AGENDA BOOK

37th Meeting of the

Sub-Committee of Central Board of Trustees, (EPF) on

Exempted Establishments

Date : Thursday, The 7th August, 2014

Time : 12:30 P.M.

Venue : Conference Hall, 3rd Floor, Head Office, EPFO, 14, Bhikaji Cama Place, New Delhi - 110066
EMPLOYEES' PROVIDENT FUND ORGANISATION

Agenda for 37th Meeting of the
Sub-Committee of Central Board of Trustees, EPF on Exempted Establishments

Date: Thursday, the 7th August, 2014  
Time: 12:30 A.M.

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<td>2.</td>
<td>Action Taken Statement in respect of decisions taken in the 36th meeting of the Sub-Committee of the Central Board of Trustees, EPF on Exempted Establishments held on 15.05.2014.</td>
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<td>3.</td>
<td>Grant of exemption under Section 17(1)(a) of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 and Para 27A of the Employees' Provident Funds Scheme, 1952 by Appropriate Government.</td>
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<td>Levy of Surcharge on the Board of Trustees for failure to make investments as per the directions of the Government from 2000-01 fiscal.</td>
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<td>5.</td>
<td>Any other item with the permission of Chair.</td>
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Item No. 1  Confirmation of the minutes of 36th meeting of the Sub-Committee of the Central Board of Trustees, EPF on Exempted Establishments held on 15.05.2014.

1.1 The minutes of the 36th meeting of the Sub-Committee of the Central Board of Trustees on Exempted Establishments held on 15.05.2014 were circulated to all members vide EPFO letter dated 23.05.2014.

1.2 The minutes circulated (Annexure-1A) are placed for confirmation before the Committee.
To

All the Members, (As per the list enclosed),
Sub-Committee on Exempted Establishments,
Central Board of Trustees, EPF.

Subject: Minutes of the 36th Meeting of the Sub-Committee on Exempted Establishments, Central Board of Trustees EPFO held on 15.05.2014 at Conference Hall 3rd Floor, EPFO, Head Office, New Delhi.

Sir,

Kindly refer to EPFO letter No. E-III/18(1)04/Sub-Committee/Vol-II/3290 dated 09.05.2014.

2. A copy of the approved minutes of 36th meeting of Sub-Committee of CBT on exempted establishments held on 15.05.2014 at Conference Hall, 3rd Floor, EPFO, Head Office, New Delhi - 110066 is enclosed herewith for your kind information.

Yours faithfully

(Animesh Mishra)
Regional P.F. Commissioner-1 (Exemption)

Copy to:

1) Central Provident Fund Commissioner/Chairman, Sub-Committee on Exempted Establishment along with a copy of approved minutes of 36th meeting (through PS), EPFO, Head Office, New Delhi.
List of Members of the Sub-Committee on Exempted Establishments.
Central Board of Trustees, EPF

1. Smt. Meenakshi Gupta, IA & AS,
   Joint Secretary & Financial Advisor,
   Room No. 107, Shram Shakti Bhawan,
   Ministry of Labour & Employment
   Government of India, New Delhi

2. Director (SS),
   Ministry of Labour & Employment
   Government of India,
   Shram Shakti Bhawan,
   New Delhi-110001.

3. Shri B.P. Pant
   Secretary, FICCI & ED, AIOE
   (Res.) V/5, NCERT Campus,
   Aurobindo Marg, New Delhi-110016.

   (Off.) Executive Director,
   All India Orgn. Of Employers,
   Federation House,
   Tansen Marg, New Delhi-110001.

4. Shri Sushanta Sen,
   Principal Advisor,
   Confederation of Indian Industry,
   249-F, Sector 18, Udyog Vihar,
   Phase-IV, Gurgaon-122015 (Haryana).

5. Shri. A.K. Padmanabhan,
   President, CITU, B.T.R. Bhawan,
   13A, Rouse Avenue,
   New Delhi-110002.

6. Shri Ashok Singh
   VP, INTUC & Chairman, CBWE,
   (Res.) No. 435,
   Vishwas Khand III,
   Gomti Nagar, Lucknow (UP).

   (Off.) of the Chairman, CBWE,
   Room No. 21 & 22,
   Barrack No. 7/10, Jamnagar House,
   Mansingh Road, New Delhi-110011.
EMPLOYEES' PROVIDENT FUND ORGANISATION

MINUTES OF THE
36th MEETING OF THE SUB-COMMITTEE, CBT (EPF) ON EXEMPTED
ESTABLISHMENTS
(EPF HEADQUARTERS, NEW DELHI; 15th May 2014; 10.30 AM)

The 36th meeting of the Sub-Committee, CBT (EPF) on Exempted Establishments was chaired by Shri K.K. Jalan, Central PF Commissioner. The following members attended the meeting:

- Shri Sushanta Sen, Employers’ representative
- Shri Ashok Singh, Employees’ representative
- Shri A.K. Padmanabhan, Employees’ representative
- Shri B.P. Pant, Employers’ representative
- Shri P.K. Udgata, Additional Central PF Commissioner (Compliance) and Convenor

The following members could not attend the meeting because of their pre-occupation and sought leave of absence.

- Smt. Meenakshi Gupta, Joint Secretary & Financial Advisor (Ministry of Labour & Employment)
- Shri Animesh Bharti, Director (Ministry of Labour & Employment)

The list of officers of the Employees’ Provident Fund Organisation, who attended the meeting, is at Annexure ‘A’.

At the outset, Central P.F. Commissioner and Chairman welcomed all the Members and apprised the need for convening the meeting of the Sub-Committee at a short notice.
Thereafter the agenda items were taken up.

Item No.1 Confirmation of the minutes of 35th meeting of the Sub-Committee of the Central Board of Trustees, EPF on Exempted Establishments held on 28.03.2014.

1.1 Addl. CPFC (Compliance) informed that the minutes of the 35th meeting of the Sub-Committee of the Central Board of Trustees, EPF on Exempted Establishments held on 28.03.2014 were circulated to all the members on 04.04.2014 and no feedback has been received from any of the members.

1.2 Chairman stated that if there is no objection of members, the minutes may be taken as confirmed.

1.3 Hon'ble Members unanimously confirmed the minutes of the 35th meeting of the Sub-Committee of the Central Board of Trustees, EPF on Exempted Establishments as all the issues raised have been acted upon.

Item No.2 Action Taken Statement In respect of decisions taken in the 35th meeting of the Sub-Committee of the Central Board of Trustees, EPF on Exempted Establishments held on 28.03.2014.

2.1 Chairman expressed his concern on the issue raised by Shri A.K. Padmanabhan regarding study of the functioning of establishments already granted exemption. He directed Addl. CPFC (Compliance) to supply details of exempted establishments to the members to start the study. A two member Committee, one each from employer's side and one from Employees' side from amongst the members of this Committee shall carry out the study.

2.2 Shri Susanta Sen suggested that the terms of reference shall be prescribed.

2.3 Chairman suggested that the Committee will carry out a preliminary study to see as to whether the conditions stipulated in Appendix-A to Paragraph 27AA of the Employees' Provident Funds Scheme, 1952 for grant of exemption are adhered by the exempted establishments. Whether the rates of contribution and benefits given by the exempted establishments to their employees are either at par or more beneficial than those available under the Employee Provident Funds and Miscellaneous Provisions Act, 1952 and the Schemes framed thereunder. The Committee will also suggest as to whether there is a need to make a comprehensive study in-house or by outside agencies for improving the functioning of the exempted establishments.
2.4 Shri B.P. Pant suggested that guidelines in the form of a small booklet be issued to the exempted establishments to educate the employers so that deviations are not committed managing and maintaining the Trust.

2.5 Shri Sushanta Sen suggested that the exempted Trusts be educated on the various aspects of investment so that they will be in a position to avoid committing deviation from the pattern of investment prescribed by the Government.

2.6 Chairman informed that interaction sessions were conducted during last year, 2013-14 at Mumbai, Bengaluru and New Delhi to discuss various issues pertaining to exemption, be it formation of the Trust; be it election of the Employee Trustees; be it audit of the Trust; be it investment of Trust Fund and so on. He assured the members that such interaction sessions will be conducted in regular interval during this current fiscal to educate the employers and the Trustees.

2.7 With this deliberation, it is decided that the preliminary study be done of ten major exempted establishments to start with. Chairman fixed the timeline for supplying the details of exempted establishments to the members as 25th May, 2014. He directed Addl. CPFC (Compliance) to provide the details of ten major exempted establishments accordingly.

2.8 Thereafter, Addl.CPFC (Compliance) apprised the Committee that keeping in view the concerns of the members instructions have already been issued to Zonal Additional CPFCs to carry out the investigation into the compliance position of Sahara India, Jai Prakash Associates, UP Drugs and Pharmaceuticals and UP State Road Transport Corporation.

2.9 Chairman directed that the investigation be carried out on top priority in the interest of the workers. The same be followed up regularly and the developments thereof be apprised to the Committee.

2.10 Members appreciated the good work done by EPFO by launching the software for online monitoring of exempted establishments, designing the format for re-auditing of the accounts of Provident Fund maintained by the Board of Trustees of exempted establishments and issuing guidelines for levy of surcharge on the Board of Trustees for the deviations they commit in investing the Trust Fund from the pattern of investment prescribed by the Government.

2.11 Shri Ashok Singh suggested that the exempted establishments be divided in to two parts – one which function as per rules and the other which fail to function appropriately. Strong action, even cancellation of exemption, should be taken to set right the functioning of the exempted establishments in the interest of the workers.
**Item No.3**

Grant of exemption under Section 17(1)(a) of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 and Para 27A of the Employees' Provident Funds Scheme, 1952 by Appropriate Government.

3.1 Additional CPFC (Compliance) informed the Committee that out of enlisted twenty establishments, nineteen establishments meet the requirements and thus their proposals deserve consideration and recommendation, on behalf of the Central Board of Trustees, EPF to the Appropriate Government, for grant of exemption.

3.2 Additional CPFC (Compliance) pointed out that the case of the Food Corporation of India (FCI) is very peculiar and the Committee may consider the proposal. He informed the Committee that FCI has incurred loss for three years consecutively which is evident from its Balance Sheets. As per condition No. 25 of the Appendix A to Paragraph 27AA of the Employees' Provident Funds Scheme, 1952, no exemption can be recommended/sanctioned to a company which incurs losses for three years consecutively.

3.3 The Additional CPFC (Compliance) also brought to the notice of the Committee the submissions of the Chairman and Managing Director, FCI as detailed below:

   a) The CMD clarified that FCI is implementing the food policy of the Government of India and does not undertake any commercial operations. The entire expenditure incurred by the corporation is reimbursable by the Government of India. Therefore the question of any profit or loss does not arise.

   b) The Corporation prepared its Annual Report in the format prescribed under Schedule VI of the Companies Act as insisted by its sole auditor Comptroller & Auditor General (C&AG). By following such format, "Bad and Doubtful Debts" are to be depicted as loss in the Profit & Loss Account.

   c) Depiction of losses in the Annual Reports are in fact deferred subsidy which is released on completion of procedural aspects of write-off of "Bad and Doubtful Debts". Till the time "Bad and Doubtful Debts" are not written-off, the Government does not reimburse the Food Subsidy, hence this continues to be shown as losses in FCI Balance Sheet.

   d) FCI is a subsidy based corporation, hence question of any profit or loss does not arise.
3.4 Additional CPFC (Compliance) also brought to the notice of the Committee, the following clarifications on losses given by the Additional Secretary & Financial Advisor, Ministry of Consumer Affairs, Food & Public Distribution on behalf of Government of India.

a) The policy decisions on Public Distribution System (PDS), National Food Security Act (NFSA) etc. are taken by the Government of India through FCI for which entire expenditure incurred by Food Corporation of India are reimbursed in the form of food subsidy. FCI is a subsidy based corporation, hence question of any profit or loss does not arise.

b) The procedure of reimbursement of food subsidy has been prescribed by the Government of India. This inter-alia stipulates that food subsidy in respect of “bad and doubtful debts” is released only after write-off of the same by the FCI. Thus, subsidy is not released on the basis of creation of provision for bad and doubtful debts. Due to this stipulation, the amount of bad and doubtful debts provided in the books of FCI are depicted as losses in the Financial Statement till the same is written off after following prescribed procedure. In fact, these losses are deferred subsidy, which are released to FCI in the year when the bad and doubtful debts are written off by FCI.

c) The losses shown in the Financial Statement of FCI is a mere depiction since they follow the format of Balance Sheet and Profit & Loss Accounts as prescribed under the Companies Act on the advice of their sole auditor, C&AG and approval of the Government of India.

