



**EMPLOYEES' OLD-AGE BENEFITS'
INSTITUTION**

Ministry of Overseas Pakistanis &
Human Resource Development
Government of Pakistan
Head Office: EOBI House 190/1/B,
Block-2 P.E.C.H.S. Karachi
Phone: 021-34328026

Ref: No. HO/BS115th BOT. MTNG/2017/-37

Dated: 31-05-2017

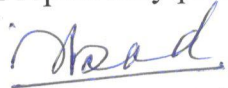
1. FA/DG/(F&A)
2. DG(Investment)
3. DG (Ops)/South/North
4. DG (HR&GAD)
5. DDG (Audit)
6. DDG (IT)
7. DDG Law Department
8. DDG (Reconciliation Department)
9. Incharge Publicity Department
10. CEO PRIMACO.

Subject: Implementation on Minutes of 115th Meeting of Board of Trustees (BOT), EOBI, held on 14th April, 2017.

Enclosed is copy of Minutes of 115th Meeting of Board of Trustees (BOT), EOBI held on 14th April, 2017 in the Committee Room, Ministry of OP&HRD, Islamabad, duly approved by President of BOT/Secretary, Ministry of Overseas Pakistanis & Human Resource Development, Islamabad.

2. You are requested to take necessary action on the decisions pertaining to your Department and send compliance report on the earliest to this Secretariat for onward submission to BOT in its forthcoming meeting.

3. If there is no action on part of your Department, a NIL report may please be provided.


(Dr. Rahmat Ibad Khan)
Secretary Board

Enclosure: As above.

Copy for Information:

1. Chairman, EOBI.
2. Master/Office file

MINUTES OF 115th MEETING OF BOARD OF TRUSTEES, EOBI

The 115th meeting of Board of Trustees of EOBI was held on 14.04.2017 at 9:30 a.m. in the Committee Room of Ministry of OP&HRD, Islamabad. The Board deliberated on the following agenda:

Sr. #	Agenda Items
1.	Confirmation of Minutes of 114 th Meeting of the Board of Trustees held on 1 st August 2016 at Committee Room Ministry of OP&HRD Islamabad.
2.	Confirmation of Minutes of 14 th Emergent Meeting of Board of Trustees, held on 25 th May, 2015 at Islamabad (As required in 110 th meeting of BOT) which stand circulated vide 110 th Meeting of BOT held on 2 nd July, 2015.)
3.	Compliance Report on decisions of 11 th to 14 th Emergent Meetings and 109 th , 110 th , 112 th , 113 th and 114 th meetings of BOT (Report of 11 th to 13 th Emergent presented in 109 th Meeting & 111 th presented in 112 th meeting).
4.	Approval Regarding Revision of Pay Scales 2011, 2015 & 2016 and Ad-hoc Relief Allowance 2012.
5.	Regularization of Official Vehicles.
6.	To consider and approve release of extra ordinary payment on account of Kidney Transplantation to Mr. Muhammad Ali Javed, Superintendent, EOBI Regional Office, Hasanabdal.
7.	Authority Letter to Represent the Institution in the Courts of Law.
8.	Re-composition of Appellate Committee of the Board to hear Appeals Under Regulation-33 of EOBI (Employees' Service) Regulations, 1980.
9.	Report of Subcommittee of the Board Regarding Self Employed Persons Scheme (SES): (Agenda Item No.3 of 112 th meeting of the Board).
10.	Restoration of 50% commuted portion of pension with all periodical increases in the light of government of Pakistan, Finance Division (Regulations Wing) No. F.13(13)-Reg.6/2011, Dated 21.01.2013 & 11.03.2013.
11.	Any other Item with Permission of the Chair.

