

Constitution of the EPF Officers' Association (EPFOA)

1. **Name and address of association and commencement of the articles of the constitution:** (1) The name of the association shall be Employees' Provident Fund Officers' Association and it may be known by its acronymic variant "EPFOA".
 - (2) The office of the association shall be located at the place of posting of the Secretary General.
 - (3) This constitution shall come into force on such date as the members in General Body Meeting decide by resolution.
2. **Definitions:** In these articles unless the context otherwise requires:
 - (a) "association" means Employees' Provident Fund Officers' Association.
 - (b) "batch" means,
 - (i) in respect of officers directly recruited on the recommendation of Union Public Service Commission (UPSC), a group of officers who were part of recommendation against a single and distinct requisition sent by CBT;
 - (ii) in respect of departmentally promoted officers, a group of all such officers, who were promoted into the Commissioner-cadre of EPFO against all the panel years combined together which corresponds to accumulated vacancies against a batch of directly recruited officers as defined in sub-clause 2(b)(1).
 - (c) "CBT" means Central Board of Trustees constituted under section 5A of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (19 of 1952).
 - (d) "EPFO" means the Employees' Provident Fund Organisation.
 - (e) "officer" means a Group 'A' officer of the Commissioners' Cadre of CBT but shall not include Central Provident Fund Commissioner or any other officer working under the CBT on deputation.
 - (f) "President" shall mean president of the association, as specified under article 8, and also include Working President or any other person discharging functions of the President in his absence.
 - (g) "Secretary General" shall mean the secretary general of the association, as specified under article 8.

- (h) “member” means officers who have become member of the association as per articles hereinafter provided.
- (i) “amendment” includes addition, variation, alteration, repeal or any other modification to these articles.
- (j) “seniority” means seniority in Group ‘A’ service in Commissioner-cadre of EPFO.

3. Aims and objectives of the association: (1) The association shall promote and safeguard the common interests of all the members through constitutional means, foster a spirit of camaraderie and good fellowship amongst them and do all such acts as are connected therewith and incidental thereto.

(2) Without prejudice to the generality of the preceding clause, the aims and objectives of the association shall be as follows:

(i) To protect and promote the parity of officers *viz-a-viz* corresponding central government officers within the statutory framework of Section 5(D) of Employees’ Provident Fund and Miscellaneous Provisions Act, 1952 (19 of 1952).

(ii) To secure representation of members in policy making and highest decision making domains of CBT and EPFO.

(iii) To secure better retirement, housing, health and other amenities for its members.

(iv) To provide requisite financial assistance to any member in case of dire need or to members of his family in case of his death.

(v) To secure comprehensive training and specialization/higher education for members in such fields as Economics, Banking, Investment, Law, Statistics, Data Analysis etc.

(vi) To coordinate with other government service associations for promotion of common good and securing better service conditions in general.

(vii) To do any other act which the General Body specifically enjoins.

4. Membership of the association:

(1) Every person appointed as an officer shall be eligible to become member of the association.

(2) All existing officers shall be deemed to be members on the date of these articles coming into force.

- (3) Any officer, who is not already a member, or who ceased to be a member under sub-article (7), may make an application to the Secretary General, to become a member.
- (4) A member shall pay an annual subscription fee of three thousand rupees to the account of the association. Provided that a member may opt to pay a monthly fee of two hundred and fifty rupees or a quarterly fee of seven hundred and fifty rupees in lieu of annual subscription fee. Provided that an officer shall pay and additional membership charge of five hundred rupees while making an application under sub-article (3) for becoming member for the first time or renewing his membership has ceased. Provided further that a member may make any additional contribution to the fund of the association voluntarily.
- (5) Subscription fee for a year shall become due on the last day of that calendar year.
- (6) Membership shall automatically be suspended in respect of a member who remains in arrear for two months from the due date for paying subscription fee.
- (7) A member shall cease to be such member,
 - (i) twelve months after he remains in arrear from the due date, i.e., from the last day of preceding calendar year; or,
 - (ii) when he ceases to be an officer.
- (8) A member may be suspended or removed by the Executive Council from the membership if he does any act prejudicial to the aims and objectives of the association. Provided that before taking any such action, the Executive Council shall allow the member to make representation in person or in writing.

Explanation: - A member shall not be removed from any group or discussion forum including the social media groups unless his membership has been suspended or terminated.

- (9) A member may resign from the membership by writing to the Secretary General of the association.
- 5. General Body of association and its procedure:** (1) General Body of the association shall be its highest decision-making body and shall consist of all the members.
- (2) Subject to clause (16), it shall be a permanent body.
 - (3) General Body shall meet at least once in a calendar year; provided that Secretary General shall have the power to call meetings of the General Body at a shorter interval if a decision to same effect has been taken by the Central Executive in its meeting.
 - (4) It shall be presided over by the President of the association.

