



EMPLOYEES' OLD-AGE BENEFITS INSTITUTION 3RD MEETING OF THE BOARD OF TRUSTEES

MINUTE BOOK

HELD AT
KARACHI

ON
22ND JULY, 1979

TIME
10.A.M.

MINUTES OF THE THIRD MEETING OF THE BOARD OF TRUSTEES OF THE EMPLOYEES' OLD-AGE BENEFITS INSTITUTION HELD ON SUNDAY 22ND JULY, 1979 AT 10.00 A.M. AT KARACHI.

The third meeting of the Board of Trustees of the Employees' Old-Age Benefits Institution was held in Karachi on Sunday the 22nd July, 1979 at 10.00 A.M. in the Head Office of the Employees' Old-Age Benefits Institution. Mr. Muhammad Aslam Bajwa, Secretary, Ministry of Labour, Manpower and Overseas Pakistanis, presided.

The following were present:-

- | | | |
|----|---|----------|
| 1. | Mr. Muhammad Aslam Bajwa,
Secretary,
Ministry of Labour, Manpower &
Overseas Pakistanis,
Government of Pakistan,
<u>Islamabad.</u> | Chairman |
| 2. | Mr. Imtiaz Ahmad Chaudhry,
Joint Secretary,
Labour Division,
Government of Pakistan,
<u>Islamabad.</u> | Member |
| 3. | Mr. Ghulam Murtaza Bajwa,
Joint Secretary
Industries Division,
Government of Pakistan,
<u>Islamabad.</u> | Member |
| 4. | Mr. A.R. Siddiqui,
Secretary,
Labour Department,
Government of Sind,
<u>Karachi.</u> | Member |
| 5. | Mr. Sohbat Khan,
Director of Labour Welfare,
Government of Baluchistan,
<u>Quetta.</u> | Member |
| 6. | Mr. Hameedullah Durrani,
Director of Labour,
Government of N.W.F.P.,
<u>Peshawar.</u> | Member |
| 7. | Mr. Sher Muhammad,
President,
Muttahida Mazdoor Federation
of Labour, Amangarh,
<u>Nowshera.</u> | Member |

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8. Mr. Amanullah Qureshi, Member
President,
Peoples' Labour Federation,
Hyderabad.
9. Mr. Abdul Hamid Dadabhoy, Member
Managing Director,
Star Textile Mills,
S.I.T.E.,
Karachi.
10. Mr. P. Sequeira, Member
Ag. Chairman,
State Life Insurance Corporation
of Pakistan,
State Life Building No.2,
Wallace Road,
Karachi.
11. Mr. I.A. Najmi,
Social Security Advisor,
Labour Division,
Government of Pakistan,
Islamabad.

Mr. A.J. Dias, Deputy General Manager, Mr.S.Barkatullah Assistant General Manager(Inspection), Islamabad, Mr. M. Sadiq Khan, Assistant General Manager, Sind Branch, EOBI, Karachi, Mr. Shujat Siddiqui, Manager(Technical), EOBI, Mr. Iqbal Ahmad Siddiqui, Manager(Accounts), and Mr. Mujtaba Rasul, Deputy Manager(Law),EOBI, Karachi also attended.

Mr. A.S. Farooqui, Director, Punjab Employees Social Security Institution, Lahore attended the meeting as an observer.

The proceedings commenced with recitation from the Holy Quran.

The Chairman, calling the meeting to order, informed the Members that the Minister for Labour, Manpower and Overseas Pakistanis would be visiting the Employees' Old-Age Benefits Institution's Head Office at around 11 O'Clock and would like to meet the Members of the Board of Trustees in order to acquaint himself with the affairs and progress

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of Employees' Old-Age Benefits Institution. After these preliminary remarks, the Chairman initiated discussion of the items on the agenda and the following business was transacted:-

ITEM 1 CONFIRMATION OF THE MINUTES OF THE SECOND MEETING OF THE BOARD HELD ON THE 5TH DECEMBER, 1978

The following observations were made:

Mr. Abdul Hamid Dadabhoy pointed out that as per decision of the last Board Meeting copies of the study made by the Employees' Old-Age Benefits Institution on various Welfare Schemes were to be made available to the Members of the Board, which had not been done. It was explained that this report was to be furnished on specific requests received in this behalf as there were not enough copies available. Thereupon Mr. Dadabhoy and Mr. A.R. Siddiqui requested to be supplied with a copy each of the Scheme. It was decided that the Labour Division would supply copies of the study to them.