2. The meeting started with recitation of verses from the Holy Quran by Mr. Sarzameen Afghani, Employees' Representative Balochistan. The President of the Board welcomed the participants and thanked the participants for attending the meeting. The meeting was attended by the following:-

1. Mr. Suhail Aamir, President
Secretary, Ministry of OP & HRD
2. Mr. Khaqan Murtaza, Member
Chairman, EOBI
3. Ms. Atifa Raffat, Member
Joint Secretary, Ministry of OP & HRD
4. Mr. Muhammad Bilal, Member
Financial Adviser, Ministry of OP & HRD
5. Dr. Shoaib Akbar, Member
Secretary, Labour Department, Punjab

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| 6. Mr. Khayyam Hasan,
Secretary, Labour Department, KPK | Member |
| 7. Dr. Kahoor Khan,
Secretary, Labour, Balochistan | Member |
| 8. Dr. Muhammed Yousaf Sarwar,
Employers' Representative, KPK | Member |
| 9. Mr. Ghulam Farooq,
Employers' Representative, Balochistan | Member |
| 10. Chaudhary Naseem Iqbal,
Employees' Representative, Punjab | Member |
| 11. Mr. Muhammed Iqbal,
Employees' Representative, KPK | Member |
| 12. Mr. Sarzameen Afghani,
Employees' Representative, Balochistan | Member |
| 13. Dr. Rahmat Ibad Khan | Secretary BOT |

3. Following officers of the Institution were also available during the course of meeting to assist the Board in its deliberation:

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|-----------------------------|--------------------------------------|
| 1) Mr. Abdul Wahid Uqaily, | Director General (Operations) |
| 2) Mr. Muhammad Salahuddin, | Oftg. Dy. Director General (Finance) |
| 3) Mr. Hamid Ali Khan, | Director (General Administration) |

4. Mr. Muhammad Tariq Rafi, Employers' Representative Sindh did not attend the meeting as he had already resigned from membership of the Board vide 113th meeting of the Board. Mr. Saeed Ahmad Awan, Secretary Labour Sindh, Malik Tahir Javaid, Employers' Representative Punjab and Mr. Shaukat Ali, Employees' Representative Sindh also did not attend the meeting.

5. The President of the Board asked the Chairman EOBI to take up the Agenda Items after recitation from the Holy Quran.

Agenda Item No.1	Confirmation of Minutes of 114 th Meeting of the Board of Trustees held on 1 st August 2016
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6. Mr. Khaqan Murtaza, Chairman EOBI informed that 114th meeting of the Board was held on 1st August, 2016 in the Committee Room of Ministry of OP&HRD. The minutes duly approved by the then President of the Board, were accordingly circulated amongst members of the Board of Trustees vide letter No.HO/BS 114th BOT/Mtng/2016/94 dated: 22nd August, 2016 for information / observation, if any. The Chairman EOBI further informed that no observation had been received from any member of the Board, therefore, Board may confirm the minutes of 114th meeting of the Board of Trustees held on 1st August, 2016.

7. Mr. Sarzameen Afghani, Employees' Representative Balochistan invited attention of the Board towards his suggestion regarding increase in rate of pension of insured persons. President of BoT informed that his suggestion for increase in rate of pension may be included as a separate agenda item in any forthcoming meeting of the Board. Chairman EOBI suggested that if there is any objection in recording of minutes and decisions of the Board, the same may be pointed out as neither the present President nor the Chairman EOBI were present when the said meeting was held. Mr. Sarzameen Afghani, Employees' Representative Balochistan and other members of the Board agreed that they had no observation / objection regarding recording of minutes / decisions of 114th meeting of the Board.

Decision:

8. The Board unanimously confirmed the minutes of 114th meeting of the Board held on 1st August, 2016.

Agenda Item No.2	Confirmation of minutes of 14 th Emergent meeting of Board of Trustees held on 25 th May, 2015 at Islamabad
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9. Mr. Khaqan Murtaza, Chairman EOBI informed that the 14th Emergent meeting of Board of Trustees was held on 25th May, 2015 at EOBI Guest House, G-6/4, Islamabad. The minutes were approved by the then President of BoT and the same were accordingly circulated amongst the members vide letter No.HO/BS/Appvd.Mnt/14th Emrnt.Mtng/2015/50 dated 3rd August, 2015. He informed that no observation was received from any member of the Board on the recording of the minutes and on the decisions of 14th Emergent meeting. However, the minutes of 14th Emergent meeting of the Board could not be placed for confirmation in 111th and 112th meeting of the Board. They were placed in 113th meeting of the Board held on 18th May, 2016 but confirmation was not taken up by the Board. The said minutes were not placed before the BoT during 114th meeting of BOT held on 1st August, 2016 due to the reason that the meeting was focused on only budget of the Institution.

