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September 16, 2026

To

**Dr. Chandra Bhushan Kumar, IAS
Secretary, Ministry of Labour & Employment
Government of India
New Delhi**

**Subject: Request for an Early Meeting with the Newly
Constituted Body of EPF Officers' Association to Discuss
Two Long-Pending Issues Concerning the Entire
Commissioner Cadre – Time-Bound Finalisation of
Cadre Restructuring in View of the Hon'ble Minister's
Foundation Day Commitment and Reconsideration of
Non-Functional Upgradation (NFU) in Light of
Subsequent Developments.**

Respected Sir,

The EPF Officers' Association respectfully submits that its new body has recently been constituted, and we would be grateful for an opportunity to meet you at an early date for an introductory interaction and to place before you two important issues which presently concern almost the entire Commissioner Cadre of EPFO.

We have deliberately kept the proposed agenda limited to only two issues – Cadre Restructuring and Non-Functional Upgradation (NFU) – because both have remained unresolved for a considerable period and have a direct bearing on career progression and stagnation across the cadre.

There is presently a considerable sense of frustration, uncertainty and declining morale amongst officers on account of the prolonged pendency of these matters. We believe that both issues have now reached a stage where a focused intervention at the level of the Ministry and EPFO can bring them to an early and logical conclusion.

The following two issues are proposed for discussion:

AGENDA-I: CADRE RESTRUCTURING – NEED TO HONOUR THE COMMITMENT MADE ON EPFO FOUNDATION DAY AND COMPLETE THE PROCESS BEFORE 1st NOVEMBER 2026

Cadre Restructuring is presently perhaps the single most important career-related issue affecting officers of EPFO. The existing cadre structure has resulted in prolonged stagnation at different levels, and officers are increasingly concerned about the absence of adequate promotional avenues despite rendering long years of service.

The importance of the issue was recognised at the highest level. On the occasion of EPFO Foundation Day on 1st November 2025, the Hon'ble Minister for Labour & Employment and Chairman, CBT publicly announced that the pending Cadre Restructuring would be implemented latest by the next Foundation Day.

The announcement generated considerable hope amongst officers and employees because it provided a definite timeline for resolution of an issue which had remained pending for years.

Thereafter, a Committee was constituted to undertake the Cadre Restructuring exercise. The Committee completed its examination and submitted its report more than two months ago. Thus, the substantive exercise for which the Committee was constituted already stands completed.

However, we are now in the second half of September 2026, with only about one and a half months remaining before the next Foundation Day on 1st November 2026, and the Cadre Restructuring proposal is still awaiting finalisation.

This continued uncertainty has caused considerable frustration amongst officers. The concern is particularly understandable because the Committee's report is already available and there was also a clear public commitment regarding the timeline.

The Association believes that every possible effort should now be made to ensure that the commitment made by the Hon'ble Minister on the previous Foundation Day is honoured within the announced timeframe.

There is also a precedent in EPFO of a Special Meeting of the Central Board of Trustees being convened specifically for consideration and approval of Cadre Restructuring. Considering the limited time now available, a similar course may be considered, if required, so that the proposal can be finalised and placed before the competent authority/CBT without further delay.

Completion of Cadre Restructuring before 1st November 2026 would not merely provide better promotional opportunities. It would significantly restore confidence and morale amongst officers and employees and demonstrate that an institutional commitment publicly made at the highest level has been honoured within the promised timeframe.

AGENDA-II: NON-FUNCTIONAL UPGRADATION (NFU) – RECONSIDERATION IN LIGHT OF CBT’S COMPETENCE, SUBSEQUENT DEVELOPMENTS IN NFSG AND THE CHANGED BASIS OF THE EARLIER DECISION

The second issue is Non-Functional Upgradation (NFU), which has remained unresolved for an exceptionally long period and has become one of the principal causes of frustration relating to career stagnation in the Commissioner Cadre.

The history of the matter itself demonstrates why it deserves reconsideration.

The 6th Central Pay Commission recommendations were adopted by CBT in 2008, and NFU formed part of the 6th CPC framework. Subsequently, after issuance of the DoPT OM dated 24.04.2009, EPFO initiated action for implementation of NFU and, on 02.05.2012, forwarded the matter for constitution of the Screening Committee.

The matter was referred to DoPT, which returned it on the ground that NFU under its OM was applicable to Organised Group 'A' Services of the Central Government and that EPFO was an autonomous organisation.

However, this has to be viewed in the context of the statutory position peculiar to EPFO.

Under Section 5D(7) of the EPF & MP Act, 1952, the Central Board of Trustees has statutory competence in relation to service conditions of EPFO employees, subject to the framework prescribed in the Act. The significance of this statutory position was also recognised in the litigation concerning A.K. Chandok, where the issue of CBT's competence to extend corresponding service benefits to EPFO officers was examined.

The matter becomes still more important because of what subsequently happened with Non-Functional Selection Grade (NFSG).

When NFU was ultimately declined by the Ministry on 15.02.2019, one of the material foundations of the decision was that NFSG had also not been accepted by DoPT and, on similar reasoning, NFU was not being accepted.

Thereafter, however, the complete factual and legal position regarding NFSG, including the judicial history and competence of CBT, was placed before DoPT. DoPT reconsidered its earlier position, and the stand regarding NFSG was changed. The Ministry consequently also accepted the changed position on NFSG.

This subsequent development goes to the very root of the NFU issue.

If the earlier rejection of NFU was materially based upon the then prevailing rejection of NFSG, and that very position on NFSG was subsequently reconsidered and changed after the complete facts were examined, it is difficult to understand why the NFU decision has continued on the basis of the old position without a corresponding reconsideration.

The Association is not seeking that the matter be decided merely on an analogy. Our submission is simpler: once a material foundation of the earlier decision has subsequently changed, fairness and sound administration require the earlier NFU

decision to be reconsidered in light of the changed circumstances and the complete legal position.

NFU is particularly important because Cadre Restructuring alone may not permanently address the problem of stagnation. Cadre structures necessarily have a limited number of higher posts, whereas NFU is designed to provide career progression without necessarily creating an equivalent number of functional promotional posts.

The prolonged pendency of NFU has already resulted in litigation which, in our respectful view, can still be avoided or brought to an end through a fair administrative reconsideration of the issue on its complete facts.

NEED FOR AN EARLY INTERACTION

Sir/Madam, both the above issues are different in their origin but are closely connected in their impact. Cadre Restructuring addresses the structural problem of promotional opportunities, while NFU addresses prolonged career stagnation where functional promotions alone cannot provide an adequate solution.

Together, therefore, these two issues touch the career concerns of almost the entire Commissioner Cadre.

The newly constituted body of the EPF Officers' Association wishes to begin its interaction with the Ministry in a constructive manner and would be grateful for an opportunity to explain these two matters personally, along with the relevant records, in a brief and focused meeting.

We, therefore, respectfully seek an early appointment with you for the newly constituted office bearers of the Association, preferably at the earliest convenient date, so that these two long-pending and important issues may be discussed and a practical way forward towards their time-bound resolution may be considered.

An early resolution of these matters would go a long way in reducing the prevailing frustration, restoring morale and strengthening the confidence of officers in the Organisation and the Ministry.

With regards,

Yours sincerely,



Saurabh Swami
Secretary-General

Copy to:

Central Provident Fund Commissioner