3.5 Shri A.K. Padmanabhan stated that the Food Corporation of India is a no profit no loss organisation of Government of India and condition No. 25 of Appendix 'A' to Para 27AA of the Employees' Provident Funds Scheme, 1952 is not attracted in case of FCI. Thus, the proposal of FCI deserves consideration and recommendation to Appropriate Government for grant of exemption.

3.6 Shri Sushanta Sen and Shri B.P. Pant consented the views of Shri A.K. Padmanabhan and strongly opine that the proposal of FCI may be sent to Government of India, Ministry of Labour & Employment for appropriate consideration and grant of exemption.
3.7 The Chairman stated that FCI, a Government of India concern, is recouping all the difference between the economic cost and sales realization in the form of consumer subsidy from the Government of India except the provisions of bad and doubtful debts in the accounts of the Corporation. The subsidy for this expenditure is not claimed in the year of occurrence of expenditure but is claimed in the year of write-off of Bad and Doubtful Debts. The depiction of losses in the Balance Sheet is simply due to deferment of subsidy claim from the year of provisions made to the year of write-off. The entire expenditure incurred by FCI is reimbursed by the Government of India in the form of food subsidy. Since the accounts of FCI are audited by the CAG and in view of the clarifications given by Government of India the proposal for grant of exemption may be forwarded to Appropriate Government for consideration.

3.8 The Committee unanimously decided to forward the proposal of FCI for grant of exemption to Appropriate Government for consideration.

3.9 With this deliberation, the Committee considered and recommended the proposals in respect of the following establishments as contained in the Agenda to the Appropriate Government for consideration and grant of exemption:

<table>
<thead>
<tr>
<th>Sl. No</th>
<th>Name of the establishment</th>
<th>Office</th>
<th>Code No.</th>
<th>With effect from</th>
<th>Section/Para</th>
<th>Appropriate Government</th>
<th>No. of members</th>
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</thead>
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<tr>
<td>1.</td>
<td>M/s. Bhai Hiralal Tata Memorial Trust</td>
<td>RO, Bandra</td>
<td>M4/V4/12553</td>
<td>01.05.2009</td>
<td>17(1)(a)</td>
<td>State Government of Maharashtra</td>
<td>68</td>
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<td>2.</td>
<td>M/s. Lady Tata Memorial Trust</td>
<td>RO, Bandra</td>
<td>M4/C4/15401</td>
<td>01.03.2009</td>
<td>17(1)(a)</td>
<td>State Government of Maharashtra</td>
<td>72</td>
</tr>
<tr>
<td>No.</td>
<td>Name of the establishment</td>
<td>Office</td>
<td>Code No.</td>
<td>With effect from</td>
<td>Section/Para</td>
<td>Appropriate Government</td>
<td>No. of members</td>
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<td>10.</td>
<td>M/s. L &amp; T Technology Services Limited</td>
<td>RO, Thane</td>
<td>MH/THN/ 205170</td>
<td>01.01.2014</td>
<td>17 (1)(a)</td>
<td>Government of India</td>
<td>1567</td>
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<td>11.</td>
<td>M/s. Ltd. Petrochemicals Limited</td>
<td>SRO, Vashi</td>
<td>MH/Vash/ 95220</td>
<td>01.06.2007</td>
<td>27A</td>
<td>Government of India</td>
<td>139</td>
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<td>12.</td>
<td>M/s. Ltd. Petrochemicals Limited</td>
<td>SRO, Vashi</td>
<td>MH/95413</td>
<td>01.06.2007</td>
<td>27A</td>
<td>Government of India</td>
<td>25</td>
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<td>14.</td>
<td>M/s. LTD &amp; T Hydrocarbon Limited</td>
<td>RO, Thane</td>
<td>MH/206169</td>
<td>01.04.2013</td>
<td>17 (1)(e)</td>
<td>Government of India</td>
<td>2196</td>
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<td>15.</td>
<td>M/s. GIC Housing Finance Limited</td>
<td>RO, Bandra</td>
<td>MH/BAF/ 39407</td>
<td>01.03.1994</td>
<td>17 (1)(e)</td>
<td>Government of India</td>
<td>142</td>
</tr>
<tr>
<td>16.</td>
<td>M/s Mercedes-Benz Research &amp; Development (1) (P) Ltd.</td>
<td>RO, Bangalore</td>
<td>KH/24117- X</td>
<td>01.03.2000</td>
<td>27A</td>
<td>State Government of Karnataka</td>
<td>1116</td>
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<td>18.</td>
<td>M/s Banamali Catholic Co-op. Bank Ltd.</td>
<td>RO Kandivali</td>
<td>MH/KND/1 2613</td>
<td>01.11.1999</td>
<td>17(1)(e)</td>
<td>State Government of Maharashtra</td>
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<td>20.</td>
<td>M/s Russell Reynolds Associates India Pvt. Ltd.</td>
<td>RPC, RO, Delhi (South)</td>
<td>DL/337516</td>
<td>01.03.2009</td>
<td>17(1)(e)</td>
<td>Central Government</td>
<td>26</td>
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Item No.4 : Regularisation of the proposals submitted by the establishments for grant of exemption, who maintain the Trusts without grant of relaxation under Para 79 of the Employees' Provident Funds Scheme, 1952, or with permission of RPFCS.

4.1 Additional CPFC (Compliance) brought to the notice of the Committee that while processing the pending applications for grant of exemption some cases have come to the notice of Head Office where the establishments maintain their own trust and function like exempted establishments. These cases are basically of the following nature:
a) In some cases, the establishments maintain their own Trusts without any relaxation granted under Para 79 of the Employees' Provident Funds Scheme, 1952 after submission of application for grant of exemption either under Section 17(1)(a) or under Section 17(2) of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 read with Para 27A of the Employees' Provident Funds Scheme, 1952.

b) In some other cases, establishments have been covered by Regional PF Commissioners of Regional/Sub-Regional Offices under Section 2A of the Act treating the same as branches of main establishments. Since the date of coverage, the establishments covered under 2A, deposit contributions towards provident fund in the Trust maintained by their main establishments and continue to pay Pension and EDLI contributions with the RPFCs wherever they are covered. Over the years, compliance in respect of provident fund was never insisted from these establishments nor any permission was given to them to comply in respect of provident fund in the main establishments. Even no relaxation was granted to these establishments under Para 79 of the Employees' Provident Funds Scheme, 1952.

4.2 Additional CPFC (Compliance) apprised the Committee that Instructions were issued in past to RPFCs to grant relaxation under Para 79 of the Employees' Provident Funds Scheme, 1952 to such categories of establishments, which function as an exempted establishments from a prior date, subject to usual conditions, as stipulated in Appendix 'A' to Para 27AA of the Employees' Provident Funds Scheme, 1952 as relaxation is required to be granted from a much prior date in order to regularise a period of time during which the establishment has complied as an exempted establishment without being relaxed. Because the law allows only the relaxed establishments to maintain its separate fund and function as an exempted establishment before the grant of exemption under Section 17 of the Act.

4.3 Additional CPFC (Compliance) also informed the Committee that Regional PF Commissioners continue to conduct compliance audit over the years treating these establishments as if exempted and forwarded the applications submitted by these establishments for grant of exemption from the operation of the Employees' Provident Funds Scheme, 1952 where no relaxation has been granted. A number of proposals pending for grant of exemption are of this nature. These establishments comply to all the conditions required for exemption as provided in Appendix-A to Para 27AA of the Employees' Provident Funds Scheme, 1952. For want of relaxation, the proposals of establishments of above nature are pending. If these cases are not regularised, then the interest of the employees will be at stake and they would suffer for no fault of theirs. These cases thus need to be regularised.
4.4 Shri A.K. Padmanabhan suggested that the cases of these so called exempted establishments have to be regularised in the interest of the employees and this should be a one time exercise for disposing the applications of these establishments pending for grant of exemption for years together. He felt that without much delay cases of this nature should be forwarded to the Appropriate Government for grant of exemption.

4.5 Shri B.P. Pant pointed out that no relaxation could be given to these establishments who maintain PF Trusts on their own even after issue of instructions. The establishments made continuous effort in pursuing their cases but no action is taken for processing their cases. He also stated that the establishments which maintain Trusts without relaxation or permission need to be regularised by way of grant of exemption without further delay.

4.6 Shri Sushanta Sen wanted to know as to why no relaxation was granted in these cases.

4.7 Additional CPFC (Compliance) apprised the members that it is a systemic failure and for no fault of the employers, the proposals be kept pending further. He requested the Hon'ble members to take appropriate decision to regularise these cases.

4.8 Chairman informed the Committee that the power to grant relaxation under Para 79 of the Employees' Provident Funds Scheme, 1952 has been withdrawn from the Regional PF Commissioners w.e.f. 24.07.2012. Grant of exemption in all these cases is pending due to lack of relaxation order /permission on account of the failure on the part of the field functionaries. These establishments are assumed to be exempted establishments even in the absence of relaxation order /permission. The Committee may consider, as an one time exercise, to regularise these pending cases where the establishments maintain the Trusts and abide by the conditions stipulated in Appendix 'A' to Para 27AA of the Employees' Provident Funds Scheme, 1952.

With this deliberation, it was decided that the applications of these establishments which maintain their PF Trusts without any relaxation /permission to participate in the main Trusts of their parent establishment should be processed without further delay and be placed before the Appropriate Forum for forwarding the same to Appropriate Government for grant of exemption.

The meeting ended with vote of thanks to the Chair.
Item No.2  Action Taken Statement in respect of decisions taken in the 36\textsuperscript{th} meeting of the Sub-Committee of the Central Board of Trustees, EPF on Exempted Establishments held on 15.05.2014.

