAIRMAN'S CLUB MEMBER,
LIC OF INDIA, SALT LAKE BRANCH,
SECTOR 1,
KOLKATA: 700 064.



भारतीय जीवन बीमा निगम
Life Insurance Corporation of India

65

कलकत्ता उपनगर मध्यम कार्यालय, बोरहाडी, सेक्टर-1, एस्टेट रोड, कलकत्ता-64
Calcutta Suburban Divisional Office, Jeevan Prabha; DD-3, Sec-1, Salt Lake City, Cal-64

Ref: KSDO/Mktg/MM

June 1, 2001

Sri Vijay Agarwal,
Agent,
LIC of India,
Salt Lake Branch,
Kolkata : 700 064.

Dear Sir,


Re : Splendid performance on 29th May, 2001.

Please accept my heartiest congratulations for your brilliant performance which has been displayed in the enclosed "FLASH" specially printed to commemorate your success.

I wish this is only the beginning and eager to witness many more laurels in near future.

While wishing your every success in your endeavour, we assure our best co-operation at all times.

Yours faithfully,


Marketing Manager



भारतीय जीवन बीमा निगम
Life Insurance Corporation of India

66

FLASH ! FLASH ! FLASH !

ONCE AGAIN! ONE CRORE
DHAMAKA!

ONCE AGAIN THE MEGASTAR OF SALT LAKE
BRANCH, SRI VIJAY AGARWAL (97633411)
HAS BROKEN HIS OWN RECORD OF ONE CRORE
(15.02.2001) BY PROCURING NB (15.03.2001) AS
FOLLOWS:

<u>PROPOSALS</u>	<u>SA PROPOSED</u>	<u>DEPOSITS (BOC)</u>
09	1,01,00,000	3,04,318.

THE BREAKTHROUGH PERFORMANCE
SUPERCEDES ALL HIS EARLIER RECORDS.

HEARTIEST CONGRATS TO SRI VIJAY
AGARWAL FOR HIS MONUMENTAL
SUCCESS.

DTD. 15.03.2001

BR. MANAGER

SALT LAKE

DIPAL DEY

Branch Manager

L. I. C. I, Salt Lake Dr.

CF-335, Salt Lake

Calcutta-84, Ph: 837-5007

ए.सी. साह
वरिष्ठ मंडल प्रबन्धक
S. C. Sahu
Sr. Divisional Manager



भारतीय जीवन बीमा निगम
Life Insurance Corporation of India
कोलकाता उपनगरीय मंडल कार्यालय /
Kolkata Suburban Divisional Office
"जीवन प्रभा", "Jeevan Prabha"
डी.जी.-5, सेक्टर-1, डी.डी-5, सेक्टर-1
सॉल्टलेक सिटी, कोलकाता - 700 064
Salt Lake City, Kolkata - 700 064
दूरभाष Phone : 2337-0652/0232
फैक्स Fax : (033) 2337-0600
ई-मेल E-Mail : liccolsub@col.venil.nic.in

67

APRIL 27, 2004

Dear Sri Agarwal,

I convey my heartiest congratulations to you for bringing laurels to yourself and to our Division having stood number **ONE** in all the **3** Counts of **NOP, S.A. & F.P.I.**

You have achieved a rare feat. You have also added a feather in your cap of qualifying yourself as MDRT within only 3 months of MDRT Year.

I have seen you very closely; you are endowed with knowledge, intelligence, zeal & vigour and with all capabilities to make things happen to the best advantage of yours.

Frankly speaking, giving heart and soul backed by strong determination to scale new heights, you are one among the valued Agents of this Organisation who is able to do it.

Really, we are proud of you.

I pray Almighty to give you courage and strength to bring name and fame to this Division by ranking 1st in the Eastern Zone and in the country.

What seems to be impossible, becomes possible after some time, provided you desire sincerely.

I always believe in the saying "GOD HELPS THOSE WHO HELP THEMSELVES"

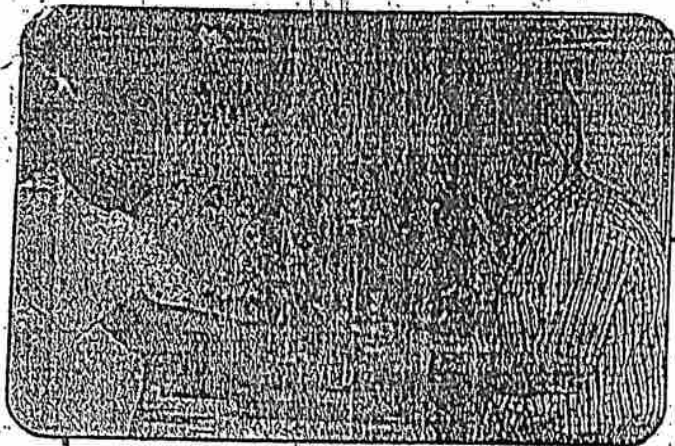
While wishing you all the best to your endeavour, I assure my sincere support at all times.

With regards,

Yours sincerely,

[S C Sahu]

SRI. VIJAY AGARWAL,
AGENT, MDRT,
CHAIRMAN'S CLUB MEMBER,
LIC OF INDIA, SALT LAKE BRANCH,
SECTOR 1,
KOLKATA : 700 064.



68

Hats off to Shri Vijay Agarwal, Member, Chairman's Club for Agents, Salt Lake Branch for his unprecedented achievement of New Business in the year 2000-2001, by which he topped the Division in both SA and FPI counts. His score excluding Blma Nivesh and Single Premium came as under :

SA=7.10 Crore, FPI=28.03 Lac.

I sincerely congratulate Shri Agarwal for his unputdownable performance in the year 2000-2001 and believe that he will definitely cross many more milestones in his journey towards excellence in 2001-2002. My special congratulations to his betterhalf Smt. ~~Smt.~~ Agarwal for her sacrifice and active co-operation for fulfilment of Sri. Agarwal's dream.

I also congratulate all the employees and officers of the Branch for their contribution towards realisation of Shri Agarwal's dream.

With best wishes,

Date : 18.4.2001



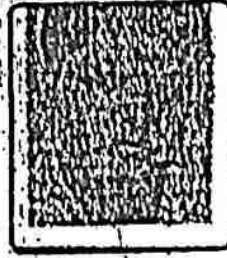
M. S. Kundu
Sr. Divisional Manager

LIFE INSURANCE CORPORATION OF INDIA
KOLKATA SUBURBAN DIVISION



69

भारतीय जीवन बीमा निगम
कलकत्ता सुवार्धन डिभिशन
हमारा गर्व



श्री विजय अग्रवाल
सांख्यिक शाखा

श्री विजय अग्रवाल, सदस्य, अध्यक्ष क्लब को नव-व्यवसाय 2000-2001 में अपूर्व उपलब्धि के लिए हार्दिक बधाई। वे इस मण्डल में बीमा राशि तथा प्रथम प्रीमियम आय दोनों में सर्वोच्च स्थान पर रहे। बीमा निवेश और एकक प्रीमियम को छोड़कर उनका स्कोर इस प्रकार रहा :

बीमा राशि	:	7.10 करोड़
प्रथम प्रीमियम आय	:	28.03 लाख

श्री अग्रवाल के वर्ष 2000-2001 की उपलब्धि को कितनी तरह दवाया नहीं जा सकता है। उन्हें मैं सच्चे दिल से बधाई देता हूँ और मैं उम्मीद करता हूँ की वे 2000-2001 में भी अपनी श्रेष्ठता की यात्रा के दौरान कई मील के पथरों को चेरी छोड़ेंगे।

मे विशेष रूप से उनकी अधीगिनी श्रीमति सुनिता अग्रवाल को बधाई देता हूँ क्योंकि उनकी त्याग और कर्मठ सहयोग ने ही श्री अग्रवाल के सपनों को साकार किया है।

श्री अग्रवाल के स्वप्न सिद्धि में अग्रदान देने के लिए सांख्यिक शाखा के सभी कर्मचारियों को भी मैं बधाई देता हूँ।

शुभकामनाओं सहित,

18 अप्रैल, 2001

एम. एस. कुण्ड
वरि, मण्डल प्रबन्धक

90
Life Insurance Corporation of India
CALCUTTA SUBURBAN DIVISION



Heartily
Congratulates



Sri Vijay Agarwal
The Torch Bearer

21

Sri Vijay Agarwal, B. Com (H), Chairman's Club Member Since M.Y 1994-95 has once again added a new and the most colourful feather in his cap by introducing business of more than 1 Crore with deposit of more than Rupees Six Lacs on today. Sri Agarwal has already Completed business of SA 1.51 Crs With Rs 8,97,511.00 as FPI Day 27th Feb '98

Born on 23rd May, 1963 in a family of Life Insurance Profession. he join LIC of Indla Salt Lake Branch office as Agent in 1987. The relinquished the position of a sales executive of "NESTLE" in search of a full time professional career in Life Insurance Marketing. He has qualified himself as a participant of MDRT of the year 1998 for the forth time in succession. He qualified himself as an All India Ace Agent on three previous occasions and for the year 97-98. He has also qualify as a Super-Star Agent in both count. For his performance in March '98, Calcutta Suburban division wishes him to be the MVP (Most Valuable Player) and the "Man of the year" for the year 97-98.

Dated-23-03-98.

A. K. Bose
Sr. Divisional Manager

आर. के. मिश्र
क्षेत्रीय प्रबन्धक
R. K. MISRA
ZONAL MANAGER



भारतीय जीवन बीमा निगम
Life Insurance Corporation of India
एवं क्षेत्रीय कार्यालय
हिन्दुस्तान बिल्डिंग्स,
4, चित्तारंजन एवेन्यू, कोलकाता-700 072
Eastern Zonal Office
Hindusthan Buildings,
4, Chittaranjan Avenue, Kolkata-700 072
दूरभाष / Tel.: 225-2659
फैक्स / Fax: 225-1700
ई-मेल / E-Mail: liccal@licaecl1.vsnl.net.in

December 24, 2001.

My dear Agarwal,

Kindly accept my compliments on your 1st position in 'Sum Assured and 5th position in F.P.I amongst the top 15 Agents in the Zone.

Next 4 months are crucial and with a little more planning and a deep perspective for future, you may also expand your customer-base and thereby secure your position on other-count also.

My best wishes to you and your family for a happy and prosperous New Year.

Yours sincerely,

(R. K. MISRA.)

Shri V. Agarwal,
Agent,
L.I.C of India,
Salt Lake Branch Office,
CR-335, Salt Lake City,
Kolkata - 700 064.

ए. के. महातो
विपणन प्रबन्धक
A. K. Mahato
Marketing Manager



भारतीय जीवन बीमा निगम
Life Insurance Corporation of India
कोलकाता उपनगरीय मंडल कार्यालय
Kolkata Suburban Divisional Office
"जीवन प्रभा", "Jeevan Prabha"
डी.डी.-5, रोड-1, डी.डी. सेक्टर-1
सॉल्टलेक सिटी, कोलकाता - 700 064
Salt Lake City, Kolkata - 700 064
सूचना Phone : 331-2088, 331-2074
फैक्स Fax : (033) 237-0600
E-Mail : liccso@cal.vsnl.net.in

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Apr. 23, 04

Sri Vijay Agarwal,
Agent, Chairman's Club Member,
LIC of India,
Salt Lake Branch,
Kolkata : 700 064.

Dear Sir,

Re : Your Performance for the year 2003 - 2004


At the outset I congratulate you for your brilliant performance during the year 2003-04. The Ranking List is enclosed. Your Composite performance in Absolute Terms is as follows :

		RANK
N O P	504	1 ST
S. A.	10,34,82,887	1 ST
F P I	38,18,380	2 ND 1 ST
(Excluding Corporate Agents)		

We are yet to receive Zonal Merit List and I believe you must get a berth in the same. For a successful person, some people say - "SKY IS THE LIMIT". But to me, for people like you - "SKY IS JUST A BEGINNING".

While wishing you every success in your future life, I expect many more laurels to come.

Yours faithfully,


Marketing Manager

Encl^o a.a.

एस. सी. साहु
वरिष्ठ मंडल प्रबंधक
Sahu
Sr. Divisional Manager



भारतीय जीवन बीमा निगम
Life Insurance Corporation of India
कोलकाता उपनगरीय मण्डल कार्यालय
Kolkata Suburban Divisional Office
"जीवन-प्रभा", "Jeovan Prabha"
डी.डी.-5, सेक्टर-1, DD-5, Sector - 1
सॉल्टलेक सिटी, कोलकाता - 700 064
Salt Lake City, Kolkata - 700 064
दूरभाष Phone : 2337-0652/0232
फैक्स Fax : (033) 2337-0609
ई-मेल E-Mail : llccsdo@cal.vsnl.net.in

३५

APRIL 27, 2004

Dear Sri Agarwal,

I convey my heartiest congratulations to you for achieving 1st Position amongst 19000 Agents of our Division.

After opening up of our Insurance Market and in the competitive scenario, the winners always find themselves at the top of the list. You have got all the potentialities to explore the Insurance Market with your knowledge, intelligence, zeal and vigour. With a strong & positive mind set, I am confident this year you will scale new heights and to take a target of doubling your premium income within 31st Dec. '04, so as to qualify yourself one among the M D R Ts of the Division.

Please make it happen for yourself and bring glory to your family members and to the Organisation as a whole.

What seems to be impossible, becomes possible after some time, provided you desired sincerely.

I always believe in the saying "GOD HELPS THOSE WHO HELP THEMSELVES"

While wishing you all the best to your endeavour, I assure my sincere support at all times.

With regards and blessings,

Yours sincerely,

[S C Sahu]

SRI VIJAY AGARWAL,
AGENT, CHAIRMAN'S CLUB MEMBER,
LIC OF INDIA,
SALT LAKE BRANCH,
SALT LAKE, KOLKATA.



भारतीय जीवन बीमा निगम
Life Insurance Corporation of India

कलकत्ता उपनगर मण्डल कार्यालय, ज़ोन्-5, सेक्टर-1, सल्टलेक सिटी, कलकत्ता-64
Calcutta Suburban Divisional Office, Jeevan Prabha, DD-5, Sec-1, Salt Lake City, Cal-64

Ref: KSDO/Mktg/MM

June 1, 2001

Sri Vijay Agarwal,
Agent,
LIC of India,
Salt Lake Branch,
Kolkata : 700 064.

Dear Sir,

Re : Splendid performance on 29th May, 2001.

Please accept my heartiest congratulations for your splendid performance by introducing 21 Proposals worth Rs. 1.12 Crores Sum Proposed with little over Rs. 5 lacs Deposit on a single date - 29th May, 2001.

In our last DMC held on 31st May, 2001, all the HODs of the Division joined me in congratulating you for such a remarkable performance.


There is a proverb, "Morning shows the day", hence, we hope, during the current year your performance will definitely lead you to a height where the Zonal Heroes are occupying their names.

While wishing your every success in your endeavour, I assure my best co-operation at all times.

Yours faithfully,

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म. स्वा. नटराजन
कार्यकारी निदेशक (विपणन)
M. S. NATARAJAN
Executive Director (Marketing)

भारतीय जीवन बीमा निगम
 Life Insurance
Corporation of India

केंद्रीय कार्यालय, पो. या. नं. 10053, मुम्बई- 400 021
CENTRAL OFFICE, P. O. NO. 10053, MUMBAI-400 021.
Tel. (D) : 202 7527
(PAX) : 202 1367 (5xln.) : 2322
Fax : 022 / 207 0274 • 202 8043

29th September, 1997.

Dear Shri Agarwal,

I was delighted to be with you at Kodaikanal during the Ace Agents' Convention in June '97. I have great pleasure in sending you a photograph as a memento.

With regards,

Yours sincerely,

(M.S.Natarajan).

Encl:As above.

Shri. Vijay Agarwal,
7 Harisabha Street,
Calcutta-23.





