



INDIAN INSTITUTE OF INSURANCE SURVEYORS AND LOSS ASSESSORS

(Promoted by IRDA, Govt. of India)

Ref: IIISLA/PD/20-21

Dt.16-08-2020.

Dear IIISLA Members,

Sub: An Appeal to Members of IIISLA.

We have already brought to your notice the threat posed by Surveyor Regulations 2019. And you are also aware of the efforts made by several of our members, besides our CC to garner support of various stakeholders, those in the Govt and Parliament / public life. However, though the regulations appeared to have taken a back seat, due to covid lockdown, resurfaced suddenly during July 2020, in the shape of Regulations-2020 placed before IAC meeting. The deliberations made and presentation made from our side was brought to your notice through a President Desk communication dt. August 1, 2020.

After the IAC meeting also, we have made another representation to the Authority vide representation dt. August 11, 2020 ([To view pl click here](#)), through mail addressed to the Chairman, IRDAI. While we keep fighting for our rights within the frame work of applicable Acts and Regulations in tune with the Act, it is also necessary that we should be live to the changes in the general environment in the insurance sector and aspirations of various stake holders in the everchanging market / regulatory scenario. The appealing stand of timely service to the policy holder, as the prime cause of reluctance of insurers to deploy independent surveyors, is catchy and readily accepted by the Regulator. We need to evolve and showcase our talents for the Industry and Regulator to consider our stand of neutrality, unbiased and technically sound services to the insured clientele; as a beneficial and viable alternative in the field of loss assessment.

For such an eloquent message to be realised by the Industry and Regulator, we need to orient ourselves and conduct ourselves in a befitting manner. It is a known Management principle that 'self-control' is the best control that one can achieve for an organisation to reach / scale newer heights to be able to profess such eloquent goals.

It is seen that we are pursuing short term and unworthy goals like making efforts to prove others wrong. This, if done in a matured manner through an appropriate forum, not compromising on the organisational image of IIISLA, should not matter. But every action / decision / representation is criticised with ulterior motives. Definitely such behaviour does not augur well to project right signal to other stake holders.

We have chosen or rather we are made to follow certain set of rules made by the Regulator, in the form of AOA, Regulations. AOA was brought in by IRDA and it had no mention of Regulations made by IRDA. Then amending AOA based on Surveyor Regulations at a later date has no meaning, since AOA needs to be considerably stable, and can be based on the Insurance Act, besides Company Act. Our AOA is found to be non-compliant with the amended Company Act. , which needs to be taken up on priority. As surveyor Regulations

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keep changing every now and then, every time coming up with a new criterion cannot form a basis for our AOA.

The happenings during last one year need a relook as to what sort of challenges we have been facing and how some in our fraternity have reacted. Elections to all the 12 vacancies (due to non-conduct of election during the previous years) took place and the CC took office on 29-07-2020, the elected being inducted as Additional Directors, as appointment as Directors can happen only in AGM. Thus the basic principle that needs to be followed is that every year the change in Directors can take place in AGM only, either by reappointment or new replacement. We have so far not implemented this basic requirement and compliance to the amended Company Act 2013. This has to be followed up henceforth, and for this we need to amend our AOA to make Company Act compliant.

Our members who have lost the elections made an appeal to IRDA, by passing the CC, and then when the decision was not in their favour challenged the result in a court of law. While we understand that such action is the privilege of the contestants, the follow up as part of that WP, questioning (seeking to stall) the conduct of AGM which is a statutory requirement of business of IIISLA, later upgradation issue of Members, retirement of Directors **etc** all displayed a sense of non-tolerance towards the present CC.

When I met the then Member (Distribution) IRDAI, he openly admitted that they have delayed meeting the new CC, because of the complaint on elections, and we have lost two months in this process, by the time IRDA decided on the genuineness of elections. By then Regulations 2019 were glaring us in the face, and what has transpired thereafter is now part of history. From then on we have been working on various issues, and have been updating the members through our various communications.

We have resolved many membership issues, clearing all the back log and reaching UpToDate stage. However, there are some issues related to employees of insurers, Corporate Cos., etc. past and present, where according or renewal of such membership has been contentious, with our members have serious objections to granting or renewal of such memberships. IRDAI has been in offensive mood on these issues, besides seeking our replies on various other issues like response to Chartered Status Committee report, Anandam Committee Report and again Regulations 2020.

