



एयरपोर्ट्स अथारिटी एम्प्लाइज यूनियन
Airports Authority Employees' Union
(Regd. No. 3515 & Recognised)



All India President : Com. S.R. SANTHANAM, Ph. (R) (040) 27768269, (O) 27902721, (M) 09490681924
General Secretary : Com. BALRAJ SINGH AHLAWAT, (O) 24619274, (M) 09871717521

AAEU/CHQ/Misc/2021/

Date: 26.07.2021

To

The Chairman
Airports Authority of India
Rajiv Gandhi Bhawan,
Safdarjung Airports,
New Delhi.

Subject : Wholly illegal, arbitrary and unjust change in the binding terms and conditions of a subsisting settlement dated 12.01.2019 by the management of Airport Authority of India.

Sir,

This has reference to the Corporate HRM CIRCULAR dated 23.07.2021 titled "Deferment of 50% perks as a part of Austerity Measures" and signed by Shri R. Prabhu, Executive Director (HR) of the Airport Authority of India. It has been stated therein that the Board of Directors of the Airport Authority of India resolved in its 201st meeting to defer 50% of the perks paid to the employees as a part of salary with effect from 01.07.2021 to 31.12.2021 as an austerity measure.

2. We, being the recognized trade union representing the non-executive employees of the Airport Authority of India, who are 'workmen' under the Industrial Disputes Act, 1947, lodge our strong protest and objection to the wholly illegal and perverse aforesaid resolution of the Board of Directors of the Airport Authority of India as it violates the binding and subsisting settlement dated 12.01.2019, arrived at between the management and this recognized trade union.

3. As you must be aware, the period of operation of the said settlement is ten years from 01.07.2017 to 30.6.2026 and it provides for payment of certain perks to all the employees, including the non-executive employees, who are 'workmen' under the Industrial Disputes Act, 1947.

4. Needless to add that any unilateral change in the binding and subsisting settlement amounts to a violation of section 18 of the Industrial Disputes Act, 1947 and is a punishable offence under Section 29 of the said Act. In addition to the above, non-payment of 50% of the perks to the non-executive employees, as proposed in the said resolution of the Board of Directors, would also amount to an illegal deduction from the wages of the employees and would be in violation of the provisions of the Payment of Wages Act, 1936.

Contd.P-2

Balrajsingh



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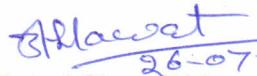
(2)

5. This union would, therefore, request you to kindly look into the above matter on an urgent basis and arrange to issue appropriate directions to revoke and/or cancel the wholly illegal said Corporate HRM CIRCULAR dated 23.07.2021 issued by Shri R. Prabhu, Executive Director (HR). Alternatively, it may be clarified in writing to all concerned that the said circular shall have no application to the non-executive employees coming under the definition and scope of the definition of 'workmen' under the Industrial Disputes Act, 1947.

6. We may add that the Hon'ble Supreme Court has emphasized that public sector establishments are not only expected but required to function as "model employers. We, therefore, wish to make it very clear that if no action, as suggested in the preceding para No. 5 of this letter, is taken by the management of the Airport Authority of India within fifteen (15) days of the receipt of this Notice, this union would be constrained to initiate appropriate legal proceedings and also take other trade union action in the above matter, which we hope you would help us to avoid in larger public interest.

Thanking You,

Yours faithfully,


26-07-2021
(Balraj Singh Ahlawat)
General Secretary

Copy to:

1. Hon'ble Minister of Civil Aviation
Rajiv Gandhi Bhavan,
Safdarjung Airport, New Delhi.
2. Hon'ble Minister of Labour & Employment
Shram Shakti Bhavan,
Rafi Marg, New Delhi-110001.
3. Chief Labour Commissioner (C)
Shram Shakti Bhavan,
Rafi Marg, New Delhi-110001.
4. The Dy. Chief Labour Commissaioner (C)
Jeevan Deep Building(Fourth Floor),
Sansad Marg, New Delhi-110001.