

**MINUTES OF THE 53<sup>RD</sup> MEETING OF THE BOARD OF TRUSTEES  
OF EOBI HELD AT 3:00 P.M. ON SATURDAY, THE 20<sup>TH</sup>  
JANUARY, 2001 AT EOBI HEAD OFFICE, KARACHI.**

The 53<sup>rd</sup> Meeting of the Board of Trustees of EOBI was held on Saturday, the 20<sup>th</sup> January 2001 at 3:00 P.M. in the Board Room of EOBI Head Office, Karachi. Mr. Farhat Hussain, Secretary, Labour, Manpower & Overseas Pakistanis, Government of Pakistan, presided over the meeting.

The following attended the meeting: -

- |    |  |           |
|----|--|-----------|
| 1. | Mr. Farhat Hussain,<br>Secretary, Labour, Manpower<br>& Overseas Pakistanis,<br>Government of Pakistan.                          | President |
| 2. | Mr. Haroon Siddique,<br>Financial Advisor,<br>Ministry of Finance,<br>Government of Pakistan/<br>Director General (F&I)<br>EOBI. | Member    |
| 3. | Mr. Naveed Arif,<br>Joint Secretary (Insurance),<br>Ministry of Commerce,<br>Government of Pakistan,<br>Islamabad.               | Member    |
| 4. | Mr. Tariq Ali Bukhari,<br>Joint Secretary (Industries),<br>Government of Pakistan,<br>Islamabad.                                 | Member    |
| 5. | Mr. Farooq Hassan Gillani,<br>Joint Secretary Labour,<br>Government of Pakistan,<br>Islamabad.                                   | Member    |

6. Mr. Khalid Pervaiz,  
Secretary, Labour Department,  
Government of the Punjab. Member
7. Mr. Ghulam Sarwar Khero,  
Secretary, Labour Department,  
Government of Sindh. Member
8. Mr. Abdul Ghaffar Soomro,  
Secretary, Labour Department,  
Government of NWFP. Member
9. Ch. Khurshid A. Aziz,  
Employers' Representative,  
Punjab. Member
10. Mr. Arshad Tanveer,  
Employers' Representative,  
Sindh. Member
11. Mr. Nooruddin F. Daud,  
Employers' Representative,  
NWFP. Member
12. Mr. Majyd Aziz,  
Employers' Representative,  
Balochistan Member
13. Ch. Zaheer Ahmed Taj,  
Employees' Representative, Punjab. Member
14. Mr. Nabi Ahmed,  
Employees' Representative, Sindh. Member
15. Mr. Muhammad Zaman,  
Employees' Representative, NWFP. Member
16. Mr. Abdul Rahim Mirdadkhel,  
Employees' Representative, Balochistan. Member

17. Mr. Javed Rashid Siddiqui, Member  
Director General (Operations),  
EOBI.
18. Mr. Muhammad Salim, Secretary, BOT  
Deputy Director General

2. Mr. Muhammad Arif Azim, Secretary, Industries, Commerce, Mineral Development, Government of Balochistan could not attend the meeting owing to other important official engagements.

3. The following officers of the Institution were also present to assist the Board in its deliberations: -

1. Mr. Abdul Majeed,  
Deputy Director General (F&A)
2. Mr. Zamir Ahmed,  
Deputy Director General (EDP)
3. Mr. N.H. Subzwari,  
Assistant Director General (RE&GS)

4. The meeting began with a recitation from the Holy Quran by Mr. Abdul Rahim Mirdad Khel.

5. The Convenor welcomed the distinguished members to the meeting. He expressed that this meeting was convened after 2 ½ months and desired that BOT meeting should be held more frequently and the venue should rotate among the provincial capitals. The next meeting should be held at Lahore. This meeting was being convened at Head Office as the record and other related details and information was more easily and readily available

for the use of the members in their deliberations. He commended the hospitality and cooperation extended by Mr. Nooruddin F. Daud during the last meeting held at Peshawar in September, 2000 which contributed largely in making the meeting successful. The President also welcomed M/s Tariq Bukhari, Khalid Pervaiz and Abdul Ghaffar Soomro who were attending the Board meeting for the first time and stated that the Board will benefit from their professionalism and vast experience in its decision and policy making process.