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<thead>
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<th>Sl. No.</th>
<th>Decisions / Directions of the Committee</th>
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<tbody>
<tr>
<td>1.</td>
<td>Conducting study of the functioning of the establishments already granted exemption by Members of the Committee. Chairman directed that the details of the Exempted Establishments shall be supplied to Hon'ble Members by 25\textsuperscript{th} May, 2014 to start the study. (Item No.2,36\textsuperscript{th} Meeting of the Committee, 15.05.2014)</td>
<td>The details of exempted establishments have been supplied to the Committee Members for the study on 28.05.2014 Action Complete.</td>
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<tr>
<td>2.</td>
<td>Preparation of guidelines in the form of a small booklet for issue to the exempted establishments for educating the employers so that deviations are not committed in managing and maintaining the Trust. Shri B.P.Pant suggested that the guidelines in the form of a small booklet be issued to the exempted establishments to educate the employers so that deviations are not committed managing and maintaining the Trust. (Item No. 2, 36\textsuperscript{th} Meeting of the Committee, 15.05.2014)</td>
<td>Time to time instructions issued to the field offices on various issues of exemption are uploaded on the official website of EPFO which can be visited by Exempted Establishments. However, attempts have already been taken to prepare a small booklet as suggested by Hon’ble Member. It will take some more time, as the staff is awfully busy with Universal Account Number (UAN) presently.</td>
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<th>Sl. No.</th>
<th>Decisions / Directions of the Committee</th>
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<tr>
<td>3.</td>
<td>Investigation into the compliance position of Sahara India, Jai Prakash Associates, UP Drugs and Pharmaceuticals and UP State Road Transport Corporation. Chairman directed that the investigation be carried out on top priority in the interest of the workers and followed up regularly and the development thereof be apprised to the Committee. <em>(Item No. 2, 36th Meeting of the Committee, 15.05.2014)</em></td>
<td>Investigation is going on nation-wide in respect of Sahara India and Jai Prakash Associates and the same is being regularly monitored. The interim report will be submitted to the Committee in their next meeting. Appropriate action has already been taken against the UP Drugs and Pharmaceuticals and UP State Road Transport Corporation. The final reports will be submitted to the Committee in their next meeting.</td>
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<td></td>
<td>Bifurcation of Exempted Establishments into two parts - one which function as per rules and the other which fail to function appropriately, to set right the functioning of the exempted establishments in the interest of the workers. Shri Ashok Singh suggested that the exempted establishments be divided in to two parts - one which function as per rules and the other which fail to function appropriately. Strong action, even cancellation of exemption, should be taken to set right the functioning of the exempted establishments in the interest of the workers. <em>(Item No. 2, 36th Meeting of the Committee, 15.05.2014)</em></td>
<td>Instructions have been issued to field offices: a) to carry out compliance audit of 25% of the Exempted establishments functioning in their jurisdiction each quarter; b) to analyse and review the periodical reports of exempted establishments; c) to carry out third-party audit of the accounts of the Fund maintained by the Board of Trustees by independent empanelled Chartered Accountants of EPFO; and d) to monitor the functioning of the exempted establishments online.</td>
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<td></td>
<td>Action Complete.</td>
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Item No.3 : Grant of exemption under Section 17(1)(a) of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 and Para 27A of the Employees' Provident Funds Scheme, 1952 by Appropriate Government.

3.1 Section 17(1) of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 provides for 'exemption' as under:

Power to exempt – (1) The Appropriate Government may by notification in the Official Gazette, and subject to such conditions as may be specified in the notification exempt, whether prospectively or retrospectively, from the operation of all or any of the provisions of any Scheme. Any establishment to which this Act applies, if, in the opinion of the Appropriate Government, the rules of its provident fund with respect to the rates of contribution are not less favourable than those specified in Section 6 and the employees are also in enjoyment of other provident fund benefit which on the whole are not less favourable to the employees than the benefits provided under this Act or any Scheme in relation to the employees in any other establishment of a similar character; or

a) Any establishment if the employees of such establishment are in enjoyment of benefits in the nature of provident fund, pension or gratuity and the Appropriate Government if of the opinion that such benefits, separately or jointly, are on the whole not less favourable to such employees than the benefits provided under this Act or any Scheme in relation to employees in any other establishment of a similar character.

3.2 Provided that no such exemption shall be made except after consultation with the Central Board which on such consultation shall forward its views on exemption to the Appropriate Government within such time limit as may be specified in the Scheme.

Para 27A (1) of the Employees' Provident Fund Scheme, 1952 provides:

"The Appropriate Government may be ordered subject to such conditions as may be specified in the order exempt from the operation of all or any of the provisions of this Scheme any class of employees to whom the Scheme applies:

Provided that such class of employees is entitled to benefits in the nature of Provident Fund, gratuity or old age pension according to the rules of the [factory or other establishment] and such benefits separately or jointly are on the whole not less favourable than the benefits provided under the Act and this Scheme".
3.3 As per the above provisions of the Employees’ Provident Funds and Miscellaneous Provisions Act, 1952 and Ministry of Labour and Employment letter dated 01.04.2008, all cases of grant of exemption shall be placed before the Central Board of Trustees, EPF for consideration before sending the same to Appropriate Governments. The copy of the Ministry’s DO letter dated 01.04.2008 is placed as Annexure-3A.

3.4 Before placing a proposal in the CBT, EPF, its suitability is scrutinized with respect to the provisions for grant of exemption as contained under Section 17 of the Employees’ Provident Funds and Miscellaneous Provisions Act, 1952. Further in view of the guidelines issued by Ministry of Labour & Employment, Government of India vide their letter dated 27.02.2007, as placed at Annexure – 3B, all RPFCs furnish a certificate after due verification carried out at their end with regard to the Ten Point Check List.

3.5 Ministry of Labour & Employment, Government of India has also issued directions to the effect that the proposals shall be forwarded only if the latest Compliance Audit Report is found to be satisfactory. Hence compliance audit covering all the points as mentioned under the revised conditions for grant of exemption is undertaken and a copy of the said report is ready to be forwarded to the Appropriate Government.

3.6 Central Board of Trustees in its 202nd meeting held on 13.01.2014 authorized this committee to consider exemption proposals subject to ratification by the Board, as a one-time arrangement which has been necessitated because of large number of proposals required to be considered in the current year in view of Income Tax exemption to the Trusts managing their own PF only up to 31.03.2014. A copy of the agenda item No. 36 placed before the 202nd meeting of the CBT and minutes of the meeting are annexed herewith and marked as Annexure -3C and Annexure -3D respectively. Terms of reference of the Committee on Exempted Establishments is placed at Annexure – 3E.

3.7 A list of establishments as indicated in Annexure – 3F is now placed before Sub-Committee for consideration and recommendation to Appropriate Government on behalf of the Central Board of Trustees, EPF in accordance with the proviso to Section 17 of the Act.

Proposal: The Sub-Committee is requested to consider and recommend the proposal in respect of establishments indicated in Annexure –3F to the Appropriate Government on behalf of the Central Board for grant of exemption.
As you are aware, section 17(1) of the Employees' Provident Funds & Miscellaneous Provisions Act, 1952 provides that appropriate Government may, inter alia, exempt any establishment from the operations of any schemes subject to the condition that such exemption shall be made after consultation with Central Board of Trustees (EPF).

2. The Ministry has received a number of cases of establishments recommending exemption under Section 17(1) of the Act and para 17A of EPF Scheme. In these cases, as decided in some earlier meetings of Central Board of Trustees (EPF), Central Provident Fund Commissioner has been exercising the powers of the Board while recommending the cases to the appropriate Government.

3. This matter has recently been examined in consultation with Department of Legal Affairs who have opined that under section 5E of the Act, essential function of the Central Board of Trustees (EPF) like this function cannot be delegated and such delegation by the Board under general powers of section 5E of special function of consultation under section 17 will not be permissible.

4. The matter has been brought to the kind notice of Chairman, CBT/Mrs'ble LEM who has also concurred with these views and it has been decided that henceforth all such cases of exemption be placed before the Central Board of Trustees (EPF) for consideration before sending the same to appropriate Government as per the provisions of the Act.

5. In view of the above, I shall be grateful if you could kindly take further action in this subject matter accordingly.

Yours sincerely,

[Signatures]

S.K. Srivastava
Joint Secretary


April 1, 2008

Shri A. Vishwanathan,
Central Provident Fund Commissioner,
Employees' Provident Fund Organisation,
New Delhi-110066.
Kindly refer to Ministry's d.o. letter bearing no. 8-35015/19/2003-SS-II dated 7th Jan., 2004 from the then Joint Secretary regarding incorporation of nine-point checklist in the EPFO's proposal while sending the same to the Ministry seeking exemption to establishments under the EPF & MP Act, 1952.

2. As you are aware that due to changes in the Income Tax Act, 1962 announced in the Budget 2006-07, a number of establishments are seeking exemption under the EPF & MP Act, 1952 before 31-3-2007 in a time bound manner. As a part of the initiative for disposal of such cases in a speedy and efficient manner, it has been decided that EPFO should incorporate one more check point to the existing nine-point checklist viz.

"Whether the establishment is fulfilling the prescribed conditions after grant of reclassification under Para 79 of the EPF Scheme, 1952, and that there is no violation of these conditions."

3. Hence, a standardized forwarding letter may be devised mentioning the requisite check points in a systematic manner. Revised ten-point checklist is enclosed herewith. Further this ten-point checklist should be filled in and signed by the competent officer concerned of the EPFO and not by the establishment. Since CBF, EPFO has delegated powers to CPFC for recommending exemption cases to the Central Government, EPFO's letter should clearly mention that the exemption proposal has the approval of the CPFC.

4. I shall be grateful if you could arrange to furnish the proposal in respect of each establishment in future on the above lines so that the same could be examined and processed in the Ministry in a more efficient and time-bound manner. It may kindly be ensured that the proposals received from EPFO are complete in all details.

With regards,

Shri A. Viswanathan,
Central Provident Fund Commissioner,

[Signature]

[Signature]

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Ten-point check list which should be furnished along with the proposal for exemption to the Ministry

1. Whether a board of trustees has been created under the chairmanship of employer?
2. Whether all the eligible employees are enrolled as members?
3. Whether the accounts will be maintained electronically and all the members will be able to see their account balance from the computer terminals? If not, the reasons therefor, and by what time accounts are expected to be maintained electronically?
4. Whether board of trustees have furnished a copy of prescribed undertaking to the RPF C concerned as per the condition no. 22 contained in Appendix A to the EPP Scheme, 1952? If yes, a copy of the same to be enclosed.
5. Whether the employer and the board of trustees have furnished the undertaking as per condition no. 23 contained in Appendix A to the EPP Scheme, 1952? If yes, a copy of the same to be enclosed.
6. Comparative statement of benefits admissible under the EPF & MP Act, 1952 and the Scheme proposed by the establishment on the basis of which it is concluded that the Scheme of the establishment is at least comparable with those of the Act?
7. Mechanism proposed by the EPFO/RPF to ensure that establishment is complying with the provisions of the conditions for grant of exemption.
8. Name of the RPF C in whose jurisdiction the establishment falls.
9. Payments, which need to be made by the establishment to EPFO even after grant of exemption.
10. Whether the establishment is fulfilling the prescribed conditions after grant of relaxation under Para 79 of the EPF Scheme, 1952 and there is no violation of the same?
Item No. 36 Authorizing the Committee on Exempted Establishments (A Sub-Committee of the Central Board) for consideration of the proposals for grant of exemption to the establishments subject to ratification.

36.1 Proposals for grant of exemption to establishments from the operation of the Employees' Provident Fund Scheme, 1952 under Section 17(1)(a) Employees' Provident Funds & Miscellaneous Provisions Act, 1952 and under Section 17(2) of the Act read with Paragraph 27A of the Employees' Provident Fund Scheme, 1952 received from field offices are examined in the Head Office with reference to the guidelines on the subject issued from time to time.

36.2 Section 17(1) of the Act stipulates that “no such exemption shall be made except after consultation with the Central Board which on such consultation shall forward its views on exemption to the appropriate Government within such time limit as may be specified in the Scheme”.

36.3 Once the proposals are found to be complete in all respects, the same are placed before the Central Board for consideration and recommendation to the Appropriate Government for grant of exemption and notification thereof within such time limit as may be specified in the Scheme.

36.4 Once the proposals are considered and approved by the Central Board, they are forwarded to the Appropriate Government with the recommendation for grant of exemption and notification in the Official Gazette.

