

**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/BS/118<sup>th</sup> BOT.MTNG/2018/- 13

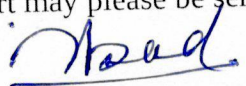
Dated: 21-03-2018

- |  |                           |
|--|---------------------------|
| 1. Director General (Ops)              | South /North              |
| 2. Investment Advisor/Director General | Investment Department     |
| 3. Director General                    | (HR&GAD)                  |
| 4. Financial Advisor/Director General  | F & A Department          |
| 5. Deputy Director General             | Law Department            |
| 6. Incharge                            | IT Department             |
| 7. Incharge                            | Audit Department          |
| 8. Incharge                            | Reconciliation Department |
| 9. Incharge                            | Publicity Department      |

Subject: Approved Minutes of 118<sup>th</sup> Meeting of Board of Trustees, EOBI Held on Friday, 16<sup>th</sup> March, 2018 at Committee Room, Ministry of Overseas Pakistanis & Human Resource Development, Islamabad.

Enclosed is copy of Minutes of 118<sup>th</sup> Meeting of Board of Trustees (BOT), EOBI held on 16<sup>th</sup> March, 2018 at Committee Room, Ministry of Overseas Pakistanis & Human Resource Development, Islamabad, duly approved by President of BOT/Secretary, Ministry of Overseas Pakistanis & Human Resources 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 sent.

  
(Dr. Rahmat Ibad Khan)  
Secretary Board

Enclosure: As above.  
Copy for Information:

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

## DRAFT MINUTES OF 118<sup>th</sup> MEETING OF BOARD OF TRUSTEES, EOBI

118<sup>th</sup> meeting of Board of Trustees of EOBI was held on 16.03.2018 at 10:00 a.m in Committee Room, Ministry of Overseas Pakistanis and Human Resource Development, Islamabad.

2. Dr. Muhammad Hashim Popalzai, President of the Board/Secretary, Ministry of OP&HRD welcomed the participants of the meeting and invited Mr. Aqeel Ahmed Siddiqui, Director General (Operations),EOBI to recite verses from Holy Quran to start proceedings of the meeting.

3. After recitation the president, BoT informed the Board that Mr. Khaqan Murtaza, Chairman EOBI is engaged in National Management Course at Lahore and was unable to attend the meeting therefore, Mr. Aqeel Ahmed Siddiqui, DG (Operation),EOBI has been given the task to represent the Institution and facilitate the Board in its deliberations. Dr. Muhammad Hashim Popalzai, Secretary, OP&HRD owing to his first convening of the meeting of present Board, introduced himself and invited all the participants to introduce themselves. Participants of the meeting introduced themselves.

4. The meeting was attended by the following:

- |   |                   |
|---|-------------------|
| 1) Dr. Muhammad Hashim Popalzai,<br>Secretary, Ministry of OP&HRD   | President         |
| 2) Mr. Aqeel Ahmed Siddiqui,<br>Director General (Operations), EOBI | To represent EOBI |
| 3) Ms. Atifa Raffat,<br>Joint Secretary, Ministry of OP&HRD         | Member            |
| 4) Mr. Muhammad Bilal, FA,<br>Ministry of OP&HRD                    | Member            |
| 5) Dr. Farah Masood,<br>Secretary Labour & HR Department, Punjab.   | Member            |
| 6) Chaudhary Naseem Iqbal,<br>Employees' Representative, Punjab     | Member            |
| 7) Mr. Shouket Ali,<br>Employees' Representative, Sindh,            | Member            |
| 8) Dr. Muhammed Yousaf Sarwar,<br>Employers' Representative, KPK    | Member            |
| 9) Mr. Muhammed Iqbal,<br>Employees' Representative, KPK            | Member            |

- 10) Mr. Ghulam Farooq,  
Employers' Representative, Quetta,  
11) Dr. Rahmat Ibad Khan

