



## कर्मचारी भविष्य निधि संगठन

**Employees' Provident Fund Organisation**

(श्रम एवं रोजगार मंत्रालय, भारत सरकार)

(MINISTRY OF LABOUR & EMPLOYMENT, GOVERNMENT OF INDIA)

**मुख्य कार्यालय/Head Office**

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No. A-34012/2/2022/ **245**

Dated: 04.10.2024

To,

All ACC (HQ) / ACC (Zonal Offices)  
Including ACC (ASD) / RPFC-I (ASD), Head Office  
Director, PDNASS  
All RPFCs-in-charge of Regional Offices

**Subject: Limited Departmental Competitive Examination for promotion to the post of Section Supervisor – Reopening of Portal for submission of online Applications in Special cases.**

Reference: Notice No. Exam.34012/2/2022-Exam/72 dated 07.06.2024

Sir,

With reference to the above, it is to mention that as per Recruitment Rules for the post of Section Supervisors, the Social Security Assistant with nine years' of regular service as on 1<sup>st</sup> January, 2024 in the grade and serving in the respective zone is eligible to appear for the Limited Departmental Competitive Examination for promotion to the post of Section Supervisor.

2. The above said Notice dated 07.06.2024 was challenged by 48 officials of Uttar Pradesh Region, who are senior to the last eligible candidate as on 01.01.2024 but not having completed 9 years of regular service in the cadre of Social Security Assistant, vide OA No. 2580/2024 before the Hon'ble CAT, Principal Bench Delhi and sought the interim relief of allowing the Applicants to participate in the Limited Departmental Competitive Examination for promotion to the post of Section Supervisor.

3. The Hon'ble CAT vide order dated 15.07.2024 (copy enclosed), granting interim relief, has allowed the applicants to appear in the LDCE for the post of Section Supervisor and directed that their result shall be kept in sealed cover.

4. Further, OA No 1273/2024 was filed by the officials of Tamil Nadu Region who have also not completed the 9 years of regular service as on 01.01.2024, wherein the Hon'ble CAT vide interim order dated 12.09.2024 has directed "to permit the applicants to participate in the LDC Examination to be conducted as per Notice dated 07.06.2024. However, the result of the applicants shall be kept in a sealed cover and not to be disclosed without the leave of the court."

5. In this regard, it has been decided that the applicants of the OAs and all similarly placed officials would be allowed to appear in the examination. However, their candidature for the examination is provisional and their result is to be kept in the sealed cover subject to outcome of above said OAs.

6. Such officials may apply for the examination by submitting the application form online. The portal for filling up the online application will be reopened for five days from 08.10.2024 to 12.10.2024.

7. The PDF copy of duly filed application form shall be forwarded by the candidates to the concerned ACC (Zones) by 15.10.2024. After closing of the portal, the data of applied candidates as shared by the NTA will be forwarded to the concerned Zonal Office for verification of the eligibility of the candidate in the light of above said interim orders of the CAT.

8. ACCs (Zone) are requested to look into the cases where candidates who have applied earlier but were declared ineligible by the ZOs on the ground that regular service of 9 years as on 01.01.2024 is not complete. The application form in respect of such candidates may not be required to be filled again. However, separate list of all such candidates need to be submitted alongwith the list of provisionally eligible candidates as mentioned above.

Yours faithfully,



**(Ajay K Mehra)**

**Addl. CPFC (Recruitment / Exam)**

Copy to:-

1. OSD to CPFC
2. All Additional C.P.F.C. (HQ), FA & CAO / CVO, Head Office
3. All Additional CPFC, Head Office
4. All Zonal Training Institutes
5. RPFC-I (HRM-III), Head Office
6. RPFC (NDC) to upload on the Website.
7. AD (OL), Head Office for Hindi Version
8. Secretary General AIEPF Staff Federation
9. Secretary General AIEPF Employees Sangh
10. Secretary General, AIEPF SC/ST Staff Federation.
11. Guard File.



**(Jaivadan Ingle)**

**RPFC-I (Recruitment / Exam)**

**CENTRAL ADMINISTRATIVE TRIBUNAL PRINCIPAL BENCH  
61/35, COPERNICUS MARG, NEW DELHI-110001**

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**Order Sheet**

Item no.: 58  
O.A./2580/2024 (DELHI)  
[ LDCE ]  
With  
M.A./2254/2024  
MA Joining Together  
Court No.: 3

No of Adjournment: 2

Order Dated: 15/07/2024

**ABHISHEK KUMAR  
Vs  
EMPLOYEES PROVIDEND FUND ORGANISATION (EPFO)**

**For Applicant(s) Advocate :** Mr. Prakash Kumar.

**For Respondent(s) Advocate :** Mr. Ajit Sharma., Mr. P.K. Singh.

**Order of The Tribunal**

Earlier order dated 05.07.2024 in the reads as under:

"The applicants, working as Sr. Social Security Assistants, were appointed in pursuance of the examination which was held in May 2012. However, in spite of the results being declared on 08.01.2014 itself, they have been appointed on subsequent dates i.e. either in 2015 or 2016. In terms of Recruitment Rules for the post of Section Supervisor, on completion of 9 years of regular service, the applicants are eligible for participating in the examination. However, if the clause with respect to joining on 01st of January is insisted upon for the reason that they were extended offer of appointments after 2014, none of the applicants complete 9 years of regular service. In case the said provision is not insisted upon, some of the applicants would be eligible while some still be left ineligible.

