

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH

ORIGINAL APPLICATION NO.170/00781/2019

DATED THIS THE 25<sup>TH</sup> DAY OF JULY, 2019

**HON'BLE DR.K.B.SURESH, MEMBER (J)**

**HON'BLE SHRI C.V. SANKAR, MEMBER (A)**

Padmavathi.B  
W/o G.A.Henry,  
Aged about 45 years,  
Working as Senior Social Security Assistant,  
Employees Provident Fund Organization,  
Regional Office (Central),  
No.13, Rajaram Mohan Roy Marg,  
Bangalore-560 025. .... Applicant  
(By Advocate Shri B.S. Venkatesh Kumar)

Vs.

1. Union of India represented by its  
Secretary to the Government  
Ministry of Labour, Shram Shakti Bhavan,  
New Delhi-110 011.

2. The Central Provident Fund  
Commissioner, Head Office,  
Employees Provident Fund Organization,  
Bhavishya Nidhi Bhawan,  
No.14, Bhikaji Cama Place,  
New Delhi-110 066.

3. The Regional Provident Fund  
Commissioner (Exam)/  
Employees Provident Fund Organisation,  
Head Office, Bhavishya Nidhi Bhawan,  
No.14, Bhikaji Cama Place,  
New Delhi-110 066.

4. Regional Provident Fund Commissioner-I (HRM)  
Employees Provident Fund Organization,  
Head Office, Bhavishya Nidhi Bhawan,  
No.14, Bhikaji Cama Place,  
New Delhi-110 066.

5. The Addl. Central Provident Fund Commissioner-HQ  
Employees Provident Fund Organisation,  
Bhavishyanidhi Enclave,  
Jalahalli, Bangalore-560 013. ....Respondents

(By Smt. Shwetha Anand, Counsel for the Respondents)

O R D E R (ORAL)

(HON'BLE DR. K.B. SURESH, MEMBER (J))

Heard both counsels in great detail. The matter is in a small compass. We heard both the learned counsel in great detail. In fact, we have passed similar orders earlier also in respect of the matter. We now clarify the points as shown below:

- 1) 2/3<sup>rd</sup> vacancies as shown will be maintained for promotion and 1/3<sup>rd</sup> for LDCE

2) Eligibility shall be decided on the arising of the vacancy in a particular year and batch by batch only vacancies shall be filled up and not only on the merit in the examination alone. After the merit in the examination is decided, they shall be divided into batches of each vacancy arising year and then only accommodated in the promotional vacancy batch by batch. Respondents will determine the vacancy for each year and then in accordance with eligibility it will be calculated and apportioned among them.

2. On these grounds, all the matters are settled. All the applicants and other eligible people will be allowed to write the examination. All the OAs are disposed off. No order as to costs.

(C.V. SANKAR)

MEMBER (A)

(DR.K.B.SURESH)

MEMBER (J)

**Annexures referred to by the applicant in OA No. 170/00781/2019**

Annexure A1	A copy of Impugned notice dated 20.5.2019
Annexure A2	A copy of notice dated 21.6.2018 with vacancy position
Annexure A3	A copy of order dated 28.1.2013 in OA No.2615/2010 of Principal Bench of this Hon'ble Tribunal
Annexure A4	A copy of letter dated 5.4.2013 directing various Regions to intimate year-wise vacancies
Annexure A5	A copy of letter dated 6.8.2014 regarding furnishing of year-wise vacancies
Annexure A6	A copy of letter dated 26.5.2019 addressed by All India EPF Staff Federation to 2 <sup>nd</sup> respondent
Annexure A7	Copy of letter dated 24.1.2017 issued by ESIC to All the Region/Office regarding determining year wise vacancies for LDCE

**Annexures referred in Interlocutory Application**

Annexure R1	A copy of order dated 09.04.2013
Annexure R2	A copy of case detail of OA 2615/2010
Annexure R3	A copy of order dated 04.04.2019 in OA No. 597/2018
Annexure R4	A copy of order dated 04.04.2019 in OA No. 617/2018a

Annexure R5      A copy of note made in the order sheet regarding the conduct of examination on 27.07.2019

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