10. The Chairman EOBI explained the decisions taken by the BoT in its 14th Emergent meeting. He informed that in the said meeting the BoT made deliberation on the issue whether the properties involved in the suo moto case be retained by EOBI or otherwise. The stance of the BoT taken in the said meeting was submitted before the Supreme Court of Pakistan. He further informed that the BoT decision regarding increase of pension of EOBI employees has been notified by the government has been implemented. He inquired from the Board members, if there was any objection in recording of minutes and decisions of the Board the same may be

pointed out as neither the present President nor the Chairman EOBI attended the said meeting.

11. Mr. Muhammad Iqbal, Employers Representative KPK pointed out that the decision of the federal government in the case of EOBI employees is followed / implemented whereas, the federal government decision regarding increase of pension of EOBI pensioners is not implemented on one pretext or the others. He raised question as to why government decision regarding increase of pension of EOBI pensioners was not implemented. Ch. Naseem Iqbal, Employees' Representative Punjab pointed out that the Task Force under the Chairmanship of Deputy Governor, State Bank constituted by the Finance Minister, had recommended the increase of EOBI pension on the basis of increase of rate of contribution. Since the Government has revised the rate of minimum wages from the retrospective effect, therefore, EOBI pension may be increased accordingly. Dr. Muhammad Yousaf Sarwar, Employees Representative KPK pointed out that increase in minimum EOBI pension and revision of minimum wages for the purpose of collection of EOBI contribution are two different issues. He informed that in pursuance government announcement for increase of minimum pension for the government employees' upto Rs.6000/- per month, a committee under the Chairmanship of Finance Minister was constituted to consider and recommend the proposal for enhancement of EOBI pension. That committee had constituted Task Force under the Chairmanship of Deputy Governor, State Bank of Pakistan. The Task Force had recommended the increase of EOBI pension subject to the conditions that government may provide matching grant, revision of rate of contribution and minimum wages etc. The revision of minimum wages notified by the Government is restricted upto the extent of Islamabad Capital Territory (ICT). Further, it is not possible for the employers to pay the contribution on the revised rate of minimum wages from retrospective effect. Dr. Muhammad Yousaf Sarwar requested that these aspects may be considered separately. He suggested that the Board may focus on confirmation of minutes of 14th Emergent meeting.

12. Mr. Khayyam Hasan, Secretary Labour, government of KPK, endorsed the views of Dr. Muhammad Yousaf Sarwar and added that these aspects may be considered separately. He suggested that the Board may focus on confirmation of minutes of 14th Emergent Meeting. Mr. Sarzameen Afghani, Employees Representative Balochistan pointed out that the EOBI minimum pension from Rs.3600/- to Rs.5250/- per month was increased on the basis of Supreme Court direction. The President of BoT suggested that increase of EOBI minimum pension needs to be discussed separately.

Decision:

13. The Board confirmed the minutes of 14th Emergent meeting of the Board held on 25th May, 2015 on the basis of no objection of the Board members who were present in that meeting.

Agenda Item No. 3	Compliance Report on decisions of 11th to 14th Emergent Meetings and 109th, 110th, 112th, 113th and 114th meetings of BOT
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14. Mr. Khaqan Murtaza, Chairman EOBI sought permission of the President of BoT to allow the Secretary of the BoT to submit compliance report on the decisions of 11th to 14th Emergent meeting and 109th, 110th, 113th and 114th meetings of BoT. The President of BoT allowed the Secretary BoT to brief the board about implementation status of decision of BoT.

i) **Compliance Report on decisions of 11th Emergent Meeting of BOT**

15. Mr. Rahmat Ibad, Secretary BoT made a detailed presentation and informed the implementation status of each decision of BoT taken in the aforesaid meeting.

