



P. Abhimanyu
General Secretary

BSNL EMPLOYEES UNION

Central Head Quarters

Ph.: 011-25705385
Fax : 011-25894862

Main Recognised Representative Union.

Dada Ghosh Bhawan, 2151/1, New Patel Nagar,

Opp. Shadipur Bus Depot, New Delhi-110008

E-mail : bsnleuchq@gmail.com, Website : www.bsnleu.in

BSNLEU/317 (MP)

15.12.2023

To,

Shri P.K. Purwar
CMD BSNL,
Bharat Sanchar Bhawan,
H.C. Mathur Lane, Janpath,
New Delhi – 110 001

Sir,

Sub: - **Recovering employee's contribution of EPF from the backdate in the guise of GPF – violation of order of the EPF organisation- requesting to intervene - req.**

Ref: - **CGM, MP circle Ir. No.CSC/CO-BPL/GPF to EPF Conversion/2017-18/26 dated 01-11-2023**

We wish to bring the following to your kind notice for favour of necessary action.

Shri Manoj Sharma, Sr.TOA(G), Ujjain, MP circle, was appointed on Compassionate Ground on 27th November, 2000. From the date of his appointment itself, the official is entitled only for EPF and not for GPF. However, GPF was wrongly implemented for the official until January, 2016. Having realised it's mistake, from January, 2016 onwards, the Management implemented EPF Scheme from the backdate.

As per the order of the EPF Organisation, employee's share of the EPF contribution should not be recovered from the employee. However, in the case of Shri Manoj Sharma, the Madhya Pradesh circle administration, vide it's letter no.CSC/CO-BPL/GPF to EPF Conversion/2017-18/26 dated 01-11-2023, has intimated that an amount of Rs.4,26,620/- would be recovered from the salary of the employee, being recovery of GPF and interest portion.

This amount of Rs.4,26,620/- is nothing but the employee's share of EPF contribution from the back date. Since Management cannot recover the employee's EPF contribution from the backdate, the same is being recovered from the employee in the guise of GPF and interest portion. As regards GPF scheme, the entire contribution is paid by the employee only. Thus, where comes the question of recovering the GPF amount from Shri Manoj Sharma?

This is totally wrong and violative of the order of the EPF Organisation. In view of the forgoing, we earnestly, request you to kindly intervene in this matter, and to advise the CGM, MP circle, not to recover the said Rs.4,26,620/- from the salary of Shri Manoj Sharma. Copy of the letter of the CGM, MP Circle, is enclosed for your ready reference.

Thanking you.

Yours sincerely,

(P.Abhimanyu)
General Secretary

Encl: As above.

Copy to: Dr. Kalyan Sagar Nippani, Director (HR), BSNL, Bharat Sanchar Bhawan, Janpath, New Delhi – 110 001



BHARAT SANCHAR NIGAM LIMITED
(A Govt. of India Enterprise)

Circle CSC CELL, O/o The CGMT, M.P Telecom circle
Room No 202, II Floor, Door Sanchar Bhawan, Hoshangabad Road, Bhopal-462027
Email: jaacobpl@gmail.com, Tele: 0755-2550313, Mob: 9425603304

No.: CSC/CO-BPL/GPF to EPF Conversion/2017-18/26

Date- 01.11.2023

To,
The General Manager,
BSNL BA Ujjain, M.P.

Sub: GPF Recovery Case of Shri Manoj Sharma SOA (G) GMBA Ujjain

Ref:- 1.GMTD/UJJ/Q-1598/Shri Manoj Sharma/SOA (G) /2020-21/131 Dated 26.12.2020

2.CGM/EPF/MANOJ SHARMA/2017-18/18 Dated 17/12/2020

3.CGM/EPF/MANOJ SHARMA/2017-18/22 Dated 30/12/2022

With reference to the above cited subject, It is to intimate that Manoj Sharma SOA (G) ,GMTD Ujjain can not avail the benefit of two Government schemes simultaneously, i.e. GPF and interest by Govt. and the same time EPF contribution by BSNL .The employee should have taken the benefit of EPF scheme only and should not have availed the benefit of GPF scheme and taken interest from Govt.