VIJAY AGARWAL
 CM's Club Member Agent
 L.I.C.I., Salt Lake Branch

भारतीय जीवन बीमा
Life Insurance Corporation of India

जीवन बीमा निगम अधिनियम 1956 द्वारा संस्थापित
 (Established by the Life Insurance Corporation Act, 1956)
 कोलकाता उपनगरीय मण्डल/Kolkata Suburban Division

राजीवन बीमा प्रस्ताव पत्र
 Proposal for Insurance on own life
 (अव्यक्तों के लिये यह फार्म लागू नहीं होगा)
 (Not to be used on the life of minors)

आवक संख्या /Inward Number दिनांक/Date

अधिकृत द्वारा भरा जाय/To be filled in by Agent

शाखा कार्यालय/Branch Office
N. Agarwal
 अधिकृत का नाम/Agent's Name
 अनुमति सं./Licence No
 शाखा कार्यालय/Branch Office
 वि. सं. सं. सं./D.O. Code no.
42633411/5
 संकेत सं./Code No.
 समाप्ति तिथि/Date of Expiry

कार्यालय में उपयोग के लिये/For Office use
 प्रस्ताव/Proposal No.
14426
 जमा राशि/Amount of Deposit
1
 शाखा का दफ्तरी सं./B.O.C. No.
1165A
 दिनांक/Date
12/10/81

सभी उत्तर स्पष्ट लिखने चाहिये/उत्तर शब्दों में देने चाहिये/रेखा, बिन्दु या अन्य किराी प्रकार के चिह्न उत्तर के रूप में स्वीकार नहीं किये जायेंगे।
 All answer to be filled in legibly. Answers must be given in words. Stroke of the pen or dots or dashes will not be accepted as replies

(1A) पूरा नाम (कुलनाम प्रथम) एवं पता जिनमें पत्राचार किया जायेगा
 Full name (Surname first) and Address to which communication are to be sent

DAS PROSENJIT
1A, Hari Sava Street
Kolkata पिन PIN **701002**

बिमा का उद्देश्य
 Object of Insurance
Coverage

जन्म स्थान
 Place of Birth **Kolkata**

राष्ट्रीयता
 Nationality **Indian** लिंग Sex **♂**

प्रस्तुत आयु-प्रमाण का स्वरूप
 Nature of Age-Proof submitted **PP**

आयु (निकटतर वर्षगांठ पर)
 Age (Nearer Birthday) **23** जन्म तिथि
 Date of Birth **19.8.81**

दूरभाष सं. (एच.टी.डी. संकेत) /Telephone no. (with STD code):
 आवास / Residence: कार्यालय /Office: ई-मेल / E-mail

(1B) स्थायी पता (अगर उल्लिखित से अलग हो) Permanent Address, if different from above

B/A/H/5, Nepal Neogi Sur Street
Kolkata पिन PIN **701005**

नामित नाम Short Name **P. DA**

पिता का पूरा नाम (कुलनाम प्रथम) Father's name (Surname first)
DAS PRADIP KUMAR

(2A) नामित व्यक्ति का पूरा नाम (कुलनाम प्रथम) एवं पूरा पता
 Nominee's Full Name (Surname first) and Address

DAS PROSENJIT

आयु Age **34**

आप से सम्बन्ध
 Relationship to yourself
Cousin Brother

(2B) अगर नामित व्यक्ति अव्यक्त है, तो नियुक्त व्यक्ति का पूरा नाम व पता
 If Nominee is Minor, appointee's Full Name and Address

आयु Age

नामित व्यक्ति के साथ रिश्ता
 Relationship to Nominee/s

सहमति का स्वरूप में नियुक्त व्यक्ति का हस्ताक्षर
 Signature of Appointee as token of consent

Note: प्रस्तावक का हित नामांकन की सुविधा लाभ उठाने में है। It is in the interest of the proposer to avail the facility of nomination

(3) योजना एवं अवधि Plan & term **164-25**

बीमा राशि Sum Proposed **10000**

टर्म राइडर बीमा पत्र यदि आवश्यकता हो तो? Term Rider sum Proposed (If required)

जटिल बीमारियाँ हेतु लाभ यदि माँगे जायेंगे? Critical Illness Sum Proposed (If required)

ज्यादा दुर्घटना हितनाम की आवश्यकता है? Is Accident benefit required? **NO**

दिनांक यदि पोलिसी का प्रारम्भ किराी तिथि से पहले है? If Policy is to be dated back (Indicate date) **28/10/81**

जमा राशि Amount Deposited **1325**

भुगतान विधि (वार्षिक, अर्धवार्षिक, तिमाही या मासिक/ब.व.सं.) Mode (yearly, Half-yearly, Quarterly, Monthly or Under SSS) **Hy**

भुगतान प्राधिकारी का भुगतान प्राधिकारी का कोड Paying Authority Code

विभाग नं. Deptt. No.

पिन/अध्यापक सं./Bdy's or S.R. No.

(4A) वर्तमान व्यवसाय एवं कार्य का सार्थक स्वरूप/ Present Occupation & Exact nature of Duties Self employee	कार्य का स्थान/Place of work Kollate			
(4B) वर्तमान नियोजक का नाम व पता/ Name and address of present employer MLE	उसके साथ सेवा का अवधि/ Length of service with Him			
(5) शैक्षणिक योग्यता/ Educational Qualification H.S. Passed	वार्षिक आय/सं. Annual Income Rs. 75,000/-	आग के स्रोत/ Source of Income Self employee	क्या आप आय करदाता हैं? Are you an Income Tax Assessee? NO	
(6) यदि आप, जल/धत/वायु सेना के कर्मचारी हैं तो कृपया निम्न का उल्लेख करें/ If you are employed in the Armed Forces, Please state.				
सेना की (विंग) जिसमें आप सम्बन्धित हैं। Wing to which you belong	पद (रैंक) Rank therein	विगत स्वास्थ्य परीक्षा की तिथि Date of Last Medical Examination	स्वास्थ्य परीक्षा के बाद स्वास्थ्य श्रेणी Medical category after medical examination	क्या आप कोई भी ए-1 के श्रेणी तहत पर रैंक हैं? यदि हाँ तो क्या? Whether you were ever categorised below A-1, if so, state period

(7) क्या निगम के किसी कार्यालय या अन्य बीमा कम्पनी को अभी आपके जीवन बीमा का कोई प्रस्ताव-पत्र या आपके जीवन बीमा पॉलिसी के पुनर्वसन से सम्बंधित कोई प्रार्थना पत्र प्रस्तुत किया गया है? अगर हाँ तो विवरण दें? **NO** *NO policy proposal for 5.05 lac*
 If your life now being proposed for another assurance or an application for revival of Policy of your life under consideration in any office of the corporation or any other Insurance Co? If yes give details. **With him**

(8A) क्या निगम के किसी कार्यालय को प्रस्तुत किया गया आपके जीवन बीमा का कोई प्रस्ताव-पत्र (या जीवन बीमा पॉलिसी के पुनर्वसन से सम्बंधित कोई प्रार्थना-पत्र) कभी Has a proposal (or an application for revival of a Policy) on your life made to any office of the Corporation ever been.	उत्तर "हाँ" या "नहीं" में दीजिये Answer "Yes" or "No"	यदि उत्तर "हाँ" में तो पूरा विवरण दीजिये If Yes, give details.
अ. वापस ले लिया, स्थगित, समाप्त या अस्वीकृत कर दिया गया है? a Withdrawn, Deferred, Dropped or Declined?	NO	
ब. अतिरिक्त बीमा शुल्क या गहन के साथ स्वीकृत कर दिया गया है? b. Accepted with Extra Premium or Lien.	NO	
प्रस्तावित शर्तों के अतिरिक्त अन्य शर्तों पर स्वीकृत किया गया है? (c) Accepted on terms otherwise than those proposed?	NO	

(8B) क्या आपने विगत एक वर्ष में नि-अपको स्वीकार नहीं की थी। Have you during past one year returned any policy of the corporation as to you? If so give details.	NO
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9) आपकी सभी पिछली पॉलिसियों का नवीने विवरण दीजिये (पिछले तीन वर्षों में समाप्त एवं कालातीत पॉलिसियों की सम्मिलित करके) Please give details of you previous insurance (Including Policies Surrendered/lapsed during last 3 years.)

पॉलिसी संख्या Policy Number	उन बीमा कम्पनियों के नाम व पते जिनसे पूर्व में पॉलिसियों खरीदी गईं थीं। यदि पूर्व पॉलिसी भारतीय जी न बीमा विभाग द्वारा ली गयी हो तो शाखा/ब्रंच का नाम। Insurance companies from where the previous Policy/policies have been purchased with address (if previous policies are from IC of India, give name of Branch/D.O.)	व्यय तालिका का समाप्तन (इसमें से) Term Assured on main plan (000)	मूल्य प्रतिमा (रुपय में) Sum Assured (000)	टर्म रेट/अवधि Table & Term	जटिल बीमानी सड़कर बीमानी Critical Illness Rider Sum Assured (000)	दुर्घटना धनमान Amount of Accident Benefit taken (000)	वर्षों का वर्ष Year of issue	क्या प्रस्तावित किया गया अग्रसर मापदण्डों पर स्वीकृत Whether accepted as proposed at Ordinary rates	चिकित्सा विवरण Medical or Non-medical	क्या पुरे बीमाधन के लिए? Whether in force for full Sum Assured	यदि नहीं तो अंतिम प्रस्ताव दिनांक की तारीख। If not, give date of last premium paid or date of surrender
22453526	KSiro	1-20				Yes	2000	OR	with	had more than two years	

र : यदि पिछले तीन वर्षों के अन्दर कोई पुरानी पॉलिसी कालातीत हो गई हो तो निगम को प्रस्ताव नया प्रस्ताव पत्र स्वीकार नहीं करता है। Corporation does not entertain any fresh proposal for insurance where a Policy has Lapsed or has been converted into paid up Policy within the last 3 years

परिवारिक इतिवृत्त/ Family History	जीवित/Alive		मृत/Dead		
	वर्तमान आयु Present Age	स्वास्थ्य की स्थिति Status of Health	मृत्यु वर्ष Year of death	मृत्यु का कारण Cause of Death	मृत्यु के समय आयु Age at death
पिता/Father	48	Good			
माता/Mother	40	Good			
जीवित सं./Alive No. भाई/ Brothers मृत सं./Dead No.					
जीवित सं./Alive No. बहिन/ Sisters मृत सं./Dead No.	20, 13	Good			
पत्नी/पति/Wife/Husband					
जीवित सं./Alive No. बच्चे/ Children मृत सं./Dead No.					

विवरण/Personal History	उत्तर "हाँ" या "नहीं" दीजिए Answer "Yes" or "No"	यदि उत्तर "हाँ" में है तो पूर्ण विवरण दीजिए If "Yes" Please give full details
(i) क्या आपने पिछले पाँच वर्षों में बीसह दिनों एंटी बीमारी के निवे विराम एक सप्ताह से अधिक समय तक उपचार की आवश्यकता नहीं की, किसी चिकित्सक से परामर्श किया है? During the last five years did you consult a medical Practitioner for any ailment requiring treatment for more than a week?	NO	
(ii) क्या आप को कभी सामान्य जाँच देखभाल, उपचार या किसी प्रकार की शल्य चिकित्सा के लिए किसी अस्पताल या रोग गृह में दाखिल किया गया है? Have you ever been admitted to any hospital or nursing home for general check up, observation, treatment or operation?	NO	
(iii) क्या आप पिछले पाँच वर्षों के दौरान स्वास्थ्य के अन्दर पर अपने कार्य से अनुपस्थित रहे हैं? Have you remained absent from your work on grounds of health during the last 5 years?	NO	
(iv) क्या आप यकृत, पेट, हृदय, फेफड़े, गुदा, मस्तिष्क एवं स्नायुसमूहगत सम्बंधित किसी रोगों से पीड़ित हैं? Are you suffering from or have you ever suffered ailments pertaining to Liver, Stomach, Heart, Lungs, Kidney, Brain or Nervous System.	NO	
(v) क्या आप मधुमेह, रक्तचाप, उच्च या निम्न रक्तचाप, फेन्तर, निरोगी, अनामूत्रिक जलस्राव, रोग एवं किसी अन्य रोग से पीड़ित रहे हैं, या इस सम्बन्ध में पीड़ित हैं? Are you suffering from or have you ever suffered from Diabetes, Tuberculosis, High Blood Pressure, Low Blood Pressure, Cancer, Epilepsy, Haima, Hydrocele, Leprosy or any other Diseases?	NO	
(vi) क्या आपकी शारीरिक वजाहद कोई बुढ़ि या रोग है? Do you have any bodily defect or deformity?	NO	
(vii) क्या आपकी शारीरिक वजाहद कोई बुढ़ि या रोग है? Do you ever have any accident or injury?	NO	
(viii) क्या आप शराब, चादक द्रव्य या कभी कभी शराब का उपयोग करते हैं? Do you use or have ever used alcoholic drink, Narcotics, any other drugs.	NO	
(ix) सामान्यतः आपका स्वास्थ्य की स्थिति कैसी रही है? What has been your usual state of health?	Good	
(x) क्या आपने कभी हृदयार्थित्व के लिए या वर्तमान में करवा रहे हैं? Have you ever required at present availing/undergoing medical advice, treatment or tests in connection with Hepatitis B or an AIDS related condition	NO	

विना-चिकित्सा मापदंडों में ऊँचाई In Non-Medical Contexts, please state exact Height in Cms. and Weight in Kgs. (without shoes)	ऊँचाई Height	वजन Weight	कि.ग्रा. Kgs.
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(13A) क्या आप गर्भवती हैं? Are you Pregnant now?	अंतिम प्रसव तिथि Date of last delivery	क्या आपको कभी गर्भपात या गर्भह्रास या रिजसिन हुआ था? यदि हाँ तो विवरण दीजिये। Have you had any abortion or miscarriage on caesarian section? If so, give details	पिछले मासिक धर्म की तिथि Date of last Menstruation
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पति का पूरा नाम / Husband's Full Name	उनका व्यवसाय / His Occupation	उनकी वार्षिक आय / His Annual Income
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(13C) उनके बीमा से सम्बंधित विवरण दीजिये / Details of Husband's Insurance

पॉलिसी संख्या Policy No	उन बीमा कम्पनी का नाम व पते जिनसे पूर्व में पॉलिसियाँ खरीदी गई हैं। यदि पूर्व पॉलिसी भारतीय जीवन बीमा निगम द्वारा ली गई हो तो/शाखा/पंडल का नाम। Insurance Companies from where the previous policy/Policies have been purchased with address (If previous policies are from LIC of India, give name of Branch/D.O.).	बीमा धन Sum Assured (000)	तालिका व अवधि Table & Term	पॉलिसी की वर्तमान स्थिति Present status of the Policy
	None			

(1) आप तैयार जा रहे हैं इस योजना के नियम तथा शर्तों को जानने, पूर्णतः समझ लेते हैं क्या?
I have you understood fully the terms and conditions of the plan you propose to take?

हस्ताक्षर बॉक्स/Signature Box: Prosenjit Das
 बीमापत्री का नाम/Full Name of L.A.: Prosenjit Das

Bk. No. 002314

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F. No. 300 M. R. [Rev. Apr. 92]



भारतीय जीवन बीमा निगम
Life Insurance Corporation of India

(Established by the Life Insurance Corporation Act. 1956)
KOLKATA SUBURBAN DIVISION
MEDICAL EXAMINER'S CONFIDENTIAL REPORT

Branch No. 41B

Proposal No. / Policy No. -

Medical Diary No. / Page No.
476009 20

1. Full Name of the Life to be Examined Prosenjit Das Age 22
Case No. for the 25th March 2009 Month Year

Identification marks

A scar on right leg.

Introduced by

V. Agarwal

Introducer's Designation and Signature

Agarwal

2. Height (cms.) (without shoes) 164 Weight (kgs.) (in this clothes) 54 Girth of abdomen (cms.) (over navel) 74
Chest (cms.)—over nipple 78 Full Expiration (cms.) 78 Full Inspiration (cms.) 83
Pulse Rate pm. 72 Blood Pressure Systolic 120 Diastolic 80
1st Reading 2nd Reading 120 80

3. The General appearance healthy?

Yes

4. Ascertain from the life to be assured whether at any time in the past he/she

- i) has been hospitalised ?
- ii) was involved in an accident ?
- iii) has undergone any Radiological, Cardiological Pathological or any other test ?
- iv) is currently under any treatment ?

No

IF THE ANSWER TO ANY OF THE NEXT 9 QUESTIONS (QN. 5 TO QN. 13) IS "YES" PLEASE GIVE FULL DETAILS

5. Is there any abnormality of the Cardiovascular system ?

No

6. Is there any swelling of joints, enlargement of thyroid, lymphatic glands or scars (of earlier surgery) ?

No

7. Is any abnormality found on examination of Mouth, Ear, Nose, Throat or Eyes ?

No

8. Is there partial/total blindness or deafness or any other physical impairment ?

No

9. Are there any symptoms or signs suggesting abnormality or disease of the Respiratory system ?

No

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10.	Is there any evidence of enlargement of liver or spleen ?	NO
11.	Is there any abnormality in abdomen or abnormality of pelvis ?	NO
12.	Is Hernia present ?	NO
13.	Is there any evidence of disease of Central or Peripheral Nervous System ?	NO
14.	Is there any evidence of operation ? If so, state a) the year of Operation b) Its nature and cause c) Its location, size and condition of scar d) degree of impairment, if any	NO
15.	Is there any evidence of injury due to accident or otherwise ? If so, state i) the year in which the injury occurred ii) nature of injury iii) degree of impairment, if any iv) duration of unconsciousness in the case of head injury.	NO
16.	Is there any other adverse feature in health or habit, past or present, which you consider relevant ? If so, give details.	NO
17.	FOR FEMALE LIVES ONLY a) Is there any disease of the breasts ? b) Is there any evidence of pregnancy ? If so, give duration. c) Do you suspect any disease of uterus, cervix or ovaries ?	NO

I hereby certify that I have, this day, examined the above life to be assured personally, in private, and recorded in my own hand (i) the true and correct findings (ii) the answers to Question No. 4, as ascertained from the person examined.

I declare that the person examined signed (affixed his/her thumb impression) in the space earmarked below, in my presence and that I am not related to him/her or the Agent or the Development Officer.

Dated at 107 on the 25th day of March 2009 at 11:00 a.m./p.m.