16. Chaudhry Naseem Iqbal, Employees' Representative Punjab appreciated the efforts of the then President of the Board - Mr. Khizar Hayyat Khan and the then Chairman EOBI - Mr. Sualeh Ahmad Faruqi for signing the pending EOBI annual accounts statement for the year 2011-2012. Mr. Sarzameen Afghani, Employees' Representative Balochistan pointed out that switch over of disbursement of pension from National Bank to ATM Card of Bank Alfalah is a great achievement which has facilitated 3.58 million pensioners but some pensioners are facing problems in using ATM Cards from any other bank which results in deduction of certain amount of service charges by that banks causing loss to the pensioners. Chairman, EOBI informed that deduction of services charges on using ATM Card by other Banks is made in pursuance of direction of State Bank of Pakistan. He further informed that the Institution has already taken up the issue with the State Bank of Pakistan for exemption of the levy to the pensioner for using ATM Card at other bank branches. Chaudhry Naseem Iqbal, Employees Representative Punjab and other members of the Board pointed out that at initial stage some problems may emerge but later on these will be addressed. On the whole it is a great achievement on the part of Institution.

Decision:

17. The Board showed satisfaction on the implementation status of 11th Emergent meeting of the BOT held on June 23, 2014.

ii) Compliance Report on decisions of 12th Emergent Meeting of BOT

18. The Secretary BoT informed the implementation status of each decision of BoT in its 12th emergent meeting held on 22.07.2014.

19. The President and members of the Board, while considering the implementation status under agenda item No.2 of the meeting, desired a presentation on EOBI projects under execution by PRIMACO in next Board meeting. Mr. Muhammad Farooq, Employers' Representative Balochistan and Dr. Kahoor Khan, Secretary Labour, Balochistan while referring the decision under Agenda Item No.3 (a) pointed out that present location of EOBI, Regional Office at Saryab Road was not easily accessible due to law and order situation in that area. Mr. Muhammad Farooq Employers' Representative Balochistan suggested that Board may consider the shifting of EOBI Regional Office in the Quetta Chamber of Commerce building which is situated in Cantonment Area. Members of the Board asked the Chairman EOBI to consider feasibility of shifting of Regional office into the building of Quetta Chambers of Commerce. The Chairman noted the suggestion and requested time to properly study the proposal.

20. Referring to agenda item No. 3(b) under any other agenda item, regarding mode of filling of the post of Director General (Internal Audit), Board members unanimously agreed that Institution does not require any position of Director General for Internal Audit Department, which is equivalent to BS-21. The Board agreed that Internal Audit Department may be headed by an officer equivalent to Deputy Director General and not an officer of a higher position.

21. At this point Dr. Muhammad Yousaf Sarwar, Employers' Representative KPK pointed out the vacant positions at different levels within the Institution and enquired about status of filling of these vacant positions. The Chairman EOBI informed that at present there are 362 vacant positions and process to fill these vacant positions has already been initiated.

Decision:

22. The Board showed satisfaction on implementation status of decisions of 12th Emergent meeting of the BOT held on July 22, 2014.

iii) Compliance Report on decisions of 13th & 14th Emergent Meetings and 109th to 114th meetings of BOT (Report of 11th to 13th Emergent presented in 109th Meeting & 111th presented in 112th meeting)

23. President of the Board deferred the implementation status of decisions of BoT of above meetings and suggested that the same may be placed in the next meeting of the Board. Members of the Board agreed with suggestion of the President.

Decision:

24. The Board directed the EOBI management to place the implementation status in respect of decisions of BoT of above meetings in the next meeting of BOT.

Agenda Item No. 4	Approval Regarding Revision of Pay Scales 2011, 2015 & 2016 and Ad-hoc Relief Allowance 2012
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25. Mr. Khaqan Murtaza, Chairman EOBI informed that in pursuance of decision of BoT, a case for revision of Pay Scale 2015 alongwith approval of Adhoc relief to the employees of EOBI was referred to the Finance Division for their concurrence. The Finance Division has raised observation that EOBI had revised their Pay Scale 2011 without prior approval of that Division. The case was examined and it has been observed that as per announcement of Federal government, revision of Pay Scale-2011 was granted to the employees of the Institution by the then Chairman EOBI without prior approval of the BoT as well Finance Division. He further informed that the Government has also announced the revision of Pay Scale 2016 which is also required to be granted to the employees of Institution as well. The employees of the Institution are still drawing their salaries at the rate of Pay Scale-2011. He has requested that Board to consider and approve the following proposals:-