6. The President stated that, after completion of discussion on agenda, the Board would take up the items of the working papers circulated by Ch. Zaheer Ahmed Taj and Mr. Abdul Rahim Mirdad Khel. Further, he stated that the F&A Committee of the Board had already deliberated the agenda threadbare and formulated its recommendation for the consideration on each item of the agenda which would also be presented as and when that item was taken up for discussion. The Board then took up the agenda items.

### **ITEM NO. 1**

#### **TO CONSIDER CONFIRMATION OF THE MINUTES OF 52ND MEETING OF THE BOT HELD ON 23.09.2000.**

7. The minutes of the last meeting of the Board were taken up for confirmation. Mr. Nabi Ahmed pointed out that though no decision was taken on his suggestion regarding upgradation to next higher post of the officers, namely M/s. Zamir Ahmed, DDG (EDP), N.H. Subzwari, ADG (RE&GS) and Muhammad Ahmed, Director (B&C) in view of their good performance, as they had already reached the maximum of their pay scales and there would be no financial impact in their cases, if they were upgraded, yet their mention in the discussion was left out while recording the discussion under item 9 (e) para-36 of the minutes. He wanted that their

names may be included in the minutes. The Board was informed by Mr. Haroon Siddique that only relevant discussions leading to the decisions are recorded in the minutes to keep them comprehensive, concise and meaningful. He further stated that personalized references should not be made part of the minutes as brought out by the members. He apprehended that if such references were encouraged by the members before the BOT, it would become difficult for the management to entertain them. The Management by itself is already taking care of good officers. He further added that performances are reflected in ACRs and duly considered for advancement in their careers. Mr. Farooq Hassan Gillani supported the view point of Mr. Haroon Siddique. At this point, Mr. Nabi Ahmed stated that whenever performance of good officers was to be commended, their names were automatically mentioned. Mr. Ghulam Sarwar Khero supported the views of Mr. Nabi Ahmed and added that work of some officers of this type that could not be quantified falls under this category. Mr. Muhammad Zaman objected at mentioning of names of some selected officers and stated that other officers were also working with dedication and honesty, and omitting their names would be unjustified. He suggested that there should be a uniform policy in this respect. The President then inquired as to whether the views of Mr. Nabi Ahmed may be included in the minutes as recommended by the F&A Committee or not. The Board approved the inclusion of the following statements under item 9(e) para 36 of the minutes:

8. “ Mr. Nabi Ahmed suggested that the posts of M/s. Zamir Ahmed, DDG (EDP), N.H. Subzwari, ADG (RE&GS) and Muhammad Ahmed, Director (B&C), (particularly the service of N.H. Subzwari who happened to be an honest, dutiful, patriotic and dedicated officer) may be upgraded to the next higher post in view of their good performance, as they had already

reached the maximum of their pay scales and there would be no financial impact, if they were upgraded.”

With this inclusion the Board confirmed the minutes.

## **ITEM NO. 2**

### **TO CONSIDER REPORT ON ACTIONS TAKEN ON THE DECISIONS OF THE BOT IN ITS 52<sup>ND</sup> MEETING**

#### **Item No. 6: para-33**

9. As regards the acquisition of space owned by the BEL in the Finance & Trade Centre situated at Sharaha-e-Faisal, Karachi, Mr. Haroon Siddique informed the Board that the final offer i.e. Rs. 390 million with six months advance rent on agreed rates deductible from the price to be paid to the BEL, as against two years advance rent, was conveyed to the BEL after consulting the members of the Committee constituted for this purpose, the reply of this offer was awaited. The same was also followed by a reminder issued on 19<sup>th</sup> January, 2001. It was learnt that the BEL had already finalised the deal with a government agency, which was also holding a big deposit with the BEL. The EOBI being the first Institution to initiate the deal for the acquisition of the space against adjustment of its deposit with them and also accepted all of their conditions, it had the first and foremost right to acquire the said space. He suggested that in order to protect the interest of the Institution, if required, the Institution should not hesitate to resort to legal action in the matter. A reference in the matter had already been made to the Chairman/Secretary, Labour. The President informed that in view of involvement of two Government Departments, the matter was put up to the Minister for Labour Manpower and Overseas Pakistanis for guidance. The President directed Mr. Farooq Hassan Gillani for getting the matter

expedited for initiating timely action. Therefore, the Board approved that legal action be taken in the matter and stay order should be obtained from the Competent Court.