36.5 Clause (ea) was inserted in Rule 4 of Part-A of Fourth Schedule to the Income-tax Act, 1961 vide Finance Act, 2006 to provide that recognition to a provident fund under the Income-tax Act shall be restricted to only such funds:

a) Which are covered under sub-section (3) or sub-section (4) of Section 1 of the EPF & MP Act, 1952; and

b) Which have been exempted under Section 17 of the EPF & MP Act, 1952 from the operation of any scheme framed therein.

36.6 It was also provided that the funds approved prior to 31.03.2006 shall not be eligible for income-tax benefit if they did not satisfy the conditions set out in clause (ea) of Rules 4 by 31.03.2007. Accordingly, EPFO was required to take necessary action in respect of the funds recognized under the Income-tax Act on or before 31.03.2006 and who did not satisfy the conditions stipulated in clause (ea) of Rule 4 of Part 'A' of Fourth Schedule to the Income-tax Act. The time period given in the statute was initially for one

36.7 While extending the time limit till 31.03.2014, Ministry of Finance, Government of India made it clear that there will be no further extension of the time limit.

36.8 Approximately, 260 proposals for exemption are pending on the part of EPFO. Some of them are under the process of examination at Head Office level and some are at the level of field offices. The processing of the proposals takes time as the same are to be given complete shape in consultation with the field offices before placing the same to the Central Board for consideration.

36.9 The Government of India, Ministry of Labour & Employment in their letter dated 01.04.2008 issued direction to EPFO that all such cases of exemption be placed before the Central Board for consideration before sending the same to Appropriate Government as per the provisions of the Act. The proposals, which are sent to Appropriate Government for grant of exemption shall be routed through the Central Board only. The said direction is placed at Annexure 36-A.

36.10 Proviso to Paragraph 11 of the Employees' Provident Funds Scheme, 1952 provides that the Central Board shall meet at least twice in each financial year. The last meeting (2013) of the Central Board was held on 25.02.2013. During the current year, 2013-14, no meeting of the Board could be held till date.

36.11 In view of above, it may not be possible to obtain the approval of the Central Board within 31.03.2014 for all the proposals which are in order before forwarding the same to the Appropriate Government for grant of exemption and notification thereof in the Official Gazette. This may lead to undesirable deadlock.

36.12 To overcome such possible deadlock, it is proposed that the power vested in the Board for considering and recommending the proposals to Appropriate Government (for grant of exemption and notification thereof) may be delegated to the Sub-Committee of the Central Board on Exempted Establishments. All such proposals which are approved by the Sub-Committee and sent to Appropriate Government will be put up to the Central Board in their subsequent meeting for information and ratification.

36.13 Such delegation of power will streamline and expedite the processing of exemption proposals to some extent.

Proposal: The Central Board is requested to consider and accord approval to the proposal of authorizing the Sub-Committee on Exempted Establishments for consideration of the proposals for recommending to Appropriate Government for grant of exemption to the establishments subject to ratification.
E M P L O Y E E S ' P R O V I D E N T  F U N D  O R G A N I S A T I O N
MINUTES OF THE 202nd CBT MEETING
(NEW DELHI; 13 January 2014; 1030 AM)

The 202nd meeting of the Central Board of Trustees', Employees' Provident Fund (CBT, EPF) was held under the Chairmanship of Shri Oscar Fernandes, Chairman CBT, EPF and Union Minister of Labour & Employment. The following members attended the meeting:

1. Ms. Gauri Kumar
   Secretary (Labour & Employment)
   Government of India, New Delhi
2. Shri PK Pujari, AS & FA
   Ministry of Labour & Employment
   Government of India, New Delhi
3. Shri Arun Kumar Sinha, AS
   Ministry of Labour & Employment
   Government of India, New Delhi
4. Shri Ravi Wig
   Ministry of Finance, Government of India
5. Shri Animesh Bharti, Director (S)
   Ministry of Labour & Employment
   Government of India, New Delhi
6. Shri K.K. Jalan,
   Central PF Commissioner
7. Shri JP Chowdhary
8. Shri Sharad Patil
9. Shri Ravi Wig
10. Dr. UD Choubey
11. Shri Badish Jindal
12. Shri BP Pant
13. Shri Sushanta Sen
14. Shri G.P. Srivastava
15. Dr Ram Tarneja
16. Shri SS Patil
17. Shri Virijesh Upadhyay
18. Shri M Jagdeeshwara Rao
19. Shri Ram Kishore Tripathy
   (vice Shri AD Nagpal)
20. Shri DL Sachdeva
21. Shri Ashok Singh
22. Shri Krishna Chakraborty
   (vice Shri Shankar Saha)
23. Shri Raman Pandey
24. Shri AK Padmanabhan
25. Shri Prabhakar J Banasure

26. Shri Sanjay Prasad, Principal Secretary (Labour & Employment), Gujarat
27. Shri S.S. Randawa, I.A.C, Labour Department, Punjab
28. Shri V.S. Arya, Joint Labour Commissioner, Delhi
29. Shri Girraj Singh, Principal Secretary (Labour & Employment, Rajasthan
30. Ms. Nandita Gupta, Labour Commissioner & Director (Employment), Himachal Pradesh

Following members could not attend the meeting and were granted leave of absence:

1. Sh K Suresh
   Minister of State for Labour & Employment
   Vice Chairman

2. Dr G Sanjeeva Reddy
   Employees representative

3. Principal Secretary (Labour), Andhra Pradesh
4. Principal Secretary (Labour), Uttar Pradesh
5. Principal Secretary (Labour), Tamil Nadu
6. Principal Secretary (Labour), Kerala
7. Principal Secretary (Labour), Maharashtra
8. Principal Secretary (Labour), Chhattisgarh
9. Principal Secretary (Labour), Haryana
10. Principal Secretary (Labour), Sikkim
11. Principal Secretary (Labour), Madhya Pradesh
12. Principal Secretary (Labour), West Bengal

The list of the officers of the Employees' PF Organisation who attended the meeting is appended as Annexure A to these minutes.

At the outset, CPFC welcomed the Chairman and Members. The Board observed two minutes' silence in memory of former Chairman of the CBT, EPF and Hon'ble former Union Minister of Labour & Employment, Shri Sis Ram Ola ji. A condolence message to be sent to the family of Shri Ola was also adopted by the Board.

Thereafter, Board welcomed first time members to the Board s/Shri Prabhakar J Banasure, Virijesh Upadhyay, employees' representatives, SS Patil, employers' representatives of state Governments of Rajasthan and Himachal Pradesh.

The agenda items were, thereafter, taken up for discussion.
Item No.1: Confirmation of the minutes of 201st CBT meeting held on 25.02.2013

The minutes of the meeting circulated on 08.03.2013 were confirmed by the Board.

Item No. 2: Action Taken Statement in respect of decisions taken up to the 201st CBT meeting held on 25.02.2013.

2.1 Noted.

2.2 Noted.

2.3 Noted. Shri Ravi Wig stated that Permanent Account Numbers need to be issued urgently to facilitate extension of PF benefits to all especially peripatetic workers. It was assured that the matter will be looked into. Secretary (L&E) informed that EPFO has already been instructed to come up with a timeline for this purpose.

2.4 to 2.15 Noted.

2.16 Noted. Shri MJ Rao stated that he has been repeatedly requesting amendments in Section 6C of the Act to extend medical benefits to EPF members. It was informed that comprehensive amendments to the Act are under consideration of the Ministry and the proposal will be suitably considered at the time of finalisation of comprehensive amendments.

Shri MJ Rao, DL Sachdeva and Ramam Banday stated the issue of extension of PF benefits to contractual employees of All India. They informed that many of such employees have been extended ESI benefits but not the PF benefits. Secretary (L & E) directed ACC(C) to examine the issue and take necessary action on an urgent basis.

Item No. 3: Purchase of ready built office space and residential apartments to be constructed by NBCC (Govt. of India enterprise) at East Kidwai Nagar, New Delhi.

The Board approved the agenda as contained in the memorandum. A few members, however, stated that such proposals should have prior approval of the Central Board. They also pointed out that meeting of the Board are not held regularly. The members were informed that since time bound action was required to be taken in the matter and there was no time to go through all the formalities beforehand, action was taken after obtaining the approval of the then Chairman, Executive Committee and Chairman, CBT.

Item No.4: Recovery of excess amount of Pension drawn by Shri Sukhdeo Sharma Madhup, UDC (Retd), Patna from 01.02.2003 onwards.

CPFC informed that a revised agenda has been circulated on the table today. EPFO was instructed to see if there was any angle of collusion and to take suitable action if case was made out. EPFO was also directed to investigate if similar cases were in existence. It was also decided that strict instructions should be issued so that such cases do not recur.
The Board approved the agenda as contained in the revised memorandum.

Item No. 5: Reconstitution of Executive Committee - Election of the representatives of employers' and employees' to the Executive Committee of the Central Board of Trustees.

The Board authorized the Chairman to nominate, government representatives to the Executive Committee. The Board unanimously recommended following representatives to the Executive Committee:-

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<tr>
<th>SI No.</th>
<th>Name of the Member</th>
<th>Representing</th>
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<tbody>
<tr>
<td>1.</td>
<td>Dr G Sanjeeva Reddy</td>
<td>Employees</td>
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<tr>
<td>2.</td>
<td>Shri M J Rao</td>
<td></td>
</tr>
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<td>3.</td>
<td>Shri AD Nagpal</td>
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<td>4.</td>
<td>Dr UD Choubey</td>
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<td>5.</td>
<td>Sh Badish Jindal</td>
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<tr>
<td>6.</td>
<td>Shri Ravi Wig (for the first term of two and a half years)</td>
<td>Employers</td>
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<td>Sh Sharad Patil (to replace Shri Ravi Wig for next term of two and a half years)</td>
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Item No. 6: Reconstitution of other non-statutory Sub-Committees of Central Board of Trustees, Employees' Provident Fund.

The Board authorized the Chairman to nominate government representatives and domain experts to the committees. The Board also recommended that the Finance & Investment Committee be renamed as Finance Investment and Audit Committee (FIAC) and shall look after audit related issues as well.

Following were recommended for nomination to the sub-Committees:-

**FINANCE INVESTMENT AND AUDIT COMMITTEE**

<table>
<thead>
<tr>
<th>SI No.</th>
<th>Name of the Member</th>
<th>Representing</th>
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<tbody>
<tr>
<td>1.</td>
<td>Shri Ram Tarneja</td>
<td>Employers</td>
</tr>
<tr>
<td>2.</td>
<td>Shri J.P. Chowdhary</td>
<td></td>
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<td>3.</td>
<td>Dr G Sanjeeva Reddy</td>
<td></td>
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<tr>
<td>4.</td>
<td>Shri P.J. Banasture</td>
<td>Employers</td>
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**PENSION IMPLEMENTATION COMMITTEE**

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<tr>
<th>SI No.</th>
<th>Name of the Member</th>
<th>Representing</th>
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</thead>
<tbody>
<tr>
<td>1.</td>
<td>Shri G.P. Srivastava</td>
<td>Employers</td>
</tr>
<tr>
<td>2.</td>
<td>Shri Sharad Patil</td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td>Shri Virajesh Upadhyay</td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td>Shri DL Sachdeva</td>
<td></td>
</tr>
</tbody>
</table>
COMMITTEE ON EXEMPTED ESTABLISHMENTS
1. Shri B.P. Pant
2. Shri Susanta Sen
3. Shri A.K. Padmanabhan
4. Shri Ashok Singh

The Committee on Exempted Establishments shall also consider the pending exemption proposals where relaxation has been granted before 31.03.2013 and which have been submitted in the current financial year on behalf of the Central Board and recommend the same to Appropriate Government for grant of exemption. This will be a one-time arrangement which has been necessitated because of large number of proposals required to be considered in the current year in view of Income Tax exemption being available to trusts managing their own PF only up to 31.03.2014.