Member

Secretary BOT

5. Following members of the Board could not attend the meeting owing to their respective official engagements:

- 1) Mr. Abdual Rasheed Solangi,  
Secretary, Labour & HR Deptt. Sindh Member  
2) Mr. Khayyam Hasan,  
Secretary, Labour & HR Deptt. KPK. Member  
3) Mr. Shan-ul-Haq,  
Secretary, Labour & HR Dept  
t. Balochistan Member  
4) Malik Tahir Javaid,  
Employers' Representative Punjab. Member

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

- 1) Mr. Javaid Zia Burni Invst. Advisor/Director General (Invst.)  
2) Hafiz Muhammad Saqib Butt Dy. Director General, HR (EOBI)

7. The Board deliberated on the following agenda:

S.#	Agenda Items
01.	Confirmation of Minutes of 117 <sup>th</sup> Meeting of Board of Trustees held on 3 <sup>rd</sup> November, 2017 at EOBI Head Office, Karachi.
02.	Up-gradation as Assistant Director on Completion of 15 years' service as per directives of Honourable High Court of Sindh given in CP #: D-3525/2016 dated: 18/12/2017.
03.	To consider Revision of Basic Pay Scales-2017 (including Adhoc Relief allowance-2017 @ 10% of Basic Pay).
04.	Employees' Old-Age Benefits (Electronics) Regulations, 2018.
05.	Employees' Old-Age Benefits (Statutory Increase) Regulations, 2018.
06.	To consider Admissibility of Pension under Employees Old-Age Benefits Institution (Employees' Pension and Gratuity) Regulations, 1987.
07.	To consider Refund of Contribution Deposited under Self Employment Scheme (SES) by Insured Persons and beneficiaries having part insurable employment with employers.
08.	To consider Change of Convener of Fixed Income Committee of the Board.
09.	Any other Item with permission of the Chair.

8. Dr. Muhammad Hashim Popalzai, President of the Board invited to take up first Agenda item.

<b>Agenda ItemNo.1</b>	Confirmation of Minutes of 117 <sup>th</sup> Meeting of Board of Trustees held on 3 <sup>rd</sup> November, 2017 at EOBI Head Office, Karachi.
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9. Taking up first Agenda Item, Dr. Rahmat Ibad Khan, Secretary to the Board informed that minutes of 117<sup>th</sup> meeting of BOT, as approved by President of the Board were circulated among all members of the Board vide letter No.HO/BS/117<sup>th</sup>BOT.MTNG/2017-93 dated 05/12/2017, for information and observations of worthy members of the Board. He informed that no observation/suggestion has been received from any of the members.

10. He also informed that the Board in its 117<sup>th</sup> meeting decided to arrange audio recording of proceedings of the Board. Chaudhary Naseem Iqbal, Employees' Representative Punjab, with permission of President of the Board stated that decision of audio recording was taken in the perspective that sometimes participation of members, particularly representatives of the Labour from the Provinces, are not truly highlighted in the Minutes. He further added that audio recording of minutes is risky owing to leakage of deliberations. Mr. Muhammad Bilal, Financial Advisor, M/o OP&HRD added that as per decision, Secretary of Board has been made responsible for safe custody of the recording. He was of the view that recording instrument and the recording are bound to be handled by the officials of office of Board Secretariat. Ms. Attifa Riffat, Joint Secretary (HRD), M/o OP&HRD also added that during official handling of materials many individuals are involved and it is difficult for an individual to ensure non-leakage of deliberations. Dr. Muhammad Yousaf Sarwar, Employer representative, KP informed that he had been attending meetings at various forums including Board of Directors of PRIMACO (EOBI). He informed that it is his personal experience that all details of deliberations and decisions of such meetings are get known to outsiders within hours. Chaudhary Nasim Iqbal, Mr. Muhammad Iqbal & Mr. Ghulam Farooq also expressed similar concerns about leakage of deliberations and expressed their individual experiences. The members of the Board unanimously expressed that there are many ways by which deliberations of meetings are covertly recorded and leaked to outsiders. Dr. Muhammad Hashim Popalzai, after careful consideration of all views, was of the opinion that hundred percent leakage of

deliberations cannot be ensured by any one and making Secretary Board solely responsible for such leakages would not be fair.