In all these, we have been facing Covid situation also, since March 2020 and the related issues like constraints to our movement, physical examination of files, uncertain availability of admin staff, besides lock down for over 2 months. So, members can gauge what was the effective time left for the present CC to set things right, and make a fool proof systematic handling of things. Admittedly there are piled up issues; like someone pointed out errors in Annual Report of earlier years and wanted rectification, some wanted trouble free renewals, some opined paperless processing of applications, some wanted immediate revert and answers on every issue referred to Admin/CC/President. Some write or call only to President, and if such mail or conversation is lost from attention, things doesn't move forward, as newer things occupy that space. One member argued that he should be given a

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Fellow Member, as he has applied for the same in the year 2017, but we found him not in our records as a Member at all till now 2019/2020. On further examination, it was found his application for membership was submitted at Delhi office in the year 2017, but membership was not granted though endorsement of the then President that Licentiate Membership allowed on the application. From the member side, he has applied for the membership of IIISLA at the time of renewal of his SLA license, and when the licence was renewed without membership, he again approached only in 2020 at the time of another renewal. There were other issues like applications not forwarded / recommended by the respective Chapters, applicants went to court / appealed to IRDA where IRDA gave directions and so on. Are we not able to realise the complexity of the situation of IIISLA governance, and should we not be patient and allow streamlining the functions in due course of time? How does the constant bickering, accusations, trolling in social media help the issues or motivate the CC to deliver the expected service in an efficient, non-controversial way in absence of (1) Systems in place (2) Lack of required basic infrastructure and (3) An atmosphere of understanding and cordial relationship among the fraternity members.

Some members throw accusations irresponsibly, and troll the issues without producing any evidence or addressing it to the concerned, which instigates the members and the reactions and counter reactions spread with hatred and malice towards each other. Some responsible members used abusive language while referring to the CC actions like '**Thok do Salon ko**', '**Jooton se maro CC ko**'. Another propagated at the time of last AGM, beware members the AGM has hidden Agenda of allowing membership to employees of Insurers. With such circulation on group mails, whose purpose are we serving and are such things not responsible for 'slighting of our image' in the eyes of other stake holders in the Industry and the Regulator? Are we not to establish proper conduct of ourselves, and allow the functioning of IIISLA with dignity? Why there is so much enmity amongst our own members, and why can't we function democratically and in a decent manner respecting the mandate of members? And tell us why we, the elected should tolerate such abusive language and threatening from some of the members?

Once elected, why the elected can't be let free to handle things in the right earnest and with an understanding of limitations and resources available at their disposal. I have found members resorting to writing on social media / google groups as if that is the official communication channel of IIISLA. Probably members are getting mislead by the naming of such groups which are titled with IIISLA in their nomenclature. To avoid such trolling and misleading of members, I appeal to all the groups and their moderators to please come forward and declare their groups duly renaming without IIISLA name in the title / banner. Let us show the constraint / wisdom / friendliness / respect from our side first that we expect others to show towards us.

IIISLA will come up with provision for debates / discussion forum on the website, besides for complaints / suggestion / feedback, which can be used for any IIISLA related issues, rather than resorting to publicising or trolling on the google groups / social media. We have already started formation of a Committee to look after Tax related issues. We can also think of a neutral / non-political Advisory Committee for taking up enquiry on key contentious issues,

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comprising of those who have no political ambitions. One member from Rajasthan has offered to investigate and come up with conclusive evidence on the utility of fund of IIISLA over the years. Such things can also help us to establish internal control systems.

To sum up, let us consider the way forward on the following lines;

1. All the social media / google groups will detach the name of IIISLA from their title, and these groups shall utilise their resources to promote togetherness rather than divisive endeavours.
2. IIISLA will have debate / discussion forum on topics on the website of IIISLA.
3. IIISLA website will also have space for complaints, grievance, feedback on members' related issues.
4. We will develop internal control systems by having proper investigation mechanism in place.
5. We will also have an Advisory Body to deal with contentious issues – the committee to deal with comprising neutral, apolitical persons who had not been on any of the panels so far, and have no intention of contesting any elections further.

With the above, we request the members to please show your concerns in a decent manner and allow the CC to perform on the objectives. We welcome your suggestions on the above mentioned 'way forward' items.

Thanks & Regards,

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