All other functions of different Sub-Committees of the Central Board shall be as proposed in the agenda.


The Board considered the agenda note.

Shri JP Chaudhary made following points:
1. Lot of amount is locked up in arrear and litigation is pending on them.
2. PSUs account for a large share of the default and some special recovery should be thought of to address this issue.
3. Singapore CPF has a scheme where it provides housing benefits to its PF members.
   For this purpose EPF delegation had visited Singapore to study the same few years ago. EPFO should think of a Scheme on these lines.
4. It may be ascertained whether a case exists for reducing Administrative Charges.
5. Permanent account number for PF members is required urgently.

Shri M.J. Rao made following points:
1. Huge amount of arrears, especially the Not Immediately Realisable (NIR) category is a cause of concern.
2. The Board had earlier recommended that High Courts be approached for setting up special benches for EPF related matters; there has been no progress in the matter.
3. There should be no pendency in settlement of pension cases, especially death claims.
4. Even though Annual Accounts slips contain columns for Date of Birth, Date of Joining and nomination but in most of the cases the field is left blank. The fields must be completed and members informed so that they can request for modifications, if any.
v. Growth in funds invested was declining. This needs to be analysed and put up before the Board.

Shri Ashok Singh made following points:-

i. The benefits in death cases be expedited;
ii. The nomination of the members needs to be collected at the time they become Provident Fund members.
iii. Rate of growth in membership is very low vis-a-vis the growth in number of establishments covered. This needs to be looked into.
iv. The information about membership should be indicated in three categories viz. contributing/non-contributing/inoperative.
v. Unique no. for PF members should be issued on priority.
vi. EPFO should go for universal number and centralisation of database.

Shri A.K. Padmanabhan made following points:-

i. Pension cases need to be handled in a better manner.
ii. Exempted establishments need to be monitored regularly.
iii. Arrears are a cause for concern and needs to be dealt with on priority.

Shri D.L. Sachdeva stated that the details of inoperative accounts are not furnished in the Annual Report. Sri Ramanandan stated that the Advocate’s remuneration is very less and because of this they do not take interest in such cases. The fee needs to be revised.

Responding to members’ observations, CPFC assured that pension processing is being revamped. Generally claims settlement rate has improved and much better picture shall emerge in the report for subsequent yeas. Similarly, the software for monitoring exempted establishments has been released on 12.01.2014 and it is expected to considerably improve the process. CPFC also informed the Board that the issue of permanent PF account number to members and centralization of accounts is under active consideration and an update status would soon be provided to the Board.

Secretary (L & E) made the following observations:-

i. The issue as to whether outstanding EPF dues can be brought under SARFAESI Act (The Securitization and Reconstruction of Financial Assets and Enforcement of Securities Act, 2002) may be taken up with the Department of Financial Services (DFS), Ministry of Finance-(MoF).

ii. It may be ascertained as to whether standing instructions can be given to the banks on deduction of PF dues from employers’ account so that the active days required for collection of such dues is reduced.
III. In order to ensure the PSUs do not default in remittance of PF dues, the matter requires to be taken up with the concerned administrative Departments as well as with Ministry of Finance.

IV. As regards providing housing to the members, the US law for HOPA 1995 may also be studied along with the provisions enforced by the Singapore PF authorities.

V. Specific timelines be fixed for claim settlement pertaining to death cases.

VI. Special campaign may be organised for an early settlement of Court cases on arrears.

VII. The matter of inoperative accounts requires urgent attention. It is the liability of EPFO to identify the members, especially of those establishments which have either been closed or are under liquidation, and settle their claims. A special drive may be launched for this purpose.

VIII. Service level benchmark may be fixed for all major items of work of EPFO and the process of service delivery should be simplified.

IX. The timeline for grievance redressal should be improved further.

X. Coverage of newly identified establishments should be monitored closely so as to increase compliance and improve the gap in coverage of eligible employees.

XI. The issue of decline in growth of funds invested should be analysed and put up before FIAC.

XII. The criteria for granting exemption should be revised.

Intervening in the discussions, Chairman informed the Board that revision of statutory wage ceiling is under active consideration of the government and the issue of reduction in administrative charges will be considered after the wage ceiling is increased. He also stated that it is being contemplated whether a mechanism can be worked out for companies to self declare their PF liabilities in respect of all employees on their rolls and pay the dues electronically every month. Chairman requested the members to consider the possibility of a Housing Scheme for the provident fund members by taking additional contribution from them so that on superannuation they can be assured of some shelter on the lines of the facility extended by the Singapore Provident Fund. He further observed that the name of the nominee should always be included in the details to be submitted by the member and a system should be put in place so that claims are settled within hours and not days as is the present practice.

With these observations the Board approved the Annual Report 2012-13 of the EPFO.

Item No. 8: Audited Annual Account in respect of Employees' Provident Fund Scheme, 1952, Employees' Pension Scheme, 1995 and Employees' Deposit Linked Insurance Scheme, 1976 for the financial year 2012-13.

FA & CAO explained the salient features of the audited Annual Accounts. It was stated that action has already been initiated on all the observations made by the
Comptroller & Auditor General. The matter was deliberated and it was decided to adopt the audited Annual Accounts for the financial year 2012-13 with the following observations of Secretary (L&E):

I. A pro-active effort should be made to locate non-operative accounts.
II. Since, the legal position regarding non-payment of interest in case of inoperative accounts is still not clear, provision may be kept for this purpose.
III. All matters pertaining to legacy in case of accounts should be listed out and placed before the Finance, Investment and Audit Committee which should look into these issues, come out with solution to each problem, fix a time frame for addressing them and monitor its implementation.
IV. All accounts should be updated by 31.03.2014 and adequate provisions should be made for this purpose.
V. The issues required to be taken up with State Bank of India should be listed and action initiated on them. If any issue requires to be dealt with at the level of Department of Financial Services, the same may be brought to the notice of Ministry of Labour & Employment.
VI. Clear SOP should be laid down for withdrawals from inoperative accounts. The Finance, Investment and Audit Committee should monitor and review such withdrawals periodically.
VII. In addition EPFO was advised to include more details on expenditure while submitting the accounts for consideration of the Board.

Item No. 9: Declaration of rates of Interest for the year 2013-14.

The Board considered the agenda item and also went through the observations raised by the Ministry of Finance. The Board noted that sufficient provisions have already been made in Interest Suspense Account and no amount of interest which is due under inoperative account is being used for deciding the rate of interest on Provident Fund deposits for the year 2013-14. It felt that it would be inappropriate not to give dues to the employees as per the provisions of the Scheme. The Board, therefore, decided to recommend to the Government that Provident Fund account holders be given interest at the rate of 8.75% per annum for the year 2013-14.

Item No. 10: Appointment of a Consultant for Selection of Portfolio Manager, Custodian, Concurrent Auditor and Performance Evaluation of Portfolio Managers

Members of the were apprised that the Hon’ble Minister-cum-Chairman has already nominated Shri Sharad Patil and Dr. G.Srijeewa Reddy as members of the Committee to select the Consultant. The Board ratified the same. The Board also ratified the earlier action taken by the EPFO in this regard. Secretary (L&E) observed that the terms of reference for selection of portfolio managers should specifically indicate that there is no
conflict of interest to the extent that EPF funds are used for investment in the parent companies of the portfolio managers.

Item No. 11: Pattern of Investment 2008 notified by Ministry of Labour & Employment

The Board took note of the proposal as contained in the agenda.

Item No. 12: Additional Investment Guidelines for 2008 Pattern of Investment

After deliberations, the Board decided to refer the matter to Finance, Investment and Audit Committee for taking appropriate action. AS & FA, Ministry of Labour & Employment observed that investment in SDL category should be restricted to states following prudent financial norms. Further, investment under this category should be evenly distributed.

Item No. 13: Correction of name and date of birth of PF member - Provision in the Application software- Subsequent amendments in the Manual of Accounting Procedure of EPFO.

The Board approved the proposal as contained in the agenda.


The Board approved the proposal as contained in the agenda with the observation that the name of the nominee should be visible in the Form M devised for this purpose.

Item No. 15: Increasing the minimum administrative charges in EPF Administration (Account No.2) & EDLI Administration Account (Account No.22).

The Board approved the proposal as contained in para 15.17 of the agenda.

Item No. 16: List of ineligible cases for waiver of damages rejected by CPFC.

The Board took note of the proposal placed before it.

Request for waiver of damages (item No. 17 to 27)- The agenda as contained in item numbers 17 to 27 were approved by the board with the rider that the waiver would be only in respect of unpaid damages.

Members raised the issue of certain types of industries such as SMEs MSMEs, plantations etc which are outside the ambit of SARFAESI, which was raised earlier and need to have a separate mechanism. It was decided this may be discussed in Finance, Investment and Audit Committee. Secretary (L&E) observed that the idea of forming a joint lenders’ forum may be explored in this regard. It was decided that this may be further deliberated in Finance, Investment and Audit Committee.
Item No 28: Grant of exemption under Section 17 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 and Para 27A of the Employees' Provident Funds Scheme, 1952 by Appropriate Government.

CPFC informed the Board that a supplementary agenda note circulated earlier has also been placed on the table.

It was informed to the Hon'ble Members that in most of the cases which are brought before the Board, the establishments are enjoying the relaxation for years together and the issue is brought before the Board for regularizing the relaxation and recommending to the appropriate Government for a final decision in the matter. After deliberations, it was decided that in all the cases included in the present agenda be recommended to the appropriate Government for taking a decision. The Board also decided that it should be seen that none of these establishments are in default. It was further decided that a detailed SOP for granting exemption should be brought before the Executive Committee for consideration.

As regards Tata Marcopolo Motors Ltd., it was informed that it is the only case which is pending in the office for grant of exemption. No relaxation has been granted earlier. The Board decided that grant of exemption of Tata Marcopolo Motors Ltd. be recommended from the prospective date.

With these observations, the Board approved the proposals as contained in the agenda.

Item No. 29: 13th Valuation Report of the Employees' Pension Fund as on 31.03.2009 - Report submitted by Sh. P.A. Balasubramanian, Valuer appointed by the Government

The Board approved the proposal as contained in the agenda.

Item No 30: Proposal on amendment of Para 32(1) of EPS, 95-Annual Valuation of Employees' Pension Fund.

The Board decided to continue with annual valuation of the Employees' Pension Fund.

Item No 31: Significant action taken by EPFO since the last CBT (201st meeting held on 25th February 2013) - for Information

The Board took note of the agenda placed before it.
Item No 32: Revised Estimates for the year 2013-14 and Budget Estimates for the year 2014-15 for EPFO and Schemes administered by EPFO.

Since details were not brought about clearly, the Board decided that the Revised Estimates (2013-14) and Budget Estimates (2014-15) to be placed before the Executive Committee who were delegated the power to approve it.

Item No. 33: Delegation of Administrative and Financial Powers to Chief Engineer, PFD, EPFO.

The Board approved the proposal as contained in the agenda.

Item No 34: Grant of Senior Time Scale of PB3 Rs.15600-39100/- Grade Pay Rs. 6600/- to regular APFCs after completion of 5 years – implementation date clarification.

The Board decided that since matter is a complex one, a detailed analysis be made of the whole proposal and placed before Executive Committee for consideration.

Item No. 35: Liberalizing Terms & Conditions for grant of Instalment facility to defaulting establishments to liquidate dues.