11. After detailed deliberations the Board agreed that compliance of decision of 117<sup>th</sup> meeting of the Board regarding audio recording of the minutes maybe implemented with utmost care to prevent any leakage but in case of any leakage despite all protective measures the Secretary to the Board should not be held responsible for such leakage.

12. Mr. Muhammad Iqbal, Employees Representative from KPK, with permission of President of the Board, pointed out that Mr. Sarzameen Afghani was Employees' Representative from Balochistan, who resigned from membership for his various concerns on different Labour issues. He further informed that it was assured by preceding President of the Board that a conclusive meeting will be fixed for issues raised by Mr. Sarzameen Afghani. He further informed that Mr. Sarzameen Afghani has withdrawn his resignation but he has not been intimated about this meeting and has not been invited to attend the meeting.

13. The chair informed that this meeting has been arranged in hurry owing to contempt proceedings in the Court. He further inquired about relevant rules and regulations in respect of resignation of a member of the Board. Mr. Aqeel Ahmed Siddiqui, DG (Operation), EOBI pointed out towards Rule 3(6) of EOBI (Board of Trustees) Rules, 1976 which provides that a member under his hand can submit resignation to President of the Board which would be enforced immediately without any approval. The Chair inquired about the Authority to appoint members of the Board. It was informed that under section 7(1) of EOB Act 1976, Federal Government nominates members of the Board. He was of the view that if he has withdrawn his resignation, the same may be forwarded to the Cabinet Division (being Federal Government) for its decision.

14. Members of the Board showed their satisfaction on approved minutes of 117<sup>th</sup> meeting of the Board.

**Decision:**

15. The Board unanimously agreed that audio recording of the meeting maybe made for the purpose of recording of minutes. However, in case of leakage of any information Secretary of the Board would not be held responsible. The Board also

agreed to amend the decision at Para 9 of 117<sup>th</sup> meeting of the Board to the extent of the fixing of the responsibility.

16. The Board unanimously confirmed 117<sup>th</sup> minutes of the meeting held on 16<sup>th</sup> March, 2018.

**Agenda Item No.2.**

Up-gradation as Assistant Director on Completion of 15 years' service as per directives of Honourable High Court of Sindh given in CP #: D-3525/2016 dated: 18/12/2017.

17. The President, BoT invited DG (Operation), EOBI, to give a presentation on the issue. The DG (Operation), EOBI informed that this Agenda Item is the real motive of urgency of this meeting as this is under contempt of court proceedings. He further requested that Deputy Director General of HR Department of the Institution may be allowed to give Presentation. Hafiz Muhammad Saqib Butt, Deputy Director General HR (EOBI), informed during his presentation that BOT in its 33<sup>rd</sup> meeting held on 14/04/1993 allowed next higher pay scale to Executive Officers on completion of 10 years service as Executive Officers alongwith the post.

18. Subsequently, BOT in its 48<sup>th</sup> meeting held on 15/12/1998 approved that Executive Officers having 15 years service may be upgraded as Assistant Director. As a result 53 Executive Officers in 4 batches were upgraded as Assistant Director on recommendations of DPC and approval by BOT during the period from 1999 to 2003. 5<sup>th</sup> batch of 23 Officers duly recommended by the DPC held on 13/07/2004 was placed before BOT in 70<sup>th</sup> meeting held on 16/08/2004, wherein the Board observed as under:

**"The Institution should propose to revise the structure of the organization in accordance with the latest needs and to ensure reasonable promotion prospects for deserving officers".**

19. Accordingly matter was referred to HR Standing Committee and recommendations were presented in 72<sup>nd</sup> BOT meeting held on 10/03/2005. BOT approved that 25 Probationary Officers / Assistant Directors may be appointed and an HR Consultant may be appointed for restructuring and determination of manpower requirement in new automated environment. Up-gradation of officers on completion

of 15 years service was not taken up in any following BOT meeting. First phase of restructuring was approved in 82<sup>nd</sup> BoT held on 23/10/2008 and was subsequently adjusted in its 83<sup>rd</sup> BoT meeting held on 27/03/2009.

