

MINUTES OF THE MEETING OF EPF OFFICERS' ASSOCIATION

DATE: 25th JUNE, 2018, NEW DELHI

The meeting of Central Executive of Employees Provident Fund Officers' Association was held under the Chairmanship of Sh. R.K. Singh, ACC, President, EPFOA.

The following members attended the meeting:

S. No.	Name & Designation	Attended meeting in the capacity of
1	Sh. R. K. Singh, ACC	President
2.	Sh. Amit Vashisht, RPFC-II	Working President
3.	Sh. Abhaya Nand Tiwari, APFC	Secretary General
4.	Sh. Yashowardhan Srivastava, APFC	Jt. Secretary General
5.	Sh. Sumeet Singh, APFC	Treasurer
6.	Sh. Manish Mani, APFC	Vice President (UP & BR)
7.	Sh. K Sisubalan, APFC	Vice President (TN & KR)
8.	Dr. Ram Krishna Tripathi, APFC	Vice President (MH & CH)

At the outset, the President welcomed all the participants. Thereafter, the agenda items were taken up for discussion.

Item No. 1: Resignation of Sh. Yashowardhan Srivastava, Jt SG, EPFOA

The Secretary General introduced the matter and underlined that the resignation of Sh Yashowardhan Srivastava tendered citing personal grounds may be summarily rejected in the light of important matters at stake and his contribution to the association so far. The Central Executive then unanimously rejected the resignation by show of hands.

Item No. 2: Official Stand of EPFOA on filling of vacant positions of RPFC-II

The agenda item was raised by Secretary General Sh Abhaya Nand Tiwari and seconded by Working President Sh. Amit Vashisht. It was summarily and comprehensively argued that all the posts in RPFC-II cadre should be filled by way of relaxation. Further, Central Executive authorized SG to take all appropriate steps to pursue the same. The agenda was passed unanimously by show of hands.



Item No. 3: HO directive for stopping deduction of contribution from Officers' salary towards Association/Union

Secretary General Sh. Abhaya Nand Tiwari stated that HO issued directions vide circular HRM-XII/IR/11(5)17 /BMS/3290 dated 16/05/2018 for stopping deduction from salaries of Officers towards payment to Association/Union. The central executive unanimously passed resolution against the said HO directive to the extent it is applicable to EPFOA. It was argued that EPFOA is the only body representing Group-A officers (Commissioner Cadre) & there was no premise available before management to issue such general directions without excluding EPFOA specifically.

Item No. 4: Expenditure A/c of the Association

Treasurer Sh. Sumeet Singh presented the Expenditure A/c to the Central Executive along with Cash Books relating to expenses borne for and by the present central executive. The same was duly received by all participants & approved by the chair. It was also maintained that objections if any shall be communicated to the Treasurer and will be taken up during the next meeting of the Central Executive.

Item No. 5: NFSG, NFU & MACP Implementation

The Central Executive expressed its concern regarding inordinate delay in implementing the NFU, NFSG & MACP provisions and authorized SG to take all necessary steps to ensure early implementation.

Item No. 6: Conducting Election & EPFOA Membership

It was deliberated that EPFO management is implementing CCS (RSA) Rules 1993 mutatis-mutandis as circulated vide circular HRM-II/IR/11(5)17/BMS/19839 dated 22/02/2018 and has already issued instructions in this regard.

As per condition 6 (f) of Annexure-B of CCS (RSA) Rule,

"The Service Association shall abide by, and comply with all the provisions of its constitution/ bye-laws"

Therefore, it is imperative to conduct the election in consonance with provisions of EPFOA constitution. During discussion, the inconsistencies in the various sections of constitution of EPFOA was deliberated.

