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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,
Ex MP (Rajya Sabha)

PRESIDENT

Shankar Pathak, RPFC-I

SECRETARY GENERAL

Sudarshan Kumar, APFC

WORKING PRESIDENT

E Sanjeeva Rao, R.P.F.C-II

JOINT SECRETARY GENERAL

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

ORGANISING SECRETARY

M.S.Arya, R.P.F.C-II

TREASURER

N Kishore Kumar, A.P.F.C

Vice Presidents:

(North)

Manoj Yadav, R.P.F.C-II

(South)

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

(East)

Shekhar Kumar, RPFC-II

(West)

Ravindra Shinde, A.P.F.C.

MEMBERS:

(East)

R.K.Sinha, A.P.F.C

(West)

G R Jilla, A.P.F.C.

Date: December 23, 2013

Place: ~~Guwahati~~ DELHI

**Decision of EPFOA Central Executive during meeting
held at NATRSS**

Date: December 21 & 22, 2013

Venue: NATRSS, New Delhi.

Following office Bearers were Present:


1. Sri Shankar Pathak, President
2. Sri Sudarshan Kumar, Secretary General
3. Sri E. Sanjeeva Rao, Working President
4. Sri Ganesh Kumar, Jt. Secretary General
5. Sri Paritosh Kumar, Vice President (South)
6. Sri Manoj Yadav, Vice President (North)
7. Sri M S Arya, Organising Secretary
8. Sri Kishore Kumar, Treasurer
9. Sri R K Sinha, Member


Following agenda items were discussed:

- **Non Functional Upgradation (NFU):** It has been decided to draft standard representation i.r.o. each Batch will be prepared and the same shall be hosted to the association website. Officers from all batches, particularly some officers with top ranks and some others whose ranks are towards the end of that batch shall make representations using the said model representation.
- **Amendment in Recruitment Rule(RR):** EPFOA will make representation to amend the RR for various posts in terms of DOPT OM No. AB 14017/61/2008-Estt. (RR) dated 24.3.2009 to incorporate the changes required to make provision for parity with IAS in the wake of 6CPC fully functional.
- **Providing more Gr A officers in HRM/HRD:** it was agreed that to set right the distortion to Gr-A cadre separate wing may be created and certain officers may be exclusively assigned the charge of Cadre management.
- **Initiation of Vigilance Cases:** it is learnt that 20% of EPF Officers are facing vigilance proceedings which is more than any other service, which is alarming. Most of the cases are due to non availability of required manual and defined procedure in Organisation. This matter requires urgent attention and shall be raised before CPFC.
- **Cadre restructuring proposal as approved by Executive Committee,CBT** which is competent to create any post upto Grade Pay of Rs 8700/- and the same has been confirmed by Ministry of Law & Justice. As per decision taken by the Ec,CBT the post of RPFC-II been upgraded to the Grade pay of Rs 7600/- (PB:3). The same has not been implemented till date therefore it has been agreed that a draft standard representation with all annexure shall be hosted to the association website and all RPFC-II may be requested to submit representation at the earliest.
- **Reimbursement of Litigation expenses:** As had been deliberated and agreed in the previous central executive meeting that maximum Rs 50000/- or actual expenses , whichever is less would be paid to all those officials whose cases has been ascertained to be for common benefit of the Officer and Organisation as a whole. Details are mentioned below where the committee has approved the payment of Rs 50,000/- in each case:

Sl no	Officer(s)	Case no	Common Cause Involved
1	Sri Jagmohan & Others	P K Udgata & Others Vs The Secretary, Ministry of Labour & Another OA No: 1563/2011 CAT, Principal Bench	Whether non holding of DPC, without good and sufficient reason, when it was due can a ground for postponement of promotion to officers on regular basis. Judgement uploaded on Association website.
2	Sri E.S.Sanjeeva Rao, RPFC-II	E.S Sanjeeva Rao Vs CBI & others CWP No: 2637 of 2010 Bomaby High Court	Whether the authority mentioned U/s 5D (3) of EPF& MP Act are Judge or not. Whether the correctness of the statutory assessment made by a Judge opened to be determined by criminal investigating agency viz CBI. Whether a statutory assessment made by a Judge, even if incorrect/ legally untenable, is subject to crimal investigation by registration of FIR. Judgement uploaded on Association website.
4	Sri Sudarshan Kumar	Sudarshan Kumar Vs EPFO & Another Supreme Court Civil Appeal No 6452/2012	Whether the power of Civil Court (Power to arrest) vested in the Quasi judicial authority U/s 7A of EPF &MP Act can be taken away/ superseded /set aside by an administrative circular. Bombay HC Judgement (PIL 45/2009) uploaded on Association website and the case is continuing in the Hon'ble Supreme Court.
5	Sri Paritosh Kumar	Paritosh Kumar Vs EPFO, CBI & Others WP No:40493/2012 High Court Hyderabad	In connection with statutory assessment under Section 7A of the Act, the question raised in this litigation is whether the Disciplinary Authority can seek to prove a (or any) cognisable offence (under P.C. Act) through departmental chargesheet.
6	Sri N Kishore Kumar & others	OA No: 2569/2012, 2557/2012, 2557/2012 CAT, Principal Bench	Whether non holding of DPC, without good and sufficient reason, when it was due can a ground for postponement of promotion to officers on regular basis. Case is pending

- In terms of decision taken during the Central Executive meeting the cost of travel all places from where the officer travel to the venue of the meeting and return will be reimbursed for the air fare if the places are not connected by overnight train (as per its usual meaning). All pending bills should be cleared at the earliest.
- As had been deliberated and agreed in the previous central executive meeting Sri Sudarshan Kumar, Secretary General from Aug 2010 to Dec 2013 @ Rs 1000/- per month towards the expenses for internet/mobile charges. Sri N. Kishore Kumar, Treasurer has been requested to issue cheque for Rs 41,000/- (for 41 months).
- Sri Manoranjan Kumar, member liaisoning committee has been sanctioned an amount of Rs 10000/- towards reimbursement of the expenditure incurred by the said committee.
- As had been deliberated and agreed in the previous central executive meeting Taxi hire charges are to be reimbursed as per actual.
- EPFOA has consulted Advocates namely Sri Sabarbal and Sri Nagesh towards legal opinion regarding initiating litigation for implementation of statutory mandate U/s 5D (7) of EPF & MP Act and NFU. The necessary payment of Rs 7500/- and Rs 5000/- towards conference may be made.
- Association expressed its concern for non issuance of Annual general transfer order for APFC for the last 02 years and very large no of representations are pending for disposal. Matter to be raised before CPFC.
- It has been unanimously decided to hold General Council meeting on February 01, 2013, Saturday at NATRSS for election for new body for EPFOA (2014-2015). The Secretary General will issue formal Circular to this effect.


 23/12/13
Sudarshan Kumar
Secretary General


 23/12/13
Shankar Pathak
President