20. The issue of up-gradation after completion of 15 years of service was considered closed but some of the affectees filed their petitions before Honourable Sindh High Court; Lahore High Court and representations before the Chairman, EOBI U/R. 27 of EOB (Employees' Services) Regulations, 1980.
21. The Then Chairman Mr. Sualeh Ahmed Farooqui, after hearing decided to place the matter before BoT for concurrence and approval to the extent that petitioners of Sindh High Court and Lahore High Court may be upgraded as Assistant directors w.e.f. date of completion of 15 years service as EO.
22. Matter was placed in 111<sup>th</sup> BOT meeting held on 01/02/2016 in which BOT did not agree to the proposal and decided that the matter may be referred to HR Committee of the Board. The meeting of HR Committee of BOT was held on 29/02/2016 and decided that after approval by BOT for restructuring in EOBI, the issue should not be brought for discussion either in 111<sup>th</sup> BOT or referred to HR Committee and should be considered closed, regarding further up-gradation from EO to Assistant Director.
23. The HR Committee's recommendations were placed before BOT in its 112<sup>th</sup> meeting held on 7/04/2016 in which BOT accepted the recommendations of HR Committee. Thus, matter regarding up-gradation remains closed.
24. Petitioners again approached Sindh High Court vide CP No. D-3525-2016 which was disposed of on 18/12/2017 wherein competent authority of EOBI was directed to implement Order dated: 04/11/2015 in CP No. D-764/14. The operative paragraph from said decision provides as under:

"Looking through the above perspective and keeping in view the factual position of the case, we firmly infer that the Petitioners ought to have been considered for up-gradation / promotion of the petitioners on completion of 15 years of required service in the Respondent's Institution as decided by the BOT in its 48<sup>th</sup> meeting held on 15/12/1998. The explanation offered by the respondents is a clear negation of order dated 04/11/2015 passed by this Court and not acceptable".

25. In this respect EOBI has already filed an appeal before Honourable Supreme Court which is pending. In the meanwhile, Petitioners moved a contempt petition before Honourable Sindh High Court. The Honourable Court in hearing on 14/02/2018 gave 14 days time to implement the decision and considered matter of up-gradation as per decision of 48<sup>th</sup> BOT held on 15/12/1998. The order also provided that Direction of BOT would be subject to final outcome of Appeal in Honourable Supreme Court.
26. Another Contempt Court Proceeding was held in Honorable Sindh High Court on 01.03.2018 which directed the respondent (Institution) to implement the Court Order passed on 04.11.2015 within 20 days.
27. Mr. Muhammad Bilal, Financial Advisor, M/o OP&HRD pointed out that the word "Ought to" have to be considered in the perspective of directives of the Court and as per practice in the Civil Services "Ought to" means "must". The chair pointed out that in such matters up-gradation or move-over are taken in the policy perspective and they are not person specific. Ms. Atifa Riffat, Joint Secretary (HRD), M/o OP&HRD pointed out that Service Regulations of the Institution do not provide any provision of up-gradation and the Institution has been taking up-gradation as promotions and as a result, upgraded officers had further been promoted to next higher grades. Dr. Farah Masood, Secretary Labour Department, Punjab further added that in absence of Service Regulations and under practice of up-gradation the Institution needs to change the Policy and Regulations. The chair pointed out that in past Federal Government provided policy of move-over for persons at ceiling of their grade. He was of the view that the matter should be thoroughly examined and may be perused in Supreme Court for a decision. Mr. Muhammad Bilal, Financial Advisor, M/o OP&HRD desired consideration on the condition of requirement of 15 years service for up-gradation and proposed that rules may be amended. At this point Hafiz Muihammad Saquib Butt (DDG-HR), EOBI informed that policy of recruitment of Executive Officers has already been abandoned and now Assistant Director is the entry level for induction in the Institution. The Chair inquired about total number of such Executive Officers. Hafiz Muhammad Saquib Butt (DDG-HR), EOBI informed that there are 23 Executive Officers and this is a dying Cadre. President of the Board expressed that if this is a dying cadre then why this option may not be extended to all



Executive Officers, irrespective of the fact whether they are petitioner or not. The Secretary labour, Punjab and Joint Secretary (HRD), M/o OP&HRD after going through relevant decision pointed out that gist of the decision is providing up-gradation from back date. D.G (Operation), EOBI informed that extending the policy to all Executive Officers from back date would affect Seniority of those officers who have been inducted as Assistant Directors at later stage and this may create a lot of litigation.