**Item No. 7:para-24**

10. While discussing the transfer of title of Regional Office, Peshawar, Mr. Farooq Hassan Gillani stated that the F&A Committee referred the matter to the Board for decision regarding the sale or retention of the existing building of regional office and if the same was to be retained then its conversion into a rest house. Mr. Nabi Ahmed supported the suggestion of conversion of the said building into rest house on shifting of the said office to Commercial Plaza Building, Hayatabad.

11. Mr. Nooruddin F. Daud informed the Board that Contonment Board did not look with favour on the use of residential buildings for official purposes in their area. He added that other offices were also working in the Contonment area, such as, Income Tax, Wafaqi Mohtasib etc. As the progress of Commercial Plaza, Hayatabad was very slow, the Institution should retain this building. He suggested that after shifting of existing Regional Office to Commercial Plaza, Hayatabad Building, the existing office may be converted into office residence and allocated to those officers who were interested to occupy the same. He suggested that the President BOT in the capacity of Federal Secretary Labour Manpower and Overseas Pakistanis may extend cooperation and use his good offices in getting the said property mutated in the name of EOBI by the Contonment Board, Peshawar. Mr. Arshad Tanveer did not support the suggestion of conversion of regional office building into a rest house in view of its probable misuse even by other Government Departments.

12. The Board decided that the President BOT/Secretary Labour Manpower and Overseas Pakistanis may use his good offices in getting the mutation of the property of existing Regional Office, Peshawar in favour of EOBI, completed by the Contonment Board, Peshawar.

**Item No. 9(d):para-37**

13. Mr. Farooq Hassan Gillani informed the Board that F&A Committee did not give any clear-cut recommendation on the minutes of the Committee appointed to consider upgradation of the post of DDG (Operation cadre) to Director General (Operations). He added that four members, who attended the proceedings of the meeting, agreed in principle for upgradation of one post of DDG (Operation cadre) to that of Director General (Operations) and also finalised the modalities and job description of that upgraded post. Mr. Nabi Ahmed also supported the recommendation of the said Committee Members. Therefore, the matter was placed before the Board for its consideration.

14. Mr. Farooq Hassan Gillani was of the opinion that upgradation of the post did not upgrade the incumbent. To fill the upgraded post, the process of promotion is to be completed and only deserving candidates need to be promoted to that post. He was also of the opinion that the Institution should wait in the matter of upgraded post till the manpower study report submitted by M/s. Sidat Hyder Morshed Associates (Pvt.) Limited was taken up by the Board for consideration. He added that career planning of the employees should be based on that report. At this point, the President stated that the report on manpower study as conducted by M/s. Sidat Hyder Morshed Associates (Pvt.) Limited was already received by the Institution and he was told that the report was not upto the mark. In view of this, he had already suggested that a `manpower study` as to the workload assigned to its



members may be got conducted by Management Services Division, Cabinet Division, Government of Pakistan. In his opinion, it would bring some valuable information on which proper career planning of the employees of the Institution could be done.

15. Mr. Arshad Tanveer suggested that manpower study report as conducted by M/s Sidat Hyder Morshed Associates (Pvt.) Limited may be circulated amongst the members along with the comments of the Institution. Mr. Haroon Siddique informed that the Institution had so far received only manpower study; whereas studies on Business Process and Statutory Actuarial Study of the fund were still awaited. As soon as all the three reports were received, the same would be circulated amongst the members of the Institution.

16. The Board deferred the matter of upgradation of one post of the DDG (Operations) Cadre to DG (Operation) till receipt of the report of Management Services Division, Cabinet Division, Government of Pakistan. The study would take a month or so to complete and may be available for discussion in the next meeting of the Board of Trustees.