Hence the recovery of GPF and interest portion as instructed vide earlier correspondences for compliance of the orders of corporate office, New Delhi, issued vide letter no CO 35/CA II/BSNL /EPF/Vol III dated 21/06/2007, is to be intimated and also to be conveyed to the employee concerned

The amount of Recovery of GPF and interest portion is Rs 4, 26,620 (in words -Rs Four Lakhs Twenty Six Thousand Six Hundred and Twenty Only) which is to be made from the salary of employee in 36 installments immediately

This letter is issued with the approval of the competent authority

FBK - ble
Chief Accounts Officer (EPF)
O/O CGMT, BSNL, Bhopal

Encl: -

CHIEF ACCOUNTS OFFICER
O/o CGMT, BSNL
BHOPAL - 462015



कर्मचारी भविष्य निधि संगठन

(श्रम एवं रोजगार मंत्रालय, भारत सरकार)

Employees Provident Fund Organisation

(Ministry of Labour & Employment, Govt. of India)

क्षेत्रीय कार्यालय/Regional Office

भविष्य निधि भवन, 59, अरेरा हिल्स, भोपाल - 462011

Bhavishya Nidhi Bhawan, 59, Arera Hills, Bhopal -462011

Website: www.epfindia.gov.in | Email: ro.bhopal@epfindia.gov.in | Tel: 0755-2557670

क्र/भनि/क्षेका/भोपाल/प्रवर्तन/सर्कल-3/मप्र/13490/1319 दिनांक: 03/07/2023



ENF-319

प्रति,

Chief Accounts Officer

M/s BSNL

O/o CGMT, Door Sanchar Bhawan

Room No-202, II floor, Hoshangabad Road, Bhopal

विषय :- संस्थान M/s BSNL, Bhopal भ.नि. संकेत क्र. मप्र/13490/1298 के संबंध में प्राप्त शिकायत बाबत।

संदर्भ:- इस कार्यालय का पत्र क्र/ भनि/क्षेका/भोपाल/प्रवर्तन/मप्र/13490/ दि.25.04.17 एवं क्र/ भनि/क्षेका/भोपाल/प्रवर्तन/मप्र/13490/520 दि.13.01.21।

महोदय,

उपरोक्त विषयांतर्गत संदर्भित पत्रों का अवलोकन करें, जिसके माध्यम से कर्मचारी भविष्य निधि योजना का पैरा 32 का उल्लंघन ना करने के संबंध में इस कार्यालय द्वारा आपको निर्देशित किया गया है। सदस्य का पुनः शिकायत प्राप्त हुआ है कि आपके कार्यालय द्वारा पत्र क्र CSC/GPF TO EPF Conversion/2017-18/2022-23/34 dt.12/05/2023 के माध्यम से रिकवरी हेतु निर्देशित किया गया है।

आपके द्वारा प्रस्तुत पत्र दि.29.12.2020 के अवलोकन से यह स्पष्ट है कि एक कर्मचारी को एक ही अवधि के लिए GPF & EPF dual benefit प्रदान नहीं किया जा सकता। पुनः यह भी स्पष्ट है कि भविष्य निधि योजना का पैरा 32 के अनुसार सदस्य के मासिक वेतन से पिछले वेतन के भविष्य निधि अंशदान (कर्मचारी अंशदान) की वसुली वैधानिक नहीं है। परंतु सदस्य द्वारा पात्रता ना होने पर भी GPF की जो निकासी की गई है, इसकी वसुली करने हेतु संबंधित दिशा निर्देश के अनुसार कार्यवाही करने में इस कार्यालय को कोई आपत्ति नहीं है।

अतः संस्थान को पुनः निर्देशित किया जा सकता है कि सदस्य के मासिक वेतन से पिछले वेतन के भविष्य निधि अंशदान (कर्मचारी अंशदान) की वसुली ना किया जावे। विफलता की स्थिति में संस्थान के विरुद्ध कर्मचारी भ.नि. एवं प्रकीर्ण उपबंध अधिनियम, 1952 में निहित प्रावधानों के तहत कार्यवाही प्रारंभ की जा सकती है।

(विनय कुमार)

क्षेत्रीय भविष्य निधि आयुक्त-।।

क्षेत्रीय कार्यालय, भोपाल

प्रतिलिपि,

श्री मनोज शर्मा

बि.एस.एन.एल, द्वितीय तल, टेलीफोन एक्सचेंज

छेवास गेट, उज्जैन