28. Mr. Muhammad Iqbal and Chaudhary Naseem Iqbal pointed out that up-gradations of such officers will bring financial impact and if the matter leads to disputes, litigation will also bring financial implications.

**Decision:**

29. The board after detailed deliberation unanimously decided that for the time being petitioners in this matter may be upgraded as a result of having completed 15 years service as Executive Officers, in the same pattern as previous 04 batches during the period 1999 to 2003 were promoted, subject to the decision of Supreme Court of Pakistan which is already pending before the Honorable Apex Court.

**Agenda Item No. 3**

To consider Revision of Basic Pay Scales-2017 (including Adhoc Relief allowance-2017 @ 10% of Basic Pay).

30. The Chair/ President of BoT, invited DG (Operation), EOBI to brief about the Agenda item. DG (Operation), EOBI informed that present agenda item is divided into three parts. First part is about the revision of Basic Pay Scales-2017 including Adhoc Relief allowance-2017 @ 10% of the Basic Pay. He informed that since the Institution has adopted Government Pay Scales and accordingly increases introduced in Federal Government are also applicable to pay scales of the Institution.

31. He informed that second part of the agenda is regarding revision of rates of qualification pay and deputation/ additional charge allowance. He further informed that third part of the agenda is regarding revision of rates of daily allowances on official duty.

32. Before taking up agenda for deliberation, Chaudhary Naseem Iqbal, Employees' Representative, Punjab inquired about the dichotomy that on one hand pension of employees of the Institution is covered by the Federal Government Rules whereas the issue of the pension increase of Insured Persons is dealt with a different law depending upon the Actuaries Report. He also informed that a committee was constituted under convener ship of Deputy Governor of State Bank, wherein it was informed that if minimum wages are uniformly introduced throughout the country, contribution would increase by 0.5% from both employers and employees. He further stated that if government would give matching grant released for two years with proper restructuring of the Institution, then EOB scheme will remain viable for 50 years to come. Joint Secretary (HRD), M/o OP&HRD informed that under Federal Government Rule 10(1) any instruction from Federal Government becomes automatically applicable to Federal Government bodies. She further added that as far pension of insured persons is concerned, EOB Act has linked increase in pension with recommendation of actuarial valuation. Financial Advisor, M/o OP&HRD pointed out that Institution claims to have adopted Federal Government scales but Institution instead of referring to BPS Scales refers to Grades which gives a sense of contradiction. Dr. Muhammad Yousaf Sarwar, Employer' representative, KP also added that basically EOB scheme, introduced in 1976 was a tripartite scheme consisting of contribution from employer, contribution from employee and matching grant from Federal Government. He informed that Federal Government has stopped providing his matching grant and now is making nominal contribution of Rs. one lac per year, which has destabilized the whole scheme. Financial Advisor, M/o OP&HRD pointed out that before approaching for matching grant from the Government it must be thoroughly examined that with matching grant the greater control of government on EOBI's assets/investments would increase. Chaudhary Nasim Iqbal, employees' representative, Punjab pointed out that he has been asking for providing salary structure of officials of the Institutions but the same is not being provided. Dr. Rehmat Ibad Khan, Secretary to the Board invited attention to agenda item no. 11 of previous (117<sup>th</sup>) meeting of the Board, where presentation about salary structures of officials of the Institution was already made. Mr. Muhammad Bilal, Financial Advisor, M/o OP&HRD and other members agreed that a comprehensive presentation was made about the salary structure and expenses. Employees' representative, Punjab and Financial Advisor, M/o OP&HRD desired that

a copy of presentation maybe provided to them. President of the Board directed that copy of presentation maybe provided to both members of the Board.

