

Ms Madhur Sarangi, IAS

Secretary to Government

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Date : 06.11.2003

Bhubaneswar - 751001

To

**The Regional Provident Fund Commissioner, Orissa
Bhavishyanidi Bhawan, Janpath, Unit-IX, BBSR**

Sub: Recovery of Provident Fund Dues in default

Sir,

This has a reference to your letter No.5032/756 dated 12.08.2003 regarding recovery of Provident Fund dues in default of the employees of DRC, Bhubaneswar in which the D.R.O., DRC, Bhubaneswar was requested to clear the outstanding dues towards payment of Provident Fund of the employees of DRC, Bhubaneswar within 15 days of receipt of the above communication. However, it is learnt from the office of the DRO, DRC, Bhubaneswar that the two Bank Accounts of the DRC have, in the meantime, been attached for the above reasons.

2. In this connection, it need be mentioned that Government of India introduced the CPF Scheme for the DRC staff w.e.f. 29.03.2000 vide their letter No.1-58/CPF/DRC/2000 dated 29.03.2000. Thereafter, the DRC, Bhubaneswar has been regularly paying the dues of CPF from March 2000 and there has been absolutely no default on this count. However, in a communication dated 10.09.2003 bearing No.1-68/CPF-DRC addressed to the Additional Central Commissioner, Employees' Provident Fund Organization, New Delhi, the Project Director, DRC has explained the position under which payment of the employee's share has been delayed and has requested to exclude the staff of all the DRCs from the purview of the Act and issue appropriate directions to all the Regional Provident Fund Commissioners of the States which have DRCs to keep coercive action against the DRCs in abeyance.

3. As mentioned above, DRC, Bhubaneswar is paying the CPF dues regularly. However, for clearing the arrear dues prior to 29.03.2000, the requirement of funds has to be provided by the Government of India. Of the arrear dues of Rs.7,73,136/- as mentioned in your letter under reference, an amount of Rs.4,37,591/- has already been deposited, leaving a balance amount of Rs.3,35,545/- of which Rs.2,24,419/- as employers' share to be paid by the Government of India and Rs.1,11,126/- to be paid by the employees of DRC, Bhubaneswar as employees' share. The D.R.O., DRC, Bhubaneswar has already moved the Government of India, Ministry of Social Justice and Empowerment to release the employer's share and the staff have been instructed to clear the arrear dues individually in a phased manner.

4. Since all possible steps are being taken by the Central Government as well as the DRC, Bhubaneswar to liquidate the arrear CPF dues, it will be a positive harassment if the attachment order will be allowed to operate. Unless the attachment order is revoked, the staff of the DRC, Bhubaneswar will not be able to get their salaries and, consequently, shall not be in a position to clear their dues. It is important to mention that the funds under NPRPD which is funded through the State budget by the GoI are also retained in the Bank Accounts of the DRC, Bhubaneswar. With the attachment order, the NPRPD funds will also get frozen which will adversely affect implementation of that programme.

5. I would, therefore, request you to kindly allow time to the DRC, Bhubaneswar and the State Government till the end of the current financial year to take up the matter with the Government of India for clearing up arrear dues or operationalize the instructions in the GoI letter dated 10.09.2003 of the Project Director, DRC Scheme, Ministry of Social Justice & Empowerment referred to above. You are also requested to kindly withdraw the attachment order so that the normal functioning of DRC, Bhubaneswar is not hampered.

6. Immediate action in this regard is requested.

Yours faithfully,

- Sd -

Secretary to Government

Memo No.22200/WCD Dated 06.11.2003

Copy forwarded to the Joint Secretary to Government of India, Ministry of Social Justice and Empowerment, Shastri Bhawan, New Delhi - 110 001 for information and necessary action. She is requested to take immediate steps to provide a sum of Rs.2,24,419/- as employer's share during the current financial year 2003-04 in order to clear up the arrear CPF dues of the employees of DRC, Bhubaneswar.

M. Sarangi 06.11.2003
Secretary to Government