

Item no. 2: Action Taken Statement in respect of decisions taken in the CBT meetings held upto 13-04-2018 (221st CBT meeting).

Sl. No.	Decisions/Directions of CBT	Action Taken Status
1.	<p>Introduction of non-functional grades in respect of Lower Division Clerk (LDC), Stenographer and Upper Division Clerk (UDC) for promotion to subsequent cadres.</p> <p>Sh. Ramen Pandey referred to item no. 17 of the 220th meeting of CBT regarding introduction of non-functional grades in respect of Lower Division Clerk (LDC), Stenographer and Upper Division Clerk (UDC) and said that the representations received in this regard from staff members of EPFO should be duly considered before taking final decision on this matter.</p> <p>(221st CBT, 13-04-2018)</p>	<p>After approval/direction of the CPFC, the said RRs sent to MoL&E vide letter 11.05.2018 for taking necessary action.</p>
2.	<p>Circulars to be sent by email to all CBT members.</p> <p>Sh. M. J. Rao and Sh. A. K. Padmanabhan said that important circulars should be sent by email to all CBT members. CPFC said that copies of important circulars are being circulated among CBT members on periodical basis and the same shall be ensured in future also.</p> <p>(221st CBT, 13-04-2018)</p>	<p>Important circulars are being sent by email to all CBT members. Important circulars for the month of May, 2018 were sent by email on 01.06.2018.</p>
3.	<p>Constitution of Workers' Bank.</p> <p>Shri R. K. Gupta, JS, MoL&E informed that a proposal is being forwarded to the Ministry of Finance to obtain their opinion on this issue.</p> <p>(Item No. 2(1), 221st CBT, 13-04-2018)</p>	<p>For study of feasibility of setting up of Workers' Bank, names of two retired officers of RBI, Sh. V. K. Sharma and Shri V.S. Das both ED (Retired) were intimated to MoL&E vide Head Office letter</p>

	<p>(Item No. 2(1), 220th CBT, 21-02-2018) (Item No. 2(2), 218th CBT, 27-05-2017) (Item No. 2(2), 216th CBT, 30-03-2017) (Item No. 2(9), 215th CBT, 19-12-2016) (Item No. 2(6), 214th CBT, 26-07-2016) (Item No. 2(9), 211th CBT, 08-07-2016) (Item No. 2(6), 211th CBT, 16-02-2017) (Item No. 2, 208th CBT, 16-02-2015) (Item No. 2(2), 207th CBT, 31-03-2015) (Item No. 1, 206th CBT, 11-03-2015) (Item No. 17 of 204th CBT, 26-08-2014)</p>	<p>dated 28.04.2017. In reply to the MoL&E letter No. Z-25011/1/2004-SS-II (Vol.II) dated 22.02.2018, a letter No. Bkg.1(10)2010/Workers' Capital Trust/05 dated 03.04.2018 has been sent to the Ministry of Labour & Employment for doing needful.</p>
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4.	<p>Draft 64th Annual Report on the work and activities of the Employees' Provident Fund Organisation for the year 2016-17.</p>										
	<table border="1"> <thead> <tr> <th data-bbox="343 817 435 920">Sl. No.</th> <th data-bbox="435 817 930 920">Observations of CBT</th> <th data-bbox="930 817 1367 920">Action Taken Status</th> </tr> </thead> <tbody> <tr> <td data-bbox="343 920 435 1771">(i)</td> <td data-bbox="435 920 930 1771"> <p>Sh. A. D. Nagpal said that Regional Committees have not been constituted in time and representation is not given in these committees according to membership of the Unions. Further, many Regional Committees have not conducted the required two meetings during the year.</p> <p>Sh. A. K. Padmanabhan and Dr. G. Sanjeeva Reddy expressed concern that Regional Committee for the state of Telangana has not yet been constituted.</p> </td> <td data-bbox="930 920 1367 1771"> <p>Instructions have been issued to all the Secretaries of Regional Committees (i.e. Regional PF Commissioner or Additional Central PF Commissioner in-charge of the State) to ensure that meetings of Regional Committees are held at least twice in each financial year.</p> <p>Revised proposal for constitution of Regional Committee for the State of Telangana has been received from the State Government and has been forwarded on 28.05.2018 to Ministry of Labour & Employment for approval.</p> </td> </tr> <tr> <td data-bbox="343 1771 435 2018">(ii)</td> <td data-bbox="435 1771 930 2018"> <p>Compliance by establishments is not upto the mark.</p> </td> <td data-bbox="930 1771 1367 2018"> <p>Instructions have been issued to all field offices for continuous follow up in order to secure compliance from the defaulting establishments. Details of defaulting</p> </td> </tr> </tbody> </table>		Sl. No.	Observations of CBT	Action Taken Status	(i)	<p>Sh. A. D. Nagpal said that Regional Committees have not been constituted in time and representation is not given in these committees according to membership of the Unions. Further, many Regional Committees have not conducted the required two meetings during the year.</p> <p>Sh. A. K. Padmanabhan and Dr. G. Sanjeeva Reddy expressed concern that Regional Committee for the state of Telangana has not yet been constituted.</p>	<p>Instructions have been issued to all the Secretaries of Regional Committees (i.e. Regional PF Commissioner or Additional Central PF Commissioner in-charge of the State) to ensure that meetings of Regional Committees are held at least twice in each financial year.</p> <p>Revised proposal for constitution of Regional Committee for the State of Telangana has been received from the State Government and has been forwarded on 28.05.2018 to Ministry of Labour & Employment for approval.</p>	(ii)	<p>Compliance by establishments is not upto the mark.</p>	<p>Instructions have been issued to all field offices for continuous follow up in order to secure compliance from the defaulting establishments. Details of defaulting</p>
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		establishments have been placed in the EPFO website for attention of all offices of the organization.
(iii)	<p>Action should be taken against the exempted establishments which have declared rate of interest lower than the statutory limit.</p> <p>Dr.G. Sanjeeva Reddy expressed concern that some exempted establishments have declared lower than the statutory rate of interest. As advised, Sh. K. L. Taneja, ACC (HQ) (Exemption) clarified that in such cases action is taken against the employers for recovery of the short paid amount.</p>	The details of establishments declaring rate of interest less than the statutory rate during the year 2016-17 and action taken by the concerned field office is annexed as Annexure-2A .
(iv)	Steps should be initiated to fill up vacant posts in all cadres in order to improve service delivery.	Steps are being taken to fill up the vacant posts.
(v)	Huge amount of arrears is locked up in stay cases before EPF Appellate Tribunal.	EPFAT has now been merged with CGIT (22 benches) across the country. All pending cases in EPFAT have been transferred to respective CGIT's. The concerned Addl. CPFCs (Zones) and RPFC in-charge of the regions have been advised to take up the matter with the respective CGITs on priority basis for disposal of the cases.
(vi)	Sh. Ashok Singh said that main features of the Annual Report should be informed to the Board in a presentation as the Annual Report is voluminous and it is not feasible for all the members to go through the entire report.	The suggestion regarding presentation of Annual Report has been noted.