Prasenjit Das
Signature of the life to be assured

Abhishek Kumar Choudhary
Signature of the Medical Examiner

Medical Examiner's Name and Address
Dr. Abhishek Choudhary
2A-146, Salt Lake
Calcutta-700044

Qualifications MBBS
Code No. 00142
Limit ₹ 10,00,000

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 Life Insurance Corporation of India KOLKATA SUBURBAN DIVISIONAL OFFICE (Established by the Life Insurance Act, 1956) Agents Confidential Report/MHR		Agency Code/ Dev. Officer Code	
		Proposal No./ Branch	
Agent's Name & Address VIJAY AGARWAL CM's Club Member Agent W.O.J., Salt Lake Branch Age No. 57424		Club Membership	Licence No. Date of Expiry
Name of Proposer	Age	Sum Proposed	10 lac
Name of Life Proposed	Age	Occupation & Nature of Duties	Self Employed
1. a) How long do you know the life proposed? b) Are you related to him/her? If so, give details. c) What is the educational qualifications of the life proposed?		a) Same 2 mths b) no c) yes	
2. I) Give details of Annual Income from		Proposer	Life Proposed
a) Employment			
b) Business/Profession			25000
c) HUF			
d) Other sources (specify details)			
TOTAL			
II) What proof of income is verified by you in respect of income stated above? a) Whether it is salary sheet or certificate issued by the Employer? b) Whether it is certificate issued by the C. A. ? What is the Permanent A/c. No. allotted by I. T. authorities? c) Whether copies of income tax returns verified? What is the PAN? Are you personally satisfied with the financial standing of the proposer/life insured and justify the current proposal?		Self declaration yes	
3. a) What is the general state of health of the life proposed? b) Does he/she have any physical deformity, impaired sight or hearing, physical impairment or Mental retardation? c) Do you have any knowledge of his/her having suffered from any illness or injury or undergone any operation, hospitalisation or medical investigation?		a) Good b) no c) no	
4. Did you discuss with the Proposer/Life Proposed the status of previous policies and are you satisfied that no policy has lapsed within the last three years.		prev polt lapsed more than 2yrs	
5. Are you aware of any proposal (or revival of any policy) of the life proposed having been deferred, declined, dropped or accepted at terms other than those proposed?		no receipt stamp for 1 yr each	
6. Are you aware of anything in the occupation, financial or social position of the life proposed, his/her personal habits or any other circumstances which might be likely to add to the risk?		no	
7. Under Non-Medical cases only, give			
a) Marks of Identification			
b) Exact Physical Measurements:			
cm.	Kg.	cm.	cm.
Height	Weight	Girth of abdomen at Navel Level	On Expiration Girth of Chest at Nipple Level
8. Have you explained fully the terms and conditions of the plan to the Proposer?			
I hereby declare that the foregoing statements are true and correct to the best of my knowledge and belief dated at <u>25th</u> on the <u>month</u> day of <u>2014</u>			
Signature of Agent <u>[Signature]</u>			
(To be completed by the Dev. Officer)		(To be completed by the ABM/BM/Sr. BM)	
I am satisfied with the identity of the party and on the basis of my independent enquiries, I hereby declare that the foregoing statements are true and correct to the best of my knowledge and belief.		I am satisfied with the identity of the party and on the basis of my independent enquiries, I hereby declare that the foregoing statements are true and correct to the best of my knowledge and belief.	
Dated at _____ on the _____ day of _____ 20 _____		Dated at _____ on the _____ day of _____ 20 _____	
Name of Designation/Standing (No. of years) _____		Name of Designation/Standing _____	
Signature _____		Signature _____	

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भारतीय जीवन बीमा निगम
Life Insurance Corporation of India

KOLKATA SUBURBAN DIVISION
ELECTROCARDIOGRAM

Instruction to the Cardiologist :

- 1) Please satisfy yourself about the identity of the examinee to guard impersonation.
- 2) The examinee and the person introducing him, must sign in your presence. Do not use the form signed in advance.
- 3) General Instruction : The base line must be steady... Standardisation slip- must be included. The tracing must be pasted on a folder. Each lead should contain 5 complexes. If the pulse rate high, give him some rest before recording. Rest ECG should be made in the Medical Diary.
- 4) Rest ECG—Record usual 12 leads.
- 4a) Additional Leads i) If leads III, and a VF show a deep Q or T wave charge record, additionally, the same leads in deep inspiration ii) If leads VI shows a tall R wave, record additionally lead V4R.
- 5) Only Exercise ECG : Record Leads, I, II, III, V2, V4 and V5 at rest and for the purpose of Exercise ECG Record Leads : V4, V5, I, II, III, aVR, aVL, aVF, V1, V2, and V3, immediately after exercise, Proper Double Standard two-step exercise should be given so as to raise the heart rate to 100 p. m. or more but in no case less than 10 to 30 beats over the resting rate.
- 6) Both Rest and Exercise ECGs (simultaneously) : When both Rest and Exercise ECGs are called for record Rest ECG as per instructions at (4) above. For purpose of exercise ECGs, record leads V4, V5, V6, I, II, III, aVR, aVL, aVF, V1, V2, and V3, immediately after exercise.

Divisional Office..... Kolkata Dev. Officer's Name.....
 Branch Office..... VIB Agent's Name..... Vijay Prop./Pol. No.....
 Full Name of the Examinee..... Prasanna Das
 Age..... 2 Years Introduced by..... Vijay His Signature..... [Signature]

PERSONAL STATEMENT OF THE LIFE TO BE ASSURED

Note : The Medical Examiner is requested to explain the following question to the examinee and request him to write down the answers in his own handwriting in the presence of the Medical Examiner.

1. Have you ever had pain in chest. High or Low Blood Pressure. Palpitation, Breathless or Dizziness at rest or on exertion or any disease of cardiovascular system or Diabetes or any disease of Kidney ?
 Answer
 'Yes'
 'or'
 'No.' NO
2. Have you ever had on ECG, X-Ray of Chest Blood Sugar or Blood Cholesterol or any other test ? If so give details. NO
3. Are you now in health and generally maintain good health ? Yes

I hereby declare that the following statements and answer have been given by me after fully understanding the questions any that they are true and complete in every particular and no information has been withheld.
 Dated..... Cal on..... 12th days of..... March 200..... 04

Witness.....
 Medical Examiner
[Signature]
Dr. Debjit Chatterjee
 MBBS (Cal), MD (Cal)
 Physician & Cardiologist
 Medilink Health Care &
 Diagnostic Centre Pvt. Ltd.

[Signature]
 Signature or Thumb impression of the
 Life Assured before Medical Examiner

REPORT ON ELECTROCARDIOGRAM AT REST* / AFTER EXERCISE

(Delete whatever is not applicable)

Position: *Supine* P Waves: *normal*
 Standardisation: 1 mv 10 mm PR Interval: *162 msec*
 Auricular Rate: *74/min* QRS Complexes: *normal*
 Ventricular Rate: *74/min* Q-T Duration:
 Rhythm: *Sinus* S-T Segment: *isoelectric*
 Mechanism: *normal* T Waves: *upright*
 Voltage: *normal* Q Waves: *nil*
 Electrical Axis: Extra Systoles Type: *no formal*

Height in Cms: *164 cm* Weight in Kgs: *54 kg*
 B P at Rest: *120/80* Pulse Rate at Rest: *72/min*

Clinical Findings of Heart Condition:

Conclusion: *ECG is within normal limits*

Dated at: *Calcutta* the *12th* day of *March* 200*4*

Dr. Debjit Chatterjee

Dr. Debjit Chatterjee
 MBBS (Cal), MD (Cal)
 Physician & Cardiologist
 Medilink Health Care &
 Diagnostics Centre Pvt. Ltd.

Signature of the Medical Examiner

Qualification: *MD (Cal)*

Examiner's Code No. *1000*

Name & Address: *Dr. Debjit Chatterjee, 100, Park Road, Calcutta*
 Yr: *10*
 No: *100*

Specialist in Blood Chemistry or Blood Culture
 or BCG X-Ray of Chest

Specialist in Health and Generally minimum
 1000 health

I hereby declare that the following statements and answers have been given by the patient and in my presence and I am a qualified medical practitioner and in my opinion the patient is fit to undergo the examination and I have not observed any abnormality in the ECG.

To read: *1000*
 Signature of the Medical Examiner: *Dr. Debjit Chatterjee*

Signature of the Patient: *Dr. Debjit Chatterjee*
 (Name of the Patient)



MEDILINK HEALTH CARE DIAGNOSTICS CENTRE PVT. LTD.

1M, Vatika, 1st Floor, Gate No:- 4, Block - A2, Kalindi
Kolkata-700 089 • Tel :- 2522 0575 • 2522 7647
E-mail : rpglsa71@vsnl.com

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Patient's Name : MR. PRASENJIT DAS Age : 22 Y - Sex : Male
Patient's ID : 0409/0001 Collection Date : 12/03/04
Ref. By : Dr. C/O L. I. C. OF INDIA Reporting Date : 12/03/04

REPORT ON EXAMINATION OF BLOOD

INVESTIGATION	RESULT	UNIT	NORMAL RANGE
HAEMOGLOBIN (Hb%) :-	14.5	gm /dl	M- 13 - 18 gms/dl. F- 11 - 16 gms/dl.
TOTAL COUNT			
R B C .	4.8	million per c. mm.	
W B C .	6,200	per c. mm.	
DIFFERENTIAL COUNT			
NEUTROPHILS :	60	%	
LYMPHOCYTES :	35	%	
MONOCYTES :	02	%	
EOSINOPHILS :	03	%	
BASOPHILS :	00	%	

Packed cell volume: 43 percent.
R.B.C Morphology : Normocytic, Normochromic
Platelets Count : Adequate per c. mm.

ESR (Westergreen Method)
FIRST HOUR READING : 05 mm
SECOND HOUR READING : 08 mm

RETICULOCYTE COUNT : 0.5 %

M. C. V : 89 cu
M. C. H : 30 YY
M. C. H. C : 33 %

THANK YOU FOR YOUR KIND REFERRAL

Prasenjit Das

CR Ghose
Consultant Pathologist
Prof. C. R. Ghose
M.B.B.S., M.D., Ph.D : F.I.C.

Consultant Radiologist
Dr. L. N. Dhal
M.B.B.S., D.M.R.D., M.D. (Rad. Diag.)

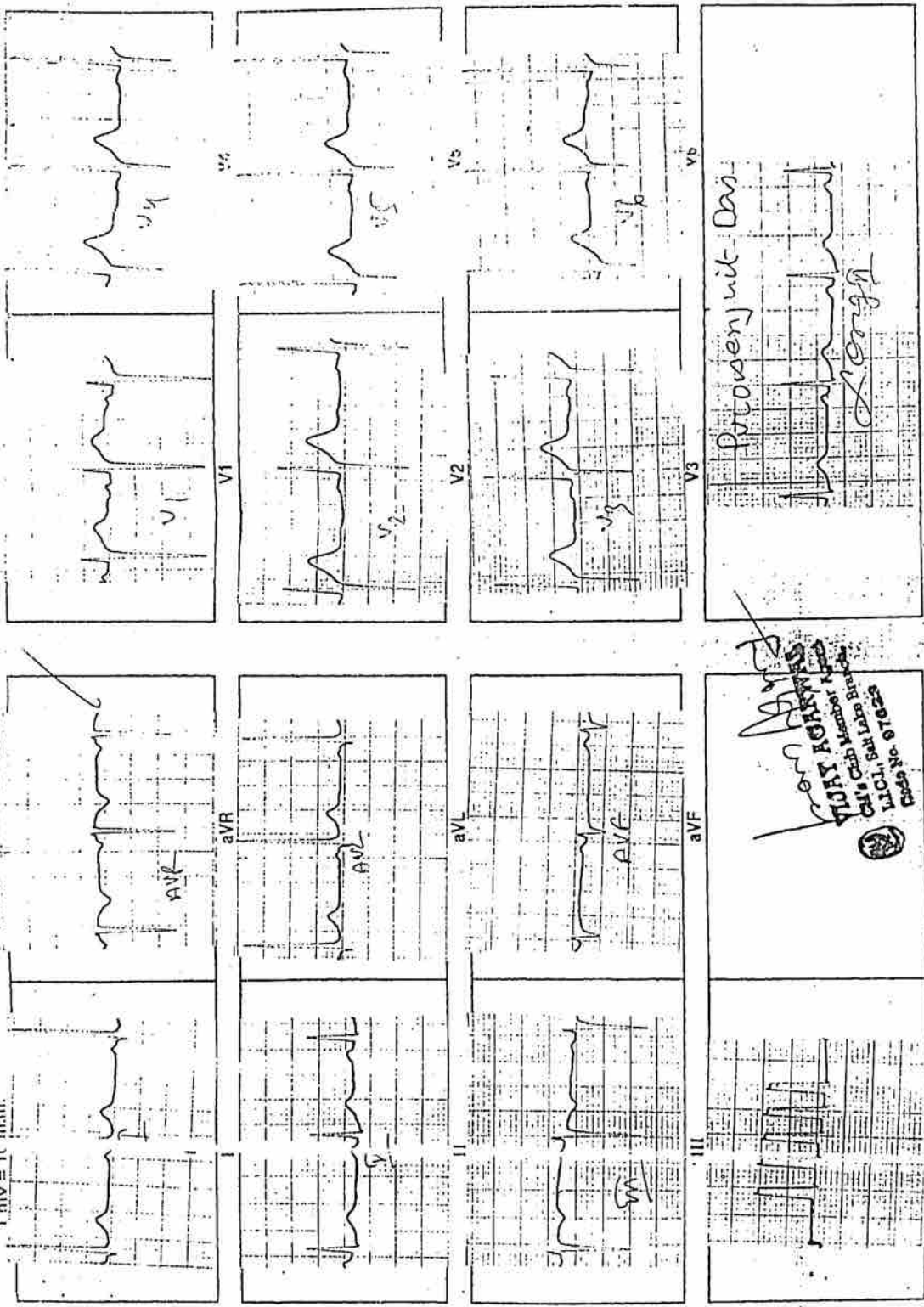
Dr. R. Basu
Consultant Pathologist
Dr. (Mrs.) R. Basu
M.B.B.S., DCF, MD

Dr. R. S.
Dr. R. S. Agarwal
Club Member, Agony
Assistant, Dr. Basu

90

1 Small Square = 0.04 Sec

1 mV = 10 m.m.



ADDITIONAL LEADS

Prasenjit Das
VIJAY AGARWAL
 Cal's Club Member Since
 LIC, San Jose Branch
 LIC No. 01010225

aVR

III



MEDILINK HEALTH CARE DIAGNOSTICS CENTRE PVT LTD.

1M, Vatika, 1st Floor, Gate No.- 4, Block - A2, Kalindi
Kolkata-700 089 • Tel :- 2522 0575 • 2522 7647
E-mail : rpglsa71@vsnl.com

Patient's Name : MR. PRASENJIT DAB

Age : 22 Y Sex : Mal

Patient's ID : 0409/0001

Collection Date: 12/03/04

Ref. By : Dr. C/O L . I . C . OF INDIA .

Reporting Date : 12/03/04

=====

REPORT ON EXAMINATION OF BLOOD FOR HIV TEST

=====

HIV I&II.....NEGATIVE

[TEST ARE DONE BY ORTHO DIAGNOSTICS SYSTEM, LOT NO. HVK 124/5]

THANK YOU FOR YOUR KIND REFERRAL .

Prasenjit Das

C.R. Ghose

Consultant Pathologist
Prof. C. R. Ghose
M.B.B.S., M.D., Ph.D : F.I.C.

Consultant Radiologist
Dr. L. N. Dhar
M.B.B.S., D.M.R.D., M.D. (Rad-Diag)

Consultant Pathologist
Dr. (Mrs.) R. Basu
M.B.B.S., DCP (MD)

[Handwritten signature]
M.B.B.S., D.M.R.D., M.D. (Rad-Diag)
Code No. 07200

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V/EST/2003



राष्ट्रीय जीवन बीमा निगम
भारतीय जीवन बीमा निगम
Life Insurance Corporation of India

कोलकाता उपनगरीय मण्डल कार्यालय/KOLKATA SUBURBAN DIVISIONAL OFFICE
डि डि/5, सेक्टर-1, सल्टलेक, कोलकाता-700 064/DD/5, Sector-1, Salt Lake City, Kolkata 700 064

श्री. जी. वि. वि. / L. 1. 1. 1.
पुस्तक संख्या

नियोजक का प्रमाणपत्र
CERTIFICATE BY EMPLOYER

पुस्तक संख्या / Kolkata 700064

(मृतक का पूरा नाम लिखें)

के जीवन को पालिसी संख्या.....के अन्तर्गत दावा के सम्बन्ध में।

In connection with claim under Policy No.....on the life of.

(Insert Full Name of the deceased)

मैं एतद् द्वारा निम्न विवरण देता हूँ / I hereby make the following statement :

- (अ) पूरा नाम/ (a) Name in full.....
 (ब) मृतक के पिता का नाम/ (b) Father's name of the deceased.....
 (c) मृतक का पता / (c) Address of deceased.....
 (d) सेवा की किस्म / (d) Nature of Employment.....
 (e) सेवा ग्रहण करने की तिथि / (e) Date of Joining service.....

- (अ) मृतक के काम पर जाने को अंतिम तिथि
 (a) Date on which the deceased last attended duties
 (ब) (1) मृतक ने बीमारी की पहली शिकायत किस तिथि को दी जिसके कारण मृत्यु से तत्काल पहले उसे अनुपस्थित रहना पड़ा और।
 (b) (i) On what date did deceased first complain of illness which caused his immediate absence before death and.
 (ii) बीमारी के लक्षण (ii) Symptoms complained of
 (c) मृत्यु की तिथि / (c) date of death
 (d) मृतक की मृत्यु के बारे में आप को किसने सूचित किया।
 Who informed you of the death of the deceased.
 (e) मृत्यु के समय मृतक की अनुमानित आयु।
 Approximate age of deceased at death.

NOT APPLICABLE

AT In A
M...