**Item No. 9(f):para-39**

17. Mr. Farooq Hassan Gillani presented the recommendations of F&A Committee regarding translation of minutes and working papers in Urdu and awarding/sanctioning of a suitable honorarium for consideration of the Board.

18. The Board adopted the recommendation of F&A Committee regarding production of minutes and working papers in Urdu, correspondence and other enclosures to the working paper need not be translated into Urdu, as

decided in the 52nd meeting. It also approved that a suitable honorarium should be paid to the concerned officer for Urdu translation for doing this job.

**Item No. 9(i):para-44**

19. The Board adopted the recommendation of F&A Committee for drafting the notices in legal language, for removal of any ambiguity/vagueness in such notices.

20. With these comments, the Board adopted the actions taken report on the decision taken by the Board of Trustees in its last meeting.

**ITEM NO. 3**

**TO CONSIDER PERFORMANCE OF THE INSTITUTION FOR THE PERIOD FROM JULY TO NOVEMBER, 2000.**

21. Mr. Farooq Hassan Gillani stated that the F&A Committee, after detailed scrutiny of the performance, noted that the over-all performance was satisfactory. However, the following points raised by the worthy members needed to be considered:-

1. Mr. Nabi Ahmed emphasized the need for increasing the coverage of the workforce of Pakistan on which EOB Act was applicable as the average contribution collected by the Institution was decreasing which also needed to be improved.
2. Mr. Farooq Hassan Gillani desired that balance of Rs.516 million in the low income (i.e.8.50% p.a.) HBL SSD Account may be invested in high yielding investments.
3. Mr. Arshed Tanveer pointed out that, in spite of clear cut decision of the Investment Committee of placing of funds with M/s PICIC

subject to cooperation of Mr. Muhammad Ali Khoja in settling the matter of acquisition of property in adjustment of deposit of the Institution with the BEL, the Institution invested its funds with M/s PICIC.

22. As regards first observation, the President invited Mr. J.R. Siddique to explain the efforts being made by the Institution in increasing coverage and contribution under the scheme. He stated that the Institution had started a survey of unregistered establishments that would be conducted in first ten days of the month when contribution collection activity generally remained at a low level. Mr. Zaheer Ahmed Taj suggested that, in this connection, cooperation of the Employers Association may be obtained. Mr. Nabi Ahmed desired that the returns filed by the employers `regarding movement of manpower` to Labour Department may be obtained and utilised for this purpose. He also wanted that target must be enhanced and based on the reliable statistics. Mr. Khurshid A. Aziz suggested that the use of the nomenclature of the `survey` may be dropped as it would be irritating for the employers. He suggested that Income Tax returns may be used for this purpose. He extended full cooperation on behalf of the employers in enhancing the coverage of the insured persons.

23. After detailed discussion, the Board decided the formation of Performance Evaluation Committees at provincial level with the following constitution:-

<u>Joint Secretary Labour</u>	<u>Convenor</u>
<u>Secretary Labour of respective province</u>	<u>Member</u>
<u>Employers representative of respective province</u>	<u>Member</u>
<u>Employees representative of respective province</u>	<u>Member</u>

Concerned Zonal Head would assist the Committee in its deliberation. The Committee will review the performance on quarterly basis of registration of employers and employees, collection position, settlement of claims, disbursement of pensions etc. and put up its evaluation reports regularly to the Board as and when its meeting is proposed to be convened.

24. Mr. Ghulam Sarwar Khero pointed out that a sub-committee constituted to finalise the matter of awarding of pension to seasonal worker had already put up its recommendation to the Board that were confirmed in its 51<sup>st</sup> meeting held on 15-07-2000, but the same had not been enacted so far. The Committee was informed that the matter was lying with the Ministry.

25. The Board decided that the matter of enactment of law on seasonal workers as approved by the Board may be expedited at the earliest possible.