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REPORT OF RATE OF INTEREST LESS DECLARED BY EXEMPTED ESTABLISHMENTS FOR F.Y. 2016-17

Annexure-2A

SL. No.	ZONE	ESTABLISHMENT NAME	ESTABLISHMENT CODE	RATE OF INTEREST 2016-17 (8.65%)	REMARKS
1.	KERALA & LAKSHADWEEP	M/s Wynad District Co-Op. Bank	KR/KKD/9958	8.65	As per Zonal Office, Kerala e-mail dated 06.06.2018 (03:43 PM) the establishment has made good the difference.
2.	WB, A&N ISLANDS & SIKKIM	M/s Aditya Translink – Unit Shyamnagar Jute Mill	WB/64	6.50	The establishment filed a Writ Petition No. 5171(W) of 2009 against the Summon U/S 7A of the Act vide dated 25.02.2009 for crediting of Lower Rate of Interest than the Statutory rate for the year 2001-2002 to 2006-2007. Honourable High Court, Calcutta granted stay on 25.03.2009 and vacating application filed thereon 11.11.2010. Matter is pending before Hon'ble Division Bench, High Court, Calcutta with some other analogous cases. The petition, vide order dated 05.02.2018 of the Hon'ble High Court is remitted back to the Learned Single Judge for his consideration in accordance with law without being influenced by the order passed by this court in Lootex Engineering Pvt. Ltd. & Ors. (Supra).
3.	WB, A&N ISLANDS & SIKKIM	M/s RDB Textiles Limited – Unit Victoria Jute Mill	WB/62 &71	7.30	The establishment filed a Writ Petition No. 13484(W) of 2008 against the assessment Order dated U/S 7A of the Act vide dated 08.10.2007 due to crediting of Lower Rate of Interest than the Statutory rate for the year 2001-2002 to 2005-2006 amounting to Rs. 41667864/-. Honourable High Court, Calcutta granted stay on 16.07.2008 and vacating application filed thereon 11.11.2010. Matter is pending before Hon'ble Division Bench, High Court, Calcutta with some other analogous cases. The petition, vide order dated 05.02.2018 of the Hon'ble High Court is remitted back to the Learned Single Judge for his consideration in accordance with law without being influenced by the order passed by this court in Lootex Engineering Pvt. Ltd. & Ors. (Supra).
4.	WB, A&N ISLANDS & SIKKIM	M/s. The Ganges Printing Company Limited	WB/735	8.81	The establishment has made good the difference.

5.	WB, A&N ISLANDS & SIKKIM	M/s Agarpara Jute Mill	WB/37		Un-exempted. Exemption under section 17(1)(a) of the EPF & MP Act, 1952 has been cancelled vide Notification dated 29.12.2000 issued by the appropriate authority. The establishment has submitted Past Accumulation statement. Transfer of Past Accumulation is under process.
6.	WB, A&N ISLANDS & SIKKIM	M/s Shree Gourishankar Jute Mill	WB/38 & 9952		Exemption under section 17(1)(a) of the EPF & MP Act, 1952 has been cancelled vide Notification dated 12.08.2011 issued by the appropriate authority. The establishment has filed petition W.P. No. 15755(W) of 2011 before the Hon'ble High Court, Calcutta against the cancellation order. The case is still pending.
7.	WB, A&N ISLANDS & SIKKIM	M/s Baranagar Jute Mill	WB/2,27 & 40		Exemption under section 17(1)(a) of the EPF & MP ACT, 1952 HAS BEEN CANCELLED VIDE Notification dated 12.08.2011 issued by appropriate authority. The establishment has filed appeal No. ATA 906(15)/2012 before the Hon'ble EPFAT against the cancelled order. The case is still pending.
8.	ANDHRA PRADESH (VIJAYWADA)	M/s Alluminium Industries Ltd.	APPTC00032 09000	8.75%	As per RO, Patancheru letter No. TS/PTC/EDLI Exemp/2018/1300 dated 06.06.2018 attached in Zonal Office, Telangana e-mail dated 06.06.2018 (04:48 PM) that the establishment has declared less rate of interest (8.75%) than the statutory rate (8.8%) during the 2015-16. Further, it is informed that the said establishment has already surrender the exemption w.e.f. 01.08.2015 and complying as un-exempted and filing of online returns link has been deactivated.