- 1) Ex-post facto approval of Revision of Basic Pay Scale-2011;
- 2) Ex-Post Facto approval for Grant of Adhoc Relief Allowance-2012 @ 20% ; (approval for Grant of Adhoc Relief Allowance-2013 @ 10% and Adhoc Relief Allowance-2014 @ 10% respectively have already been accorded by the BOT in its 110th meeting);
- 3) Revised approval of Revision of Basic Pay Scale-2015 (including Adhoc Relief allowance-2015 @ 7.5% of the Basic Pay) ; and
- 4) Revision of Basic Pay Scale-2016 (including Adhoc Relief allowance-2016 @ 10% of the Basic Pay)

26. Dr. Shoaib Akbar, Secretary Labour, Punjab desired a presentation, in next meeting of the Board on Financial Statement, targets of the Institution, previous picture of achievement of targets and allocation of futuristic targets. Dr. Muhammad Yousaf Sarwar, Employers' Representative, KPK also desired that the Institution in its

next meeting may give a presentation on Actuarial Valuation of EOB Fund and Grade wise details of minimum and maximum pay drawn by the employees of EOBI. Mr. Sarzameen Afghani, Employees Representative Balochistan pointed out that increase in the EOBI pensioners has not been granted since 2015 whereas, EOBI employees are availing salary increases every year. He demanded 35% cut in the salary of all the employees of EOBI across the board. Chairman EOBI emphasized that revision of pay scales is a regular phenomenon and all organizations which have government pay scales revised their pay scales whenever the Federal government announces any revision of pay scale and allowances. He pointed out that EOBI employees have been denied their legal rights and there is deep concern among the employees of the Institution as they are still drawing salaries according to the Pay Scale, 2011. Ms. Atifa Raffat, Joint Secretary, Ministry of OP&HRD and Dr. Shoaib Akbar, Secretary Labour Punjab endorsed that revision of pay scales is covered under law and should be allowed to employees of the Institution. The President of the Board pointed out that in addition to coverage of law for revision of pay scale, it must also be considered that majority of employees fall in non-officer cadre thus proposed enhancement may be allowed as per law. Ch. Nasim Iqbal, Employees' Representative Punjab pointed out that Institution is run on the basis of employers and employees contribution. We are not against the increase of salaries of EOBI employees but increase of poor workers' pension may also be considered simultaneously. Mr. Muhammad Iqbal, Employees' Representative KPK suggested that matter of EOBI employees' salary should be resolved but he pointed out that the pay package of EOBI employees is higher than the Government employees. The same should be brought before the BoT for its consideration. The Joint Secretary (HRD) pointed out there is EOBI employees service regulations under which salaries and allowances are to be paid to them accordingly. Financial Advisor (OP&HRD) supported the views of JS (HRD).

Decision:

27. After detail discussion, the Board unanimously approved the following proposals subject to the concurrence of Finance Division:

- i. Ex-post facto approval of Revision of Basic Pay Scales-2011;
- ii. Ex-post facto approval for grant of Adhoc Relief Allowance-2012 @ 20% (approval for Grant of Adhoc Relief Allowance-2013 @ 10% and Adhoc Relief Allowance-2014 @ 10% respectively have already been accorded by the BOT in its 110th meeting held on 02.07.2015);

- iii. Revision of Basic Pay Scales-2015 (including Adhoc Relief allowance-2015 @ 7.5% of the Basic Pay) ; and
- iv. Revision of Basic Pay Scales-2016 (including Adhoc Relief allowance-2016 @ 10% of the Basic Pay).

28. The Board also directed the Institution to give a detail presentation on the following:-

- i. Actuarial Valuation of EOB fund; and
- ii. Detail of pay, allowances and other perks and privileges drawn by the employees of EOBI grade-wise.