26. As regards investment in M/s PICIC, the Board was informed that the investment of Rs.150 million in their 5-year scheme was made at the best available rate of profit of 14% p.a. payable half yearly and on pure merit. Mr. Nooruddin F. Daud appreciated the bold step taken by Mr. Haroon Siddique but expressed apprehension that if this practice continued it may create problem for the Institution. At this point Mr. Farooq Hassan Gillani pointed out that the constitution of Investment Committee did not have representation from the Ministry. The President pointed out that Investment Committee was constituted on Karachi based members of the BOT in view of availability of better financial market information being a big trade,

financial and banking centre and in order to ensure frequent decision making for prudent investment and security of the funds. The President also desired that any change in the decision of the Investment Committee must also be referred to the said Committee, before implementing the same, in future. He desired that action in the matters of the investments must also be taken within the parameters as decided by the said Committee.

27. The Board decided that:

In future, any change desired in the decision of the Investment must be referred to the Investment Committee and investments must be made within the parameters of the decision of the Committee.

With these comments and decision, the Committee adopted the performance report for period under review.

#### **ITEM NO. 4**

#### **TO CONSIDER FINANCIAL STATEMENTS/ANNUAL ACCOUNTS OF THE INSTITUTION FOR THE YEAR 1999-2000**

28. Mr. Farooq Hassan Gillani pointed out that the F&A Committee recommended the financial Statements/Annual Accounts of the Institution for the year 1999-2000 for approval of the Board of Trustees with the following observations:-

(i) Mr. Arshed Tanveer wanted to know the details of articles and instruments in use of the ex-chairman transferred to him at book value and also wanted to know the details of purchase of the vehicles by the ex-chairman.

(ii) Mr. Farooq Hassan Gillani pointed out the trends of rise in administrative expenses of the Institution, which he desired to be controlled effectively.

(iii) Mr. Haroon Siddique desired that Labour Division may assist the Institution in its efforts to get wrongfully deducted amount of Rs.49.50 million on account of with holding tax @ 10% on its profit earned on WAPDA Bonds by WAPDA refunded, the credit of which had already been obtained by them in April, 2000 but they did not bother to refund the same to the Institution till date.

29. As regards point (i) Mr. Ghaffar Soomro stated that as the actions were taken in accordance with the decision of the Board and within the approved budget, therefore, the members may not dispute the same and discussion on this point would not be fruitful. As regards point (ii) the Board was informed that the organisational structure of the Institution would be reviewed in the light of the reports of the Consultants and Management Services Division, Cabinet Division Islamabad, the administrative expenses may be reviewed and analyzed in the light of changed realities. Therefore, the discussion on the same at the moment would not be fruitful.

30. As regards point (iii) Mr. Farooq Hassan Gillani assured that the Labour Division would assist the Institution in its efforts to get the wrongfully deducted amount of Rs.49.50 million as tax refunded which was wrongfully retained by WAPDA though it got the same refunded by Income Tax Authorities.

31. With these clarifications, the Board approved the Financial Statements/Annual Accounts of the Institution for the year 1999-2000 for submission to the Federal Government.

## **ITEM NO. 5**

### **TO CONSIDER POSSESSION OF KDA COMMERCIAL COMPLEX (AWAMI MARKAZ) KARACHI**

32. Mr. Farooq Hassan Gillani informed that the F&A Committee recommended in the matter as under.

- (i) The committee, already constituted to negotiate and finalise the matter with Ministry of Commerce authorised to settle the issue once for all within the amount of Rs. 79.986 million, in the best possible manner as deems fit in the matter:
- (ii) The F&A committee referred the matter to the Board for deciding the matter of selling out or retention of the existing premises of Head office after the transfer of Head Office to KDA Commercial Complex;
- (iii) The F&A Committee also recommended the creation of a seat of learning in social security at appropriate level i.e. at university level.

33. The Board was informed that CCCL was initially offered an amount of Rs.42 million through Ministry of Commerce after detailed scrutiny of its claim of Rs.79.986 million but the same was not accepted by them. They continued to press their demand of Rs.79.986 million. It was worth mentioning that the Institution had an investment of Rs.270 million in the said premises and it was incurring an annual loss of income of Rs.30 million on this investment. Mr. Arshed Tanveer added that it was learnt that CCCL would also hand over the adjacent parking plot of 3000 sq. yds. purchased by M/s CCCL for Rs.9 million (approx.) to the Institution. The price of which had since been increased by over ten times in value. The Board was also informed that prevailing market value of KDA Complex was around Rs.

