



EMPLOYEES' PROVIDENT FUND OFFICERS' ASSOCIATION
EMPLOYEES' PROVIDENT FUND ORGANISATION
MINISTRY OF LABOUR AND EMPLOYMENT, GOVT. OF INDIA
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(Regn. No. 33/2015)

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Assistant PF Commissioner

TREASURER

Smt. Ritu Kanojia
Assistant PF
Commissioner

November 23, 2023

To,

**The Hon'ble Chairman,
Central Board of Trustees, EPF /
Hon'ble Minister for Labour & Employment,
Government of India, Shram Shakti Bhawan,
New Delhi – 110001**

**Sub – Violation of Section 5D of the EPF & MP Act by
appointment of ACC(HQ) through deputation – regarding**

**Ref : (i) ACC order no. No. 33/09/2023-EO(SM-I) dated 20-11-
2023.**

**(ii)EPFOA letters dated 04-08-2022 & dated 19-05-2023 to
Deputy Secretary, ACC intimating that CBT EPF is the
Appointing authority for the deputation post of ACC (HQ)
in EPFO.**

Respected Sir,

I invite your kind attention to the above-cited communications. Vide orders dated 20-11-2023 Shri Amit Katoch, IP&TA&FS (1998), has been appointed as Additional CPFC (HQ), Employees' Provident Fund Organisation (EPFO) for a period of five years. As submitted vide EPFOA letters cited above the said appointment without the approval of CBT, EPF is contrary to the provisions of the Employees Provident Funds & Miscellaneous Provisions Act 1952. The Act specifies that other than CPFC & FA&CAO, for which Central Government is the appointing authority, power to make appointments to all other posts in EPFO vests with CBT, EPF.

2. Since the Appointments Committee Cabinet, in its wisdom has issued the above orders, it is requested that the said orders may be got ratified by CBT, EPF to ensure adherence to statutory provisions, before Sh. Amit Katoch joins EPFO.

3. We have been repeatedly requesting that admissible benefits to EPF officers, such as Non-Functional Upgradation (NFU), Non-Functional Selection Grade (NFSG) etc. which have been denied for years altogether. This non-action is forcing EPF Officers' Association to approach courts to seek relief. The inexplicable denial of duly sanctioned service benefits is very demoralising. This is also leading to needless litigation.

4. It is also submitted that the extant Recruitment Rules for EPF Commissioners' cadre is not as per approvals of Central Board or the extant rules of Government of India. EPF & MP Act 1952 directs that these rules should exactly mirror those admissible to Central Government employees drawing corresponding pay.

5. We submit that the majesty of law may be upheld and administrative actions and decisions may kindly be taken accordingly.

Thanking you

Yours sincerely,

A. Swami

**[Saurabh Swami]
Secretary General**

Copy to:

1. All Hon'ble Members, CBT, EPF
 2. Secretary (L&E), Govt. of India
 3. Central PF Commissioner, EPFO
- } for kind information and necessary action.