The Board approved the proposal as contained in the agenda.

Item No. 36: Authorizing the Committee on Exempted Establishments (A Sub-Committee of the Central Board) for consideration of the proposal for grant of exemption to the establishments subject to ratification.

The Board approved that the Sub-Committee be authorised to consider exemption proposals subject to ratification by the Board as a one time arrangement which has been necessitated because of large number of proposals required to be considered in the current year in view of Income Tax exemption being available to trusts managing their own PF Only up to 31.03.2014.

Item No. 37: Agenda for amendment to the Employees' Deposit Linked Insurance Scheme, 1976.

The Board was informed that actuarial valuation of the EDLI Scheme 1976 is underway. Board decided that pending finalisation of the actuarial valuation, an interim additional benefit of 20% over and above what is admissible under the provisions of the Scheme be allowed to beneficiaries.

Shri M.J.Rao stated that there is a need for providing medical benefit to members by amending Section 6C of the Act. It was felt that this issue has already been raised earlier also will be studied further.
Item No.38: Suggested issues by few CBT members.

The Board decided that whenever any fraud is discovered civil and criminal action shall be taken against delinquent employers.

Members desired that the contact details of EPF officers be updated regularly on www.epfindia.gov.in

The Board appreciated that agenda and minutes of CBT and EC are available on web. It was desired that agenda and minutes of all sub-Committees of the Board and Executive Committee be also put on web. The Board also directed to explore the possibility of setting up of information kiosks in all offices of EPFO so that stakeholders could access information through such kiosks directly.

Shri MJ Rao raised the issue of installation of lift in the SRO Vishakhapatnam. Shri A.K. Padmanabhan stated that the issue of office building for SRO Tambaram needs to be resolved at the earliest.

Shri Raman Pandey raised the issue of workers in mills in Kolkata, many of which are exempted establishments and are not paying PF and gratuity dues and holding on to workers' money. He also raised the issue of providing Social Security in the form of PF to workers engaged in various shifting operations.

The meeting ended with a vote of thanks for all.
To - 

All Members
Central Board of Trustees, EPF

Subject: Reconstitution of Committee on Exempted Establishments, CBT, EPF - Regarding.

Sir,

I am directed to say that consequent to the reconstitution of the Central Board of Trustees, EPF, the competent authority has reconstituted the Committee on Exempted Establishments, of the CBT consisting of the following members:

<table>
<thead>
<tr>
<th>Chairman</th>
<th>CPFC (Ex-officio)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Central Govt. representative</td>
<td>1) JS&amp;FA, Ministry of Labour &amp; Employment</td>
</tr>
<tr>
<td></td>
<td>2) Director (SS), MOL&amp;E</td>
</tr>
<tr>
<td>Employers' Representative</td>
<td>3) Shri B.P. Pant</td>
</tr>
<tr>
<td></td>
<td>2) Shri Susanta Sen</td>
</tr>
<tr>
<td>Employees' Representative</td>
<td>1) Shri A.K. Padmanabhan</td>
</tr>
<tr>
<td></td>
<td>2) Shri Ashok Singh</td>
</tr>
<tr>
<td>Convener</td>
<td>ACC (Exemption), EPFO</td>
</tr>
</tbody>
</table>

The terms of reference of the Committee on Exempted Establishments are as under:

i) To oversee the working of exempted establishments in all respects and to make suggestions for consideration of the Board to improve working of the exempted establishments.

ii) To consider and suggest additional guidelines for grant of exemption/relaxation.

iii) To review the role of exempted trusts in the context of changing business environment and current experience.

iv) The Committee on Exempted Establishments shall also consider the pending exemption proposals where relaxation has been granted before 31.03.2013 and which have been submitted in current financial year on behalf of the Central Board and recommend the same to Appropriate Government for grant of exemption. This will be a one-time arrangement which has been necessitated because of large number of proposals required to be considered in the current year in view of Income Tax exemption being available to trusts managing their own PF only up to 31.03.2014.

(This issues with the approval of the CPFC).

Yours faithfully,

Additional Central Provident Fund Commissioner (Conf.)
Copy for information and necessary action:

1. PS to Hon'ble Chairman Central Board of Trustees (EPF), Ministry of Labour & Employment, Shram Shakti Bhawan, New Delhi.
2. PS to Hon'ble Vice-Chairman Central Board of Trustees (EPF), Ministry of Labour & Employment, Shram Shakti Bhawan, New Delhi.
3. PS to Secretary Labour & Employment and Chairperson, Executive Committee (EPF), Ministry of Labour & Employment, New Delhi.
4. PS to Additional Secretary (SS), Labour & Employment Ministry of Labour & Employment, New Delhi.
5. PS to Joint Secretary (SS)/Director (SS), Ministry of Labour & Employment, Shram Shakti Bhawan, New Delhi.
7. All Divisional Heads In Head Office.
8. The Section Officer, SS-II Section, Ministry of Labour & Employment, Shram Shakti Bhawan, New Delhi.
9. PS to CPFC vide Dy. No. 85882 dated 07/03/2014
10. Guard File.

Additional Central Provident Fund Commissioner (Conf.)
Item No. 6  Reconstitution of other non-statutory Sub-Committees of Central Board of Trustees, Employees' Provident Fund.

6.1 The Central Board of Trustees, Employees' Provident Fund has been reconstituted vide Gazette notification No.V-20012/1/2013-SS-II dated 23.05.2013 for a period of five years. This has necessitated reconstitution of the Committees/Sub-Committees of the Board.

6.2 The Employees' Provident Funds & Misc. Provisions Act, 1952 provides for constitution of Executive Committee under Section 58A to assist the Board in discharge of its functions. A separate agenda item proposing constitution of Executive Committee, CBT (EPF) is placed as item No.3 in this agenda book for consideration of the Board.

6.3 There is no provision in Act and/or Schemes framed thereunder to provide for constitution of any other committees/sub-committees. However, as indicated below, the Board, has from time to time constituted specialized Committees to assist the Board in discharge of its functions:

a) Finance & Investment Committee
b) Pension Implementation Committee
c) Committee on Exempted Establishments

6.4 The functions of these Committees are given below:

(a) Finance & Investment Committee:
   i. To oversee the investments being done at present by portfolio managers.
   ii. To watch timely investment of trust money with a view to realizing the optimum return thereon.
   iii. To issue such directions, as may be considered necessary, to the portfolio managers in regard to investment-re-investment of redemption proceeds, interest etc. with the investment pattern provided by the Govt. from time to time.
   iv. To recommend rate of interest for the members of the Fund.
   v. Periodic review of utilization of the Special Reserve Fund.
   vi. To recommend formulation of guidelines for utilization of the Special Reserve Fund.
   vii. Any others work/responsibility that may be assigned by the Board.

(b) Pension Implementation Committee:
   i. To review the functioning of the Employees' Pension Scheme, 1995 including computerization in EPFO, disbursement of pension etc.
   ii. To consider suggestion/proposals for amendment in the Employees' Pension Scheme, 1995.
(c) Committee on Exempted Establishments:

i. To oversee the working of exempted establishments in all respects and to make suggestions for consideration of the Board to improve working of the exempted establishments.

ii. To consider and suggest additional guidelines for grant of exemption/relaxation.

iii. To review the role of exempted trusts in the context of changing business environment and current experience.

iv. For consideration of proposals for grant of exemption to the establishments subject to ratification.

6.5 As these Committees are now required to be reconstituted following composition is proposed:

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Name of the Sub-Committee</th>
<th>Chairman</th>
<th>Representative of</th>
<th>Domain Expert</th>
<th>Convenor</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>EEs.</td>
<td>ERs.</td>
<td>Govt.</td>
</tr>
<tr>
<td>A.</td>
<td>Finance &amp; Investment Committee</td>
<td>CPFC (ex-officio)</td>
<td>2</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>B.</td>
<td>Pension Implementation Committee</td>
<td>CPFC (ex-officio)</td>
<td>2</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>C.</td>
<td>Committee on Exempted Establishments</td>
<td>CPFC (ex-officio)</td>
<td>2</td>
<td>2</td>
<td>2</td>
</tr>
</tbody>
</table>

6.6 From time to time, Board had also constituted Sub-Committees for specific purposes as indicated below:

<table>
<thead>
<tr>
<th>S.N.</th>
<th>Name of the Committee</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Sub-Committee on study and implementation of XLRI Report</td>
</tr>
<tr>
<td>2.</td>
<td>Sub-Committee on review of Employees Pension Scheme 1995</td>
</tr>
<tr>
<td>3.</td>
<td>Sub-Committee on Workers Capital Trust</td>
</tr>
<tr>
<td>4.</td>
<td>Sub-Committee for monitoring the extension of social security to the construction workers</td>
</tr>
<tr>
<td>5.</td>
<td>Sub-Committee on Strategic Adjustment in Compliance 2001 Programme</td>
</tr>
<tr>
<td>6.</td>
<td>Sub-Committee of the Executive Committee on Building and Construction.</td>
</tr>
</tbody>
</table>
6.7 These sub-Committees being subject specific have served their purpose. As and when any specific issue is placed before the Board for consideration, the Board may consider constituting a separate sub-Committee as required.

6.8 There was a separate Committee of the Board on IT Reforms and for Monitoring Re-Inventing EPF India, constituted for overseeing the implementation of Phase-I of Computerisation in EPFO. However, CBT, EPF in its 200th meeting held on 7th August 2012 has approved following delegation of powers regarding Computerisation:

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Chairman, CBT, EPF</th>
<th>Full Powers</th>
</tr>
</thead>
</table>
| 1.      | Executive Committee, CBT, EPF | a) Upto Rs. 25 crore,  
          |                    | b) Beyond Rs. 25 crore, the matter shall be placed before Chairman of the Board alongwith recommendations of the EC. |
| 2.      | Central Provident Fund Commissioner | Upto Rs. 5 crores. |

6.9 In view of the foregoing the Committee on IT Reforms shall now be a Sub-Committee of Executive Committee, CBT, EPF. There is another sub-Committee of Executive Committee, viz. the Committee on Building and Construction. Following composition is proposed for these sub-Committees:

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Name of the Sub-Committee</th>
<th>Chairman</th>
<th>Representative of</th>
<th>Domain Expert</th>
<th>Convener</th>
</tr>
</thead>
</table>
| 1.      | Committee on IT Reforms | CPFC  (ex-officio) | 01  01 | a) Additional Secretary, Ministry of Labour & Employment.  
b) FA, Ministry of Labour & Employment.  
c) JS (NEGP), Ministry of Information Technology, Govt. of India. | 2 (one each from NIC and Deptt. of Information Technology, Govt. of India. | ACC(IS) |
| 2.      | Committee on Building & Construction | 01  01 | 2  01 | 2  01 | CE(PFD) |
6.10 A separate proposal shall be placed for constituting the above two committees before the next meeting of the EC.

6.11 The Board may accordingly consider the proposal for constitution along with the suggested composition of the following committees:
   a) Finance & Investment Committee
   b) Pension Implementation Committee
   c) Committee on Exempted Establishments

6.12 The Board may also consider authorizing Chairman CBT, EPF to nominate members to the Committee mentioned in para 6.5 above.