Mr. Dadabhoy also suggested that in the Minutes names of the Members making any point ought to be mentioned instead of referring to their representative character. This was agreed to.

Mr. Dadabhoy also made some observations concerning various subjects which were already on the Agenda. Chairman, therefore, observed that these should be taken up at the appropriate time.

Mr. Dadabhoy further stated that the meetings of the Board were held after long intervals, although, as per rules, there should be at least two meetings in a year. The Chairman briefly explained the unavoidable circumstances due to which the meetings could not take place as planned and had to be deferred. He, however, assured that, in future, efforts would be made to hold Meetings more frequently.

Subject to these observations the Minutes of the Second Meeting of the Board of Trustees held on the 5th December, 1978 at Karachi were confirmed and signed by the Chairman.

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ITEMS 2 & 3. ANNUAL REPORT OF THE EMPLOYEES' OLD-AGE BENEFITS INSTITUTION FOR THE YEAR 1977-78
REPORT OF THE HEAD OF THE INSTITUTION ON THE ACTIVITIES OF EMPLOYEES' OLD-AGE BENEFITS INSTITUTION FOR THE PERIOD 1.7.1978 TO 31.12.78

Mr. P. Sequeira, Chairman, Employees' Old Age Benefits Institution described the salient features of the Report tracing briefly the progress of the Scheme since its inception with particular reference to the work done during the last year. He stated that the overall performance had been satisfactory and the Institution was able to achieve the various budgeted targets fixed for the year. He, however, admitted that there was one area, pertaining to registration of Insured Persons, where the performance was not upto the mark and did not meet with his own expectations. He narrated the factors responsible for the unsatisfactory situation in this area, the main reasons for which were the apathy on the part of the employees, lack of co-operation from the employers due to unattractive benefits under the Scheme as well as some lacunae in the Act. In this connection, he referred to the non-application of the Act to persons whose monthly income exceeded Rs.1,000/-, vague definition of wages, the absence of any clear and effective authority to its officers under the Act on the lines of the Social Security Scheme etc.

Mr. Dadabhoj observed that the number of employees registered in the Punjab was low compared to Sind, although the number of establishments as well as the Labour force in the Province was much larger than in Sind. It was pointed out that under the Social Security Scheme the number of Insured Persons in Sind and Punjab was 1.75 lacs and 2.5 lacs respectively. The Chairman suggested that the causes for the lower registration in Punjab should be examined and efforts made to accelerate the pace of registration of employees. Commenting on the annual target fixed for the collection of contributions, it was observed that it could be realistic only if the extent of the arrears and of defaulters are determined and solutions suggested for speedy recovery.

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Subject to these observations the annual report of the Institution for the year, 1977-78 was noted.

Visit of Lt. Gen.F.A.Chisti, Minister for Labour, Manpower and Overseas Pakistanis.

Immediately after the Board concluded the discussions on Items 2 & 3, the Minister for Labour, Manpower & Overseas Pakistanis arrived and thus further discussions on the agenda was suspended for the time being.

Mr. P. Sequeira, Chairman, Employees' Old-Age Benefits Institution welcomed on behalf of the Institution, the Honourable Guest who had earlier been received by the Secretary, Joint Secretary and Head of the Institution. He gave a brief resume of the steps taken to launch the Employees' Old-Age Benefits Scheme by the scheduled date viz. 1.7.1976, the role of the State Life Insurance Corporation of Pakistan in its organisation and planning and the progress made in the management of the Scheme during the last 3 years. He not only indicated the achievements of the Institution, but also pin-pointed the weak areas where much headway could not be made. He described briefly the difficulties and various lacunae in the Act and urged the need for their removal as early as possible for the smooth operation of the Scheme.

The Minister made a number of observations and expressed dissatisfaction over the inadequacy of the Scheme. He was also not happy with the flat rate of benefits under the existing Scheme and desired that they should as far as possible be related to the level of income, length of secured employment and past performance during employment. He was pleased to give his own general outline of what he considered to be an ideal national pension scheme visualising the concept of a true welfare state and covering every salaried person. Thinking aloud he also posed a question as to whether ages 60 & 55 for males and females respectively with an insurable employment period of 10 years minimum in order to qualify for pensions should not be a suitable base.