- (5) One tenth members of association or 50 members, whichever is less, shall be the quorum of the General Body.
 - (6) All decisions in the General Body shall be taken by a majority of votes of members present and voting.
 - (7) General Body shall discuss following matters:
 - (i) Work done by the Central Executive Council during the preceding year.
 - (ii) Finance and expenditure of the association and audit thereof.
 - (iii) Pending issues and future goals of association.
 - (iv) Any other issue with the permission of the Chair.
- 6. Zonal Council of association:** (1) There shall be a Zonal Council for each Zone of EPFO, consisting of all the officers posted in said Zone.
- (2) There shall be one Executive Member of the Zonal Council who shall be elected from amongst the members posted in the Zone in the manner given in article 9.
 - (3) In case the Executive Member of the Zonal Council is transferred out of Zone, the Central Executive shall have power to nominate any other officer as Executive Member for the remainder of the term in consultation with the senior most member of the concerned Zone.
 - (4) Meetings of the Zonal Council shall be called two times in a calendar year by the Executive Member of the Zonal Council in consultation with the senior most member of the Zone. The meetings of the Zonal Council shall be chaired by the senior-most member present and expenses in conducting the meetings of the Zonal Council shall be borne by the EPFO through a claim raised against the Central Executive.
 - (5) Zonal Council may discuss all the matters which are mentioned in Article (3) and shall communicate the proceedings of its meeting to the Central Executive Council through the Executive Member.
 - (6) For the purposes of this article, the Head Office of EPFO shall be treated as one Zone and PDNASS, along with all the Zonal Training Institutes, shall be treated as another Zone.
- 7. Central Executive Council of the association:** (1) There shall be a Central Executive Council of the association, and it shall be the primary duty of the Central Executive Council to work towards fulfillment of the aims and objectives as defined in article 3.
- (2) The Central Executive shall consist of such number of elected Executive Members as there are batches in the Commissioner-cadre of EPFO, with one Executive Member representing each batch.

- (3) Such number of members, not exceeding two, may be nominated to the Central Executive, as the elected Members of Central Executive may decide in the first meeting of the Central Executive after an election

Provided that, while nominating a member, the elected Members of Central Executive shall have regard to the representation of a woman member in the Central Executive.

- (4) The term of the Central Executive shall be two years from the date of election of its elected members.

8. Office bearers of the Central Executive: The Central Executive shall have following office bearers:

(i) One President. A member should have total service of at least 18 years in the Commissioner-cadre of EPFO to be eligible for the post.

(ii) One Working President. A member should have total service of at least 15 years in the Commissioner-cadre of EPFO to be eligible for the post.

(iii) One Secretary-General. A member should have total service of at least 10 years in the Commissioner-cadre of EPFO to be eligible for the post.

(iv) One Joint Secretary-General. A member should have total service of at least 4 years in the Commissioner-cadre of EPFO to be eligible for the post.

(v) Member, Central Executive. The total number of members, including those mentioned in this article, shall be as per article 7 above.

(vi) One Treasurer. The members of the Central Executive may nominate any one member from amongst themselves as the Treasurer in the first meeting held after being elected.

(Explanation: For the purpose of this Article, a service for less than six months shall be ignored and six months and above shall be rounded to a year.)

9. Elections to the Central Executive of the association:

- (1) Election for the members of the Central Executive Council and for the Executive Member of all the Zonal Councils shall be conducted in the General Body Meeting. The date of election shall be announced by the Secretary General in consultation with the President. At least 30 days prior notice shall be given to all the members before election.
- (2) Every member present in the General Body meeting whose membership is not suspended shall be eligible to stand for election and to cast his vote.
- (3) Every batch shall send name of one member as the representative of the batch to the General Body who shall be incorporated in the Central Executive.

Provided that if no name is sent by a batch as the representative of the batch, then any member present of that batch may nominate himself which shall be seconded by one other member of the batch. In case there are more than one nomination from the same batch then election shall be conducted as per clause(4) of this Article.

Provided further that if no member from any particular batch is present in the General Body meeting, or name is sent by a batch, the Central Executive, within three months, may incorporate an officer of the said batch as member of the Central Executive after due consultation.