Proposal: The proposal as contained in the memorandum is accordingly placed before CBT, EPF for consideration.
<table>
<thead>
<tr>
<th>SI.No</th>
<th>Name of the establishment</th>
<th>Office</th>
<th>Code No.</th>
<th>With effect from</th>
<th>Section / Para</th>
<th>Appropriate Government</th>
<th>No. of member(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Ms. Heavy Engineering Corporation Ltd. (M/s. HEC Ltd.), Dhanwa, Ranchi</td>
<td>RPFC, RO, Jharkhand</td>
<td>WB/1465</td>
<td>01.11.1966</td>
<td>17(1)(a)</td>
<td>Government of India</td>
<td>3219</td>
</tr>
<tr>
<td>2.</td>
<td>M/s. Hindustan Charity Trust</td>
<td>RPFC, SRO, Park Street</td>
<td>WB/42498</td>
<td>01.01.2008</td>
<td>17(1)(a)</td>
<td>Government of India</td>
<td>76</td>
</tr>
<tr>
<td>3.</td>
<td>M/s. ESPN Software India Pvt. Ltd.</td>
<td>RPFC, Delhi (South)</td>
<td>DU/19955</td>
<td>01.04.2007</td>
<td>17(1)(a)</td>
<td>Government of India</td>
<td>267</td>
</tr>
<tr>
<td>8.</td>
<td>M/s. Jeewan Limited</td>
<td>RO, Bandra</td>
<td>MH/BAN/125397</td>
<td>01.03.2009</td>
<td>17(1)(a)</td>
<td>State Government of Maharashtra</td>
<td>4</td>
</tr>
<tr>
<td>Sl.No</td>
<td>Name of the Establishment</td>
<td>Office</td>
<td>Code No.</td>
<td>With effect from</td>
<td>Section/Para</td>
<td>Appropriate Government</td>
<td>No. of members</td>
</tr>
<tr>
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</tr>
<tr>
<td>10</td>
<td>Mrs. IndusInd Bank Ltd.</td>
<td>RO, Bandra</td>
<td>MH/45118</td>
<td>01.12.2013</td>
<td>27A</td>
<td>Government of India</td>
<td>13694</td>
</tr>
<tr>
<td>11</td>
<td>Mrs. Axis Bank Ltd.</td>
<td>RO, Bandra</td>
<td>MH/BN/45239</td>
<td>01.09.2013</td>
<td>17(1)(a)</td>
<td>Government of India</td>
<td>42247</td>
</tr>
<tr>
<td>12</td>
<td>Mrs. L &amp; T MHI Boilers P/L</td>
<td>RO, Thane</td>
<td>MH/TH/202245</td>
<td>01.12.2008</td>
<td>17(1)(a)</td>
<td>Government of India</td>
<td>1265</td>
</tr>
<tr>
<td>13</td>
<td>Mrs. RHC Holding P/L Ltd.</td>
<td>RO, Delhi</td>
<td>DL/4686</td>
<td>15.09.2009</td>
<td>17(1)(a)</td>
<td>Government of India</td>
<td>41</td>
</tr>
<tr>
<td>14</td>
<td>Mrs. Tolani Shipping Co</td>
<td>RO, Bandra</td>
<td>MH/BN/49458</td>
<td>01.01.2008</td>
<td>17(1)(a)</td>
<td>State Govt. of Maharashtra</td>
<td>91</td>
</tr>
<tr>
<td>15</td>
<td>Mrs. Kanga &amp; Co.</td>
<td>RO, Bandra</td>
<td>MH/BN/6334</td>
<td>01.12.2010</td>
<td>27A</td>
<td>State Govt. of Maharashtra</td>
<td>40</td>
</tr>
<tr>
<td>16</td>
<td>Mrs. Timex Group</td>
<td>SRO, Noida</td>
<td>UP/45556</td>
<td>Date of Notification</td>
<td>27A</td>
<td>Govt. of India</td>
<td>118</td>
</tr>
<tr>
<td>17</td>
<td>Mrs. Koomber Tea Co. Ltd.</td>
<td>SRO, Park Street</td>
<td>WB/53043</td>
<td>Date of coverage (01.04.2005)</td>
<td>27A</td>
<td>Govt. of India</td>
<td>49</td>
</tr>
<tr>
<td>18</td>
<td>Mrs. MCC PTA India Ltd.</td>
<td>SRO, Park Street</td>
<td>WB/34494</td>
<td>01.03.2014</td>
<td>27A</td>
<td>State Government</td>
<td>120</td>
</tr>
<tr>
<td>19</td>
<td>Mrs. Kerala Minerals Ltd.</td>
<td>SRO, Kollam</td>
<td>KR/10315</td>
<td>01.01.1988</td>
<td>27A</td>
<td>State Government</td>
<td>1443</td>
</tr>
<tr>
<td>20</td>
<td>Mrs. G. D. Birla Centre</td>
<td>SRO, Park Street</td>
<td>WB/19715</td>
<td>01.04.1989</td>
<td>17(1)(a)</td>
<td>Government of West Bengal</td>
<td>288</td>
</tr>
<tr>
<td>21</td>
<td>Mrs. Reckitt Benchiser Ltd</td>
<td>SRO, Park Street</td>
<td>WB/1190</td>
<td>01.11.2010</td>
<td>27A</td>
<td>Govt. of India</td>
<td>989</td>
</tr>
</tbody>
</table>

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<table>
<thead>
<tr>
<th>Sl.No</th>
<th>Name of the establishment</th>
<th>Office</th>
<th>Code No.</th>
<th>With effect from</th>
<th>Section/Para</th>
<th>Appropriate Government</th>
<th>No. of members</th>
</tr>
</thead>
<tbody>
<tr>
<td>24.</td>
<td>M/s. IFGL Refractories Limited</td>
<td>SRO, Rourkela</td>
<td>OR/3480</td>
<td>01.08.1988</td>
<td>17(1)(a)</td>
<td>Government of India</td>
<td>365</td>
</tr>
<tr>
<td>33.</td>
<td>M/s Bharat Heavy Electricals Ltd.</td>
<td>RO, Dehradun</td>
<td>UK/3347</td>
<td>03.01.1970</td>
<td>27A</td>
<td>Government of India</td>
<td>7990</td>
</tr>
<tr>
<td>34.</td>
<td>M/s Genius Consultants Limited</td>
<td>RO Kolkata</td>
<td>WB/34609</td>
<td>01.01.2008</td>
<td>17(1)(a)</td>
<td>Government of India</td>
<td>1965</td>
</tr>
</tbody>
</table>
A. Name of the Establishment: M/s. Heavy Engineering Corporation Ltd. (M/s. HEC Ltd.), Dhurwa, Ranchi

Code No. No of members Name of the Office Date from Exemption sought Section/Para under which Exemption sought

WB/1465 3219 RPFC, RO, Jharkhand 01.11.1966 17(1)(a)

Appropriate Government: Government of India

2. The above establishment has submitted the proposal for exemption under Section 17(1)(a) addressed to Government of India. The same was forwarded by RPFC, RO, Jharkhand to Head Office on 05.11.2007. The inconsistencies observed in the proposal by the Head Office were rectified by respective Office and last such reference was received from field office on 06.05.2014.

3. The following requirements for grant of exemption under Section 17(1)(a) are fulfilled by the applicant establishment:

- The Rules of its Provident Fund with respect to the rates of contribution are not less favourable than those specified in Section 6 of the EPF & MP Act, 1952 and
- The employees are also in enjoyment of other Provident Fund benefits which on the whole are not less favourable than the benefits provided under this Act or the EPF Scheme, 1952.

4. Other essential requirements for grant of exemption have also been verified and are found in order. The same are detailed below:

- The application for exemption is by the employer and is addressed to the Appropriate Government.
- RPFC concerned has examined the proposal in accordance with the Ten Point Checklist prescribed by the Ministry of Labour and Employment, Government of India and certified that the proposal is in order.
- RPFC concerned certified that the investments by the Trust during the last three years have been as per the pattern of investment prescribed by the Government of India Ministry of Labour and Employment in this regard from time to time.
- There is specific recommendation of the RPFC for grant of exemption.
- There is consent of a majority of employees for exemption.
- The composition of the Board of Trustees is in accordance with the provisions of Para 79 of the Scheme.
- Names and addresses of all the members of the BOTs have been incorporated in the Trust Rule.
- The establishment is stated to be regular in compliance.
- The RPFC has submitted copies of balance sheets of the establishment and of the Trust for last three years.

Above all, the proposal has been examined in the light of Act and Scheme provisions, conditions stipulated in Appendix 'A' to Para 27AA of the EPF Scheme, 1952, Ten Point Checklist prescribed by Ministry of Labour & Employment, Government of India and instructions issued by EPFO from time to time in this regard and it is found to be a fit case to be placed before the Sub-Committee of CBT, EPF on Exempted Establishments for consideration and recommendation to Appropriate Government for grant of exemption.
B. Name of the Establishment : M/s. Hindustan Charity Trust (A Birla Foundation)  
Code No. : WB/4249B  
No of members : 76  
Name of the Office : RPFC, SRO, Park Street  
Date from Exemption sought : 01.01.2008  
Section/Para under which Exemption sought : 17(1)(a)  
Appropriate Government : Government of India  

2. The above establishment has submitted the proposal for exemption under Section 17(1)(a) addressed to Government of India. The same was forwarded by RPFC, SRO, Park Street to Head Office on 19.02.2014. The inconsistencies observed in the proposal by the Head Office were rectified by respective Office and last such reference was received from field office on 23.06.2014.  

3. The following requirements for grant of exemption under Section 17(1)(a) are fulfilled by the applicant establishment:  
   ➤ The Rules of its Provident Fund with respect to the rates of contribution are not less favourable than those specified in Section 6 of the EPF & MP Act, 1952 and  
   ➤ The employees are also in enjoyment of other Provident Fund benefits which on the whole are not less favourable than the benefits provided under this Act or the EPF Scheme, 1952.  

4. Other essential requirements for grant of exemption have also been verified and are found in order. The same are detailed below:  
   ➤ The application for exemption is by the employer and is addressed to the Appropriate Government.  
   ➤ RPFC concerned has examined the proposal in accordance with the Ten Point Checklist prescribed by the Ministry of Labour and Employment, Government of India and certified that the proposal is in order.  
   ➤ RPFC concerned certified that the investments by the Trust during the last three years have been as per the pattern of investment prescribed by the Government of India Ministry of Labour and Employment in this regard from time to time.  
   ➤ There is specific recommendation of the RPFC for grant of exemption.  
   ➤ There is consent of a majority of employees for exemption.  
   ➤ The composition of the Board of Trustees is in accordance with the provisions of Para 79 of the Scheme.  
   ➤ Names and addresses of all the members of the BOTs have been incorporated in the Trust Rule.  
   ➤ The establishment is stated to be regular in compliance.  
   ➤ The RPFC has submitted copies of balance sheets of the establishment and of the Trust for last three years.  

Above all, the proposal has been examined in the light of Act and Scheme provisions, conditions stipulated in Appendix 'A' to Para 27AA of the EPF Scheme, 1952, Ten Point Checklist prescribed by Ministry of Labour & Employment, Government of India and instructions issued by EPFO from time to time in this regard and it is found to be a fit case to be placed before the Sub-Committee of CBT, EPF on Exempted Establishments for consideration and recommendation to Appropriate Government for grant of exemption.
C. Name of the Establishment: M/s. ESPN Software India Pvt. Ltd.
Code No.: DL/19955
No of members: 267
Name of the Office: RPFC, Delhi (South)
Date from Exemption sought: 01.04.2007
Section/Para under which Exemption sought: 17(1)(a)
Appropriate Government: Government of India

The above establishment has submitted the proposal for exemption under Section 17(1)(a) addressed to Government of India. The same was forwarded by RPFC, Delhi (South) to Head Office on 25.03.2008. The inconsistencies observed in the proposal by the Head Office were rectified by respective Office and last such reference was received from field office on 03.06.2014.

