

BHARTIYA MAZDOOR SANGH

2, NAVIN MARKET, KANPUR-208001

To,

2 JUL 2011

The Chairman,
Central Board of Trustees,
Govt. of India,
E.P.F. Organization,
NEW DELHI.

The ViceChairman/Labour Secretary,
Central Board of Trustees,
Govt. of India,
E.P.F. Organization,
NEW DELHI.

Sub: **Non-Functional upgradation for Officers of Organized Group 'A' Services in PB-3 and PB-4.**

Ref: **Govt of India, Ministry of Personel, Public Grievances and Pensions, Department of Personnel and Training, O.M. Nos. 14017/64/2008-Estt.(RR) dated 24.04.2009 and dated 21.05.2009 (copies enclosed for ready reference).**

Sir,

Your kind attention is invited to the reference cited above. In nut shell, for example, the circulars say that if an Officer of Indian Administrative Services belonging to 1989 batch is posted to Central Government in the Pay Band and Grade Pay of Joint Secretary, then Officers of other organized Group 'A' service, who are from 1987 batch will also get the pay band and grade pay of Joint Secretary on non-functional basis. In other words whatever grade is given to IAS of particular batch, the same is to be given to Group 'A' Officers of other Central Government, if they are from two years earlier batch.

As contemplated in Section 5(D)(7)(a) of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952, the conditions of service are that the method of recruitment, salary and allowances, discipline and other conditions of service of the Additional Central Provident Fund Commissioner, Deputy Provident Fund Commissioner, Regional Provident Fund Commissioner, Assistant Provident Fund Commissioner and other officers and employees of the Central Board shall be such as may be specified by the Central Board in accordance with the rules and orders applicable to the officers and employees of the Central Government drawing corresponding scales of pay.

It has also further been confirmed by the Hon'ble High Court of Punjab and Haryana on 12.05.2011 in the matter of Union of India and another versus Central Administrative Tribunal, Chandigarh and another in C.W.P. No. 8438 of 2011 (matter filed by Shri A.K. Chandok before Central Administrative Tribunal, Chandigarh). Even this judgement could not be implemented till now.

It may be mentioned that Officers of Employees' Provident Fund Organization could not get the above benefits till now. It is needless to mention that EPFO Officers have always risen to the occasions and met challenges fixed by the competent authority. For example, implementation of Employees' Family Pension Scheme, 1971, Employees' Pension Scheme, 1995, Compliance 2001 Programme, Computerization in the new software, updation of members' accounts, which were pending for years together (mainly because of belated declaration of rate of interest, acute shortage of staff and officers, no fresh sanction on implementation of new schemes etc. etc.). There are innumerable examples of their devotion which cannot be quoted. The latest

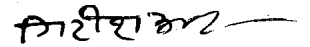
example is that the E.P.F.O. could clear 4.4 crores (for 2008-09 and 2009-10) accounts in just three months from 1st April to 30th June, 2011, bringing down the pendency in most of the offices to zero. The pendency of country as a whole has come down to meager one crore and odd which has been and appreciated by all.

This is high time that the competent authority should also do something to boost up morale of EPFO Officers. Hence I once again request the Chairman, Central Board of Trustees to implement the provisions of circulars referred to above from the due date for every Group 'A' Officer of E.P.F.O. It is pertinent to mention here that while granting NFSG to Directors' scale officers (i.e. Additional Central Provident Fund Commissioner level officers in E.P.F. Organization) with effect from 1999, it has already been accepted that EPFO has all the ingredients of Organized Group 'A' service.

with regards

Encl : As above.

Yours faithfully,



(Girish Awasthi)

Member,

Central Board of Trustees.