3. काम से अनुपस्थिति का अवधि/से	अवकाश का तिथि	लिप् गप् अवकाश प्रकार आकस्मिक अर्जित या रोग।	अवकाश लेने का कारण	रोग अवकाश के समय में तथा चिकित्सा प्रमाणपत्र प्रस्तुत किया गया।
.....तक कीतक	अर्जित या रोग।		
अनधि की बीच अर्थात् 3 वर्ष	Date of leave	Nature of leave	Ground on	
Record or absence	From.....	availed Casual	which leave	In the case of sick
from duty during	To.....	or Privilege	sought for	leave whether
the period		or Sick		Medical Certificate
Produced				
From 28/2/2001				
To 15/4/01				

* प्रथम प्रीमियम रसीद के तीन वर्ष पूर्व चलन तथा मृत्यु की तिथि पर समाप्ति
 i. e. 3 year prior to FPR. Revival & end with date of death

विशेष N. B कृपया यह लिखें कि अवकाश किस प्रकार के लिये अर्जित, रोग, अपि। यदि रव रथ के अन्तर्गत कृपया बतायें कि क्या चिकित्सा प्रमाणपत्र प्रस्तुत किया गया था और यदि हाँ तो अवकाश अवेदन पत्रों तथा प्रमाणपत्रों की प्रतियाँ भेजें।

Please state nature of leave availed of Casual, Privilege, Sick etc. If on grounds health, Please state whether medical certificate was produced and if so, send copies of leave applications and certificate

कर्मचारियों के लिये चिकित्सा-हित लाभ-दिया जाता है? यदि हाँ तो कृपया बीमारी और उपचार का विवरण दे योजना के अन्तर्गत भूतक की से

by Medical Benefit Scheme for the employees in Your Office? If so, kindly give the particulars of the illness and treatment for which disbursements were made under the scheme to the deceased during the period from.....

साक्षी के हस्ताक्षर	नियोक्ता के हस्ताक्षर
Signature.....	Signature of Employer.....
पद/Designation.....	पद/Designation.....
पता/Address.....	पता/Address.....
	दिनांक/Date.....

नोट/NOTE : साक्षी को मृतक का सहयोगी होना चाहिये और न पालिसी के अंतर्गत वादेदार यदि घोषणकर्ता प्रमाणपत्र पर स्थानीय भाषा में हस्ताक्षर करता है तो साक्षी को उसी के नीचे यह लिखना आवश्यक है कि प्रमाणपत्र तथा का घोषणापत्र को उसकी समझा जाने वाले भाषा में समझा दिया गया था और साक्षी लगभग को उसके बनाने के अनुसार मरा गया।
 The witness must not be a relative of the deceased not a claimant under the Policy, If Certificate is signed in Vernacular by the Declarant the Witness is required to state below the contents of the Certificate were explained to the Declarant in vernacular and the gaps filled in at his dictation.

WITHOUT PREJUDICE

P. 5000 Pcs 4/02



भारतीय जीवन बीमा निगम
Life Insurance Corporation of India

कोलकाता उपनगरीय मण्डल कार्यालय
KOLKATA SUBURBAN DIVISIONAL OFFICE

अनुसूची ANNEXURE-I

फॉर्म F No 1783 (Rev)

CLAIM FORM 'A'

Without Prejudice

जी.पी.सी. निगम / L.I.C.I

पंजीकृत कार्यालय / Registered Office

कोलकाता - 700023

वेबसाइट / Website: www.lifeinsurancecoi.com

Int. No

शाखा कार्यालय / Branch Office

दावेदार का बयान/CLAIMANT'S STATEMENT

(वैधानिक रूप से पालिसी पत पाने हकदार व्यक्ति द्वारा आए)

(To be filled in by the person legally entitled to the Policy moneys)

(सभी उत्तर स्पष्ट लिखे जाएं। उत्तर शब्दों में दिए जाने चाहिए। कलम के निशान, बिन्दु या लकीरे उत्तर रूप में स्वीकार नहीं की जा सकती।)

(All answers to be filled in legibly. Answers must be given in words. Strokes of the pen or dots or dashes, cannot be accepted as replies.)

मृतक का पूरा नाम लिखें।

राशि की पालिसी संख्या के दावे के सम्बन्ध में।

In connection with claim under policy No. 423881681 for Rs. 10,000 + 10,000 + 10,000
on the life of Prosenjit Das 423881682, 423881683, 423881684, 423881685
2 423881686

(Insert full name of the deceased)

पालिसी के दावेदार के रूप निम्न विवरण देता हूँ। I, as the claimant under the Policy make the following statement :

दावेदार के विषय में विवरण—Particulars regarding the claimant :

- i) दावेदार का नाम Name of the claimant :
- ii) आयु Age
- iv) पता Address

DAS BISWASIT.

34
C/O. Biswasjit Das
1A, Hazrat Nara Street
Kolkata - 700023

v) मृत बीमेदार से सम्बन्ध Relationship to the deceased life assured

Cousin Brother

vi) स्वामित्व का प्रकार जिसके अन्तर्गत पालिसी राशि के लिए दावा प्रस्तुत किया गया, अर्थात् नामांकित अभ्यर्षी, निष्पादक प्रशासक ब्यासी या द्विनाधिकारी

Nature of Title under which the claim for policy money is submitted viz: Nominee, Assignee, Executor, Administrator Trustee or Beneficiary

Nominee

A

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2. मृत बीमेदार के विषय में विवरण Particulars regarding the deceased life assured
- की Sbrti..... Pradip Kumar Das
- i) बीमेदार की मृत्यु का स्थान Place of death of the life assured..... Samtula - Bihar
- ii) मृत्यु तिथि Date of death..... 10.04.2004
 मृत्यु का ठीक समय Exact time of death..... 3 PM प्रातः/अपरान्ह/A. M./P. M. Conten
- iii) मृत्यु के समय बीमेदार की आयु Age of life assured at death..... 53 yrs
- iv) अन्तिम बीमारी की अवधि Duration of last illness..... Road - Accident
- v) मृत्यु होने का तारकासिक कारण Immediate cause of death..... Road - Accident
- vi) बीमेदार का अन्तिम व्यवसाय Last Occupation of the life assured..... Unemployed
- vii) बीमेदार का अन्तिम पता Last Address of the life assured..... at to number 1 (iv)
- viii) मृतक के पिता का पूरा नाम Full name of deceased's father..... Pradip Kumar Das

3. मृतक के जीवन पर अन्य पॉलिसियों के विषय में विवरण Particulars regarding the other Policies on the life of deceased :

पॉलिसी सं Policy No.	बीमा राशि Sum Assured	जारी करने वाले कार्यालय तथा सेवा शाखा का नाम Name of Issuing Branch	आरंभ की तिथि Date of Commencement	दोहरी दुर्घटना, जघन वित्सारित अपगता हितलाभ के साथ Whether with Double Accident or Extended Disability Benefits
-------------------------	--------------------------	--	--------------------------------------	--

No accept the poloise claimed for

4. a) मृतक स्वास्थ्य ठीक न होने की सबसे पहले शिकायत कब कब की थी ?
 When did the deceased first complain of being not in usual good health ?..... N/A Road - Accident
- b) उस समय किस तरह की बीमारी की शिकायत हुई।
 Nature of illness then complained..... N/A Road Accident
5. अन्तिम बीमारी के समय चिकित्सा करने वालों के नाम
 The name of the medical attendants during the last illness. N/A Dr. Subhanshu Sekhar Patra on after taken to hospital reason Road Accident

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- o पिछले तीन वर्षों के अन्दर मृतक में जिन चिकित्सा में परामर्श लिया गया चिकित्सा कराई हो, उनके नाम और पते तथा प्रयोग गाने शिकायत तथा लिए पर परामर्श और उपायों तिथि या तिथियाँ बताएं।
- 6 Name and addresses of the doctors consulted during the last three years stating against each name the complaint for which he was consulted and the date or dates thereof :

मलाह लेने की तिथि या तिथियाँ Date of Dates of consultation	चिकित्सक या अस्पतालों के नाम और पते Name of the Doctor or Hospital and address	शिकायत की किसम Nature of complaint.
1.	none	a case of heart. accident
2.		
3.		

मैं..... एतद्वारा घोषित करता हूँ कि कवर लिखे
 हर एक एवं सभी प्रश्नों के उत्तर सभी तरह से सत्य हैं।
 I, Biswajit Das do hereby declare
 that the statement made herein above is true in each and every respect.

किसी भी नियम प्रचलन रीति रियाज के किसी प्रबंधन के कुछ समय तक जारी रहते हुए किसी भी चिकित्सक हा अस्पताल को गोपनीयता के आधार पर किसी व्यक्ति की जांच करने पर प्राप्त हुई जानकारी या सूचना बताने के लिए [बिजित करते हो तो मैं एतद्वारा उस चिकित्सक या अस्पताल को जिसने उपरोक्त मृत बीमेदार की किसी बीमारी या रोग के लिए जांचा या उपचार किया, अधिकार देता हूँ कि मृतक के स्वास्थ्य के विषय में जो भी जानकारी या सूचना उनको तिगम द्वारा पालिसी जारी किये जाने के पछले या बाद में मिली हो, वह तिगम, उसके कार्यालयों और बीधी सलाहकारों या किसी न्यायालय को स्पष्टतया कता दे।

Notwithstanding the provisions of any law, usage, custom or convention for the time being in force prohibiting any physician or hospital from divulging any knowledge information acquired by him/them in attending upon or examining a person on the ground of secrecy. I hereby authorise the physician or Hospital, who has attended upon or examined the aforesaid deceased life assured for any ailment or illness to divulge any knowledge or information regarding the deceased's state of health, which he/they may have acquired whether before or after the Policy was issued by the Corporation, to the Corporation, its offices and legal advisers or in any court of law.

स्थान Calcutta दिनांक 17th माह June 2004 मेरे समक्ष घोषित
 Declared at this day of 200..4 before me
 दावेदार के हस्ताक्षर/अंगुठे निशान Biswajit Das
 Signature/Thumb impression of the claimant.....

9/3

स्थान Declared at Catmth this 18th दिनांक

माह June 2004 में मेरे समक्ष घोषित day of 2004 before me

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पूरा नाम Full name Manoj Kumar

पद Designation Agent

पता Address VIJAY AGARWAL

दूरभाष Tel. No CL's Club Member Agent
L.L.O.I.; Bah' LALA Brikohi
Code No. 97637

साम्नी के हस्ताक्षर

Signature of Witness

टिप्पणी : यह बयान निम्नांकित में से किसी एक द्वारा प्रति हस्ताक्षर होना चाहिए (1) अधिकांक (2) निगम का अधिकारी (जो वमण्डल प्रबंधक कलब उससे ऊपर के अधिकारी कलब का सदस्य है (3) बैंक प्रबंधक (4) प्रखंड विकास अधिकारी (5) अथवा आयुक्त (6) डाक्टर (7) राजपत्रित अधिकारी (8) किसी हाईस्कूल का प्राधानाध्यापक (9) प्रमुख डाकपाल अथवा विभागीय डाकपाल (किन्तु शाखा डाकपाल नहीं) (10) दण्डाधिकारी (11) निगम का अधिकारी या अधिकृत या विकास अधिकार (जिसने 5 वर्ष तक विकास अधिकारी के रूप में काम दिया है (12) अथवा ग्राम पंचायत या स्थानीय निकाय का आमपक्ष ।

6 वर्ष के स्थायी ऐसे अधिकारियों में से वियुक्त जो. म प्र. ना या. श प्र. या. श. या अध्वक्ष कलब सदस्यों के स्थायी वि अ के मेप में वियुक्त होनु के पूर्व सदस्य थे ।

NOTE : (This statement must be countersigned by (1) an Advocate (2) an Agent of the Corporation (who is a member of an Agent's Club at the level of Divisional Manager's Club or above) (3) a Bank Manager, (4) a Block Development Officer (5) a Commissioner or Oaths, (6) a Doctor, (7) a Gazetted Officer, (8) a Head Master of a High School (9) a Head Post Master or Department Sub-Post Master (but not a Branch Post Master) (10) a Magistrate (11) an Officer or Superintendent or a Development Officer of atleast 5 years standing or confirmed recruited from the Agents who were DM's or BM's club member before joining as Development Officer or (12) President of a Village Panchayat or Local Body.

यदि घोषणाकर्ता किसी प्रादेशिक भाषा में हस्ताक्षर करता है या अंगूठे का निशान लगाता है तो सभी निम्नलिखित घोषणा पर भी हस्ताक्षर चाहिए ?
IF THE DECLARANT SIGNS IN VERNACULARS OR AFFIXES THUMB IMPRESSION THE WITNESS SHOULD ALSO SIGN THE FOLLOWING DECLARATION :

प्रामाणित किया जाता है कि इस फार्म के विवरण घोषणाकर्ता को उसके द्वारा समझी जाने वाली भाषा में समझा दिया गया और उसने विवरण को भलीभाँति समझ लेने के बाद ही यहाँ पर अपने हस्ताक्षर किये हैं/ अपना अंगूठा निशान लगाया है ।

CERTIFIED THAT THE CONTENTS OF THIS FORM WERE EXPLAINED TO THE DECLARANT OF VERNACULAR AND HE/SHE HAS AFFIXED HIS/HER SIGNATURE/THUMB IMPRESSION HERETO AFTER FULLY UNDERSTANDING THE SAME

हस्ताक्षर Signature

पूरा नाम Full Name

पद Designation

पता Address

दूरभाष Tel. No

Anne

PL

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ENCL 2



লাইফ ইন্সিওরেন্স কর্পোরেশন অফ ইণ্ডিয়া
भारतीय जीवन बीमा निगम
Life Insurance Corporation of India

কলকাতা উপনগরীয়া মন্ডল কার্যালয়, জীবন প্রভা, ডিডি-5, সেক্টর-1, সাল লেক সিটি, কলকাতা-700064
Kolkata Suburban Divisional Office, Jeevan Prabha, DD-5, Sec-1, Sall Lake City, Kolkata-64

To,
Shri Vijay Agarwal, (LICI Agent),
Agency Code No: 97633411;
7, Hari Sabha Street,
KOLKATA-700023,

Date: 10-08-2005

PER REGISTERED A/D POST.

Dear Sir,

Re: Withdrawal of your authority for giving M.H.R.
Ref: Death Claim under Policy Nos. (1) 423881681 (2) 423881682
(3) 423881683 (4) 423881684, (5) 423881685 & (6) 423881686
on the life of Late Prasenjit Das.

On examination of all the relevant papers (original proposal papers and other reports including original medical examination reports) pertaining to all the six policies mentioned above which are found to be a case of bad claim, it is decided to withdraw the authority of authorization of any Moral Hazard Report from you with immediate effect.

This is for your information.

Yours faithfully,


SR. DIVISIONAL MANAGER



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লাইফ ইন্সিওরেন্স কর্পোরেশন অফ ইন্ডিয়া
भारतीय जीवन बीमा निगम
Life Insurance Corporation of India

कोलकाता उपनगर मण्डल कार्यालय, बीडी-5, सेक्टर-1, सल्टलेक सीटी, कोलकाता - 700 064
Kolkata Suburban Divisional Office, Jeevan Prabha, DD-5, Sec. - 1, Salt Lake City, Kolkata - 700 064

Ref: KSDO/P&IR/

CONFIDENTIAL

October 30, 2006

Shri Vijay Aggarwal
Agent, Code No. 97633411
LIC of India
Salt Lake BO

Dear Sir,

Re: Early Death Claim under Pol.No. 423881681 – 86
on the life of P.Das (Dec.)

This is to inform you that you had procured life insurance business on the life of one Prasenjit Das (Dec.) totaling assurance of Rs.15,05000/-. The policies under reference have resulted in early death claim. On being reviewed by the competent authority the following anomalies have been noticed.

1. All the policies were adjusted against a proposal deposit vide BOC No. 11657 on 13.02.04 in the name of one Shri R.L.Gupta and no deposit was made in the name of the deceased policy holder.
2. All proposals though dtd. 05.03.04 were registered on 16.04.04 i.e. after the death. No information regarding the death of life assured was given to the office before registration.
3. It has been established that the proposals relating to the said policies were not signed by the Life Assured.
4. In the proposal, a cousin brother, a Shri Biswajit Das, was named as nominee while the parents of the deceased is alive – thus insurable interest is under question.

On examining the papers the Central Vigilance Officer, LIC, Central Office, Mumbai has registered a regular vigilance case bearing no. vig/EZ/811/9629.

Thus, in the meantime the undersigned, in his right as the Disciplinary Authority directs you, Shri Vijay Aggarwal, not to solicit or procure new life insurance business in accordance with Rule 16(3) of (Agents) Rules 1972, till finalization of the above vigilance case.

Encl: As stated.

Yours faithfully,

Sr. Divisional Manager

M. A.



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भारतीय जीवन बीमा निगम
Life Insurance Corporation of India



विजय अगरवाल
सदस्य अधिकारियों के लिए कॉर्पोरेट क्लब
Vijay Agarwal
Member of the Corporate Club for Agents

Date : 20 th. November 2006

To

The Senior Divisional Manager,
Life Insurance Corporation of India,
Jeevan Pravha
DD-5, Sector-1,
Salt Lake City
Kolkata - 700064.

Your Ref.: KS D O / P & I R / letter dt. 30/10/2006

Re.: Early D/C under Pol. No. 423881681 to 86.

Respected Sir,

In connection with the above I have to make the following submissions for your taking necessary action into the matter.

1. In March 2004 the proposals of the deceased were procured and all the formalities done within March 2004 like special reports / medicals ect.
2. The said proposals resulted in policies accordingly on the date mentioned by your office reasons known to office for such a late adjustment.
3. The said policies got adjusted under a third party BOC ie (Mr. R. L. Gupta) reason tremendous March pressure.
4. The policies resulted in an early death claim the deceased died of a road accident on 10/04/2004
5. The matter accordingly was brought to my knowledge in May 2004 and accordingly the claim forms filed by 05/07/2004.
6. Nothing was heard from our Divisional office and no investigation was also done till 12/2004 the records can be looked upon at your end.
7. Continuous reminders both verbal & written offended the then claims manager Mr. Ray who ultimately ~~decided~~ got hit on his ego as he was failing in discharging his duties. The total claims referred to the D. O. to the claims settled by the D. O. may be looked upon for your satisfaction Mr. P. B. Roy was the S D M. then.

