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EMPLOYEES PROVIDENT FUND OFFICERS' ASSOCIATION
(Recognised)

Bhavishya Nidhi Bhawan, G.S. Road, Near Bharalu Bridge,
Bhangagarh, Guwahati – 781 005. (Assam)

PATRON

G. Sanjeeva Reddy,
MP (Rajya Sabha)

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Sudarshan Kumar, APFC

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Ganesh Kumar, R.P.F.C-II

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| <p><u>ORGANISING SECRETARY</u> Rakesh Kumar, R.P.F.C-II</p> <p><u>TREASURER</u> J.C.Thukral, R.P.F.C-II</p> <p><u>Vice Presidents:</u></p> <p>(North) Manoj Yadav, R.P.F.C-II</p> <p>(South) M. Sarfraz, A.P.F.C</p> <p>(East) R. P. Roy, A.P.F.C</p> <p>(West) Vinit Kumar, A.P.F.C</p> <p><u>MEMBERS:</u></p> <p>(North) Sarita Jain, RPFC-II</p> <p>(South) S. Kumar, A.P.F.C</p> | <p>Date: June 16, 2011 Place: Guwahati</p> <p>To,</p> <p>Shri Samirendra Chatterjee, IAS The Central P. F. Commissioner E. P. F. Organization NEW DELHI 110066.</p> <p>Sub: Request for meeting on June 27, 2011, Monday, with the EPF Officers' Association to consider implementation of statutory parity of service conditions and other proposals – reg.</p> <p>Respected Sir,</p> <p>This communication is to seek a meeting of the EPF Officers' Association with you. In this regard it is brought to your knowledge that the last occasion when a meeting was held with the Association was on July 06, 2010. The predominant issue for deliberation in the last meeting was the implementation of statutory provisions contained in clauses (a) and (b) of sub-section 7 of Section 5D of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (the Act) and the consequential Cadre Review of the cadre of officers in the Employees' Provident Fund Organisation (EPFO). Six months later on December 13, 2010 a meeting of the Association was held with the Secretary (Labour & Employment) on the same issue which was discussed in detail in your august presence.</p> <p>Since then a proposal for Cadre Review with detailed analysis in the context of organisational, functional and personnel needs of the EPFO was submitted to you, the Labour Secretary and the Hon'ble Union Minister of Labour & Employment. In this document every</p> |
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proposal was duly supported with reason and extant administrative and statutory provisions.

Subsequently this issue was also discussed in the 70th meet of the Executive Committee of the CBT held on Feb 14, 2011. In this meeting a toned down version of the Cadre Review proposal as submitted by the Association was presented by the EPFO management for consideration by the Executive Committee.

Since then there is no development on this vital issue of implementation of statutory provision contained in clauses (a) and (b) of sub-section 7 of Section 5D of the Act and the consequential Cadre Review of the cadre of officers in the EPFO.

In the meantime the issue of statutory mandate of equality of service conditions of officers of EPFO with those of Central Government contained in Section 5D (7) (a) of the Act attracted judicial attention. The Central Administrative Tribunal, Chandigarh considered this matter in A. K. Chandok vs. Union of India (OA number 400/HR/2010). Delivering the judgment dated February 25, 2011, the Hon'ble CAT upheld and reiterated the statutory provision of equality of service condition as indicated above and declared its non-implementation as violative of the statutory mandate. A copy of this judgment is enclosed as **Annexure I**. This judgment of the Hon'ble CAT was challenged under Article 226 of the Constitution of India by the Union of India before the Hon'ble Punjab & Haryana High Court. After considering the matter in full, under the petition bearing number CWP 8438 Of 2011 it disposed of the petition on May 12, 2011. Hon'ble High Court concurred with the CAT Chandigarh and held that this statutory mandate of equality of service conditions remains unimplemented. A copy of this judgment is enclosed as **Annexure II**.

It is requested Sir to hold a meeting with the Officers' Association to consider the issue of statutory parity of service conditions and Cadre Review in the light of these developments. In this meeting issues which were discussed in the last meeting may also be considered for the progress achieved in those areas. A copy of the minutes of the last meeting is enclosed as **Annexure III**.

A list of officers who are likely to attend the meeting to represent EPF Officers' Association is enclosed as **Annexure IV**.

I request you to consider forenoon of June 27, 2011 for this proposed meeting.

Thanking you.

Yours faithfully,



Sudarshan Kumar
SECRETARY GENERAL

Copy to:

Shri S R Josh, Addl.CPFC (HRM)
EPF Organisation
Head Office
New Delhi

Enclosures:

1. Annexure I
2. Annexure II
3. Annexure III
4. Annexure IV
5. A copy of the letter dated January 24, 2011 written by the Association on this issue (Annexure V).
6. A copy of the letter dated March 11, 2011 written by the Association on this issue (Annexure VI).