Agenda Item No. 5	Regularization of Official Vehicles
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29. Mr. Khaqan Murtaza, Chairman EOBI informed that the Board in its 81st meeting held on 30th June, 2008 approved procurement of fifty four (54) official vehicles. Later on, the Board in its 94th meeting held on 3rd September, 2010 did not approve the proposal for additional procurement of 37 vehicles. However, while referring budget proposals for the year 2009-2010 (revised) and 2010-2011 (proposed) to the Ministry, the budget including budget for revised number of vehicles was also sent by the Institution which was accordingly approved by the then Ministry of Labour and Manpower. Owing to approval of budget, the vehicles were accordingly purchased by the EOBI. Further, the BoT in its 98th meeting held on 18th March, 2011 allowed procurement of six (6) additional vehicles and three (3) more in 101st meeting of the Board which made total strength of vehicles to 100. As per laid down procedure, these vehicles were to be notified but the same was not done. The vehicles were allocated to entitled officers and on protocol duties. The Institution has been incurring repair & maintenance and POL expenditures on these vehicles for the last six (6) years. It is pertinent to note that 50% of the vehicles have already completed their life and remaining 50% will be completing their life by end of this calendar year. The Chairman EOBI requested to accord ex-post facto approval for purchase of 37 vehicles, so as to enable the Institution to stream line the expenditure incurred thereon.

30. Dr. Muhammad Yousaf Sarwar, Employers' Representative KPK pointed out that there are various illegalities involved in allocation of loans for purchase of vehicles and enquired about relation between purchase of vehicles and grant of loan for purchase of vehicles. The Chairman EOBI clarified that present case of regularization of 100 official vehicles is different from the issue of grant of loan for purchase of 158 vehicles to EOBI officers wherein loan was granted in violation of

EOBI Loan Rules. He informed that action against terminated officers is being taken up separately for recovery of loan. The President of the Board pointed out that the issue is procurement of 37 vehicles without prior approval of BoT. These vehicles were procured during 2010-11 and life of such vehicles is going to expire by the end of this calendar year. Ms. Atifa Raffat, JS Ministry of OP&HRD and Mr. Muhammad Bilal, Financial Adviser M/o OP&HRD and other members of the Board were of the view that we have left no option other than to allow the Institution to issue notification of regularization of 37 official vehicles. The Board also desired that reference may be initiated in respect of irregularities in grant of loan to the officers for purchase of vehicles by the then management.

Decision:

31. The Board authorized the Institution to issue necessary notification to regularize 37 official vehicles which were purchased by the Institution without prior approval of BoT. The Board also directed the Chairman to carry out a rationalization exercise about vehicles in EOBI and put up his report in the next Board meeting.

32. The Board also directed the Institution to initiate a reference regarding irregularities in grant of loan for purchase of vehicles by the officers. Moreover, recovery from the loan defaulters may be taken up through the FIA, if needed.

Agenda Item No. 6	To consider and approve release of extra ordinary payment on account of Kidney Transplantation of son of Mr. Muhammad Javed, Superintendent, EOBI Regional Office, Hasanabdal.
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33. The Chairman EOBI informed that Mr. Muhammad Javed, Superintendent Regional Office, Hasanabdal had incurred expenditure on account of kidney transplantation of his son – Mr. Muhammad Ali Javed. He informed that the patient had already undergone renal transplantation in 2012 and doctors had advised urgent re-transplantation to save the life of the patient. The Chairman EOBI further informed that M/s Kidney Center, Al-Syed Hospital (Private), Rawalpindi worked out cost of re-transplantation is Rs.1.10 million. He further informed that in consideration of urgency of the situation and on humanitarian ground, the then Chairman EOBI accorded approval for Rs.1.10 million on 20th March, 2016. The official has submitted the bill of Rs.1.3 million for reimbursement.