Contd 2

अ. : चौकी-171, सॉल्ट लेक सिटी, सेक्टर-1, कोलकाता Kolkata - 700064.
निवासा : 7, हरिसावा स्ट्रीट, कोलकाता - 700023. टेली : 24492014
मोबाईल : 98310 30205 ई-मेल : llicivjay@hotmail.com
Off.: BC-171, Salt Lake City, Sector-1, Kolkata - 700064.
Res.: 7, Harisava Street, Kolkata - 700023. Tel.: 24492014, 2448 9144
Mobile : 98310 30205 E-mail : llicivjay@hotmail.com

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(2)

8. At this point I would like to bring to your notice yet another early death claim of Mr. K. K. Dhandania policies No. 422433447 / 6430 / 422761061 pertaining to 2000 / 2001 was under process with the department and under the same manager Mr. Ray. But since Mr. Roy was taking an unexpected time and due to lot of irregularity in discharging his duties resulted in to the client a potential one report the matter to all the levels of the Corporation seeking an expiation for the delay in the settlement of the claim. The office came under tremendous pressure (refer records) and several queries were seeked from me were very promptly answered. The whole matter was being taken up by the deceased family. Gradually the pressure was built up which could be realized by the change in attitude of Mr. Roy towards me. The communications with me can be referred at your end as I feel that this had hit to the prestige of our office K S D O.
9. Only after the incidence as per No. 8 the investigation to the said claim started where the investigating officer was found making unethical statements to my client (Mr. R. L. Gupta) with just one thing in mind to find a fault on my part.
10. in the mean time I qualified for Corporate Club membership and an applications for advance of a car was routed to the S D M on 13/06/2005 thru Br. received by the Division on 19/07/2005. On pursuing the matter with the S D M he got totally offended and showed no interest in my case.
11. The said matter was accordingly reported to the Z M secretariat after which I received a call from Division office that my matter is being looked upon.

And on and after date I started receiving letter asking details of my previous early claim and my this claim. Accordingly the power to give M H R was withdrawn on 10/08/2005 and finally I have been barred from placing N. B. effective 30/10/2006. To this I would just request your good self to look into the whole issue going thru my 18 years relationship with you and my credentials which are given below.

Took up LICICI agency in the year 1988 as a wholtimeer & till date working as a Successful Agent.

Qualified for the Chairman's Club in the year 1992 & till date am the member of the same under both condition A&B.

Have been qualifying for the M.D.R.T for the last 12 years and am the member of the same for last four years.

Had occupied No.1 position in the Division for more then four years with an average new business of 10 cr. & FPI of 50 lacs plus.

Total business in force as on day is 120 cr. Plus with a FPI of 40 cr. & 4000 lives in force bringing in a renewal commission of more then 18 lacs / year.

Lapsation to the tune of not more then 2% with the death claim ratio less then 1% & early claim of only 3 in number of which 1 is repudiated till now.

Had been invited to take Training Classes of the agents at our C.A.B. / training centers of the Division for months together & had the opportunity to do so at the Zonal Training

Contd 3

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Center on two occasion. Also a regular invitee by all the Branches & the D. O units for motivating the Agents Friends.

Qualified & attended nearly all the Conventions / Meets whenever floated by the Central / Zonal / Zone / Division Office.

Am a member of the Corporate Club since the inception of the Club.

Undergone trainings at all the levels. Working for my organization with full devotion, commitment and honesty.

Thanking you.

Yours faithfully,





লাইফ ইন্সিওরেন্স কর্পোরেশন অফ ইন্ডিয়া
भारतीय जीवन बीमा निगम
Life Insurance Corporation of India

कलकत्ता उपनगरीय मन्डल कार्यालय, जीवन प्रभा, डीडी - 5, सेक्टर - 1, साल्टलेक सिटी, कलकत्ता - 700064
Kolkata Suburban Divisional Office, Jeevan Prabha, DD-5, Sec-1, Salt Lake City, Kolkata-700064

Ref: KSDO/P&IR/

December 20, 2006

Shri V.K. Agarwal
Agent, Code No. 97633411
LIC of India
Salt Lake BO

Dear Sir,

Re: Disciplinary Proceedings under LICI(Agents)Regulation,1972

Enclosed Please find herewith a Show Cause Notice dtd. 20.12.06 issued to you by Sr.Divisional Manager, receipt of which please acknowledge.

Yours faithfully,

Encl: as above.


Manager (P&IR) DM



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भारतीय जीवन बीमा निगम
Life Insurance Corporation of India



विजय अगरवाल
सदस्य अधिकर्ताओं के लिए कॉर्पोरेट क्लब
Vijay Agarwal
Member of the Corporate Club for Agents

Date : 27 th. December 2006

To

The Senior Divisional Manager,
Life Insurance Corporation of India,
Jeevan Pravha
DD-5, Sector-1,
Salt Lake City
Kolkata – 700064.

Your Ref.: KS D O / P & IR / letter dt. 20/12/2006
Sub. Show cause Notice.

Respected Sir,

In reference to your above letter which was received by me on 27/12/2006 at 4.45 P.M. I have to state as follows.

First of all please note that I had no intentions against my mother institution who has been taking care of me and my family for last 18 years and to be precise since my birth as I hail from a family where my father had served the Corporation for more than 40 years in the capacity of a Agent and then Development Officer.

1. In reply to the third party BOC I admit that there was a error committed on my part for which the reason I feel was tremendous March pressure and a bit of negligence for which I seek apologies.

2. Again as far as the registration of the proposals were concerned I am sure of submitting the same very much in time that is last week of March after observing all the necessary formalities.

3. Again as far as the date of death that is 10/04/2004 is concerned I was totally unaware of same and also not aware of the date of registration of the cases. It was only in the month of May I came to know of the death by the deceased family. Had I known of the fact I would have definitely done the needful in the interest of my mother institution.

Lastly as far as the signatures are concerned the same were signed by the deceased and accordingly were introduced by me.

Under these circumstances your good self is once again requested to take a necessary proceeding keeping in mind my 18 years of relation with the organization and pardon me for my mistake / negligence and allow me to be a part of this prestigious institution.

I also commit to be there with my institution whenever required.

Thanking you.

Yours faithfully

Vijay Agarwal

ऑ.: बीसी-171, साल्ट लेक सिटी, सेक्टर-1, कोलकाता Kolkata - 700064.
निवासा : 7, हरिसावा स्ट्रीट, कोलकाता - 700023. टेली : 24492014
मोबाईल : 98310 30205 ई-मेल : llclvjay@hotmail.com
Off.: BC-171, Salt Lake City, Sector-1, Kolkata - 700064.
Resl.: 7, Harisava Street, Kolkata - 700023. Tel.: 24492014, 2448 9144
Mobilo : 98310 30205 E-mail : llclvjay@hotmail.com



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लाइफ इन्सिउरन्स कॉर्पोरेशन अफ इण्डिया
भारतीय जीवन बीमा निगम
Life Insurance Corporation of India

कोलकाता उपनगरीय मण्डल कार्यालय, जीवप्रभा, डिडि-5, सेक्टर-1, साव्दलेक सिटी, कोलकाता - 700 064
Kolkata Suburban Divisional Office, Jeevan Prabha, DD-5, Sector-1, Salt Lake City, Kolkata - 700 064

"CONFIDENTIAL"

Ref: KSDO/P&IR

March 10, 2007

Sri V. K. Agarwal,
Agent, Code No.-97633411,
L.I.C of India,
Salt Lake B.O.

Dear Sir,

Re: Disciplinary Proceedings under LICI(Agents) Regulations,1972.

Enclosed please find herewith a Final Order dtd.10.03.2007 issued to you by Sr. Divisional Manager receipt of which please acknowledge.

Yours faithfully,

Encl : As above.


Manager(P&IR)DM.

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লাইফ ইন্সিওরেন্স কর্পোরেশন অফ ইণ্ডিয়া
भारतीय जीवन बीमा निगम
Life Insurance Corporation of India

कोलकाता उपनगरीय मण्डल कार्यालय, जीवनप्रभा, डिडि-5, सेक्टर-1, साल्टलेक सिटी, कोलकाता - 700 064
Kolkata Suburban Divisional Office, Jeevan Prabha, DD-5, Sector-1, Salt Lake City, Kolkata - 700 064

DISCIPLINARY PROCEEDINGS UNDER LIC OF INDIA AGENTS RULES(1972)

A N D

IN THE MATTER OF SHRI V.K. AGARWAL, AGENCY CODE NO.- 97633411,
SALT LAKE BRANCH OFFICE UNDER KOLKATA SUBURBAN DIVISIONAL OFFICE.

FINAL ORDER

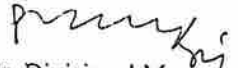
Whereas Shri V.K. Agarwal, Agency Code No.-97633411, Salt Lake Branch was issued a Show Cause Notice dtd.20.12.06 for the charges as enumerated therein ;

And Whereas Shri V.K. Agarwal denied the charges leveled against him in the Show Cause Notice dtd.20.12.06 through his reply dtd.27.12.06 ;

And Whereas after carefully perusing the relevant documents and evidence on record, and reply dtd.27.12.06 to the Show Cause Notice, the under signed is satisfied that due and proper opportunities have been accorded to Shri Agarwal and as the Disciplinary Authority, the undersigned feels that Shri Agarwal has nothing more to say in his defence and therefore, finds Shri Agarwal guilty of the charges as mentioned in the Show Cause Notice dtd. 20.12.06 ;

Now, therefore, the undersigned in exercise of powers conferred upon him under Rule 16 of the LIC of India(Agents) Regulations, 1972 hereby imposes upon Shri V.K. Agarwal, the penalty of termination of agency under Rules 16(1) (a) and (b) of LIC of India(Agents) Rules, 1972 and at the same time also forfeits all renewal commissions payable to him, if any, under Rule 19(1) read with Rule 10(6) of LIC of India(Agents) Rules, 1972 as proposed in the Show Cause Notice dtd.20.12.06 with immediate effect.

Dated at Kolkata, the 10th day of March 2007


Sr. Divisional Manager
(Disciplinary Authority)

P-101

15th March
Date: 15th March 2007

From

Vijay Agarwal
7, Hatri Sava Street,
Kidderpore
Kolkata - 700023.

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To
The Zonal Manager
Life Insurance Corporation of India,
Eastern Zonal Office
Kolkata.

Re.: Pray for mercy in connection with the final order in matter of self
Agency Code 97633411/D Salt Lake Branch Office, under K.S.D.O.

Respected Sir,

In connection with the above I enclose the order which was received by me on 13/03/2007 I hereby pray for mercy with just one appeal of letting me be a part of this prestigious institution which I call to be my Mother Institution as it has taken care of me and my family for the last 19 years, to be more precise since my birth as I hail from a family where my father Shri Hari Ram Agarwala DO-1450 had served the Corporation for more than 40 years.

Sir the charges framed vide Show Cause notice dt. 20/12/2006 received by me on 27/12/2006 was replied on 27/12/2006 to which I agree that there were some negligence / mistake on my part but at the same time assure you that they were totally unintentional and with no bad intention as such to hurt my mother institution which has been taking care of me and my family for last 19 years providing me with all the basic requirements for leading a comfortable life to which I never regret and am ever obliged.

To the mistake / negligence on my part which I once again call it unintentional and seek my sincere apologies and pray for mercy and assure your good self that the same shall never happen in future and allow me to be a part of you. Sir, this is the first and the last time that such negligence is taken place in my 19 years of association with you where I think I have been working with full sincerity and honesty for the institution. Sir I cannot restrain my self by not letting you know that as I am a Whole Time Direct Agent since 1988 and this income is the only source of survival of me and my family consisting of my wife, and two school going children's livelihood I am facing a tremendous pressure to meet both the ends for which again I pray for mercy.

Contd..2

(2)

Sir, please have mercy on my family which has been taken care by you since birth as my son RISHI doing his graduation at Pune and RIDDHI my daughter a class X student shall also be put to lot of difficulties leading to their demotion from good institutions for

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I
lack a financial commitment as the income derived out of LIC was the only source of income for our survival. The mental / financial pressure I am passing thru is a great matter of concern as I myself do fear release sometimes that I may have some physical / mental problem. My family at the same time is more concerned about my well being as they have seen me working with full sincerity and honesty for 19 years where recognition was given to me at all levels by the institution. Sir I once again beg your good self to have some mercy towards me. Also there are some permanent commitments which were being taken care by the income I derive working for my institution like Home Loan, Life Premiums which are in a lapsed condition.

Sir It was in the year 1988 when I was 25 years I became part of institution and today at 44 years am still proud to be a part working with full honesty and integrity serving the Corporation and have no option left and seek none but to remain a part of you for which help is needed.

Sir though I have being restrained to place business and got terminated for my mistakes committed unintentionally I am still to my full capacity providing services to my clients with total faith in you and god for the grant of mercy.

Needless to highlight my past achievements but would request your good self to go through as I feel that my prayer might be granted.

I took up a Direct Agency as a career in 1998 after resigning from Nestle India Limited as a Full Time Agent.

Within a span of 4 years became a Chairman Club Member and continued till I finally got the membership for Corporate Club right from the inception till 2006 / 2007.

Had almost attended all the Seminars / Conventions / Conferences / Acc Agents Meets after qualifying for the same when ever floated by the respected offices.

Also given the opportunities to take classes at ZTC / CAB on regular basis.

Occupied No. 1 position in the Division for more then 4 years in succession and always was within first 3 through out my career.

Have been qualifying for MDRT last 12 years and am a member for last 3 years and attended the conference last 2 years.

Sir my total Sum Assured in force as on day under my agency is more then 100 crores with 4000 life's in force, renewal premium of 4 crores with lapsation of less then 1%.

Total death claim is not more then 20 in last 18 years of which this was the thrd early death claim for which mercy is needed.

Sir I have nothing more to say but am enclosing some certificate which were awarded to me along with my Business Figures / Earning Figures with just one thing in mind that don't orphan me.

Thanking you.

Yours faithfully

Man Aggarwal



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LIC

भारतीय जीवन बीमा निगम
LIFE INSURANCE CORPORATION OF INDIA

कोलकाता उपनगरीय मंडल कार्यालय, जीवन प्रभा, टीडी-5, सेक्टर-1, साल्लेक सिटी, कोलकाता-700064
Kolkata Suburban Divisional Office, Jeevan Prabha, DD-5, Sector-1, Sall Lake, Kolkata-700 064

Ref:KSDO/P&IR.

November 6, 2007

Sri Vijay Agarwal,
7, Harisay Street,
Kidderpore,
Kolkata-23.

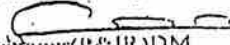
Dear Sir,

Re: Your Appeal dtd.15.03.07

We have been informed by the Secretary(Mktg.),EZO vide letter dtd.13.10.07 that "the Competent Authority did not accord to your aforesaid Appeal."

This is for your information.

Yours faithfully,


Manager (P&IR) DM
K/A

NOT ACCORD
APPEAL

From
Vijay Agarwal
7, Hari Sava Street,
Kidderpore
Kolkata - 700023.

29/06/2008

To
The Honourable Chairman
Life Insurance Corporation of India,
Yogakshema Jeevan Bima Marg
Mumbai

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Re.: Memorial Profound under regulation 24 of LIC of India (Agent) regulations, 1972 in connection with the impound order. Dated 10/03/2007 vide memo ref. KSDO/F&IR. Termination and the impounded order passed by the Divisional Manager KSDO Kolkata dt. 10/03/2007. My Agency 97633411/D.

Respected Sir,

In connection with the above I hereby file a Memorial with just one appeal of letting me be a part of this prestigious institution which I call to be my Mother Institution as it has taken care of me and my family for the last 19 years, to be more precise since my birth as I hail from a family where my father Shri Hari Ram Agarwala DO. 1450 had served the Corporation for more than 40 years.

Sir the charges framed vide Show Cause notice dt. 20/12/2006 received by me on 27/12/2006 was replied on 27/12/2006 to SDM. I assure you that they were totally unintentional and with no bad intention as such to hurt my mother institution which has been taking care of me and my family for last 19 years providing me with all the basic requirements for leading a comfortable life to which I never regret and am ever obliged.

Negligence if any on my part was unintentional to which I file a Memorial assuring your good self that the same shall never happen in future and allow me to be a part of you. Sir, this is the first and the last time that such negligence is taken place if any in my 19 years of association with you where I think I have been working with full sincerity and honesty for the institution. Sir I cannot restrain myself by not letting you know that as I am a Whole Time Direct Agent since 1988 and this income is the only source of survival of me and my family consisting of my wife, and two school going children's livelihood I am facing a tremendous pressure to meet both the ends for which again I file a memorial.

Sir, please consider to my memorial as my family which has been taken care by you since birth as my son RISHI doing his graduation at Pune and RIDDI my daughter a class XI student shall also be put to lot of difficulties leading to their demotion from good institutions for lack a financial commitment as the income derived out of LIC was the only source of income for our survival. My family at the same time is more concerned about my well being as they have seen me working with full sincerity and honesty for 19

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years where recognition was given to me at all levels by the institution. Also there are some permanent commitments which were being taken care by the income I derive working for my institution like Home Loan, Life Premiums which are in a lapsed condition.

Sir it was in the year 1988 when I was 25 years I became part of institution and today at 44 years am still proud to be a part working with full honesty and integrity serving the Corporation and have no option left and seek none but to remain a part of you for which help is sought.

Sir though I have being restrained to place business and got terminated for my negligence if any committed unintentionally I am still to my full capacity providing services to my clients with total faith in you and god for consideration of the memorial..

