



EMPLOYEES' PROVIDENT FUND ORGANISATION

(Ministry of Labour, Government Of India)

SUB REGIONAL OFFICE

BLUE CHIP COMMERCIAL COMPLEX, 2ND & 3RD FLOOR SEVASHRAM ROAD,
PANCHBATTI, BHARUCH-392001

PHONE : 0264-266702, 268702, 267702, FAX NO. 02642-26672, EMAIL: sro.bharuch@epfindia.gov.in

NO. SR/BRH/85750/APFC/ENF/INTL/22

Dated: 29-04-2014

CODE NO. GJ/SR/BRH/85750

To,

M/s. SIDDHI GREEN EXCELLENCE PRIVATE LIMITED
KAMAL ARCADE, COMM., PLOT C-3/3, SHOP NO. 3-4, NEAR SBI IND. BRANCH
GIDC STATION ROAD, ANKLESHWAR,
DIST:-BHARUCH

Sub: Employees' Provident Fund and Miscellaneous Provisions Act, 1952 and the Schemes framed there under - Applicability thereof - Allotment of Code number.

Sir,

(1) Your factory/ establishment with all its branches and departments is brought within the purview of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 and the Schemes framed there under with effect from **01-04-2014**. In case, if it transpires that the date of applicability can be shifted to the retrospective date it would be at the risk and liability of the Employer. The information made available by you and the inquiry made by area Enforcement Officer (copy enclosed) reveals that:-

(i) Your factory is engaged in _____ one of the Industries specified in Schedule I to which the Employee's Provident Funds and Miscellaneous Provisions Act, 1952 is applicable under Section 1(3) (a) of the Act.

(ii) Yours is an establishment classified as **EXPERT SERVICE** to which the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 has been made applicable by the Government of India by a Notification issued under Section 1(3)(b) of the Act.

(iii) The activities carried on by your establishment/factory are neither the specified industry in Schedule-I nor the class of establishment under Section 1(3) (b) of the act. Your establishment / factory is therefore held as non-specified.

1-A The coverage is provisional on the basis of enquiries made/ information available and is subject to further verification of your records for prior periods.

1-B With reference to your application no. _____ Dated _____ received for extension for Employee's Provident Funds and Miscellaneous Provisions Act., 1952 under Section 1(4) of the Act, on a voluntary basis, a Code number is hereby allotted to your establishment namely GJ/BRH/_____ provisionally covering your establishment with effect from _____ pending issue of a Notification by the Govt. of India/ Central Provident Fund Commissioner in exercise of the powers conferred on them by sub-section (4) of Section 1 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952.

1-C The Code no. GJ/BRH/____ is allotted to you for the purpose of making compliance the provisions of the Employee's Provident Funds and Miscellaneous Provisions Act, 1952 and the Scheme framed there under. This Code number should invariably be quoted in all the correspondence with this office.

(1) You are required to implement the provisions of the Employees' Provident Fund Scheme w.e.f. **01-04-2014** Pension Scheme w.e.f. **01-04-2014** and Deposit Linked Insurance Scheme w.e.f. **01-04-2014** if not already done.

(2) As provided in Para-26 of the Employees' Provident Fund Scheme, 1952 every employee working in or in connection with the work of the Factory/ establishment shall be eligible for membership of the fund.

(3) (i) The contribution payable by the employer shall be at the rate of 12% of basic wages, dearness allowance, if any, payable to each employees, every month. The contribution payable by the employee shall be equal to the contribution payable by the employer.

(ii) The contribution shall be calculated on the basic wages, dearness allowance etc. actually drawn the whole month whether paid on daily, weekly, fortnightly or monthly basis.

(iv) Each contribution shall be calculated on the nearest rupee (i.e. 50 paise or more) to be counted as the next higher rupee and fraction of a rupee less than 50 paise to be ignored.

(v) The employer shall in the first instance, pay both contributions payable by himself and also on behalf of the members.

(vi) In respect of employees employed by or through a contractor, the contractor shall recover the contribution payable by such employees and shall pay to the principal employer the amount of member's contribution so deducted together with an equal amount of contributive and administrative charges.

(vii) It shall be the responsibility of the principal employer to pay both the contributions payable by himself in respect of employees employed by him and also in respect of employees employed by or through a contractor and also administrative charges.

5. Before paying the member his wages, you shall deduct the employees' contribution from his wages which together with your own contribution and administrative charges shall, within 15 days of the close of every month, be paid in the Accounts of the Fund maintained by the State Bank of India by separate challans in the following manner:

(a) P.F. Contributions (both employees' and employer's). To be deposited in Employees' Provident Fund Account No.1

(b) Administrative Charges .To be deposited in Employees' Provident Fund Account No.2.

(c) Pension Contribution (wef. 16/11/1995 8-1/3% out of employers' contribution only) To be deposited in Employees' Pension Fund Account No.10.

NOTE: (i) The Family pension contribution is to be segregated from P.F. Contribution @ 1-1/6% of the basic wages, D.A. (including Cash value of any food concession and retaining allowance, if any). The Contribution in Employees' Pension Fund w.e.f. 16/11/1995 shall be 8-1/3% out of employer's contribution only.

(ii) The rate of Administrative Charges is 1.10% of pay i.e. basic wages dearness allowance including cash value of any food concession and retaining allowance, if any, subject to minimum Rs.5/= per month.

(iii) It may be noted that if timely deduction are not made from the members wages, the employer will have to pay both the shares himself, as the recovery of arrears contribution for back period from the subsequent wages of the employee is prohibited.

(iv) All the contribution and Administrative charges for the period from _____ to _____ be deposited by or before _____

(v) The relevant challans for the purpose of remittance can be had from any branch of the State Bank of India/ Regional Office/ Provident Fund Inspectorate.

