



EMPLOYEES' PROVIDENT FUND OFFICERS' ASSOCIATION
EMPLOYEES' PROVIDENT FUND ORGANISATION
MINISTRY OF LABOUR AND EMPLOYMENT, GOVT. OF INDIA
Regional Office, Sham Nagar, Near General Bus Stand, Ludhiana – 141001 (Punjab)

(Regn. No. 33/2015)

Phone: 0161-2440559, 9655565892

Fax: 044 2402206

WhatsApp: EPF Officers' Association (9655565892)

PAN: AAAAE7689J

Email: epfooa@gmail.com

Web: www.epfoa.in

Facebook: Epfoa India

Twitter: @epfoaindia

PRESIDENT

Sh. Navendu Rai

Regional PF Commissioner-I

WORKING PRESIDENT

Dr. K. P. Singh

Regional PF Commissioner –I

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Sh. Saurabh Swami

Regional PF Commissioner -I

**JOINT SECRETARY
GENERAL**

Sh. Hansraj Roy
Regional PF
Commissioner -II

**MEMBER,CENTRAL
EXECUTIVE**

Sh. Pawan
Regional PF
Commissioner -II

Sh. Avinash Sinha
Assistant PF Commissioner

TREASURER

Smt. RituKanojia
Assistant PF
Commissioner

March 22th, 2024

To,

**Ms. Sumita Dawra, IAS
Secretary to Govt. of India,
Ministry of Labour & Employment,
Shram Shakti Bhawan,
New Delhi - 110001**

**Subject: Request for immediate compliance of Hon'ble
CAT order in OA No.0607582023-regarding**

Respected Madam,

This document respectfully brings to your attention the following:

1. The EPF Officers' Association petitioned the Chandigarh Central Administrative Tribunal (OA No. 060/758/2023) regarding the denial of Non-Functional Upgradation (NFU). Their case was supported by a previous judgment from the same Tribunal, upheld by the Punjab and Haryana High Court (A.K Chandok case).
2. On August 21, 2023, the Tribunal directed the respondents to issue a reasoned order on the NFU requests within two months of receiving the order's certified copy (copy enclosed). By November 6, 2023, the respondents were required to issue reasoned orders, but none were received.
3. On January 17, 2024, the respondents filed applications (MA No. 100 & 105 of 2024) seeking a delay excuse and an extension to comply with the August 21, 2023 order (until January 31, 2024). The Tribunal granted a four-week extension for implementing the August 21, 2023 order on February 6, 2024 (copy enclosed). This extension expired on March 6, 2024.

4. Despite exceeding the initial two-month deadline and the subsequent extension, no reasoned order has been issued as of today (more than six months since the initial order).

The Association had hoped for a resolution within the extended timeframe (sought by the authorities themselves). We kindly request that a reasoned order be issued by March 31, 2024 (more than seven months after the initial order). This will hopefully prevent the Association from resorting to filing a contempt application against the relevant authorities.

Thanking you.

Yours sincerely,



[Saurabh Swami]
Secretary General

Copy to:

1. Central PF Commissioner, EPFO



**CENTRAL ADMINISTRATIVE TRIBUNAL
CHANDIGARH BENCH**

ORIGINAL APPLICATION NO.60/758/2023

DATED THIS THE 21ST DAY OF AUGUST, 2023

CORAM:

HON'BLE MR. RAMESH SINGH THAKUR, MEMBER (J)
HON'BLE MRS. RASHMI SAXENA SAHNI, MEMBER (A)

1. Employees Provident Fund Officers Association Regional Office Sham Nagar, Near General Bus Stand, Ludhiana through its Secretary General, Saurabh Swami, Regional Provident Fund Commissioner 1 S/o Sh. Krishna Nandan Roy, aged about 44 years, Secretary General, Employees Provident Fund Officers Association, R/o Type -V/1, Bhavishya Nidhi Enclave, Pakhowal Road, SBS Nagar, Ludhiana.
2. Amit Singla S/o Sh. Ram Dass, Regional Provident Fund Commissioner-1, aged about 43 years, SCO No. 4-7, Sector-17D, Chandigarh.