550 million. If their demand was accepted, even then, the Institution would be better off in this transaction.

34. After detailed discussion, the Board adopted the recommendations of the F&A Committee, that a Committee consisting of M/s. Majyd Aziz and Arshed Tanveer alongwith Federal Secretary Labour may negotiate the matter with Minister and Secretary of Commerce to settle the issue once and for all within the authorised limit of Rs.80 million in the best possible manner as deemed fit.

35. The Board also adopted the recommendation of the Committee as to the creation of a Seat of Learning in Social Security at the appropriate level. As no clear-cut recommendation was made by the F&A Committee, the Board deferred the decision of retention or selling out of the existing premises of Head Office for the time being.

## **ITEM NO. 6**

### **TO CONSIDER VACCINATION OF EMPLOYEES OF EOBI FOR HEPATITIS VIRUS.**

36. Mr. Farooq Hassan Gillani informed the Board that the F&A Committee recommended that the Institution, in view of availability of Hepatitis Virus Vaccines at subsidised rates from Ministry of Health, would make a reference to Labour Division for taking up the matter with the Ministry of Health for obtaining the same at subsidised rates. Mr. Arshad Tanveer pointed out that in a recent announcement, the Government expressed its desire to supply the Hepatitis Virus vaccines free of cost. From 1<sup>st</sup> July 2001, Ministry of Health, Sindh was starting free of cost vaccination programme in the Sindh Province. It is expected that similar



programme was to be started in other provinces also. At this point, Mr. Farooq Hassan Gillani informed that to the best of his knowledge, the Ministry of Health was supplying these vaccination at subsidized rates. If the Institution made a reference to Labour Division in this respect, it would take up the matter with the Ministry of Health.

37. The Board, therefore, adopted the recommendation of the F&A Committee that the Institution would make a reference to Labour Division in this respect for taking up the matter with Ministry of Health for obtaining Hepatitis Virus B vaccination at subsidised rates..

#### **ITEM NO. 7**

#### **TO CONSIDER WAIVING OFF BALANCE OF LOANS & ADVANCES OF DECEASED EMPLOYEE**

38. Mr. Farooq Hassan Gillani presented the recommendation of the F&A Committee which the Board approved i.e. the waiving off/ extinguishment/writing off of the balances of loans & advances under Regulation 04 of Rs. 13,393/- and under Regulation 08 of Rs. 1,706/- totalling Rs. 15,099/- against Mr. Mushtaq Ali Mullah, Assistant.

#### **ITEM NO. 8**

#### **TO CONSIDER REPLACEMENT/PURCHASES OF VEHICLE FOR SENIOR OFFICERS**

39. Mr. Farooq Hassan Gillani apprised the Board that the F&A Committee referred the matter for purchase of vehicles to the Board for its consideration and decision. Mr. Arshad Tanveer stated that he did not consider the purchase of Toyota Car for protocol purposes as appropriate. He further added that the members were informed that there were 8 vehicles for protocol duties. The President stated that officials pay frequent visits

from Islamabad and other cities that needed vehicles to perform their duties effectively. He added that he was told that there were only 3 vehicles for protocol duties. Mr. Muhammad Zaman wanted to know the total vehicles including old jeeps owned by the Institution. The Board was informed that there were 93 vehicles in which old jeeps were 29. As per policy, the vehicles are to be replaced after completion of 5 years. On inquiry how many vehicles were 5 years old, the Board was informed that there were 62 vehicles that would have to be replaced if this criterion was adopted. The President desired that these vehicles may be replaced in phased manner, and while replacing the vehicles, equitable treatment may be given in the order of seniority. Mr. Khurshid A. Aziz suggested that for protocol duties, rent-a-car may be utilised as was being done in private sector. The President stated that the Institution already had a number of drivers on its payroll therefore, this suggestion did not merit consideration. Mr. Khurshid A. Aziz also suggested that so far as possible gas/diesel operated vehicles may be purchased.