2. Learned counsel for applicants relies on the judgment passed by the coordinate Bench of this Tribunal in OA No. 1271/1993 placed at page No. 112 of this OA wherein, in similar circumstances, the OA was allowed and the applicants were extended the benefits. According to the applicants, this order has been confirmed by the Hon'ble High Court in a Writ Petition and thereafter by the Hon'ble Apex Court. The decision of Hon'ble Apex Court is placed at page 116 of the OA. According to

them, in terms of the decision of coordinate Bench of this Tribunal, so confirmed by the Hon'ble Apex Court, the date with respect to 1st of January of the respective year cannot be insisted upon.

2. Issue notice. Mr. Ajit Sharma and Mr. P.K. Singh, learned counsels, who appear for the respondents on advance service accept notice.

3. Learned counsel for applicant presses for grant of interim relief in terms of para 9 of the OA which reads as under:

“Pending final adjudication of the OA, it is most humbly prayed that this Hon'ble Tribunal may kindly stay the implementation of impugned Circular/notification dated 07.06.2024 which is contrary to its own O.Ms dated 18.03.1988, 23.10.1989 and 25.03.1996 is also in contravention of the order of the Hon'ble Supreme Court in Smt. Sadhana Khanna, 2008 (1) SCC 720. In case, the respondents are allowed to continue the process of the said examination, grave prejudice and irreparable loss would be caused to the applicant, and/or; The Applicants may be permitted to participate in the Limited Departmental Competitive Examination for promotion to the post of Section Supervisor and their result may be made applicable subject to the outcome of this OA, and/or, Pass such other and/or further orders as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the case.”

4. Learned counsel for the applicants states that the examination, pursuant to the advertisement notice dated 07.06.2024 for the post of Sr. Supervisor, is scheduled to be held any time in the month of July 2024 and, therefore, the applicants may be allowed provisionally to participate in the said examination. "

Mr. Ajit Sharma, learned counsel for the respondent Nos. 1, 2 & 3 states that their reply was filed on the payer of interim relief on 12.02.2024 but the same is not available on record. He may coordinate with the Registry and bring the same on record.

A copy of the reply filed on behalf of the respondent no. 02 (EPFO) has been supplied to us by the learned counsel for the applicant and we have gone through the same.

The learned counsel for the respondents relies upon the counter reply and states that para 3.1.2 of part III of DoPT OM No. AB-14017/12/87-Estt(RR) dated 19.03.1998 is directory in nature and not at all mandatory.

He further states that exercising their discretion, the respondent chose not to adopt the conditions of the aforesaid OM and, therefore, the applicants are not entitled to the relief sought for as interim prayer.

He states that out of the 48 applicants, there may be a set of applicants who were eligible under the date of examination or may be today when the matter is being heard while there may be other applicants who may not be eligible as they have not completed 9 years of service. He confirms that though the date of examination has not been announced, it is likely to take place in the last week of July, 2024 or in the first week of August, 2024.

Be that as it may be, in the aforementioned facts and circumstances, a prima facie case is made out for grant of interim relief. Accordingly, the respondents are directed to announce all the applicants to participate in the limited departmental competitive examination notified vide notice dated 07.06.2024 for the post of Section Supervisor.

The results of the applicants shall be kept in sealed cover and not to be disclosed without the leave of the Court.

The learned counsel for the respondents seeks four weeks' time to file reply in the OA. The same is granted. Rejoinder, if any, be filed within a period of two weeks thereafter.

Re-list on 29.10.2024.

**Dr. Anand S Khati**  
**Member (A)**

**Pratima K Gupta**  
**Member (J)**

/ac/

**CENTRAL ADMINISTRATIVE TRIBUNAL CHENNAI**

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**Order Sheet**

Item no.: 4  
M.A./749/2024 (CHENNAI)  
[ LTJ ]  
In  
O.A./1273/2024  
EXAMINATION  
Court No.: 1

No of Adjournment:

Order Dated: 12/09/2024

**V MUTHURAMAN  
Vs  
EMPLOYEES PROVIDEND FUND ORGANISATION (EPFO)**

**For Applicant(s) Advocate :** M/S K S SARAVANAN

**For Respondent(s) Advocate :** MR M T ARUNAN

**Order of The Tribunal**

Heard CFA.

2. For the reasons stated in the MA and in the interest of justice, MA 749/2024 for joining together and filing single OA is allowed.

3. Admit.

4. Mr. M. T. Arunan enters appearance on behalf of the respondents.

5. When the matter is taken up, the learned counsel for the applicants seeks for the following interim relief:

"... to permit the applicants herein to participate in the LDC Examination, to be conducted as per the notice dated 07.06.2024."

6. The learned counsel for the applicant drew our attention to the interim order granted by the Principal Bench of this Tribunal in OA 2580/2024 in a similar issue.

7. We have gone through the orders of the Principal Bench of this Tribunal dated 15.07.2024 in OA 2580/2024 which is an identical issue. The Principal Bench has allowed the interim relief to the applicants therein. The relevant portion is extracted

below:

".....Be that as it may be, in the aforementioned facts and circumstances, a prima facie case is made out for grant of interim relief. Accordingly, the respondents are directed to announce all the applicants to participate in the limited departmental competitive examination notified vide notice dated 07.06.2024 for the post of Section Supervisor.

The results of the applicants shall be kept in sealed cover and not to be disclosed without the leave of the Court."

8. Learned counsel for the respondents vehemently opposes the grant of interim relief to the applicants.

9. In view of the submission made by the learned counsel for the applicant and in the interest of justice, we direct the respondents to permit the applicants to participate in the LDC Examination, to be conducted as per the notice dated 07.06.2024. However, the results of the applicants shall be kept in a sealed cover and not to be disclosed without the leave of the Court.

10. List this matter before the Registrar Court for completion of pleadings and thereafter list before the Bench.

11. Registry is directed to issue copy today.

**Sangam Narain Srivastava**  
**Member (A)**

**M. SWAMINATHAN**  
**Member (J)**

/as/