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In response to the observations made by the Minister, Mr. Abdul Hamid Dadabhoy stated that the multiplicity of administrative Organizations for various Welfare Schemes was not only a dissipation of efforts and resources but was also responsible for adding to the inconvenience of the employers as well as the employees as they had to deal with different Organizations for various schemes. He suggested that all such schemes should be consolidated, particularly those relating to various aspects of Social Security and administered by one single organization at the national level. There was a general consensus of Members who shared this view. Some of the Members raised other points concerning the Labour Policy of the Government, to which the Minister replied.

Death of Mr. G.M. Bajwa, Joint Secretary, Industries and Member Board of Trustees.

During the Minister's presence, the Board received the shocking news of the sad and sudden demise of Mr. G.M. Bajwa, Joint Secretary, Industries Division and a Member of the Board who had come specially to attend this Meeting and suffered a heart-attack during the course of the Meeting resulting in his death on his way to the Hospital. The Meeting was, therefore, adjourned as a mark of respect after passing the following condolence Resolution, all standing in prayer and observing silence:-

"Resolved that this meeting of the Board of Trustees of EOBI are deeply shocked at the sudden tragic death due to a heart-attack of their colleague Mr.G.M.Bajwa Joint Secretary,Ministry of Industries who had come to participate in the meeting.

The Board of Trustees express their deep sympathies and condolences to the bereaved members of the family of the deceased and pray to the Almighty for the grant of eternal peace to the departed soul."

The Minister for Labour,Manpower & Overseas Pakistanis Lt.General F.A. Chisti also expressed his deep condolences and sympathies.

The Resolution was,at the request of all the Members, immediately telegraphed to the deceased's family.

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Later in the day, the Board met again to resume discussion of the rest of the items of the Agenda with Mr. Imtiaz Ahmad Chaudhry, Joint Secretary, Ministry of Labour, Manpower and Overseas Pakistanis in the Chair, in the absence of the Chairman (Mr. Muhammad Aslam Bajwa) who had to accompany the Minister on his visit to the Karachi Shipyard and Engineering Works.

ITEM 4. BALANCE SHEET AND AUDITED ACCOUNTS OF THE INSTITUTION FOR THE YEAR, 1977-78

Mr. P. Sequeira, Chairman, EOBI informed the Board that this item had been discussed by the Standing Finance Committee at its Meeting held on the 20th June, 1979, and briefly summarised the Committee's observations thereon.

Mr. Dadabhoy, once again, objected to the payment of investment management expenses to the State Life Insurance Corporation of Pakistan. He argued that the Institution was presently making investments only in certain Savings Schemes of the Government, for which no expertise was needed. If at all it was considered necessary, an Investment Cell should be set up in the Institution itself. It was pointed out that expertise was required for Investment in Stocks and shares as well as in Real Estate, to which Mr. Dadabhoy replied that investment in real estate was not advisable, as the present boom may not last long. He, however, fully supported the idea that the Institution should have its own buildings for its offices, at least in principal cities.

The Chairman, EOBI explained the position of State Life Insurance Corporation of Pakistan and the rationale for the annual charges raised by State Life Insurance Corporation of Pakistan but there was a general consensus among the other members supporting the observations made by Mr. Dadabhoy. The conclusion was that the existing arrangement with State Life be discontinued and in future feasibility studies for investment in real estate only may be conducted by the Investment Department of State Life as specific assignments on payment of reasonable fees. It was also decided to create an Investment Cell in EOBI and to continue the present investment policy except that steps may be taken for the construction of the Institution's own office Buildings.

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Mr. Dadabhoy further objected to the making of provision for payment of Gratuity to the staff as the need for it would arise only when an employee left the Organization. In his opinion the actual cost should be debited in the year of account only when payment was made. He further suggested that the accumulated amounts of Gratuity and Provident Fund of all employees transferred to EOBI from State Life should be transferred to the Institution.

It was decided that the Institution should move the State Life to transfer all such amounts to the EOBI in respect of the staff transferred from State Life who are for all purposes EOBI's staff. After some further discussion, it was decided that the status quo be maintained in regard to making a specific provision for gratuity in the accounts.