34. Dr. Shoaib Akbar, Secretary Labour, Punjab enquired about provision of such medical facility in EOBI Regulations. He was informed that as per regulation 2

(9) (x) (f), of EOBI (Medical) Regulations), cosmetic surgery, plastic surgery and organ transplant are not admissible. However, the Board, which is a policy making body, had earlier allowed two cases of kidney transplantation. It was further elaborated by the Chairman EOBI that when the Medical Rules were framed at that time organ transplant was not legally allowed. However, now the same is legally permissible under certain conditions. Dr. Shoaib Akbar, Secretary Labour, Punjab, suggested that as formulation and amendment of regulations is within the ambit of powers of the Board therefore, relevant regulations may accordingly be changed. Mr. Ghulam Farooq, Employers' Representative Balochistan pointed out that as per his knowledge organ transplantation has been allowed in governmental legislation with condition of transplantation through donation by a relative and not through purchase, therefore, proposed amendments may also be considered in this perspective. Mr. Muhammad Iqbal, Employees Representative KPK suggested that such treatment may be allowed only in government hospitals.

Decision:

35. Board approved reimbursement of Rs.1.10 million in favour of Mr. Muhammad Javed, Superintendent Regional Office, Hasanabdal for kidney re-transplantation of his son - Mr. Muhammad Ali Javed.

36. Board directed the Institution to submit proposal regarding amendment in the EOBI (Medical) Regulations, 1980 in accordance with the provision of Government policy / law about transplantation.

Agenda Item No. 7	Authority Letter to represent the Institution in the Courts of Law
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37. Mr. Khaqan Murtaza, Chairman EOBI informed that previously the Board had authorized Mr. Noor Ahmad Waghra, Deputy Director (Law), Mr. Abdul Ahad Memon, Assistant Director (Law) and Mr. Abraiz Muzafar Shaikh, Assistant Director (Law) to appear in all courts of law on behalf of EOBI and to attend hearings/proceedings and to sign and file petitions, applications, complaints, written statements, replies rejoinders, appeals, revisions, vakalatnama etc. He further informed that owing to routine transfer and postings, it is considered expedient that other officers of law cadre may also be delegated the same authority to represent Institution.

38. Mr. Sarzameen Afghani, Employees Representative Balochistan and Chaudhary Naseem Iqbal, Employees Representative Punjab enquired about the detail of cases in which the Institution is involved. The Board was informed that there are large number of cases pending before the honourable Supreme Court of Pakistan,

Lahore High Court and Sindh High Court. Due to this authority letters to different Law officers of the Institution is required.

Decision:

39. The Board delegated the authority to the following law officers of EOBI to appear in all Courts on behalf of EOBI and to attend hearing(s) / proceedings, to sign and file petitions, applications, complaints, written statements, replies rejoinders, appeals, revisions, vakalatnama etc:-

- i. Mr. Noor Ahmed Wahgra, Deputy Director (Law)
- ii. Mr. Abdul Ahad Memon, Assistant Director (Law)
- iii. Mr. Abraiz Muzaffar Shaikh, Assistant Director (Law)
- iv. Mr. Sukhan Ilyas Malik, Assistant Director (Law)
- v. Mr. Qadeer Ahmed Chaudhry, Assistant Director (Law)

Agenda Item No. 8	Re-composition of Appellate Committee of the Board to hear Appeals Under Regulation-33 of EOBI (Employees' Service) Regulations, 1980
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Decision:

40. The Board deferred the agenda and directed the Institution to re-examine the issue and come up with a fresh working paper.

Agenda Item No. 9	Report of Subcommittee of the Board Regarding Self Employed Persons Scheme (SES): (Agenda Item No.3 of 112th meeting of the Board)
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41. As per working paper of the agenda item No.9, following proposals submitted before the BoT for its deliberation/decision:-

- a). The committee has recommended that the insured persons registered under self-employed scheme who have insurable employment other than the SES may be allowed for the EOB benefits on the basis of their total insurable employment including period of payment they have already made under SES. The SES has already been held unlawful at different fora. Therefore, the committee's recommendation needs decision of the Board whether it allows payments by such persons under SES to include in their insurable employment while settling their cases.
- b). Insured persons registered under self-employed scheme who do not have insurable employment other than the SES may be refunded the actual amount paid by them along-with the interest at the rate of interest payable against the Treasury Bills as per the interest rate notified by State Bank of Pakistan, during the respective period, the money was

held by EOBI for investment. EOBI should prepare a summary of each such person and send it to the respective insured person giving him an option to apply for receipt of refund by submitting proof of deposits made by him, if not appearing in the EOBI summary of payments. Further, it should publish an advertisement in the leading dailies to inform such persons to claim their refunds.

