

## **Frequently Asked Questions (Employees and Workmen)<sup>1</sup>**

1. **Confirm applicability of the NCLT process for some or all of the following categories of the Staff:**
  - a. **For Permanent employees on Payroll as on 20 June 2019;**
  - b. **For Employees who resigned on or before 20 June 2019;**
  - c. **Employees who will resign after 20th June 2019;**
  - d. **For employee who is member of registered union;**
  - e. **For employee who is NOT a member of registered union;**
  - f. **All of the above.**

All categories of employees / workmen (including members of a registered union/ those who are not members of a registered union/ resigned/ working/ permanent/ probation/ or any other categories) are required to file their claims with the IRP in Form D. Where there are dues to numerous workmen or employees, an authorized representative may submit one claim (claim with proof) for all such dues on their behalf in form E against their dues as on Insolvency commencement date i.e. 20th June 2019. These forms are available at the following link: <https://ibbi.gov.in/home/downloads>.

2. **Whether employee or HR need to submit the claim to IRP?**

**Will we get any Acknowledgement of submission?**

**What is the deadline for the same?**

The Company's HR head will be submitting the composite / consolidated claims for all the employees (past and present) in Form E (if authorized by you to do so.) You may give the authorization in enclosed format and mail it to [asouza@jetairways.com](mailto:asouza@jetairways.com)

OR

Employee can submit the claim directly using Form D (refer point 4 below).

3. **It is observed, FORM-D has two versions, one is Declaration & another requires affidavit, which one of the options should be considered for submitting the claim?**

Please note that the requirement of affidavit is not mandatory anymore and only a declaration as given in the claim form will suffice.

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<sup>1</sup> These FAQs are only clarificatory in nature and do not constitute legal advise. It is recommended that workmen and employees of the corporate debtor obtain independent legal advise prior to filing or authorizing any person to file any proof of claim. Note that any proof of claim submitted shall be evaluated in accordance with the provisions of the IBC and its underlying rules and regulations and any relevant judicial precedents.

**4. If individual needs to fill the claim form or form " D ", request advise on following:**

- a. Procedure for the same and supporting documents required;**
- b. Is authentication from HR necessary;**
- c. Will HR do the authentication;**
- d. Does each individual need to calculate the gratuity;**
- e. Do we need to take printouts and fill the form, scan & attach;**

a. - You may submit your claim via a hard copy or electronically by accessing the below given link -<https://jetairways.wcgt.in>. We recommend submitting the claim electronically. Please note that adequate documents including the following documents (where appropriate) should be filed for claims by employees / workmen: (i) copy of employment contract / appointment letter; (ii) copy of salary slip / pay slip evidencing the last drawn salary; (iii) copies of termination / resignation letter and acceptance of the same , if any; and (iv) copies of any other documentation which may be relevant for the computation of the claim.<sup>2</sup>

b. & c. - No authentication is required from HR for submission of claim. However, if you have any authenticated records, please submit them.

d. - Gratuity should be claimed if the claimant is no longer an employee / workman of the company.

e. - If you have submitted the claim electronically, no hard copy of the form is required. However, please note that supporting documents to substantiate your claim are required to be uploaded as attachments while filing your claim electronically.

**5. Will the IRP acknowledge the claim?**

Employees can refer to the list of creditors which shall be uploaded periodically on the website of the company and also on - <https://jetairways.wcgt.in>, after 14th July, 2019.

**6. Cut-off date for computing the claim - whether this is:**

- a. Date of resignation - if resigned on / before 20th June 2019**
- b. Date of resignation if resigning or / after 21st June 2019**
- c. Whether still in employment of the Company post 20th June 2019**

The claim amount should be against the dues and payable till the insolvency commencement date i.e. 20th June, 2019 or the date from which the claimant is no longer an employee / workman of the company, whichever is earlier.