Subject to these observations as well as those made by the Standing Finance Committee, which were adopted as suggestions for implementation in future wherever required the Audited Accounts of the Institution for the year 1977-78 were approved and duly signed by the Chairman, Head of the Institution and Mr. Abdul Hamid Dadabhoy with the approval of the Board.

ITEM 5. BUDGET ESTIMATES FOR THE YEAR 1979-80

The Board took up consideration of this item. Mr. Dadabhoy observed that the total allowances paid to the staff exceeded to their basic pay which was due to the scale of allowances and benefits inherited from State Life. Mr. P. Sequeira, explained that the Institution's staff were being paid the same allowances as were prescribed in the Service Regulations resulting from the Wage Commission and Pay Commission Reports. Contrary to the general impression that the majority constituted State Life's employees, it was pointed out that only 154 out of a total of 352 were from State Life. The remainder

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were direct recruits. An observation was also made by members on the higher cost on Administration which accounted for more than 13% of the income as budgeted. It was stressed that the ratio of revenue and capital expenses to contribution, and investment income should be maintained around 8% which was the estimated figure determined by the I.L.O. Experts.

Mr. P. Sequeira, explained that the ratio of Administrative expenses was necessarily on the high side in the initial stages of the Scheme because of various factors. Quoting figure for the last two years, he observed that the ratio was indicating a declining trend and is likely to meet the Board's expectation in the near future and go even lower in the next 3 years or so. Mr. Sequeira explained in reply to a query from Mr. Dadabhoj that the expenses of the Chairman/Executive Director of State Life and their Secretaries were charged on basis of actual time spent by the Chairman/Executive Director in Employees' Old-Age Benefits Institution's management and presently there was a reduction in expenses as he was combining both functions for the past several months.

Mr. Sher Mohammad observed that the arrears of contribution were substantial due to the lack of proper authority and powers available to the Institution for the recovery of arrears. He suggested that the officers of the Institution must be delegated the same powers for recovery of arrears as were available to the Directors of the Social Security Institutions. This was unanimously agreed to by the Board. It was also suggested that steps should be taken by EOBI as far as possible to indicate the figures of arrears in future.

Commenting on other items of expenditure, most of the members observed that the expenses on the office rent and publicity were on the high side. In spite of heavy expenses on publicity, the Institution had not been able to achieve the desired results in regard to registrations.

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It was thus decided that there should be a Publicity Committee within the Institution which should be made responsible for laying down a publicity policy. It was further decided that advertisement on TV should be discontinued and more strenuous efforts should be made on publicising the benefits and other main features of the Scheme among the workers through distribution of small brochures, Cinema Slides, Posters, handbills as well as by advertising on Radio and Newspapers. For the distribution of publicity material, the Institution may also seek the cooperation of the Trade Union Leaders at their respective establishments.

Subject to the above observations and those made by the Standing Finance Committee which were adopted, the Board approved the Budget for the year, 1979-80 for submission to the Government.

ITEM 6. APPLICATION FORMS AND REGISTRATION CERTIFICATES:-

- (a) Crash Programme for expediting Process of PE-01 Forms
- (b) Photographs of Insured Persons.

(a) Commenting on the proposals submitted by the Institution, it was observed that adequate training will have to be given to the temporary hands, approximately 300 in number, who are proposed to be assigned registration work before they are sent out into the field. This was necessary for the proper completion of Registration Forms. Mr. P. Sequeira, Ag. Chairman, EOBI, explained that the team of such special workers would be trained, guided and supervised by the Inspecting Officers/Supervisory Officers of the Institution. Mr. Sohbat Khan, Director Labour, Baluchistan suggested that the services of Labour Inspectors may also be utilized. This proposal, however, did not find favour with other Members, who felt that the Labour Inspectors were already preoccupied with their own duties and it would not be possible for them to spare any time for this purpose. Moreover, they may not like the idea.

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(At this stage, the Chairman, Board of Trustees Mr. Muhammad Aslam Bajwa, rejoined the Meeting and took the Chair).