....Applicants

(By Advocate: Sh. Kamal Sehgal).

Versus

1. Union of India through the Secretary, Ministry of Labour, Government of India, Shram Shakti Bhawan Rafi Marg, New Delhi.
2. Central Provident Fund Commissioner, Bhavishya Nidhi Bhawan, 14, Bhikaji Cama Palace, New Delhi-110066.
3. Central Board of Trustee, through its Chairman, Bhavishya Nidhi Bhawan, 14, Bhikaji Cama Palace, New Delhi- 110066.

....Respondents

(By Advocate: Sh. Sanjay Goyal for R. No.1, Sh. K.K. Thakur for R. No.2 and 3).

O R D E R (ORAL)**PER: RAMESH SINGH THAKUR, MEMBER (J)****M.A. No. 1830/2023**

This application has been filed by the applicants seeking permission to pursue the original application jointly as one of the applicants is Union and other is Member of Union.

For the reasons stated therein, the M.A. is allowed. Applicants are allowed to pursue original application jointly.

Original Application

1. On receiving advance copies, Sh. Sanjay Goyal, Sr. CGSC, has put in appearance on behalf of respondent No.1 and Sh. K. K., Sr. Panel Counsel, has put in appearance for respondents No.2 and 3.
2. This original application has been filed by the applicants against inaction of respondents No.2 and 3 in not deciding representations dated 28.9.2022 and 29.09.2022 (Annexure A-24 colly) moved by applicants No.1 and 2 in individual capacity for grant of Non Functional Upgradation (NFU).
3. Learned counsel for the applicants submits that applicants will be satisfied if competent authority is directed to decide Annexure A-24 regarding grant of benefit of NFU in a time bound manner.



4. Learned counsels for the respondents have no objection if competent authority is directed to decide the representations of the applicants in the above manner.
5. This Tribunal has considered the matter and is of the view that ends of justice would be met if respondent are directed to decide the representations of the applicants in a time bound manner.
6. Resultantly, respondent No.2 and 3 are directed to decide the representations (Annexure A-24) by passing a reasoned and speaking order by taking into consideration contentions raised by the applicants qua NFU within a period of two months from the date of receipt of a certified copy of this order.
7. Needless to say that this Tribunal has not expressed any opinion on the merit of the case.
8. The applicant is directed to supply a copy of this order and O.A. to the competent authority.

(RASHMI SAXENA SAHNI)
MEMBER (A)

(RAMESH SINGH THAKUR)
MEMBER (J)

/kr/

CENTRAL ADMINISTRATIVE TRIBUNAL CHANDIGARH BENCH

Order Sheet

Item no.: 23
M.A./105/2024 (CHANDIGARH)
In
M.A./100/2024
Court No.: 1

No of Adjournment: 1

Order Dated: 06/02/2024

**EMLPLOYEES PROVIDENT FUND OFFICERS ASSOCIATION THROUGH ITS
GENERAL SECRETARY SAURABH SWAMI
Vs
EMPLOYEES PROVIDEND FUND ORGANISATION (EPFO)**

For Applicant(s) Advocate : MS. MONIKA KAUNDAL PROXY FOR SH.K.K.THAKUR

For Respondent(s) Advocate : SH. SHAILENDRA SHARMA

Order of The Tribunal

MA 105 / 2024

This application has been filed by respondents seeking extension of time for implementation of order dated 21.08.2023.

In view of reasons given in para 2 of application, this MA is allowed and four weeks time from today is granted for implementation of order dated 21.08.2023.

MA 100 / 2024 is allowed and delay is hereby condoned.

**Ramesh Singh Thakur
Member (J)**

/db/