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<sup>2</sup> Please note that all claims must be calculated as on 20 JUNE 2019 and should not relate to any period after that. If your employment ceased before 20 June 2019 then please provide your claim as at that prior date. If your employment legally continues or ceased after 20 June 2019, please calculate any claim as at 20 June 2019 only. This relates to claims for salaries, wages, gratuity, leave encashment, etc. Please provide all relevant supportings for all aspects of your claim to prevent a delay in the admission of your claim. Please also provide a details working for your claim and an explanation for each part of your claim. Please ensure that the name recorded with the bank account details being provided correspond to your name. If any or all of your claim was disputed, please provide full details

**7. For arriving at dues, which items need to be computed e.g. salary, leave encashment, frozen leave, gratuity, pending vouchers, medical claims, etc.?**

1. Salary dues for all employees (resigned or continuing) will be computed.
2. For employees who have resigned on or before 20<sup>th</sup> June 2019, if applicable under law and / or their contract and arrangement with Jet Airways (India) Limited, leave encashment, frozen leave, and gratuity will be computed.
3. Pending vouchers, medical claims etc. (for expenses incurred before 20<sup>th</sup> June 2019) will be included in the claim where available, if applicable under law and permitted under their contract and arrangement with Jet Airways (India) Limited.

**8. Form D asks for salary slips; however, staff has no salary slips after March 2019. Will salary slips be issued?**

The claim shall not be required to furnish salary slips for the months against which they have not been issued. However, please provide the three most recently available salary slips.

**9. Does the submission of claim ensure the entire dues amount will be paid to employees?**

The claims submitted by the creditors, including employees and workmen (as per the list of creditors), will be paid as per the terms of approved resolution plan and in accordance with applicable law.

**10. Is the last day to fill up Form D July 04, 2019 or September 18, 2019?**

As per the public announcement made by the IRP, the submission of claims is requested by 4th July 2019.

**11. Will further extensions be available for submission of employee / workmen claims?**

Employees / Workmen may submit their claims (via Form D) up to an extended date of 24th July 2019.

**12. Is that we all need to resign before 11th of July 2019. Alternately, provide clarity with respect to resignation and 11th July 2019?**

No such communication has been made by the IRP. Please do not believe in any messages being circulated on WhatsApp or any other media platforms.

**13. Whether the employees of any subsidiary/associate/any other group company of Jet Airways (India) Limited can file their claim?**

Please note that if you are not an employee / workman on the payroll of Jet Airways (India) Limited, you cannot submit a claim against Jet Airways (India) Limited under this ongoing process.

**14. Can I claim interest on delayed payments?**

No, interest cannot be claimed for delayed payments to employees / workmen, unless specifically provided for under applicable law or a written contract with Jet Airways (India) Limited.

**15. How will any amount payable by me to the company towards advance taken / deposit given (on my behalf) be adjusted?**

Such amounts, if any, may be adjusted against the claim as on 20<sup>th</sup> June, 2019. However, if the company has paid any amount as a deposit or otherwise, please give us full details so that we can evaluate the same. Note that any assets of the company, including deposits, may not be retained by any person after 20<sup>th</sup> June, 2019.



**Ashish Chhawchharia**

(IBBI/IPA-001/IP-P00294/2017-18/10538)  
Interim Resolution Professional for  
Jet Airways (India) Limited

**Correspondence Address:**

**Jet Airways (India) Limited,**  
Siroya Centre, Sahar Airport Road,  
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E: [RP.Jetairways@in.gt.com](mailto:RP.Jetairways@in.gt.com)

**Registered with IBBI:**

Grant Thornton 10C Hungerford Street, Kolkata – 700017  
E: [ashish.chhawchharia@in.gt.com](mailto:ashish.chhawchharia@in.gt.com)

**LETTER OF AUTHORIZATION**

I,

Name: [NAME],  
Designation: [DESIGNATION],  
Staff number [XXX],

was employed by Jet Airways (India) Limited from [DATE] to [DATE - insert "20-Jun-19" if still employed by the Company].

I hereby authorize Mr. S. Gopalakrishnan, Senior General Manager- Human Resources, of the Company, to provide the Interim Resolution Professional (Mr. Ashish Chhawchharia, appointed under the corporate insolvency resolution process for the Company) with the relevant data in "Form E", as available per the Company's records, the total dues owing to me by the Company, as on 20-Jun-19.

\_\_\_\_\_  
(Signature)

[Name]  
[Place]  
[Date]