33. Mr. Muhammad Iqbal, Employees' Representative, KPK expressed his concern that there might be instances where complete and factual facts may have not been revealed for any reason and the Board will make decisions on incomplete data therefore, a certificate may be issued that all facts have been revealed in the working paper so that Board may take decisions with more confidence and understanding.

34. After considering apparent contradiction in grades of the Institutions and Federal Government pay scales along with other allied issues, pointed out by the members of the Board, it was preferred that the matter may be sent to HR Committee of the Board and HR committee of the Board may refer the matter to the Board after deliberations and findings.

#### Decision

35. The board unanimously agreed that working paper regarding revision of pay and allowances may be referred to HR Committee of the Board for its deliberation, examination and recommendations for onward decision by the Board.

#### Agenda Item No. 4

#### Employees' Old-Age Benefits (Electronics) Regulations, 2018.

36. Taking up the Agenda Item DG (Operation), EOBI informed that at present about 30% of employers are dealing with the Institution through facility of automation, whereas 70% dealings are still manual. The automated part includes issuances of notices to employers, collection of IT information from the employer, collection of contribution and allied functions. He informed that at present there is no legal cover for automated communication between Institution and employers. To give a legal cover to automation, Institution requires Electronic Regulations.

37. The Chair inquired about powers of the Board. He was informed that under section 45 of EOB Act 1976, BOT has powers to make regulations. The Board was also appraised that this Board in its 116<sup>th</sup> meeting held on 17 July, 2017 constituted a committee to renew the existing Rules and Regulations pertaining to operational and other cadres and was empowered to propose amendments in the set Rules and

Regulations. The Board was authorized that the sub-committee realized deficiency of legal coverage of automation and the suggested Regulations have been formulated by the same committee. After some discussion on the scope and extent of Regulations, Board agreed to endorse E-Regulations.

**Decision:**

38. The Board unanimously approved draft Employees' Old Age Benefits (E-Regulations), 2018 framed by the Sub-Committee on Rules & Regulations for publication in official gazette and adoption thereafter.

**Agenda Item No. 5**

Employees' Old- Age Benefits (Statutory Increase) Regulations, 2018.

39. Taking up the Agenda Item, DG (Operation),EOBI informed that Rule 3 of EOBI (Contributions) Rules, 1976 provides statutory increase @ 2% of due amount for every month to a maximum of 50% of the total contribution, on payment after due date of 15 of the next following month. He further informed that this provision of law has yet to be invoked.

40. He further informed that sub-committee constituted by the Board, as referred in Agenda item no 4, has also framed Employees' Old-Age Benefits (Statutory Increase) Regulations, 2018. After some discussion on scope and extent of Regulations the Board unanimously agreed to endorse Employees' Old- Age Benefits (Statutory Increase) Regulations, 2018

**Decision:**

41. The Board unanimously approved the draft Employees' Old Age Benefits (Statutory Increase), Regulations, 2018 prepared by the Sub-Committee of Rules and Regulations for publication in official gazette and adoption thereafter.

**Agenda Item No. 6**

To consider Admissibility of Pension under Employees Old-Age Benefits Institution (Employees' Pension and Gratuity) Regulations, 1987.

42. Taking up agenda item DG (Operation),EOBI informed that previously Institution was governed by Employees' Old-Age Benefits Institutions (Employees' Provident Fund) Regulations, 1982. Thereafter, with effect from 01-07-1987

Regulation of 1982 were replaced by Employees' Old-Age Benefits Institution (Employees Pension & Gratuity Fund) Regulations, 1987. He informed that there are five officials who though were in the employment of the Institution prior to 1987 but were recruited fresh against direct quota posts with new appointments after 1987. He informed that as per Regulation 3 of Regulation, 1987 all employees joining the Institution on or after 01-07-1987 were to be covered by Regulations, 1987. He further added that though these officers were to be governed under Regulations, 1987 but inadvertently, owing to their previous services, they were treated under Employees Provident Fund Regulation, 1982. He further informed that Board of Trustees allowed continuity of service of these officers for the purpose of pension. He requested the Board to allow these five officers to be placed under Employees Pension & Gratuity Regulations, 1987. The Chair expressed that apparently these officers may have received amounts under Provident Fund Scheme and their services under Regulations, of 1987 from their new dates of appointment will left them with a shorter period of calculation of pension. He suggested that these calculations need to be considered thoroughly.

