

Employees Old Age Benefits Institution

Board of Trustees
And
Adjudication

BOARD OF TRUSTEES

Section -6 of EOB Act 1976

The Board of Trustees is responsible for general direction and superintendence of the affairs of the institution with the assistance of the **chairman**

Board exercises all powers and does all acts and things, which may be exercised or done by the institution.

Management

- Board of Trustees comprises of following 16 members:

1. Secretary, Ministry of HR	President of Board
2. Chairman, EOBI	Member
3. Financial Advisor, MoHR	Member
4. Joint Secretary, MoHR	Member
5. Provincial Secretary Labour (4)	Member
6. Employers' Rep (4)	Member
7. Employees' Representatives (4)	Member

POWERS & FUNCTIONS OF THE BOARD

Section-8 of EOB Act 1976 provides

- To approve the budget estimates, the audited accounts and the annual report of the institution for submission to the Federal Government in accordance with the provisions of this Act;
- To call for any information or direct any research to be made for the furtherance of the objects of the Act;
-

POWERS & FUNCTIONS OF THE BOARD

Rules-6 (Board of Trustees) Rules 1977

- To approve the annual budget and revised budget estimates.
- To approve extra-ordinary expenditure not included in the approved budget for submission to the Federal Government
- To review the half-yearly income expenditure of the institution and to revise the budget.

-
- To recommend names of auditors' firms for the Institution for the approval of the Federal Government.
 - To make recommendation or comments intended to be submitted to the Federal Government in respect of Laws, Rules or Regulations affecting in any manner the Institution.
 - To make financial commitment outside the budget.

-
- Underwriting of new issues of shares of companies and investment in debentures and Real Estate.
 - To make investment and disinvestments in Real Estate.
 - To call for any information or direct any research to be made for the furtherance of the objects of the Act and for the purpose to allocate and set aside funds in the budget and revised budget estimates.
 - To co-opt any other technical person by name as member on the Board for a specific purpose and for such limited period as decided by the Board.

COMMITTEES OF THE BOARD

- **Investment Committee**
- **Audit Committee**
- **HR Committee**
- **Appellate Committee (U/S 35 EOB Act)**
- **Service Appellate Committee (EOBI Service Regulation 1980).**

EOB Act 1976

Chapter VII
Determination of Questions
and Claims

Internal Mechanism

- EOB Act 1976 provides for an internal mechanism for redress of grievances
- It is a quasi judicial forum headed by the competent authority

Provisions for Redress of Grievances

● The Law

- EOB Act 1976, Sections 33,34, 35

● Rules framed under section 44 of the Act

- EOB (Board of Trustees) Rules 1977, Rule 18- Appeals to Board

Provisions for Redress of Grievances

- Regulations framed under section 45 of the Act
 - EOB (Determination of Complaints, Questions and Disputes) Regulations 2007
- Administrative Orders
 - Circulars, Office Orders etc.

The Adjudication System



Section 33

If any complaint is received of any question or dispute arises the matter shall be decided by the Institution, in the manner, and within such time as the regulations may determine

Issues to be Brought under Section 33 of the Act

- a) Whether a person is an insured person within the meaning of this Act;
- b) The amount of wages of an insured person for the purposes of this Act;
- c) The amount of contribution payable by an employer in respect of an insured person;

Issues to be Brought under Section 33 of the Act

- d) The person who is the employer in respect of an insured person;
- e) Entitlement to any benefit under this Act or to the amount and duration thereof;
- (ee) Registration of an industry or establishment;

Issues

f) Any other matter in respect of any contribution or any benefit referred to in clause (e), or dues payable or recoverable under this Act relating to contribution or the aforesaid benefits;

Issues in Nutshell

- Registration or Non-Registration of an employer or employee
- Payment of contributions and arrears of contributions
- Entitlement to Benefits

Section 34

● Review of Decision

- The Institution may subject to regulations, on new facts being brought to its notice, review a decision given by it under section 33

Section 35

● Appeal to Board

- Subject to rules, a person aggrieved by a decision of the Institution under section 33 or on a review under section 34, may appeal to Board

Appeals to Board

- (i) Any person objecting to the decision of the Institution in respect of the items enumerated in Section 33 or review thereof under Section 34 may prefer an appeal to the Board in writing within thirty days of the decision.
- (ii) The Board may admit an appeal after the expiry of the period aforesaid if it is satisfied that the appellant had sufficient cause for not presenting the appeal within that period.

Appeals to Board

- (iii) The Board shall fix a day and place for hearing of the appeal and may, from time to time, adjourn the hearing.
- (iv) When hearing an appeal, the Board shall not admit any documentary material or evidence which was not produced before the Institution, unless the appellant can show that he was prevented by sufficient cause from producing such material or evidence.

Appeals to Board

- (v) The Board may, instead of hearing the appeal itself, appoint a committee of the Board to hear and decide the appeal on its behalf, and any decision of the Committee so given and communicated to the aggrieved person shall be as fully effective and binding as if given by the Board itself

Limitations

● Under Section 33

- Complaint has to be filed within one year of the occurrence of the event which is being challenged

● Under Section 34

- Within thirty days of the passing of decision of the Adjudicating Authority

● Under Section 35

- Within thirty days of the passing of decision of the Adjudicating Authority

Adjudicating Authorities

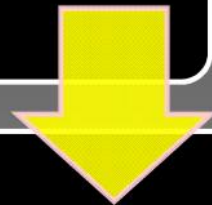
- Adjudicating Authority I at Karachi
- Adjudicating Authority II at Lahore
- Adjudicating Authority at Islamabad

Procedure

Registration of the Complaint at the registry or branch registry



Admission of the Complaint



Hearing of the Complaint

Decision of the Complaint

- The decision has to be given within 90 days of registration
- Order has to be announced within 15 days of conclusion of hearing

Appeals to the Board

- ◉ Committees for each province
 - > Chairman, EOBI
 - > Employers' Representative
 - > Employees' Representative

Role of EOBI Officers

- Register establishment after proper survey and record collection
- Reject Claims after ensuring that it is not justified
- Get proper know how of record checking and support your report with documents

Role of EOBI Officers

- In case non-co-operation by the employer, support your report with corroborative evidence/documents
- Comments/written replies of the points raised by the complainant may be given due importance and properly addressed.

Role of EOBI Officers

- Adjudicating Authority is the forum where documents, evidences and arguments are presented. They should be submitted with a view to justify the actions of the Institution