- c). EOBI should consolidate the data relating to the number of cases filed by the insured persons under the self-employment scheme before the Wafaqi Mohtasib for refund of contributions made by them under the self-employment scheme, along-with the plea taken by such persons and the decision of the Wafaqi Mohtasib.

42. Mr. Khaqan Murtaza, Chairman EOBI requested President of the Board to allow Mr. Abdul Wahid Uqaily, Director General (Ops) to brief on the agenda item. The President allowed to Mr. Abdul Wahid Uqaily to brief the Board. The DG (Ops) informed the Board that the Cabinet while approving the Labour Policy-2010, allowed Self-Employed Scheme (SES) which allowed Self Employed persons to join EOB Scheme. He further informed that the scheme required necessary enactment and amendment in EOB Act, 1976 but no such steps were taken by the then management. They allowed the registration under the said scheme at their own level. He further informed that as per decision of Adjudicating Authority-II of the Institution and Appellate Committee of the Board, it was found that SES had no legal support/ status. Resultantly, scheme was disallowed by the Board in its 111th meeting held on 1st February, 2016. There were a total of 1682 persons associated with of SES scheme out of which:-

- i). 678 persons who have been credited some part of insurable employment and deficient period of required employment has been covered under the umbrella of SES scheme out of which 69 persons have started drawing pension; and
- ii). 1004 persons who are solely registered under self-assessment scheme.

43. After the briefing of Mr. Abdul Wahid Uqaily, the Chairman, EOBI requested that Board may allow refund of contribution with interest rate, as announced by State Bank of Pakistan, to the persons having paid contribution under SES scheme.

44. Chaudhry Naseem Iqbal, Employees Representative, Punjab and Mr. Sarzameen Afghani, Employees' Representative, Balochistan were of the view that there are many deserving cases which have a shortage of few months or a year or so towards required length of insurable employment and their cases may be considered on

humanitarian grounds. The Chairman EOBI pointed out that such a consideration has no legal support under EOB Act. Dr. Shoaib Akbar, Secretary Labour, Punjab was of the view that SES scheme is ab-initio illegal, thus no consideration can be made in this regard.

Decision:

45. After extensive deliberation the Board decided as under;
- i) Contribution paid under SES Scheme along with interest at the rate of interest payable against Treasury Bills as notified by the State Bank of Pakistan during the respective period in which the contribution was received by EOBI may be refunded to such 1004 persons who are solely registered under SES scheme and have no credit of insurable employment.
 - ii) The matter of 609 persons who have some part of insurable employment in their total length of service may be re-examined and placed for deliberation of the Board.
 - iii) Similarly matters of 69 pensioners having got benefit from partial or full fulfillment of SES scheme may be re-examined and may be placed for deliberation of the Board.

Agenda Item No. 10	Restoration of 50% commuted portion of pension with all periodical increases in the light of government of Pakistan, Finance Division (Regulations Wing) No. F.13(13)-Reg.6/2011, Dated 21.01.2013 & 11.03.2013
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46. Mr. Khaqan Murtaza, Chairman EOBI informed that Supreme Court of Pakistan has allowed restoration of 50% commuted portion of pension with all periodical increases in the light of Finance Division (Regulations Wing)'s No. F.13(13)-Reg.6/2011, Dated: 21.01.2013 & 11.03.2013.

47. Mr. Muhammad Bilal, FA (OP&HRD) informed that honourable Supreme Court of Pakistan had allowed restoration of 50% commuted portion of pension and there is proper legal support for restoration of commuted portion.

Decision:

48. The Board allowed the benefit of restoration of surrendered portion of pension in lieu of commutation with all periodical increase to the retired employees of EOBI in accordance with Finance Division's OM Nos.13(13)/Reg-6/2011 dated 21.01.2013, dated 11.03.2013 and No.15(2)/Reg.6/2015-699 dated 07.07.2015 subject to the concurrence of Finance Division.

49. The meeting ended with vote of thanks to and from President of the Board.


Section Officer
Ministry of Labour, Pakistan &
Ministry of Social Development
Government of Pakistan
Islamabad