43. Dr. Muhammad Yousaf Sarwar, Employer' Representative, KP added that in the present meeting as well as in the previous meetings most of matters are related with HR Department which should have been referred to HR Committee of the Board for detailed deliberation and recommendations, before presenting for the decision of the Board. Mr. Muhammad Iqbal, Employees' Representative, KPK informed that this issue was previously placed before the Board and yet needs deliberation and decision. Dr. Farah Masood, Secretary Labour, Punjab pointed out that as per practice, at the time of new appointment of officials having previous service, pay fixation is considered at par with last pay drawn by the officials in their previous postings. Members of the Board were of the view that the matter may be referred to HR Committee of the Board for detailed examination and deliberation.

**Decision:**

44. The board unanimously decided to refer the matter to HR Committee of the Board for detailed examination and recommendations so, that Board may take a conclusive decision in the matter.

**Agenda Item No.7**

To consider Refund of Contribution Deposited under Self Employment Scheme (SES) by Insured Persons and beneficiaries having part insurable employment with employers.

45. Taking up the Agenda item, DG (Operation), EOBI informed that under Self Employment Scheme (SES) option was given to people to pay contribution under the term of Self Employment. He informed that after on introducing the Scheme 1682 persons joined the scheme out of which 1004 were those persons who paid their contributions for whole of the period solely under Self Employment and there was no part of employment as Insured Person under EOB Act. The Board of Trustees in its 115<sup>th</sup> meeting directed to refund the amounts with interest to these 1004 persons and the compliance of the decision is made.

46. He further informed that there were 678 persons who have some part of insurable employment as provided under EOB Act, 1976 and remaining part was covered under Self Employment Scheme. Out of these 678 persons, 69 persons have been awarded with benefits. These 69 persons have deposited an aggregated amount of Rs. 3,515,461/- under SES and an amount of Rs. 10,787,720 and Rs. 511,645/- have been disbursed to 53 persons and 16 persons under the head of Pension and Grant respectively. The two make a total disbursement of Rs. 11,299,365/-.

47. Excluding 69 beneficiaries out of total 678 persons, there are 609 persons who are awaiting the outcome of the case of these 69 beneficiaries. He suggested that pensions of 53 persons need to be stopped. In this respect amount deposited by such insured persons may be adjusted against amount paid as pension. For remaining 609 persons, the amount deposited under SES may be refunded whereas the remaining deposited amount may be treated under EOB Act, their matter may be dealt as per provisions of EOB Act in consideration of their contribution under insurable employment.

48. After detailed deliberation the Board agreed that claims of 609 persons may be dealt under relevant provisions of EOB Act, whereas matter of 53 pensioners may be further examined.

Decision:

49. The Board unanimously decided that:-

- i) For 609 persons, the amount deposited under SES may be refunded whereas the remaining deposited amount may be treated under EOB Act, their matter may be dealt as per provisions of EOB Act in consideration of their contribution under insurable employment.
- ii) Matter of 53 pensioners may be further examined considering the lengths of their insurable employments, period of pension received by the individuals and their present ages. These matters may be examined on case to case basis and brought to the Board for decision.

**Agenda Item No.8**

To consider Change of Convener of Fixed Income Committee of the Board.

50. Taking up the Agenda Item, Mr. Javed Zia Burney, DG (Investment), EOBI informed that Fixed Income Committee of the Board is based at Karachi and is required to frequently and urgently convene its meetings for spontaneous decisions towards investments. In consideration of these requirements Board of Trustees in 6<sup>th</sup> Emergent Meeting held on 13<sup>th</sup> Nov. 2013 constituted a committee. The decision of the Board is reproduced as under:-

**“Investment/divestment in fixed income securities including bank deposits and Government Securities shall be undertaken on the recommendation of a Committee comprising of Director General (Investments), FA/Director General (F&A), Director General (HR & GA)/Dy. Director General (HR & GA). A member of BoT stationed at Karachi, who is not part of Investment Committee, be co-opted in this Committee meeting.....”**