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For example:

1. Article 3 of EPFOA constitution stipulates that the official year of EPFOA coincides with the calendar year from January to December whereas the present body assumed office in August 2016 & accounts were handed over only in early 2017. This anomaly was inadvertently crept in as election was delayed for election of previous body where election was delayed by more than 8 months due to extant circumstances and could be conducted in August 2014 in place of December 2013. Such anomaly needs to be rectified in consonance with constitution of EPFOA
2. Section 7 details organizational setup of EPFOA with Unit Council, General Council & Central Executive but Unit Council and General Council are nowhere formed with certain exceptions.
3. Article 7(B) of constitution stipulates "All the above office bearers and the Executive Committee Members shall be elected in a meeting of the General Council of delegates if necessary by secret ballots/E-mail/SMS/Other electronic mode". But during last elections, Central Executive was elected directly by member officers and not by General Council as it might had been considered administratively convenient at that point and the scrutiny and compliance under CCS(RSA) rules was not mandatory. But, in current scenario, it would be wise for Officers' fraternity to conduct election in complete accordance with EPFOA constitution OR to amend the constitution by way of referendum before CCS (RSA) Rules come in to force as condition 6(g) of CCS (RSA) Rules Appendix-B states that-

"Any amendment in the constitution/ bye-laws of the Service Association, after its recognition under these Rules, shall be made only with the prior approval of the Government"

Thus, any changes in constitution post approval of EPFOA under CCS (RSA) Rules would require prior approval of ministry. Thus, it is imperative that all inherent inconsistencies in rules and procedures are removed and/or constitution is amended by referendum before EPFOA comes under CCS (RSA) rules.

The Central executive is duty bound to conduct valid and legally tenable elections. There are 2 ways to achieve this objective:

- a) Operationalize Unit Council & General Council within specified time frame OR
- b) Amend Article 7B of constitution by inserting "In case of non-existence/insufficient General Council, members of Central Executive maybe Directly elected by members of association

It was further deliberated that Central executive itself is not competent to amend the constitutional provision and therefore it was finally decided to conduct online referendum to decide the course of action in time bound manner so that every member



of the association can be provided an opportunity to participate in the decision making and the task was entrusted to Sh Yashowardhan Srivastava, Jt SG, EPFOA. The same referendum platform would be used for conducting election for Central Executive.

It was further discussed that in course of implementation of CCS (RSA) Rules, EPFO management has decided to ascertain actual membership of association through check-off method. The same was duly communicated to member officers vide association letter dated 23/03/2018 and in response many officers have deposited their contribution along with arrears. However, it is noticed that substantial number of officers are still not contributing. Article 5 & 6 of EPFOA constitution lays down criteria of membership on the basis of contribution/subscription. Therefore, it was decided that a list of non-contributing officers would be circulated to address twin purpose

- a) To give an opportunity to left out member officers for membership & strengthen association through accretion of members
- b) In case of direct election by member officers, election can be conducted in consonance with the provision of the constitution leaving no room for any controversy

Zonal VPs are hereby entrusted the task to prepare Zone wise list of the same by end of August 2018.

Item No. 7: Reforms in composition of EPFO

The proposal for reforms in EPFOA constitution was proposed by Jt SG Sh Yashowardhan Srivastava with a view to give participation to all batches/designations/stakeholders so as to make EPFOA more representative and inclusive in character and increase trust and confidence among member officers. The proposal was circulated among Central Executive members. Post deliberations, it was decided that the proposal be circulated among member officers inviting suggestions/inputs and on the basis of input received from member officers final proposal would be put up for voting in the referendum along with the matter discussed in item no 6.

Item No. 8: Meeting with EPFO Management

It was deliberated that till elections are completed and new body takes charge the remaining term should be productively utilized by the incumbent body for greater good of member officers. It was discussed that last formal IR meeting with CPFC was held in July, 2017 wherein many agenda items agreed to by the management and circulated by approved minutes HRM-XII/IR/11(7)2009/EPFOA/Vol. I/ 12627 dated 13/09/2017 are yet to see the light of the day. Therefore, it was decided to convene a formal meeting with management on pending agenda



items like NFSG, Work Profiling, Infrastructure and Budget Allocation to District Offices & Zonal Offices, Filling up of vacant posts of RPFC-II, Implementation of NFU, Lack of provisioning of vehicles in field offices & district offices, Use of state emblem, empanelment of Movers & Packers, Increase in Lease Rent Allowance, Confirmation of 2015 batch APFCs, Delay in MACP, Timely DPC, etc. In this regard, SG was authorized to coordinate efforts in engaging with EPFO management.

The meeting ended with a vote of thanks to the Chair.



[R K Singh]

President, EPFOA

Copy to: All members of the Central Executive, EPFOA