40. After detailed discussion, the board decided that

- (i) the vehicles may be replaced in phased manner in the budgets, and the same be replaced in order of seniority.
- (ii) The Institution should also examine the possibility of purchase of gas/diesel operated vehicles.

## **ITEM NO. 9**

### **TO CONSIDER INTEREST FREE FACILITY OF GENERAL PROVIDENT FUND TO THOSE EMPLOYEES WHO ARE ALREADY ENJOYING INTEREST FREE FACILITY IN THE LIGHT OF DECISION OF THE HON'ABLE COURT OF LAW**

41. Mr. Farooq Hassan Gillani stated that the F&A Committee referred the matter to the Board for consideration and decision in the light of the legal and financial implications of the decision of the Honorable FST in case the benefit of this decision was extended to 47 officers. When asked about total financial impact if decision was implemented in respect of 47 officers, the Board was informed that if the decision of FST in Muhammad Idrees Alvi V/S EOBI was to be implemented in respect of 47 officers it would involve a refund of Rs.2.957 million on account of interest deducted by the Institution on various loans and advances extended to these employees earlier to the date of exercising of the option of interest free facility by these officers. When asked as to why the Institution did not go in appeal in Supreme Court, the Board was informed that it was time barred and the decision was a compromise decision, that was why the Institution did not prefer its appeal in the Supreme Court and the decision of the FST was implemented in case of the appellant. As far as legal implication was concerned, Mr. Tariq Ali Bokhari stated that if these officers chose to go to the FST in the matter, the fresh cause of action for filing of the appeal in the matter in Supreme Court would again be created for the Institution. The President desired that before taking any action, legal advice may be solicited.

42. After some discussion, the Board decided that a detailed working paper containing legal as well as financial implication in refunding of

interest amount to 47 officers deducted from them on loans and advances extended to them before opting for interest free General Provident Fund in the light of the decision of the Honorable FST in the case of Mr. Muhammad Idrees Alvi V/S EOBI may be presented to the Board in its next meeting.

### **ANY OTHER ITEM**

#### **WORKING PAPER SUBMITTED BY MR. ZAHEER AHMED TAJ**

- (i) Resumption of pension to the retired employees of the Punjab Road Transport Corporation.

43. Mr. Zaheer Ahmed Taj stated that the pension to retired employees of Punjab Road Transport Corporation who approached for getting it from EOBI, were denied on the plea of verbal orders issued by Head Office to the concerned regional offices. He emphasised that the pension to eligible retired employees in the light of the decision of Wafaqi Mohtasib Pakistan taken last year may be awarded. The right of pension of these employees may not be denied on the ground that contribution was recoverable from PRTC. As far as recovery of dues from PRTC was concerned, it was decided that valuable properties owned by PRTC would be obtained through the cooperation of Secretary, Labour Welfare Punjab from them in adjustment of dues of the contribution of EOBI. Mr. Nabi Ahmed supported his view point and added that the Institution is bound by EOB Act to pay pension to the employees of those establishments registered with the Institution even though contribution is payable on behalf of those employees. At this point Mr. Javed Rashid Siddique apprised the Board that after taking over of PRTC by the Provincial Government of the Punjab they were being treated as Government employees and they were getting pension from the

Government as well. To avoid duplication in pension, this step was taken. Regarding clearance of dues from PRTC, the President desired that Mr. Khalid Pervaiz would assist the Institution in obtaining valuable properties owned by PRTC in lieu of dues of contribution of the Institution .

44. After detailed discussion the Board decided that the Institution should not deny payment of pensions to the retired employees of PRTC particularly in the light of the decision of Wafaqi Mohtasib Pakistan. So far as collection of dues are concerned, the Institution will make efforts to obtain valuable properties owned by PRTC in lieu of its dues of contribution of the Institution with assistance of Secretary, Labour Department, Government of Punjab.