51. Accordingly for a member of BOT, stationed at Karachi, Secretary Labour, Sindh and Chairman EOBI (in alternate) used to attend the meetings. However, owing to inclusion of Chairman EOBI in Investment Committee and non participation by Secretary Labour, Sindh since 30-10-2015 the role of BOT members in this

committee has become almost nil. He proposed to make the committee functional by following proposed change for convenorship of the committee:-

- i. Employers' Representative, Sindh (currently vacant due to resignation of Mr. Tariq Rafi)
- ii. Employees' Representative, Sindh
- iii. Secretary Labor, Sindh
- iv. Chairman, EOBI

52. Members of the Board deliberated on the issue and reach to the following decision:-

**Decision**

53. The Board agreed that Fixed Income Committee may comprise upon the following:-

- i) Financial Advisor, Ministry of OP&HRD
- ii) Employees Representative, Sindh
- iii) Director General Investment (EOBI)
- iv) Director General F&A/Financial Advisor (EOBI)
- v) Director General HR&GAD or Deputy Director General HR (EOBI) in case of none availability of Director General HR&GAD.
- vi) Chairman EOBI.

**Agenda Item No.9**

Any other Item with permission of the Chair.

**Agenda Item No.9 (I)**

54. The Chair pointed out to the Institution that there are many Board decisions which have amended previous framed Regulations and decisions of the Board but are not notified. He directed that Institution may notify all such decisions on priority for their proper implementation.

55. Mr. Muhammad Bilal, Financial Advisor, M/o OP&HRD expressed that Law Department of the Institution must examine all the decisions in terms of their issuance as gazette notification or office orders. Mr. Muhammad Iqbal, Employee Representative, KPK pointed out that the Board in a previous meeting agreed to shift EOBI Office at Quetta to a suitable place but that decision has also not been notified.



President of the Board expressed that shifting of the office seems to be operational matter and does not need notification. After deliberation, Board decided as under:-

**Decision**

56. Institution will go through all decisions of the Board which require proper issuance as Gazette Notification or Office Order, as per merit of the matter and decision.

**Agenda Item No.9 (II)**

57. Chaudhary Naseem Iqbal, Employee's Representative, Punjab and Mr. Shaukat Ali Employee's Representative, Sindh expressed their concern over entitlement for membership of the Board in terms of age limit imposed on the nominees. Chaudhary Naseem Iqbal argued that different National Institutions such as Provincial Assemblies, National Assemblies and Senate have no age restriction. He further pointed out that many of the retired Judges, irrespective of their ages, are placed as Heads of Institutions but membership of Board of Trustees has been restricted in terms of age. Mr. Shaukat Ali further added that Chaudhry Naseem Iqbal has rightly pointed out about restriction of age, which is of significance in the perspective that with increasing age knowledge, understanding, awareness and approach improves which is much productive as compare to those persons who are at young age with less experience. The Board agreed with the concern of Employee's Representative, Punjab and Sindh

**Decision:**

58. The Board agreed that a summary may be moved to the Ministry so that the Ministry may take up the matter with Prime Minister Secretariat.

**Agenda Item No.9 (III)**


59. Mr. Shaukat Ali, Employee's Representative, Sindh pointed out that there are large number of court cases pertaining to investments, properties, rates of pension, devolution of the Institution etc. which are dealt by the Institution but Board is not appraised of the litigation developments. He specifically pointed out about some recoveries on the order of Supreme Court and desired awareness about increase in assets of the Institution so that they may be re-valued against rates of pension.

Financial Advisor, M/o OP&HRD informed that the matters in the Court are still subjudice and final verdicts have yet to come. He further informed that there were donations worth Rs. 1276 million made by EOBI under different heads which are ordered by the Court to be returned to the Institution by the National Disaster Management Authority. Similarly an amount of Rs. 2.4 billion as grant will also be made by the Ministry of Finance in compliance of Court's decision.

**Decision:**

60. The Board directed the Institution to keep the Board abreast of the decisions of the Courts.

61. The meeting ended with a vote of thanks from and to the chair.

  
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