Needless to say but cant restrain myself from bringing the following facts to your notice with the expectation of my memorial being considered by your goodself.

I took up a Direct Agency as a career in 1998 after resigning from Nestle India Limited as a Full Time Agent.

Within a span of 4 years became a Chairman Club Member and continued till I finally got the membership for Corporate Club right from the inception till 2006 / 2007.

Had almost attended all the Seminars / Conventions / Conferences / Ace Agents Meets after qualifying for the same when ever floated by the respected offices.

Also given the opportunities to take classes at ZTC / CAB on regular basis.

Occupied No. 1 position in the Division for more than 4 years in succession and always was within first 3 through out my career.

Have been qualifying for MDRT last 12 years and am a member for last 3 years and attended the conference last 2 years.

Sir my total Sum Assured in force as on day under my agency is more than 100 crores with 4000 life's in force, renewal premium of 4 crores with lapsation of less than 1%.

Total death claim is not more than 20 in last 18 years of which this was the third early death claim for which mercy is sought.

Sir I have nothing more to say but am enclosing some certificate which were awarded to me along with my Business Figures / Earning Figures with just one thing in mind that don't orphan me..

Sir I would just request you to kindly consider my memorial which will allow in the Survival of my family.

Thanking You,

Yours Sincerely



Anirban Kar L.L.B.
ADVOCATE

P-13
135

Office : 7 Old Post Office Street, Kolkata 700 001
Ph: 2248 4289 / 2243 0562

Chamber : 8/9 Alipore Park Road, Kolkata 700 027
Ph: 2479 9743

Residence : 8/2B Alipore Park Road, Kolkata 700 027
Ph: 2479 8796 / 7114

Dated : 14th September, 2010

To,

1. The Chairman,
Life Insurance Corporation of India,
Yogakshema,
Jeevan Bima Marg,
Mumbai - 400 021.
2. The Managing Director,
Yogakshema,
Jeevan Bima Marg,
Mumbai - 400 021.
3. The Zonal Manager, (Eastern Zone)
LICI,
4, C. R. Avenue,
Hindusthan Building,
Kolkata - 700 072.
4. The Divisional Manager,
K.S.D.O.,
DD - 5, Salt Lake City,
Kolkata - 700 064.
5. The Branch Manager,
Salt Lake Branch (LICI),
CF - 335, Salt Lake City,
Kolkata - 700 064.

Dear Sir,

Re: LIC Agency of Mr. Vijay Agarwal, Code No. 97633411D, a direct Agent with Life Insurance Corporation Of India, Kolkata Suburban Division, Eastern Zonal Office, residing at Flat No. 4D, Divine Bliss, 2/3, Judges Court Road, North, Kolkata - 700 027.

My Client: Mr. Vijay Agarwal

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I write to you under instruction from and on behalf of my client above-named and state as follows: -

My client became an agent of Life Insurance Corporation Of India in 1988 and has since been successfully acting as an agent of Life Insurance Corporation Of India (hereinafter referred to as LIC). He was qualified for the Chairman Club in the year 1992 and has also been qualifying for the Million Dollar Round Table (MDRT) for the last 12 years. He has occupied a number of positions as an agent of LIC for more than 4 years and has brought LIC an average business of Rs. 10 Crores annually and yearly premium of more than Rs. 50 Lakhs to LIC. His total business in force is to the tune of approximately Rs. 120 Crores with a first premium income of Rs. 4 Crores. He has issued insurance coverage for more than 4,000 lives and such policies are live and bring in renewal commission of more than Rs. 18 Lakhs a year.

My client had been invited on various occasions to take training classes for agents of LIC at their training centers both at the Divisional Level Training Centers as also at the Zonal Level Training Centers and had been a regular invitee by most branches of LIC and at the Divisional offices for motivating other LIC agents and had been a member of the Corporate Club of LIC agents since its inception. My client had been working as a Direct Agent of LIC for about 20 years i.e. up to March, 2007 when certain allegations were made against my client.

Such allegations were incorrect and baseless and without any merit. Such allegations were never proved against my client. No disciplinary enquiry was ever conducted against my client and my client was never allowed an opportunity to explain his defense against such incorrect charges. My client was punished for no fault of his

which would be evident from various correspondences addressed to LIC including a letter to the Chairman LIC through his Advocates dated 20.07.2010. My client reserves his right to challenge such punishment.

My client is not only entitled to be expunged from the stigma of the incorrect allegations made by LIC but also entitled to receive his commission from the existing policies maintained by his clients/policy holders with LIC.

My client is further entitled to the commission already earned by my client and to future commissions on businesses done by my client for LIC. The LIC agency of my client was his only source of livelihood and such legitimate dues of my client cannot be refused by LIC.

I thus on behalf of my client request you to kindly take all steps for withdrawing the allegations against my client and to release all commission amounts due to my client within 15 days of receipt of this letter, failing which, I shall be constrained to initiate appropriate legal proceedings, on behalf of my client, for release of such amounts.

Kindly treat this as a Demand for Justice on behalf of my client.

Yours faithfully,

Prakash

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ANINDYA SENGUPTA
Advocate

Contact: 9836596608
Res: 65157779

Panelled Advocate of L.I.C.I. & United Bank India

E- Mail: ansen@rediffmail.com

Office : Block C, Room No. 3, District Bar Association, District Judges Court, Barasat
Residence: 1/1, 'Sundaram', Nataji More, P.O.- Nabapally, Barasat, Kolkata- 126

Ref No.....

Regd. with A/D

Date: 22-09-10

To,
Mr. Anirban Kar, Advocate,
7 Old Post Office Street,
Kolkata-700004

Sir,

Sub : Your letter Dt. 14.09.2010

Ref : LIC Agency of Mr. Vijay Agarwal

My Client: Chairman, Life Insurance Corporation of India,
Yogaksherna, Jeevan Bima Marg, Mumbai- 400021 along with its all
subordinate officers.

Under instruction from and on behalf of my aforesaid client in reply to
your above mentioned letter I would like to state as follows:

That the statements made in para 1 & 2 of your letter Dt. 14.09.2010
are all matter of record and your client's earlier performances bear no
relevance for now for my client.

That the statements made in para 3 of your letter is false, concocted,
without merit and made with malafide intention. It is totally false to
say that allegations made were incorrect and baseless and without any
merit and such allegations were never proved against your client. It is
again false to say that no disciplinary enquiry was ever conducted

... Cont. P/2

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ANINDYA SENGUPTA

Advocate

Contact: 988659660

Res: 6516777

Panelled Advocate of L.I.C.I. & United Bank India

E- Mail: ansen@rediffmail.com

Office : Block C, Room No. 3, District Bar Association, District Judges Court, Barasat
Residence: 1/1, 'Sundaram', Nataji More, P.O.- Nabapally, Barasat, Kolkata- 126

Ref No.....

(2)

Date: 28-09-10

against your client and your client was never allowed an opportunity to explain his defense against his misdeeds. It is again false to say that your client was punished for no fault of his part which will be evident from the order dt.12.08.09 passed by the Chairman with regard to your client's Memorial Dt.29.06.08.

That the averments made in para 4 & 5 are not correct, and the order dt.12.08.09 passed by the Chairman with regard to your client's Memorial Dt.29.06.08 has already explained my client's position and all the further action of my client will be guided by LIC Agents Regulation Act.1972.

That your request for withdrawing all allegations against your client is not tenable as the matter has finally been settled by the order dt.12.08.09 passed by the Chairman with regard to your client's Memorial Dt.29.06.08.

Thanking You,
Yours faithfully,

Anindya Sengupta

18.3.13

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W. P. 12898 (W) of 2012

In re: Vijay Agarwal

... Petitioner

Mr. Kishore Datta
Ms. Sumita Shaw

... For the Petitioner

Mr. Dilip Kumar Kundu
Mr. Arjun Basu

... For the Respondents

The petitioner was appointed as an agent of Life Insurance Corporation of India (hereafter the 'Corporation').

In respect of purchase of insurance policies by one Prosenjit Das (since deceased), the Corporation found certain gross irregularities allegedly committed by the petitioner. According to the Corporation, the petitioner's action bordered on fraudulent and fictitious activities. A notice dated 20. 12. 2006 was issued by the Senior Divisional Manager of the Corporation (hereafter the 'disciplinary authority') calling upon him to show cause as to why his agency shall not be terminated under Rules 16(1)(a) and (b) of the Life Insurance Corporation of India (Agents) Rules 1972 and his renewal commission be not forfeited under Rule 19(1) read with Rule 10(6) thereof.

The petitioner responded to the show cause notice on 22nd December, 2006. Although there was a denial of the charge levelled against him, the petitioner pleaded that he may be pardoned for any unforeseen mistake/negligence on his part.

The disciplinary authority after consideration of the petitioner's response and also after hearing him passed a final order dated 10th March, 2007. The order of the disciplinary authority reads as follows:-

"...Whereas Shri V. K. Agarwal, Agency Code No.-97633411, Salt Lake Branch was issued a Show Cause Notice dtd. 20.12.2006 for the charges as enumerated therein;

And whereas Shri V. K. Agarwal denied the charges levelled against him in the Show Cause Notice dtd. 20.12.06 through his reply dtd. 27.12.06;

And whereas after carefully perusing the relevant documents and evidence on record, and reply dated 27.12.06 to the Show Cause Notice, the undersigned is satisfied that due and proper opportunities have been accorded to Shri Agarwal and as the Disciplinary Authority, the undersigned feels that Shri Agarwal has nothing more to say in his defence and therefore, finds Shri Agarwal guilty of The charges as mentioned in the Show Cause Notice dtd.20.12.06;

Now, therefore, the undersigned in exercise of powers conferred upon him under Rule 16 of the LIC of India (Agents) Regulations, 1972 hereby imposes upon Shri V. K. Agarwal, the penalty of termination of agency under Rules 16(1) (a) and (b) of LIC of India (Agents) Rules, 1972 and at the same time also forfeits all renewal commissions payable to him, if any, under Rule 19(1) read with Rule 10(6) of LIC of India (Agents) Rules, 1972 as proposed in the Show Cause Notice dtd. 20.12.06 with immediate effect."

The said order was carried in appeal by the petitioner before the Zonal Manager of the Corporation (hereafter the 'appellate authority') on diverse grounds.

The petitioner was not heard by the appellate authority. However, the Manager (P & I R), Divisional Manager of the Corporation informed the petitioner by his memo dated November 6, 2007 as follows:-

...We have been informed by the Secretary (Mktg.), EZO vide letter dated 13.10.07 that 'the Competent Authority did not accord to your aforesaid Appeal.'

The Life Insurance of India (Agents) Regulations, 1972 provided a further remedy to the petitioner by way of presentation of a memorial before the Chairman of the Corporation. The petitioner availed such remedy and submitted a memorial by way of a representation on 29th June, 2008 before the Chairman. By an order dated 12th August, 2009, the Chairman of the Corporation rejected the memorial.

The entire proceedings initiated against the petitioner by the Corporation including the order of the Chairman referred to above are challenged in this writ petition, presented before the Court on 21st June, 2012.

I have heard Mr. Datta, learned advocate for the petitioner and Mr. Kundu, learned advocate for the Corporation.

At the outset, Mr. Kundu has contended that the writ petition ought to be rejected on the ground of delay and laches. Although the petitioner's memorial stood rejected by the order dated 12th August, 2009, he waited for nearly three years to ventilate his grievance thereagainst without furnishing satisfactory explanation.

In support of his contention, Mr. Kundu relied on the decisions of the Supreme Court reported in (2012) 3 SCC 727 (Bangalore City Cooperative Housing Society Limited -vs- State of Karnataka and others) and (2012) 5 SCC 412 (Delhi Administration and others -vs- Kaushilya Thakur and another).

I shall deal with the aforesaid objection first.

Ordinarily, a Writ Court does not come to the aid of the tardy, the indolent and the lethargic. Writ remedy is discretionary and, therefore, it is only in extraordinary circumstances and in appropriate situations that the Court entertains a grievance raised by a litigant seeking enforcement of his fundamental rights or other legal rights. It has been the consistent practice that a Writ Court would not entertain a stale claim, if third party interest is created between the dates of accrual of the cause of action and presentation of the writ petition. Ultimately, it is a matter of judicial discretion.

However, if a fundamental right has been infringed, delay would not stand in the way of granting relief. One may refer to the decision of a learned Single Judge of this Court reported in 2004(1) CLJ (Cal) (Madhumita Das -vs- University of Calcutta and others), wherein after consideration of earlier decisions of the Supreme Court law has been laid down in the following words:

"A remedy under Article 226 of the Constitution of India is available if ordinary legal right or fundamental right of a person guaranteed by our Constitution is invaded by the action or inaction of the State. Therefore, when a person goes before a Court under Article 226 of Constitution of India alleging violation of his ordinary legal right, the Court may refuse such relief if any of the aforesaid six conditions exists. However, if infraction of fundamental right is alleged, in such a case, it is the duty of the High Court

to enforce fundamental right guaranteed to a citizen and in such a situation, relief under Article 226 of the Constitution cannot be refused. It is preposterous to suggest that the ground of delay or acquiescence can be applied as a bar to the relief where fundamental right has been transgressed, because there can be no loss of fundamental right merely on the ground of non-exercise of right. (See Kerala Education Bill, AIR 1958 SC 956 at page 981).

In the case of *Amalgamated Coal Fields Limited and others v. Janapada Sabha, Chindwara* reported in AIR 1961 SC 964, the Supreme Court observed that if a tax imposed is held to be ultra vires, the petition under Article 32 of the Constitution of India cannot be refused on the ground that the petitioner had been paying the tax without objection for years because such ultra vires tax would encroach upon the petitioner's fundamental right under Article 19(1)(f)(g). As pointed out by Supreme Court in the case of *Darayo v. State of U.P.* reported in AIR 1961 SC 1457 once a citizen establishes that his fundamental right is violated, relief under Article 32 is not discretionary. In the case of *Basheswar Nath v. C.I.T.* reported in AIR 1959 SC 149 it has been specifically held that there cannot be any waiver of fundamental right conferred under Article 14 of the Constitution of India.

As regards the question of delay, the rule which says that High Court may not enquire into belated and stale claim, is not a rule of law but a rule of practice based on sound and proper exercise of discretion. The principle on which he relief to a party on the ground of laches or delay is denied is that rights which have accrued to others by reason of delay in filing petition should not allowed to disturb unless there is reasonable explanation for delay. The real test to determine delay in such cases is that the petitioner should come to Court before a parallel right is created and lapse of time is not attributable to any lapse or negligence. (See AR 1992 SCW page 3181 at page 3185).

Here, the objection of Mr. Kundu has to be considered in the light of two very important aspects, viz. (i) whether third party interest has been created or not; and (ii) whether the complaint is in respect of breach of a fundamental right or not.

In respect of the first, it can safely be concluded that there has been no creation of third party interest. If ultimately the writ petition succeeds, as a whole or in part, neither the Corporation nor any agent would suffer any irreparable loss. If indeed the petitioner is allowed to resume functions of an agent, that might result in reducing the business prospects of other agents but *per se*, the same would not assume the proportion of such a loss that the petitioner must be told off at the gate.

Regarding the second, it has to be considered whether the petitioner is entitled to succeed on his complaint of breach of fundamental right. That can only be considered, once the merits of the petitioner's contentions are examined.

In so far as the decisions in Bangalore City Cooperative Housing Society Limited (*supra*) and Delhi Administration and others (*supra*) cited by Mr. Kundu are concerned, it appears that the disputes canvassed in the writ petitions arose out of land acquisition proceedings. Since such proceedings are in public interest, the test that is applied to entertain writ petitions in relation to such proceedings is not quite the same as in respect of other matters. In my respectful opinion, the ratio of these two decisions would have no application in the facts and circumstances of the present case.

Turning to the facts, it is found that the orders passed by the disciplinary authority and the appellate authority are absolutely unreasoned. The said authorities were discharging quasi-judicial functions. It is settled law that while deciding a lis in discharge of quasi-judicial functions, the authority concerned is required to consider the grievance of the aggrieved and the defence thereagainst, appreciate the evidence that is produced by the parties, give opportunity of hearing to the party to be affected by its order and to support its ultimate order with reasons, thereby showing application of mind.

The aforesaid exercise appears to be conspicuous by its absence in the orders of the disciplinary authority and the appellate authority. Lack of reasons in an order passed by an authority exercising quasi-judicial functions amounts to breach of principles of natural justice, which in turn offends Article 14 of the Constitution. On this ground alone, the writ petition deserves to be entertained and these orders are liable to be set aside.

However, one must not be oblivious of the fact that these orders have merged in the order of the Chairman rejecting the memorial filed by the petitioner, which is a reasoned order.

The order of the Chairperson has been looked into in between the lines. The Chairman has referred to an opinion of a handwriting expert. The disciplinary authority and the appellate authority, however, did not refer to the same.

It is the specific contention of the petitioner that the opinion of the handwriting expert was not made available to him. It is his further contention

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that the signatures of the deceased, which were treated to be disputed signatures, were also not supplied and, therefore, he had no occasion to obtain any report or to make any comment in respect thereof.

In my view, omission to furnish the opinion of the handwriting expert together with the disputed signatures to the petitioner constitutes a serious infirmity in the decision-making process of the Chairman. It is in clear violation of the principles of fairness, transparency and non-arbitrariness, which is the soul of Article 14 of the Constitution.

It also appears that the Chairman has levelled new allegations in his order and has found the petitioner to be guilty thereof. In my further considered view, it was not open to the Chairperson to proceed to hold the petitioner guilty of an allegation for which he was never charged.