(vi) Cheque/ Cash may be deposited to E.P.F. Account No.1, 2, 10, 21 and 22 respectively along with quadruplicate of challans in any branch of State Bank of India convenient to your establishment/ factory.

6. Besides making deposits in Account Nos. 1, 2 & 10 (as explained above), you are also required to deposit the amounts in Account Nos. 21 & 22 under the Employees' Deposit Linked Insurance Scheme, 1976 in the manner indicated below within 15 days of the close of each month.

- (i) Deposit Linked Insurance Fund Account No.21.
To this account will be deposited the contribution @ 0.5% which will be the aggregate of the basic wages, dearness allowance (including the cash value of food concession) and retaining allowance, if any, payable to the employees by employer.
 - (ii) Regional Insurance Fund Administrative Account No.22.
To this account will be deposited the Administrative charges @ 0.01% which will be the aggregate of the basic wages, dearness allowance (including the cash value of food concession) and retaining allowance, if any, payable to the employees by employer.
7. The deposit in the above Account viz. no. 1, 2, 10, 21 & 22 are to be made by separate challan and a copy of the challan as received by the Bank may be forwarded to this office duly attached with Form 12-A (explained below).
8. You are required to maintain/ forward the following Returns.
- (i) Form No.9 under the EPF Scheme, 1952.
This is to be submitted to this office once in respect of these employees, who are required or entitled to become members on the date of the factory/ establishment is covered under the Scheme.
 - (ii) Form No.2 under the EPF Scheme, 1952 and E.P. Scheme, 1995.
This form is to be obtained from every member for submission to this office.
 - (iii) Form No.5-A
This is to be submitted to this office. Any subsequent change in ownership is also to be notified to this office through this Form.
 - (iv) Form No.3-A
This is to be maintained at the Factory/ establishment in respect of every employee who is a member.
 - (v) Form No.6-A
This is the Annual Return of contributions and is to be submitted along with Form 3A to this office within 30 days of the close of the financial year.
 - (vi) Form No.12-A
This is the monthly Return of contributions and is to be submitted to this Office by the 25th of next month along with copies of challan, in support of the deposits made in the State Bank of India should be attached with this.
 - (viii) Form No.5 & 10
These are the Returns of employees who have become new members or have left the service in the month and are to be submitted to the Office by the 25th of the next month.
9. All the forms prescribed under the Employee's Provident Fund Scheme, the Employees' Pension Scheme and the Deposit Linked Insurance Scheme are available in the Provident Fund Inspectorate office and will be supplied on receipt of your indent.
10. Besides, you should also obtain a Declaration in Form No.11 from every employee at the time of his first appointment in your establishment as to whether or not he was already a member of the fund or the exempted fund of any other establishment.
11. An Inspection Note book in the following Proforma be also maintained for recording the observation by the Enforcement Officer during his visit to your establishment.

INSPECTION NOTE BOOK

- | | |
|--|------------------|
| 1. Name of the E.O. | 2. Date of Visit |
| 3. Period for which accounts are checked | 4. Observations |

You should report the compliance on the Provident Fund Inspector's remarks within 15 days unless otherwise noted in the Inspection Book by the Inspector.

12. It is important to ensure that the amount due is paid within the prescribed time limit. Delayed remittances are dealt in the manner as provided under Section 14-B of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952, in addition to the levy of damages for the pre-discovery period. Besides, prosecution could also be launched for non-payment of dues and for non-submission of Returns.

13. Individuals working in the Head Office/ branch of an establishment (factory/ non-factory) doing the job of Maintenance of accounts, sale and purchase which are incidental to manufacturing activity, are also coverable by virtue of Section 2-A of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952. You are therefore, requested to furnish the names and detailed address of such Branches or Departments or Head Office within 15 days. If you have no such Department or branches, sales office etc. 'NIL' report may be sent to this Office. The above information should be sent in the Proforma 'A' Annexed hereto.

14. Please intimate, if you have any existing Provident Fund in your Factory/ establishment. Please transfer, to the Employees' Provident Fund, all accumulations standing to the Credit of the covered employees, as required by Section 15 of the Act and Para-28 of the Employees' Provident Fund Scheme within 10 days from the date the Act has become applicable to you. If you have no Provident Fund in existence, please send a "NIL" report.

15. Please also submit Return in Form No.5-A (Revised) (Specimen enclosed) showing the particulars of ownership immediately.

16. In case you find any difficulty in implementing any of the provisions of the Schemes, you may send one of your responsible representatives to this office who will be guided in the matter.

17. Copies of instructions issued by this office from time to time are sent separately for guidance.

18. Please acknowledge receipt of this communication.

Encl :

- 1) Proforma 'A'
- 2) Sample copy of Challans
- 3) Form No.5-A/9/3A

Copy To :-

1) Section Supervisor A/c. Gr. III/04 to watch the Compliance.

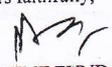
(a) The maximum number of employees in the factory is 20

(b) If the establishment fails to comply with the provision, default may be intimated to Enf. Section immediately.

2. Shri /Smt/Kum./ SHRI H.L. PARMAR Enforcement Officer, Bharuch

With reference to his report dated:4/29/2014 for information and necessary action. He is advised to visit the establishment and afford necessary guidance to the employer in the matter of complying with the statutory provisions. He should also submit his recommendations for finalizing the coverage of this establishment within 3 months. He is also directed to submit Annexure-I & II in case of voluntary coverage.

Yours faithfully,


ASSISTANT PROVIDENT FUND COMMISSIONER
SUB REGIONAL OFFICE, BHARUCH.

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SUB REGIONAL OFFICE, BHARUCH.