- (4) Each member present in the General Body Meeting shall give one vote for any one of the contestants of his batch.
- (5) If more than one vote has been given by a member in respect of a batch, his vote shall be invalid.
- (6) The senior-most member of the association present in the General Body meeting shall nominate a member as the Election Officer. The Election Officer shall thereafter immediately hold elections to the Central Executive and the Executive Member of the Zonal Council. However, if the General Body so decides, due to paucity of members present in the meeting or for any other reason, the Election Officer shall hold the elections at a future date as decided by the General Body.
- (7) It shall be the duty of the Election Officer:
 - (i) to prepare muster roll of all the members and the list of suspended members.
 - (ii) to send requests to suspended members to clear their dues.
 - (iii) to declare last date of filing nominations and withdrawal thereof.
 - (iv) to collect nominations from all the contesting members and arrange them according to the batch to which they belong.
 - (v) to declare before the date of election whether any member has been elected unopposed.
 - (vi) to send invitation to all members to assemble at such place and time, before the term of Central Executive is over, for General Body Meeting for election, as he thinks fit.
 - (vii) to verify eligibility for voting of the persons present in General Body Meeting in such manner as he thinks fit.
 - (viii) to declare the result of the election.
- (8) All the contesting members shall have the right to address the General Body before the election.

- (9) Immediately after the incorporation to the Central Executive, the representative members may tender their choice, subject to the conditions prescribed, for the post of office bearer specified in Article 8 above.

Provided that if more than one representative member give their choice for the same post, the office bearer for that post shall be decided by the General Body.

- 10. Resignation and removal of Executive Members:** (1) The President may submit his resignation to the Working President in writing who shall inform the Secretary General.

- (2) All other members of the Central Executive may submit their resignation to the President.

- (3) Any member of the Central Executive may be removed by the General Body on the grounds of misdemeanor or doing any act prejudicial to the aims and objectives of the association and for that purpose it may call an extraordinary meeting.

- (4) Any vacancy arising in the Central Executive due to resignation and removal shall be filled in the next meeting of General Body.

- 11. Procedure for transaction of business of Central Executive:** (1) The Central Executive shall meet at such place and time as the Secretary General may decide.

- (2) Fifty percent of the total members of the Central Executive shall form the quorum.

- (3) Meetings of the Central Executive shall be presided over by the President or in his absence by the Working President or in his absence by the senior-most member present.

- (4) It shall be the duty of Secretary General to introduce the agenda of the meeting.

- (5) As far as possible, all the decisions in the meeting shall be made by consensus of members present,

Provided that if on any issue no consensus is evolved, then decision shall be taken by voting by members present in the meeting; Provided further that in case of equal division of votes, the President shall have casting vote.

- (6) It shall be the duty of Secretary General to implement all the decisions of General Body and Central Executive and he shall have the power to do all the acts connected therewith and incidental thereto.

- (7) All correspondence and communications on behalf of the association shall be done by the Secretary General.

- (8) For the purposes of sub-clause (6), Secretary General shall have the power to allocate works among the members of Central Executive;

Provided that he shall not have power to allocate work to the President and Working President except by making a request and obtaining their assent thereon.

- (9) If any issue requires urgent action by the association, Secretary General may take such actions as required in consultation with the President, provided that in the next meeting of the Central Executive, full particulars of such actions and circumstances antecedent thereto shall be laid for consideration of the members of the Central Executive.
- (10) It shall be the duty of the Secretary General to keep and preserve all the records of the meetings of General Body and Central Executive.
- 12. Accounts of the association:** (1) All the monies collected through the membership and other fees shall be credited to the account of the association.
 - (2) The bank account of the association shall be maintained in a nationalised bank situated at Delhi.
 - (3) It shall be the duty of the Treasurer to maintain books of account in such form and manner as the General Body may decide.
 - (4) The Treasurer shall retain records of all receipts and vouchers for a given financial year till the expiry of one year after the completion of audit for a particular year.
 - (5) The accounts of the association shall be audited annually by a qualified auditor.
- 13. Amendment of articles:** (1) The General Body shall possess the power to amend the present articles.
 - (2) Central Executive may introduce any amendment during the General Body Meeting with at least 21 days prior intimation of the proposed amendments to all the members.
 - (3) Amendments to the articles may be introduced by any member in writing during the General Body meeting with at least 10 days prior intimation to the Secretary General.
 - (4) The concerned article shall stand amended immediately after it is accepted by the General Body through voice vote.
- 14. Resolution of doubt:** (1) Subject to the approval of General Body, Central Executive Council shall have power to interpret the present articles and resolve any doubt or dispute connected therewith.
 - (2) Anything already done by the Central Executive Council or Secretary General shall not be invalid only on the ground of disapproval of General Body of the matters mentioned in sub-article (1).

- 15. Settlement of disputes:** Any dispute, controversy or claim arising under, out of or relating to this Constitution shall be decided only at New Delhi.
- 16. Dissolution of the association:** (1) Association can only be dissolved with the approval of majority of the members present in a general body meeting which is attended by not less than three-fourth of the total membership.
- (2) No agenda for dissolution of association can be moved by any member in a general body meeting which was not called specifically for the purpose of dissolution.