The proceedings having been conducted in clear breach of the principles of natural justice, the order of the Chairman and the orders that merged in his order are indefensible. The same stand set aside.

Now, I am left to decide on the relief the petitioner is entitled to in the circumstances.

Having regard to the gravity of the allegations levelled against the petitioner, I cannot allow the proceedings to be discontinued. The proceedings must immediately start from the stage after submission of reply given by the petitioner. It is, accordingly, directed that the Corporation shall make available to the petitioner, within a fortnight from date of receipt of a copy of this order, all documents that it seeks to rely on to drive home the allegations levelled against

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him. The disciplinary authority shall, thereafter, extend opportunity of personal hearing to the petitioner and ensure that the proceedings are brought to its logical conclusion as early as possible, but not later than September, 2013. At the hearing, the petitioner shall be entitled to submit evidence in support of his defence and raise appropriate contentions, which shall be given the consideration the same deserves.

It is made clear that the petitioner shall not be entitled to function as an agent, unless the proceedings against him are dropped by the Corporation.

The writ petition stands allowed to the extent as mentioned above. There shall be no order as to costs.

Let photostat certified copy of this order, if applied for, be supplied as expeditiously as possible.

(Dipankar Datta, J.)



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লাইফ ইন্সিওরেন্স কর্পোরেশন অফ ইণ্ডিয়া
भारतीय जीवन बीमा निगम
Life Insurance Corporation of India
Page-2

कोलकाता उपनगरीय मण्डल कार्यालय, जीवमप्रभा, डिडि-5, सेक्टर-1, साल्टलेक सिटी, कोलकाता - 700 064
Kolkata Suburban Divisional Office, Jeevan Prabha, DD-5, Sector-1, Salt Lake City, Kolkata - 700 064

422870619	B.Paul	125 to 126
422872116	S.Bhattacharya	127 to 130
422872199	S.Ghosh	131 to 134
422872200	S.Ghosh	141 to 144 & 147 to 148
422872029	R. Bar	135 to 136
423716236	P.K.Saha	137 to 140
422870192	S. Shaw	145 to 146 & 149 to 150.
422873456	J. Pramanick	151 to 155
423718309	J. Malakar	156 to 158
423716425	S. Kundu	159 to 164
423716664	S.Singh	165 to 168

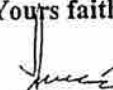
- 4) copy of the duly completed Agency Application Form etc. of Prosenjit Das (Decd.) for procuring life insurance business. (Page No.169 to 175)
copy of the Death Certificate , No. being 21639 , in Form No. 6 of Prosenjit Das (Decd.) (Page No. 183)
copy of the Certificate of Madhyamik Pariksha (Secondary Examination) , W.B.B.S.E. of Prosenjit Das (Decd.) (Page No. 184)

5) copy of the letter dtd.7.1.2005 of Dr.Provash Ch. Biswas , Director of Medilink Health Care Diagnostics & Research Centre (P) Ltd. , Kalindi ,Calcutta-700 089 , confirming that ECG & other special Medical Investigation done on 13.04.04 and delivered on 15.04.04 on the Prosenjit Das according to their register. (Page -176)

6) copies of the duly filled in Claim Form A & Claim Form E in respect of Prosenjit Das , decd. Life Assured from the Claimant Biswajit Das , cousin brother , for all the Policy Nos. 423881681, 423881682, 423881683 , 423881684 , 423881685 & 423881686. (Page No.- 177 to 182).

Please acknowledge the receipt.

Yours faithfully,


Senior Divisional Manager.
LIC of India , KSDO.

Encl.- As stated above from
Page No. 41 to 184.



P-18
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By Speed Post

Ref:- KSDO/ L&HPF/WP12899/12

Date:- 26.04.2013

Sri Vijay Agarwal,
Flat 4 D (N),
Divine Bliss,
2/3, Judges Court Road,
Kolkata- 700 027.

Dear Sir,

Re – W.P. No. 12898 (W) of 2012, High Court, Kolkata.
Vijay Agarwal –Vs.- LICI &Ors.

With reference to your letter dated 23.04.2013 in connection with above, we would inform you that due to unintentional typographic mistake, the date of the letter has been inadvertently typed as 05.03.2013 instead of 05.04.2013 and the mistake committed is regretted. Subsequently, the letter was sent by Speed Post, number being EW099976099IN, on 10.04.2013.

Please consider the date of the said letter as 05.04.2013 instead of the date 05.03.2013.

Thanking you,


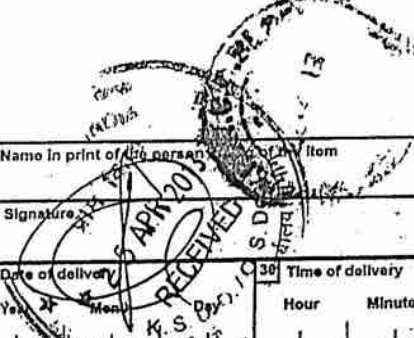
Yours faithfully,

Manager(L&HPF)/KSDO.

কলকাতা উপনগরীয় মন্ডল কার্যালয়, জীবন প্রাণ, ডি.ডি-৫, সেক্টর-১, সল লেক সিটি, কলকাতা-৭০০০৬৪
স্মারক : (০৩৩) ২৩৩৭-০২৪২/০৬৪২/০৯৪৬, ফ্যাক্স : ০৩৩-২৩৩৭০৬০৯

Kolkata Suburban Divisional Office, Jaavan Prabha, DD-5, Sec-1, Salt Lake City, Kolkata-700064
Tel: (033) 2337-0242/0642/0946, Fax: 033-23370609

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4 Date mailed Year Month Day			5 Time mailed Hour Minutes			20 A Dispatch charge			 								
						20 B office of origin											
Customs declaration <input type="checkbox"/> Description of contents Applicable for International EMS Speed Post only									27 Name in print of the person for the item								
									28 Signature								
22 <input type="checkbox"/> Gift			23 <input type="checkbox"/> Sample of merchandise			24 Value			25 Weight in Kg.			29 Date of delivery Year Month Day			30 Time of delivery Hour Minutes		
Sender 8 Name and address of sender VIJAY AGARWAL 7 HARI SAMA STREET Kiddapur Kolkata									Addressee 12 Name and address of addressee The Divisional Manager Life Insurance Corporation of India, Jeevan Prabha BD-5 Sector Kolkata Signature								
9 Sender's postal Code 7101012131									14 Addressee's postal Code 710101614								

No. SDP /L-15/Ptg. 11-12/BD 15 Lakh Copies dt. 12/07/11 R. B. Stores

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भारतीय जीवन बीमा निगम
LIFE INSURANCE CORPORATION OF INDIA



By Speed Post

Sri Vijay Agarwal
Flat 4D(N)
Dwaru Bhari
2/3, Judges Court Road
(Judges Court Road
Kolkata - 700 02)

SPEED POST
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Wt. 8 gms
MPC Xogafog Bhawan
Kolkata-700017

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P-19
By Speed Post: 161

Ref:- KSDO/ L&HPF/WP12899/12

Date:- 22.05.2013.

Sri Vijay Agarwal ,
Flat 4 D (N) ,
Divine Bliss ,
2/3 , Judges Court Road ,
Kolkata- 700 027.

Dear Sir ,

Re – W.P. No. 12898 (W) of 2012 , High Court , Kolkata.
Vijay Agarwal –Vs.- LICI &Ors.

With reference to your letter dtd. 16.05.2013 in connection with above , we would inform you that all the documents, put together, already sent to you with our letter dtd.05.04.2013, comprise the evidences which have been relied upon by the Disciplinary Authority in the Disciplinary Proceeding for your kind perusal .

Thanking you,

Yours faithfully,


Divisional Manager (In-Charge)
K.S.D.O.

কলকাতা উপনগরীয় মন্ডল কার্যালয়, জীবন প্রভা, ডিডি-৫, সেক্টর - ১, সাল্টলেক সিটি, কলকাতা - ৭০০০৬৪
দুর্যোগ : (০৩৩)২৩৩৭-০২৪২/০৬৪২/০৯৪৬, ফ্যাক্স : ০৩৩-২৩৩৭০৬০৯, ই-মেইল : licicsdo@cal.vsnl.net.in

Kolkata Suburban Divisional Office, Jeevan Prabha, DD-5, Sec-1, Salt Lake City, Kolkata-700064
Tel. : (033) 2337-0242/0642/0946, Fax : 033-23370609, E-mail : licicsdo@cal.vsnl.net.in



भारतीय जीवन बीमा निगम
LIFE INSURANCE CORPORATION OF INDIA

162

Reg Speed Post



Sri Vijay Agarwal,
Flat 4(DN),
Divine Bliss,
2/3, Judges Court Road,
Kolkata - 700 027

SPEED POST
B. N. P. L.
Code No. - CCU-501-023
WT..... Date.....
MBC, Yogayo Pawan
Kolkata-700014

कोलकाता उपनगरीय मण्डल कार्यालय, जीवन प्रभा, डिडि-5, सेक्टर-1, साल्ट लेक सिटी, कोलकाता-700 064
Kolkata Suburban Divisional Office, Jeevan Prabha, DD-5, Sector-1, Salt Lake City, Kolkata-700 064
THINKER: 40,800 - 09.09

From:

Vijay Agarwal

Divine Bliss Flat 4 D,

2/3 Judges Court Road,

Kolkata - 700027

P-20' 163
03.06.2013

To

The Senior Divisional Manager

Life Insurance Corp. of India K.S.D.O.

DD 5 Salt Lake City,

Kolkata -700064

Re: W .P. No. 12898(W) OF 2012, High Court, Calcutta

Vijay Agarwal -Vs-LICI & Ors

Sub: Your letter Ref No. KSDO/L&HPF/WP12899/12 Dt. 25.05.2013

Dear Sir,

I have gone through the documents which have been supplied to me with your forwarding letter dt. 05.04.2013 including the opinion of the hand writing expert dt. 12.07.2006.

I place on record that I do not agree with the hand writing expert report and I reserve my rights to produce necessary evidence in this regard. I further place on record that Late Prosenjit Das signed on all the proposals etc. in my presence and that all the signatures appearing there are his signatures.

I reserve my right to produce oral and documentary evidences in support of my defense in course of the hearing proceedings to be held as directed by the Honorable High Court vide their order Dt. 18.03.2013.

Please note that the Medical Reports/Documents containing the signatures of Late Prosenjit Das have not been sent to the hand writing expert for his opinion. I do hear by object to such action of the LIC in picking up and choosing documents for examination by the hand writing expert. It was encumbrment for LIC to send all the documents containing the signatures for examination to the hand writing expert.

At the same time I want to examine the Medical Examiner who had given the reports.

Thanking You,

Yours Faithfully,


(VIJAY AGARWAL)



P-21
By Speed Post
164

Ref:- KSDO/ L&HPF/WP12899/12

Date:- 13.06.2013.

Sri Vijay Agarwal ,
Divine Bliss , Flat 4 D,
2/3 , Judges Court Road ,
Kolkata- 700 027.

Dear Sir ,


Re – W.P. No. 12898 (W) of 2012 , High Court , Kolkata.
Vijay Agarwal –Vs.- LIC &Ors.

We have received your letter dated 03.06.2013 in connection with above and perused the contents.

The undersigned, being the Disciplinary Authority , requests you to submit to us your reply in writing along with the documents which you want to rely on at the time of hearing of the proceedings. Your reply along with all the documents must reach us within 15days from the date of receipt of this letter so as to enable us to proceed further as per direction of the Hon'ble High Court , Kolkata.

Thanking you,

Yours faithfully,


Divisional Manager (In-Charge)
K.S.D.O.

কলকাতা উপনগরীয় মন্ডল কার্যালয়, জীবন প্রভা, ডিডি-5, সেক্টর - 1, সল লেক সিটি, কলকাতা - 700064
দুর্ভাগ্য : (033)2337-0242/0642/0946, ফ্যাক্স : 033-23370609, ই-মেইল : licicsdo@cal.vsnl.net.in

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Tel. : (033) 2337-0242/0642/0946, Fax : 033-23370609, E-mail : licicsdo@cal.vsnl.net.in

June 25, 2013

Vijay Agarwal
Divine Bliss Flat 4 D (N)
213 Judges Court Road
Kolkata 700027

Handwritten: K-22, 165

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POST OFFICE P.O. 700027

Center No.2, P-Code:10

POST DIVISIONAL MANAGER, LIFE IN CORPORATION

KOLKATA, PIN:700064

From: VIJAY AGARWAL, KOL27

Wt: 25grams

Amt: 28.00, 25/06/2013, 15:35

Taxes: Rs. 3.00 <<Track on www.indiapost.gov.in>>



To,
The Senior Divisional Manager
Life Insurance Corp. Of India K.S.D.O
D D 5 Salt Lake City
Kolkata 700064

Re: W.P.No. 12898 (W) of 2012, High Court, Calcutta

Vijay Agarwal - Vs - LIC & Ors.

Sub: Your letter Ref No. KSDO/L&HPF/WP12899/12 Dated 13/6/2013

Dear Sir,

Further to your letter dated 13/6/13 I firmly state that:

1. The family members submitted the claim forms on 3/7/2004 which demonstrates that the family members were aware that the policies were taken by Late Prosenjit Das.
2. The father of the deceased by an undated letter between April 2004 - 31/12/2004 requested for the release of the death claim.
3. Against in action to pay the death claim advocate's letter was issued to you on 31/12/2004.
4. The aforesaid three documents have not been supplied to me. You are requested to supply me with the aforesaid documents before proceeding further.

Without prejudice to the above, I have not been informed of any change except those that were made in the show cause notice dated 20/12/2006. I have already replied to the same on 27/12/2006. I presume that the present proceeding would be confined to such charges in the show cause notice. I ~~reiterate~~ *reiterate* my stand taken in the reply to the show cause notice.

The fact that the relatives of Late P. Das applied for settlement of the Death Claim, stands as an evidence that the family was aware of the policy. There can be no suspicion about the making of the policies.

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Appointed by LICI examined Late P. Das and gave their report. The reports were directly sent to LICI by the doctor. There is no evidence that P Das did not appear before the doctors. Hence there can be no suspicion in the making of the policies.

This is a case of accidental death. No evidence that Late P. Das was suffering from some fatal ailment and no records were produced to demonstrate any ailment. This also over rules any kind of suspicion.

Registration of all the proposals proposed by the Late P. Das was made on 31/3/2004 and the death occurred on 10/4/2004. Thus there can be no inference drawn of any fraud.

Additional documents handed over to me after the order of Hon'ble High Court Calcutta are only signatures of Late P. Das. From the stand point of an agent, we can only see the policy maker sign in our presence. Agent has no scope to verify the signature of the policy holder with his other signatures.

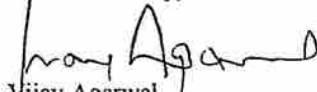
This is corroborated by the facts that Late P Das was also examined in person by the authorized doctors of LICI. The policy holder also provided the previous policy details (reference of which were made in the fresh proposal) to demonstrate his identity and his continuing relation with LICI. With the above facts and documents, I was fully satisfied about the identity of Late P Das.

The report of the handwriting expert is denied. Late P Das had signed on all the proposals in my presence as also in the presence of your authorized doctors at the time of medical check-up. The signature in the proposal forms and the medical reports/forms tally in totality. There is no scope to suspect the signature of Late P Das.

I would crave leave to rely on the reports of handwriting experts obtained by me in cause of hearing. I would produce oral and documentary evidence in this regard.

Thanking you,

Yours Faithfully,


Vijay Agarwal



भारतीय जीवन बीमा निगम
LIFE INSURANCE CORPORATION OF INDIA

By Speed Post

P-23
167

Ref:- KSDO/ L&HPF/WP12899/12

Date:- 02.07.2013.

Sri Vijay Agarwal ,
Divine Bliss , Flat 4 D,
2/3 , Judges Court Road ,
Kolkata- 700 027.

Dear Sir ,

Re – W.P. No. 12898 (W) of 2012 , High Court , Kolkata.
Vijay Agarwal –Vs.- LIC &Ors.

Please refer to our letter dtd. 13.06.2013 (copy enclosed) with identical reference wherein we requested you to send to us your reply along with all the documents , on which you want to rely at the time of hearing of the proceedings , which must reach us within 15 days from the date of receipt of our aforesaid letter.

However, we would once again request you to kindly comply with our requirements as provided in our letter dtd. 13.06.2013 within 7 (seven) days from the date of receipt of this letter. If we do not receive your reply within the stipulated period , as mentioned above ,it will be presumed that you have nothing to reply in response to our letter under reference , as per Order of the Hon'ble High Court , Kolkata.

It may also be noted that we await to fix up a date for your personal hearing with the Disciplinary Authority on receipt of reply with documents from your end.

Please treat this as most urgent in order to carry out the Order of the Hon'ble Court within the stipulated time .

Thanking you,

Yours faithfully,

Divisional Manager (In-Charge)
K.S.D.O.

Encl:- as mentioned above.

