



ईपीएफओ, मुख्य कार्यालय
श्रम एवं रोज़गार मंत्रालय, भारत सरकार
भविष्य निधि भवन, 14, भीकाजी कामा प्लेस, नई दिल्ली 110066
EPFO, HEAD OFFICE
MINISTRY OF LABOUR & EMPLOYMENT, GOVERNMENT OF INDIA
14, BHIKAJI CAMA PLACE, NEW DELHI 110066
www.epfindia.gov.in



No. Compliance/Guidelineson7-AInquiry/2021-22/9882

Dated:16.08.2022

To,

9 6 AUG 2022

ACC (HQ)/ACC (Zones)
RPFC-in charge of ROs.

Sub: Jurisdiction to conduct Inquiries under Sections 7A & 14B by officers in different hierarchies in field offices- clarification – reg.

- Ref: 1. HO Circular No.C-I/1(5)16/7A/MOL&E/6242 dated 22.06.2017
2. No. RRC.II/28(31)07/53677 to 53777 dated 17th October, 2007

Sir/Madam,

Head Office *vide* circulars cited above prescribed administrative arrangement for exercise of jurisdiction u/s 7A & 14B of the EPF & MP Act, 1952 by officers in different hierarchies in the field offices.

2. In continuation to those circulars, the criteria to reckon the subscriber strength for assigning the case in certain scenarios are prescribed as under:

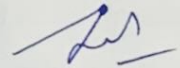
1	Adjudication of applicability dispute under Section 7A of EPF & MP Act 1952	Employment strength of the establishment as on the date of applicability proposed by the Enforcement Officer
2	Assessment of dues on evasion in extending membership to eligible employees	Sum of the number of additional eligible employees as reported by the EO (if any) and the number of contributory UANs in the latest ECR
3	Resolution of membership dispute under Para 26-B of EPF Scheme, 1952 for which power is vested with the Regional Provident Fund Commissioner	On the basis of the contributing member strength in the last complete ECR filed by the establishment
(a)	Offices headed by RPFC-II	All cases shall be dealt with by the RPFC-II
(b)	Office headed by RPFC-I but no RPFC-II posted	all cases shall be dealt with RPFC -I
(c)	Office headed by RPFC-I and RPFC-II is/are also posted	i. cases of establishments in which the contributing member strength is upto 1000 shall be dealt with by RPFC-II ii. cases of establishments in which the contributing member strength is 1001 or above by RPFC I

3. For assigning the 14B inquiries for levy of penal damages for default and belated remittances of statutory dues, the number of contributory EPF members (UANs) in the ECR filed for the last month in the period of default for which penal damages are proposed to be levied shall be taken as the subscriber strength.

4. Once an inquiry is initiated u/s 7A/7B/7C/14B/26B on the prescribed criteria by jurisdictional officer, any fluctuation in the subscriber strength of the establishment in any wage month during the period of default for which inquiry is initiated shall not result in transfer of the case from officer of one level to another. Should a circumstance arise that the guidelines contained in the circular are difficult to implement due to shortage of officers, the RPFC-in charge of the RO shall forward a self-contained proposal with due justification to the ACC (Zone) for consideration. The ACC (Zone) shall be competent to decide on such proposals for deviation and decision of the ACC (Zone) on such proposal shall be conveyed within 3 days of its receipt, under intimation to the Head Office.

(This issues with the approval of the CPFC)

Yours faithfully,



(Jag Mohan)

Addl. CPFC (HQ)(Compliance, Recovery & Legal)

Copy to:

- i. Staff Officer to CPFC
- ii. CVO
- iii. All Addl. CPFC (Hqrs.)/ACCs at HO/Director, PDNASS