



कर्मचारी भविष्य निधि संगठन  
(श्रम एवं रोजगार मंत्रालय, भारत सरकार)  
**EMPLOYEES' PROVIDENT FUND ORGANISATION**  
(Ministry of Labour & Employment, Govt. of India)  
मुख्य कार्यालय / Head Office  
भविष्य निधि भवन, 14-भीकाजी कामा प्लेस, नई दिल्ली-110 066.  
Bhavishya Nidhi Bhawan, 14, Bhikaiji Cama Place, New Delhi - 110 066.

**Through Web Circulation**

No. C-I/3(28)2016/7A & 14B/1189

Date: 19.01.2021

To,

All Addl. CPFCs (Zones),  
All RPFCs -In Charge of Regions

**Sub:- Instructions for conduct of quasi judicial proceedings under the EPF & MP Act, 1952.**

Sir,

Directions have been issued by this office from time to time for appropriate conduct of quasi-judicial adjudicatory proceedings under the Act. Instances have, however, been noticed where such proceedings have not been conducted properly and, in the consequence thereof, invited adverse observations from Constitutional Courts.

2. Hon'ble Delhi High Court in a recent pronouncement in **Civicon Engg Contracting Vs Central Board of Trustees [WP 9530/2020]**, while noticing several inconsistencies in conduct of proceedings u/s 14B, has directed for issue of practice directions to all officers discharging adjudicatory functions under the Act. The following directions are, therefore, issued for strict compliance by all adjudicating officers:

i). All quasi judicial proceedings under the EPF & MP Act, 1952 for which functionality has been created in the 'e proceedings portal' must be conducted through the portal. If conduct of proceedings is not possible in any case through the portal for functional or technical reasons must be brought to the notice of the concerned Zonal Offices. In this context, instructions issued by EPFO, Head Office vide Circular No. C-I/63)2017/e-court/7647 dated 24.07.2017 and No.C-I/1(63)2017/e-Proceedings Management (Pt file)/1028 dated 17.02.2020 may be adhered to strictly.

ii). Instructions have already been issued vide EPFO, HO Circular No. C-II/20/76/Misc./2020/CBE/TN/1027 dated 14.02.2020 against initiation of fishing and roving inquiries. It is reiterated that such proceedings are impermissible in law. Adjudicating officers must record reasons *qua* existence of a prima facie case before commencing any inquiry/proceedings under the Act.

iii). Wherever inquiries/proceedings are initiated, the notice thereof should be accompanied with documents that have constituted the basis for initiation of such inquiries.

iv). All notices must be issued through speed post with proof of delivery. Additionally, a copy thereof should be sent at the email address submitted in official returns. In case any party intends to receive inquiry related communications at a particular email id, the notices may be sent at such id as well.

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v). Whenever the proceedings are adjourned, the next date of listing must be informed to the parties present at that stage itself and the case status i.e. upload of daily order sheet and next date should be updated on the Compliance e-proceeding portal so that all parties can access the same on the link <https://eproceedings.epfindia.gov.in/epfo/public/caseenowisearch.php>.

vi). It is the duty of every Adjudicating Officer to ensure that parties to the proceedings are afforded sufficient opportunity to represent their cases.

vii). Wherever any case is reserved for orders, the Adjudicating Officer must fix a date of pronouncement, preferably within the next fifteen days, and inform the same to the parties by methods specified at iv) & v) above.

viii). In cases where it is proposed to proceed *ex-parte* in any proceedings, the adjudicating officer must examine the aspect of service of notice minutely and record his satisfaction thereto before proceeding as such.

ix). All final orders must be properly authenticated with dated signatures of the adjudicating officer and the official stamp. The provisions of The State Emblem of India (Regulation of Use) Rules, 2007 must be complied with in use of official seals.

x). Final orders must be dispatched thorough modes specified at iv). above. A copy thereof must also be uploaded in the Compliance e-proceedings portal within the next three days of pronouncement to make it available to all parties on the link <https://eproceedings.epfindia.gov.in/epfo/public/caseenowisearch.php>.

xi). Detailed instructions and guidance for conducting the virtual hearing in quasi-judicial cases using IT Applications issued vide Circular No. C-1/3(28)2016/7A & 14B/1164 dated 01.10.2020 should be scrupulously followed to enable parties to join the hearings from remote location of their choice and convenience.

3. The directions to the above effect are issued for scrupulous compliance by the concerned officers. Any lapse will attract appropriate proceedings.

**(This issues with the approval of Central Provident Fund Commissioner)**

Yours faithfully,

  
(Jag Mohan)

**Addl. CPFC (Hqrs.) (Compliance & Legal)**

Copy to:

1. PS to CPFC
2. FA & CAO / CVO / All Addl. CPFC (Hqrs.) at Head Office/ Director, PDUNASS
3. All Addl. CPFCs at Head Office