Mr. A.R. Siddiqui informed the Board that Sind Employees Social Security Institution had already engaged the services of Students for field survey and research work and they were working quite satisfactorily. Hence there was no reason why the proposed Crash Programme would not work. Mr. Hameedullah Durrani suggested that the services of Teachers may also be enlisted in addition to the Students. This was supported by all other Members.

The Board approved the proposal to launch the Crash Programme including the expenditure proposed by the Institution and recommended by the Standing Finance Committee with the addition of suggestions made above.

(b) As regards the question of photographs, Members observed that photographs may not serve as a reliable document for identification since the facial expressions of a person undergo substantial change with the passage of time and not serve the purpose of proper identification of the person which is the object. Hence insistence on photographs may be avoided.

The Chairman while agreeing with this view observed that thumb impression, National Identity Card Registration Number and any visible identification mark together may be a better proof of identity. The photographs may be asked for at the time of the vesting of benefits so that it may serve the purpose of identification during the benefit period. The Board adopted the Chairman's suggestion and agreed that submission of photographs with the registration forms should be made optional.

ITEM 7. MOTOR VEHICLE POLICY OF THE EOBI:

The Board noted the recommendations of the Standing Finance and Administrative Committees and after a long discussion, decided to maintain the status quo until further orders.

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10 A.M.ITEM 8. EMPLOYERS MONTHLY RETURNS:

The proposal to extend the time period for submission of employers returns from one month to a quarter was unanimously agreed to by the Board. Mr. Dadabhoy suggested that payment of contribution should coincide with this change. Mr. P. Sequeira, Ag. Chairman, EOBI, however, indicated that the Institution will stand to lose two months interest income on contributions as a result thereof. It was, therefore, decided that the contributions should continue to be paid as usual on monthly basis (taking the average of the previous 3 months) and adjustment should be made in the payment for the last month of the quarter along with the submission of the return.

Mr. Dadabhoy had also certain suggestions regarding the format of the Return. It was decided that this could be discussed and settled between him and the Institution outside the Board Meeting.

ITEM 9. CASUAL AND PIECE-RATED WORKERS:

Mr. Dadabhoy stated that there was no problem so far as piece rated workers were concerned and payments in respect of them were generally being made. The only difficulty arose in connection with coverage of Casual Labour which should be excluded from the Scheme in terms of the reported views of the Law Division. The Board felt that the question required through examination and study. It was, therefore, decided that a fresh reference be made to the Law Division for interpretation of the legal position after placing full facts before it. Simultaneously, the matter may also be referred to the Standing Finance and Administrative Committee to examine all aspects of the proposal including financial effect and until then the status quo be maintained.

ITEM NO. 10. REGULATIONS FOR APPROVAL OF THE BOARD

It was observed that the various suggestions made on the Draft Regulations needed thorough examination and as such it should also be referred to the Standing Finance Committee for consideration.

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ITEM 11. APPOINTMENT OF A COMMITTEE OF THE BOARD TO HEAR AND DECIDE APPEALS PREFERRED TO THE BOARD UNDER SECTION 35 OF THE EMPLOYEES' OLD AGE BENEFITS ACT, 1976

The Board considered the matter and agreed with the proposal made therein; and appointed the following two Committees for hearing and deciding appeals preferred to the Board under Section 35 of the Act:

For Central Zone (including Punjab and NWFP):

- (1) Mr. P. Sequeira,
Ag. Chairman,
State Life Insurance Corporation of Pakistan,
State Life Building No.2
Wallace Road,
Karachi.
- (2) Mr. Akhtar Saeed,
Commissioner,
Punjab Employees Social Security Institution,
Lahore.
- (3) Mr. Khurshid Ahmad,
General Secretary,
All Pakistan Federation of Trade Unions,
28, Nisbat Road,
Lahore.

For Southern Zone (including Sind and Baluchistan):

- (1) Mr. P. Sequeira,
Ag. Chairman,
State Life Insurance Corporation of Pakistan,
State Life Building No.2,
Wallace Road,
Karachi.
- (2) Mr. Abdul Hamid Dadabhoy,
Managing Director,
Star Textile Mills,
S.I.T.E.,
Karachi.
- (3) Capt. A.R. Siddiqui,
Secretary,
Labour Department,
Government of Sind,
Karachi.

It was further decided that Mr. P. Sequeira and any one of the other two Members would constitute the quorum.