- (ii) Withdrawal of HO.EOBI, Karachi Circular No.1823 dated 15-12-2000

45. Mr. Zaheer Ahmed Taj pointed out in his working paper that, vide circular No.1823 dated 15-12-2000, eligible employees, who submitted their claims after 3 years from the date of entitlement, would be deprived of pension when there had already been a condition of payment of arrears of pension only for subsequent six months from the date of award of pension. In view of existence of one condition, the denial of pension claim on a further condition of three years was not justified. He emphatically stated that the eligible insured persons should not be deprived of pension. He demanded immediate withdrawal of the circular in question and stated that in future such types of circulars should not be issued without the prior knowledge of member of the Board of Trustees. When the President invited view point of the Institution in the matter, the Board was informed that the eligible employees in no case would be deprived of pension after 3 years. In such

cases, they would have to appear before Adjudicating Authority for pleading their cases for condonation. This step was taken so that the benefits of arrears of pension may be paid to eligible pensioners without fail. Mr. Nabi Ahmed stated with great emphasis that eligible pensioners should not be penalised in any circumstances.

46. Mr. Zaheer Ahmed Taj also referred to point No.4 of the said circular, wherein, he said that, the widow of insured employees would also meet the same fate. This para of the circular was also against the principle of justice. The same may also be corrected without further delay.

47. After some discussion, the Board decided that;

- 1) The circular No.HO/B&C/BTS/CIR/2000/1823 dated 15-12-2000 may be held in abeyance.
- 2) A detailed working paper on removal of anomaly in the law may be brought before the Board in its next meeting.
- 3) In future, such circulars should always be endorsed to the representatives of the employers and employees to avoid such situation in future.

(b) Working paper submitted by Mr. Abdul Rahim Mirdad Khel.

48. Mr. Abdul Rahim Mir Dad Khel pointed out that in the province of Baluchistan, miners were being deprived of the benefits of EOBI Scheme. He desired that the coverage of EOB Scheme may be extended to every miner. He also suggested that contribution may be collected @ Rs.2/- per ton from the mining companies. Mr. Nabi Ahmed supported the recovery of contribution from the mining companies. The Board was informed that the

Institution was making efforts to collect the contribution on actual per head basis in terms of section 9 of EOB Act. 1976.

- i) Shortage of staff in Quetta Regional Office and opening of further offices at District level in Baluchistan.

49. Mr. Abdul Rahim Mirdad Khel pointed out the shortage of staff in Quetta Regional Office and also suggested to open field offices at District level. The Board was informed that in view of load of work further staff may not be allocated to Quetta Regional Office. Further if opening of field offices at District level was found feasible, the Institution would consider it.

(c) Conversion of Reduced Pension into Normal Pension

50. Mr. Muhammad Zamir stated that the reduced pension may be converted into pension as allowed in normal cases. The Board was informed that deletion of reduced pension was not possible as the same was introduced to accommodate those workers who retired any time between attaining 55 years and 60 years of age in accordance with established policy of retirement of their establishments. Further the matter involved financial and actuarial impact. In view of financial and actuarial imbalance of the fund, the same may not be considered.

(d) Acquisition of properties of Evacuee Trust and Overseas Employment Corporation in Haripur.

51. Mr. Nooruddin F. Daud apprised the Board that some valuable properties of Evacuee Trust and Overseas Employment Corporation were available in Haripur, which the Institution may consider for acquisition.

52. The President desired that the Institution may inspect the properties and put up its recommendation to the Board in its next meeting.

53. Mr. Nooruddin F. Daud also conveyed the feelings of the officers of the Institution and to bring the same on record that the middle management officials thanked the Board for delegation of powers to them.

(e) Registration of Transporters

54. Mr. Ghulam Sarwar Khero pointed out that in some provinces, transporters were still out of the ambit of the EOBI Scheme. He suggested that the applicability of the EOB Act must be uniform in all the provinces and transporters who escaped from the coverage may be brought under the scheme. Other members supported the suggestion.

(f) Date & time of the next meeting.

55. The Board decided to hold the next meeting at Lahore.

56. There being no other item/matter, the meeting ended with a vote of thanks to the Chair.