कलकत्ता उपनगरीय मन्दल कार्यालय, जीवन प्रभा, फ्लॉ - 5, मकान - 1, साल्लेक सिटी, कोलकाता - 700054
दूरभाष : (033)2337-0242/0642/0946, फॅक्स : 033-23370609, ई-मेल : licicsdo@cal.vsnl.net.in

Kolkata Suburban Divisional Office, Jeevan Prabha, DD-5, Sec-1, Salt Lake City, Kolkata-700054
Tel. : (033) 2337-0242/0642/0946, Fax : 033-23370609, E-mail : licicsdo@cal.vsnl.net.in

7/22/13

Outlook - licivjay@hotmail.com

P-24
168

ch email

W.P.NO 12898 (W)OF 2012 HIGH
COURT KOLKATA VIJAY AGARWAL-VS
LICI&OTHERS.

ihpf.kolk

Folders

Inbox 17

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dano

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property 2

riddhi agarwal 1

sanjay

New folder



Vijay Agarwal 08-07-2013
To: ihpf.kolkata-sub

Actions

Thnks
reg.



ihpf.kolkata-sub (ihpf.kolkata-sub@lic) Actions
To: licivjay@hotmail.com
Cc: sdm.kolkata-sub

Dear Sir,
We confirm the receipt of your letter dated 25th. June, 2013 in connection with above. Please ignore our letter dated 02.07.2013 on identical reference. We regret the inconvenience.

p. DM (I/C). KSDO.

Quick views

Documents 1

Flagged

Photos 3

property

New category

From: sdm.kolkata-sub
Sent: 08 July 2013 12:04
To: ihpf.kolkata-sub
Subject: FW: W.P.NO 12898 (W)OF 2012 HIGH
COURT KOLKATA VIJAY AGARWAL-VS
LICI&OTHERS.

कृपया संलग्न को डाउनलोड करें ।
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7/22/13 12:04 PM



P-25'
By Speed Post 169

Ref:- KSDO/ L&HPF/WP12899/12

Date:- 18. 07.2013.

Sri Vijay Agarwal,
Divine Bliss, Flat 4 D,
2/3, Judges Court Road,
Kolkata- 700 027.

Dear Sir,

Re – W.P. No. 12898 (W) of 2012, High Court, Kolkata.
Vijay Agarwal –Vs.– LIC & Ors.

We acknowledge the receipt of your letter dated 25.06.2013 and observe that the documents 1, 2 & 3 as asked for vide your above mentioned letter, are not relevant in the present context.

However, in order to follow the Principles of Natural Justice, we are sending herewith the copies of the papers, namely –

1. Claim Forms A, B and E
2. Letter dated 21.12.2004 of the father of the deceased.
3. Letter dated 31.12.2004 of the Advocate, Sri Sanjay Saha.

We further make it clear that the Claim Forms had been submitted by Sri Biswajit Das, alleged to be the cousin of the Life Assured, who cannot be treated as a member of the family of the deceased Life Assured, Prosenjit Das.

In order to extend you an opportunity of personal hearing as per order of the Hon'ble High Court, Kolkata, we would request you to kindly pay a visit to the Office of the undersigned in the Chamber on 5th August, 2013 at 11.30am, which may please be confirmed.

Thanking you,

Yours faithfully,

Divisional Manager (In-Charge)
K.S.B.O.

Encl.- as stated above.

কলকাতা উপনগরীয় মন্ডল কার্যালয়, জীবন প্রভা, ডিডি-5, সেক্টর-1, সলি লেক সিটি, কলকাতা - 700064
দু'খানা : (033)2337-0242/0642/0946, ফোন : 033-23370609, ই-মেইল : lic.kolsub@cal.vsnl.net.in

Kolkata Suburban Divisional Office, Jeevan Prabha, DD-5, Sec-1, Salt Lake City, Kolkata-700064
Tel.: (033)2337-0242/0642/0946, Fax : 033-23370609, E-mail : lic.kolsub@cal.vsnl.net.in

P-26'

170

From
Vijay Agarwal
Divine Bliss Flat 4 D
2/3 Judges Court Road
Kolkata 700027

26/07/2013

To,
The Senior Divisional Manager
Life Insurance Corporation Of India
D D 5 Salt Lake City 3rd Floor.
Kolkata 700064

Re: W.P No.12898(W)of 2012, High Court , Calcutta Vijay Agarwal -Vs- LIC & Others
Sub: Your Letter Ref No. KSDO/L&HPF/WP12899/12 Dated 18/07/13 received on
23/07/2013

Dear Sir,

To defend myself in respect of the charges levied against me I need to cross examine some of the employees of LIC and the Doctors namely,

- 1) Employees who were connected with the registration of the proposal forms.
- 2) Your paneled Medical Examiner who examined Late Prosenjit Das as well as your authorized paneled Doctors who did the Special Medical reports .
- 3) The officer who under wrote the proposal accepting the same.
- 4) The investigating officer who was deployed by the LIC to investigate the said case after the death of Late Mr Das.

Since I do not know the names of the concerned persons I request you to provide me with the names and produce them positively on 05/08/2013 for cross examination.

Thanking You,

Vijay Agarwal
Yours Faithfully,

22/7/2013
Sd/-
K.S.D.O.
Salt Lake



लाइफ़ इन्शुरन्स कॉर्पोरेशन ऑफ़ इंडिया
भारतीय जीवन बीमा निगम
Life Insurance Corporation of India

कोलकाता उपनगर मण्डल कार्यालय, बीडी - १, सेक्टर - १, सल्लेक गीटी, कोलकाता - ७०० ०१६
Kolkata Suburban Divisional Office, Jeevan Pranta, B/D - 1, Sec-1, Salt Lake City, Kolkata - 700 016

MINUTES OF PERSONAL HEARING OF SRI VIJAY AGARWAL, THE
PETITIONER, IN THE CHAMBER OF DM(I/C), AT 11.30 A.M. ON 05-08-2013
AS PER ORDER DATED 18-03-2013 OF HON'BLE HIGH COURT, KOLKATA
IN CONNECTION WITH W.P. NO. 12898(W) OF 2012

The 5th August, 2013

Members Present :

Sri L. K. M. Syiem - Divisional Manager (I/C)
&
Sri Vijay Agarwal - Petitioner

After formal introduction Sri L. K. M. Syiem, the Disciplinary Authority explained to Sri Agarwal, the Petitioner that as per aforesaid Order he wanted to extend him the opportunity of personal hearing and he was free to place his submission. Sri Syiem also narrated that according to the direction of the aforesaid order, you were already made available the documents relied upon by the Disciplinary Authority to drive home the allegation leveled against you. Sri Agarwal was requested to put forth his submission.

In reply, Sri Vijay Agarwal disagreed the charges levied on him and in order to prove his innocence he wanted to examine the persons as mentioned in his letter 26-07-2013 addressed to the Sr. Divisional Manager. He also put his submission saying that being the typing mistake made "cross examination" as written in the aforesaid letter it would be 'examination' of those persons.

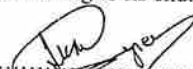
Sri Syiem, the Disciplinary Authority, told him that as there was no such direction in the aforesaid Order for examination or cross examination so this was not the forum for doing the same. However, they were told that they might raise this contention in the proper forum.

So, again Sri Agarwal was requested to put forth his submission in regard to evidence etc. as per aforesaid Court Order, because Sri Syiem was directed to do so.

Sri Agarwal again stressed the need of examining those persons as per his letter dated 26-07-2013 which he requested take a note in the today's proceedings. He also told that only by examining those persons he could prove himself as innocent.

Sri L. K. Syiem, the Disciplinary Authority told him that his contention would be taken in today's meeting as a note of his contention and declared the proceeding to its end.


.....
(SRI VIJAY AGARWAL)
PETITIONER


.....
(SRI L. K. M. SYIEM)
DISCIPLINARY AUTHORITY

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
APPELLATE SIDE

In the matter of :

W. P. No. ²⁴⁹⁰⁵(W) of 2013.

- And -

In the matter of :

An application under Article 226 of
the Constitution of India.

- And -

In the matter of :

Shri Vijay Agarwal.

... Petitioner.

- Versus -

Life Insurance Corporation of India
and others.

... Respondents.

P E T I T I O N

Ms. Sumita Shaw,
Advocate,
28/25, Dhakuria Station Road,
Kolkata - 700 031.

Serial 38.
August 27, 2013.
SG

W.P. No. 24905 (W) of 2013

Shri Vijay Agarwal
-versus-
Life Insurance Corporation of India and others

Mr. Kishore Datta
Ms. Sumita Shaw

... for the petitioner.

Mr. Soumya Majumder
Ms. Saswati Chatterjee

...for the respondent no.1.

The petitioner has been subjected to an enquiry by the appropriate body under the Life Insurance Corporation of India (Agents) Regulations, 1972 into the allegations of impropriety on the petitioner's part for the purpose of terminating the agency of the petitioner. The petitioner complains of the refusal by the body to summon employees or other personnel engaged by the Corporation at the behest of the petitioner.

In the context of the present proceedings, nothing more than what is absolutely necessary need be said. It would suffice to recognise that the primary charge against the petitioner is of causing an application to be made for a policy of a deceased person. The petitioner's defence is that at the time that the application was made, the person was alive and he died subsequently in a road accident.

The petitioner informed the authority conducting the inquiry or the disciplinary proceedings by a letter dated July 26, 2013 that

the petitioner desired to cross-examine "some of the employees of Life Insurance Corporation of India and the doctors ..." The petitioner harbours the impression that it is the obligation of the authority conducting the enquiry to ensure the presence of the relevant employees of the Corporation or the concerned medical practitioner to afford the petitioner a chance to cross-examine them.

In support of the petitioner's contention, reliance has been placed on the judgments reported at 1979(1) All ER 209 and 1982 (1) All ER 646 for the proposition that the prosecution cannot suppress any material fact or key witness if it is within the special knowledge of the prosecution that the fact or the witness may demolish the prosecution case. The principle is too well-known to be doubted.

In course of any enquiry to assess whether the agent is guilty of the impropriety complained of, the authority conducting the enquiry should ensure a fair procedure that would allow the agent a chance to rebut the charges or disprove the same. Towards such end, the authority has to facilitate the petitioner calling any witness for such purpose, as long as the authority is satisfied that the petitioner is not attempting to delay the process by calling irrelevant witnesses. But the authority would be no obligation to ensure the presence of any witness or furnish the names of the employees who may have been involved in processing the relevant policy. It would be for the petitioner to discover such facts as would enable the petitioner to rebut the charges.

The petitioner does not refer to any material or fact for the application of the principle recognised in the reported judgments.

WP No. 24905 (W) of 2013 is disposed of by observing that the authority conducting the enquiry will allow the petitioner to call any witness as long as the evidence is relevant to the issues that arise in the proceedings, but the authority will not be obliged to furnish the names of any employee of the Corporation or summon such employees or any other person for the purpose of the petitioner cross-examining them.

It will be open to the petitioner to forward a copy of this order immediately to the appropriate authority conducting the enquiry for the authority to consider whether the hearing is to be reopened to afford the petitioner an opportunity to present the petitioner's evidence.

There will be no order as to costs.

Certified website copies of this order, if applied for, be urgently made available to the parties, subject to compliance with all requisite formalities.

(Sanjib Banerjee, J.)

X

From

Dated: 18th September 2013

Vijay Agarwal

2/3 Judges Court Road

Divine Bliss, Flat – 4D N

Kolkata – 700027

To

The Senior Divisional Manager

Life Insurance Corporation of India KSDO

DD5 Salt Lake City 3rd. Fl.

Kolkata – 700064

Received
[Signature]
[Stamp]
18/9/13

Re: W.P. No. 24905(W) of 2013, High Court, Calcutta

Vijay Agarwal – Vs – LIC & Ors.

Kind Attn. Shri L.K. Syiem, Disciplinary Authority

Sir,

Enclosed please find herewith a copy of order dated 27-08-2013, passed by his lordship Hon'ble Justice Sanjib Banerjee in the above matter.

In terms of the order of The Hon'ble High Court, I request you to allow me the following witnesses for the reasons stated below:

1. Your empanelled doctor, Dr. Alok Kumar Chaudhuri, ME Code 6642, who had examined the insured on 25 – 03 – 2004 at 11:00 a.m and had submitted a report to you on 25 – 03 – 2004.
2. Dr. Debjit Chatterjee of Medilink Health Care Diagnostic Center Pvt. Ltd., your empanelled medical lab who had done an Electro-Cardiogram on 12th March 2004 and had submitted the report accordingly to you on 12-03-2004.

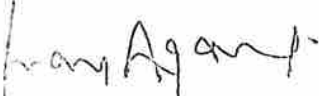
3. Dr. C R Ghosh of Medilink Health Care Diagnostic Center Pvt. Ltd., your empanelled medical lab who had conducted report on Examination of Blood on 12th March 2004 and had submitted the report accordingly to you on 12-03-2004.
4. Dr. C R Ghosh of Medilink Health Care Diagnostic Center Pvt. Ltd., your empanelled medical lab who had conducted report on Examination of Blood for HIV Test on 12th March 2004 and had submitted the report accordingly to you on 12-03-2004.
5. Your employee under SR. Code No. 337638 who had prepared the review slip for all the proposals on 31-03-2004 bearing Nos. 14434, 14433, 14437, 14430, 14429, 14426 and had forwarded for underwriting.

I submit that in view of the involvement of the above named persons in the matter, they are important witnesses whose evidence would be relevant to the issues that arise in this proceeding.

I request you to issue necessary notice on the persons concerned to appear in the proceeding and permit me to examine them.

I intend to name further witnesses for examination, the names of whom are not known to me. I am taking steps to ascertain their names under Right To Information Act 2005. I reserve my right to apply before you to call the other persons whose names may be disclosed in response to my application under Right Information Act 2005.

Thanks & Regards


Vijay Agarwal



भारतीय जीवन बीमा निगम
LIFE INSURANCE CORPORATION OF INDIA

**LIFE INSURANCE CORPORATION OF INDIA
KOLKATA SUBURBAN DIVISIONAL OFFICE
DD 5, SECTOR – I, SALT LAKE, KOLKATA – 700064**

Ref : KSDO/L&HPF

19 September 2013

**Sri Vijay Agarwal
2/3, Judges Court Road,
Divine Bliss, Flat – 4D N,
Kolkata – 700027**

Dear Sir,

**Re : W.P. No. 24905(W) of 2013, High Court, Calcutta
Vijay Agarwal – Vs – LIC & Others**

We have received your e-mail dated 18.09.2013 and considered the contention made therein in connection with above.

In reply to your e-mail dated 18.09.2013, we would refer you to the Judgment passed by Hon'ble Justice S. Banerjee in W.P. No 24905(W) of 2013 in which it is clearly stated that you may call any witness as long as the evidence is relevant to the issues that arises in the proceedings and the Corporation will not summon any employee or any other person for the purpose of examination.

In order to comply with the Principle of Natural Justice, we give you an opportunity to bring any witness or witnesses, whose presence has to be arranged by yourself, on the next date of personal hearing on 26.09.2013 at 11.30 AM in the office of the Divisional Manager (In-charge), KSDO, DD 5, Jeevan Prova, Salt Lake, Sector – I, Kolkata – 700064.

Since the authority is required to pass Final Order by 30.09.2013 as directed by the Hon'ble High Court, your co-operation is needed so that the proceedings can be concluded before 30.09.2013.

Please bring your witness along with their respective Photo Identity cards.

Yours faithfully,


Divisional Manager (I/C)
LIC, KSDO

मण्डला प्रबंधक (प्रभारी) / Divisional Manager (I/C)
ए.जी.पी.नि. को.उ.प.का / LIC - KSDO
को.उ.प.का 700064 / KOLKATA 700064



**LIFE INSURANCE CORPORATION OF INDIA
KOLKATA SUBURBAN DIVISIONAL OFFICE
DD 5, SECTOR - I, SALT LAKE, KOLKATA - 700064**

Ref : KSDO/L&HPF

19 September 2013

**Sri Vijay Agarwal
2/3, Judges Court Road,
Divine Bliss, Flat - 4D N,
Kolkata - 700027**

Dear Sir,

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Vijay Agarwal - Vs - LIC & Others**

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Please bring your witness along with their respective Photo Identity cards.

Yours faithfully,

**Divisional Manager (I/C)
LICI, KSDO**

R.O.

The Manager,
Custom Relationship Management (CRM)
Designated CPIO,
Life Insurance Corporation of India
Kolkata Suburban Divisional Office
DD5 Salt Lake City
Kolkata 700064

Dated: September 22, 2013

Re: Seeking Information under Right to Information Act, 2005

Sir,

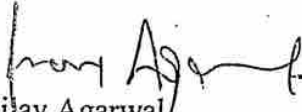
You are requested to kindly furnish me with the following information pertaining to Life Insurance policy number 423881681/82/83/84/85/86 on the life of Mr. Prosenjit Das issued by your Salt Lake branch with 28/2/2004 being the date of commencement.

1. The details of the person who had prepared the **Proposal Review Slip** (Form no. 3104/OIC) bearing date of registration as 31/03/2004 SR.NO. 337638.
2. The details of your empanelled doctor namely **Dr. Alope Kumar Chaudhuri** bearing code 66/42 who had done the medical of the said Mr. Prosenjit Das on 25/03/2004 at 11:00am.
3. The details of **Dr. Debjit Chatterjee**, Physician Cardiologist of Medilink Health Care & Diagnostics Centre Pvt. Ltd. (your empanelled diagnostic centre) who conducted the ECG of the said Mr. Prosenjit Das on 12/03/2004 and submitted the report on the same day.
4. The details of **Dr. C.R.Ghosh**, Consultant Pathologist of Medilink Health Care & Diagnostics Centre Pvt. Ltd. (your empanelled diagnostic centre) who conducted the test and gave the report of Examination of blood for HIV test and the report of Examination of blood of the said Mr. Prosenjit Das on 12/03/2004.
5. The **details of the underwriters** who underwrote all the six proposals by accepting the same which resulted into its conversion into policies.
6. The details of the **investigating officer** who finally investigated the death claim.

You are requested to kindly provide me with the same at the earliest.

Thanking You

Yours Faithfully


Vijay Agarwal

(2/3 Judges Court Road
Divine Bliss Flat 4 D North
Kolkata 700027)


24 SEP 2013