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<p><u>ITEM 12.</u> PAPER ON TERMS AND CONDITIONS OF SERVICE OF EOBI EMPLOYEES, BOTH TRANSFEREES AND DIRECT RECRUITS INCLUDING THE QUESTION OF BONUS.</p>		
<p>The Board took up consideration of this item. Mr. Dadabhoj at the outset, stated that the question of payment of Bonus was linked with profits and that the Institution was not a profit making body. Therefore, under the normal law, bonus could not be paid to the employees of the Institution. Mr. Sher Mohammad pointed that the plea taken by the EOBI employees Union was that at the time of their transfer to State Life, they were entitled to this benefit. Mr. Amanullah Qureshi while supporting Mr. Sher Muhammad dwelt on the legality of the question. He stated that Employees of State Life were being given Bonus as a result of an Agreement with the State Life Union and therefore, it became a condition of service. He suggested that in order to thrash out the matter a sub-committee should be appointed which should examine all aspects of the matter including the legal position and should submit its report at the next Board Meeting. This Committee should hear both the parties i.e. the Management and the Workers representatives. Mr. Durrani observed that since State Life have been paying bonus in the past regularly, any abrupt stoppage of bonus to the EOBI employees who are State Life transferees may create labour unrest and may lead to the strained relations between the Institution and the Employees Union. The Chairman, in this context, read the opinion given by the Law Division which clearly stated that in view of the option exercised by the State Life transferees in favour of EOBI, they were not entitled to any bonus.</p>		
<p>It was decided that the matter be referred to the Standing Finance Committee which should (i) examine all the existing rules and regulations relating to terms and conditions of service etc. of EOBI employees namely the EOBI employees namely the EOBI Service Regulations, Provident Fund Regulations, Gratuity and Medical Regulations etc., and suggest suitable modifications, changes and additions therein which are better suited to the requirements of EOBI and (ii) study the working paper and all other relevant documents and information connected with 'bonus' payments and submit its detailed reports on (i) and (ii) to the Board for consideration.</p>		

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10 A.M.ITEM 13. ANY OTHER MATTER:

With the permission of the Chairman, Mr. P. Sequeira Chairman, E.O.B.I. placed the following matters for the consideration of the Board:-

(a) Merger of Standing Finance and Administrative Committee

Mr. P. Sequeira stated that the Board had appointed two separate Committees namely (1) Standing Finance Committee and (2) Administrative Committee: Experience had shown that the functions of the two Committees were inter-related which created difficulties in apportioning subjects to one or the other. He, therefore, proposed that the two Committees be merged into one and be named the "Finance & Administrative Committee".

The Board agreed with the suggestions and decided to constitute the Finance and Administrative Committee comprising the following:

- (1) Financial Adviser, Convener
Labour Division,
Islamabad.
- (2) Mr. P. Sequeira,
Ag. Chairman/E.D.
Employees' Old Age Benefits Institution
Karachi.
- (3) Mr. Abdul Hamid Dadabhoy,
Managing Director,
Star Textile Mills,
Karachi
- (4) Mr. I.A. Najmi,
Social Security Adviser,
Labour Division,
Islamabad.
- (5) Mr. Amanullah Qureshi,
President,
People's Labour Federation,
Hyderabad.

(b) Appointment of Auditors.

On a proposal from Mr. P. Sequeira, Ag. Chairman, EOBI the Board decided to appoint M/s. Ford, Rhodes, Robson, Morrow as Auditors of the Institution for the year 1978-79 on the same terms and conditions as for the year, 1977-78.

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Mr. P. Sequeira explained that this proposal was placed before the Board last year when it was considered that the volume of work did not justify the appointment of a Secretary.

The Chairman pointed out that, in his view the same situation still continued and that there was no change in the position. It was, therefore, decided that the time was not yet ripe for the consideration of this proposal.

Before the close of the proceedings, Mr. Dadabhoj requested the Chairman to fix a date for the next Board Meeting. The Chairman, in consultation with other members of the Board, fixed Thursday, the 25th October, 1979 to be the date for the next Board Meeting. As regards the venue, it was left to be decided later by the Chairman.

The Meeting then ended with a vote of thanks to the Chairman.

Confidential
P. Sequeira
Chairman 23/6/81

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