The following requirements for grant of exemption under Section 17(1)(a) are fulfilled by the applicant establishment:

- The Rules of its Provident Fund with respect to the rates of contribution are not less favourable than those specified in Section 6 of the EPF & MP Act, 1952 and
- The employees are also in enjoyment of other Provident Fund benefits which on the whole are not less favourable than the benefits provided under this Act or the EPF Scheme, 1952.

Other essential requirements for grant of exemption have also been verified and are found in order. The same are detailed below:

- The application for exemption is by the employer and is addressed to the Appropriate Government.
- RPFC concerned has examined the proposal in accordance with the Ten Point Checklist prescribed by the Ministry of Labour and Employment, Government of India and certified that the proposal is in order.
- RPFC concerned certified that the investments by the Trust during the last three years have been as per the pattern of investment prescribed by the Government of India Ministry of Labour and Employment in this regard from time to time.
- There is specific recommendation of the RPFC for grant of exemption.
- There is consent of a majority of employees for exemption.
- The composition of the Board of Trustees is in accordance with the provisions of Para 79 of the Scheme.
- Names and addresses of all the members of the BOTs have been incorporated in the Trust Rule.
- The establishment is stated to be regular in compliance.
- The RPFC has submitted copies of balance sheets of the establishment and of the Trust for last three years.

Above all, the proposal has been examined in the light of Act and Scheme provisions, conditions stipulated in Appendix 'A' to Para 27AA of the EPF Scheme, 1952, Ten Point Checklist prescribed by Ministry of Labour & Employment, Government of India and instructions issued by EPFO from time to time in this regard and it is found to be a fit case to be placed before the Sub-Committee of CBT, EPF on Exempted Establishments for consideration and recommendation to Appropriate Government for grant of exemption.
D. Name of the Establishment : M/s. Hindustan Housing Company Ltd.
Code No. : MH/BAN/49684
No of members : 12
Name of the Office : RO. Bandra
Date from Exemption sought : 01.04.1999
Section/Para under which Exemption sought : 17(1)(a)
Appropriate Government : State Government of Maharashtra

2. The above establishment has submitted the proposal for exemption under Section 17(1)(a) addressed to State Government of Maharashtra. The same was forwarded by RO, Bandra to Head Office on 24.01.2014.

3. The following requirements for grant of exemption under Section 17(1)(a) are fulfilled by the applicant establishment:
   - The Rules of its Provident Fund with respect to the rates of contribution are not less favourable than those specified in Section 6 of the EPF & MP Act, 1952 and
   - The employees are also in enjoyment of other Provident Fund benefits which on the whole are not less favourable than the benefits provided under this Act or the EPF Scheme, 1952.

4. Other essential requirements for grant of exemption have also been verified and are found in order. The same are detailed below:
   - The application for exemption is by the employer and is addressed to the Appropriate Government.
   - RPFC concerned has examined the proposal in accordance with the Ten Point Checklist prescribed by the Ministry of Labour and Employment, Government of India and certified that the proposal is in order.
   - RPFC concerned certified that the investments by the Trust during the last three years have been as per the pattern of investment prescribed by the Government of India Ministry of Labour and Employment in this regard from time to time.
   - There is specific recommendation of the RPFC for grant of exemption.
   - There is consent of a majority of employees for exemption.
   - The composition of the Board of Trustees is in accordance with the provisions of Para 79 of the Scheme.
   - Names and addresses of all the members of the BOTs have been incorporated in the Trust Rule.
   - The establishment is stated to be regular in compliance.
   - The RPFC has submitted copies of balance sheets of the establishment and of the Trust for last three years.

Above all, the proposal has been examined in the light of Act and Scheme provisions, conditions stipulated in Appendix 'A' to Para 27AA of the EPF Scheme, 1952, Ten Point Checklist prescribed by Ministry of Labour & Employment, Government of India and instructions issued by EPFO from time to time in this regard and it is found to be a fit case to be placed before the Sub-Committee of CBT, EPF on Exempted Establishments for consideration and recommendation to Appropriate Government for grant of exemption.
2. The above establishment has submitted the proposal for exemption under Section 17(1)(a) addressed to State Government of Maharashtra. The same was forwarded by RO, Bandra to Head Office on 22.01.2014.

3. The following requirements for grant of exemption under Section 17(1)(a) are fulfilled by the applicant establishment:

- The Rules of its Provident Fund with respect to the rates of contribution are not less favourable than those specified in Section 6 of the EPF & MP Act, 1952 and
- The employees are also in enjoyment of other Provident Fund benefits which on the whole are not less favourable than the benefits provided under this Act or the EPF Scheme, 1952.

4. Other essential requirements for grant of exemption have also been verified and are found in order. The same are detailed below:

- The application for exemption is by the employer and is addressed to the Appropriate Government.
- RPFC concerned has examined the proposal in accordance with the Ten Point Checklist prescribed by the Ministry of Labour and Employment, Government of India and certified that the proposal is in order.
- RPFC concerned certified that the investments by the Trust during the last three years have been as per the pattern of investment prescribed by the Government of India Ministry of Labour and Employment in this regard from time to time.
- There is specific recommendation of the RPFC for grant of exemption.
- There is consent of a majority of employees for exemption.
- The composition of the Board of Trustees is in accordance with the provisions of Para 79 of the Scheme.
- Names and addresses of all the members of the BOTs have been incorporated in the Trust Rule.
- The establishment is stated to be regular in compliance.
- The RPFC has submitted copies of balance sheets of the establishment and of the Trust for last three years.

Above all, the proposal has been examined in the light of Act and Scheme provisions, conditions stipulated in Appendix 'A' to Para 27AA of the EPF Scheme, 1952, Ten Point Checklist prescribed by Ministry of Labour & Employment, Government of India and instructions issued by EPFO from time to time in this regard and it is found to be a fit case to be placed before the Sub-Committee of CBT, EPF on Exempted Establishments for consideration and recommendation to Appropriate Government for grant of exemption.
2. The above establishment has submitted the proposal for exemption under Section 17(1)(a) addressed to State Government of Maharashtra. The same was forwarded by RO, Bandra to Head Office on 13.01.2014. The inconsistencies observed in the proposal by the Head Office were rectified by respective Office and last such reference was received from field office on 25.06.2014.

3. The following requirements for grant of exemption under Section 17(1)(a) are fulfilled by the applicant establishment:

- The Rules of its Provident Fund with respect to the rates of contribution are not less favourable than those specified in Section 6 of the EPF & MP Act, 1952 and
- The employees are also in enjoyment of other Provident Fund benefits which on the whole are not less favourable than the benefits provided under this Act or the EPF Scheme, 1952.

4. Other essential requirements for grant of exemption have also been verified and are found in order. The same are detailed below:

- The application for exemption is by the employer and is addressed to the Appropriate Government.
- RPFC concerned has examined the proposal in accordance with the Ten Point Checklist prescribed by the Ministry of Labour and Employment, Government of India and certified that the proposal is in order.
- RPFC concerned certified that the investments by the Trust during the last three years have been as per the pattern of investment prescribed by the Government of India Ministry of Labour and Employment in this regard from time to time.
- There is specific recommendation of the RPFC for grant of exemption.
- There is consent of a majority of employees for exemption.
- The composition of the Board of Trustees is in accordance with the provisions of Para 79 of the Scheme.
- Names and addresses of all the members of the BOTs have been incorporated in the Trust Rule.
- The establishment is stated to be regular in compliance.
- The RPFC has submitted copies of balance sheets of the establishment and of the Trust for last three years.

Above all, the proposal has been examined in the light of Act and Scheme provisions, conditions stipulated in Appendix 'A' to Para 27AA of the EPF Scheme, 1952, Ten Point Checklist prescribed by Ministry of Labour & Employment, Government of India and instructions issued by EPFO from time to time in this regard and it is found to be a fit case to be placed before the Sub-Committee of CBT, EPF on Exempted Establishments for consideration and recommendation to Appropriate Government for grant of exemption.
2. The above establishment has submitted the proposal for exemption under Para 27A of the Scheme addressed to Government of India. The same was forwarded by RPFC, RO, Thanet to Head Office on 28.01.2009. The inconsistencies observed in the proposal by the Head Office were rectified by respective Office and last such reference was received from field office on 30.06.2014.

3. The following requirements for grant of exemption under Para 27A of the Scheme are fulfilled by the applicant establishment:

- The Rules of its Provident Fund with respect to the rates of contribution are not less favourable than those specified in Section 6 of the EPF & MP Act, 1952 and
- The employees are also in enjoyment of other Provident Fund benefits which on the whole are not less favourable than the benefits provided under this Act or the EPF Scheme, 1952.

4. Other essential requirements for grant of exemption have also been verified and are found in order. The same are detailed below:

- The application for exemption is by the employer and is addressed to the Appropriate Government.
- RPFC concerned has examined the proposal in accordance with the Ten Point Checklist prescribed by the Ministry of Labour and Employment, Government of India and certified that the proposal is in order.
- RPFC concerned certified that the investments by the Trust during the last three years have been as per the pattern of investment prescribed by the Government of India Ministry of Labour and Employment in this regard from time to time.
- There is specific recommendation of the RPFC for grant of exemption.
- There is consent of a majority of employees for exemption.
- The composition of the Board of Trustees is in accordance with the provisions of Para 79 of the Scheme.
- Names and addresses of all the members of the BOTs have been incorporated in the Trust Rule.
- The establishment is stated to be regular in compliance.
- The RPFC has submitted copies of balance sheets of the establishment and of the Trust for last three years.

Above all, the proposal has been examined in the light of Act and Scheme provisions, conditions stipulated in Appendix 'A' to Para 27AA of the EPF Scheme, 1952, Ten Point Checklist prescribed by Ministry of Labour & Employment, Government of India and instructions issued by EPFO from time to time in this regard and it is found to be a fit case to be placed before the Sub-Committee of CBT, EPF on Exempted Establishments for consideration and recommendation to Appropriate Government for grant of exemption.
H. Name of the Establishment : M/s. Jeewan Limited

- Code No. : MH/BAN/125397
- No of members : 4
- Name of the Office : RO. Bandra
- Date from Exemption sought : 01.03.2009
- Section/Para under which Exemption sought : 17(1)(a)
- Appropriate Government : State Government of Maharashtra

2. The above establishment has submitted the proposal for exemption under Section 17(1)(a) addressed to State Government of Maharashtra. The same was forwarded by RO, Bandra to Head Office on 22.01.2014.

3. The following requirements for grant of exemption under Section 17(1)(a) are fulfilled by the applicant establishment:

   - The Rules of its Provident Fund with respect to the rates of contribution are not less favourable than those specified in Section 6 of the EPF & MP Act, 1952 and
   - The employees are also in enjoyment of other Provident Fund benefits which on the whole are not less favourable than the benefits provided under this Act or the EPF Scheme, 1952.

4. Other essential requirements for grant of exemption have also been verified and are found in order. The same are detailed below:

   - The application for exemption is by the employer and is addressed to the Appropriate Government.
   - RPFC concerned has examined the proposal in accordance with the Ten Point Checklist prescribed by the Ministry of Labour and Employment, Government of India and certified that the proposal is in order.
   - RPFC concerned certified that the investments by the Trust during the last three years have been as per the pattern of investment prescribed by the Government of India Ministry of Labour and Employment in this regard from time to time.
   - There is specific recommendation of the RPFC for grant of exemption.
   - There is consent of a majority of employees for exemption.
   - The composition of the Board of Trustees is in accordance with the provisions of Para 79 of the Scheme.
   - Names and addresses of all the members of the BOTs have been incorporated in the Trust Rule.
   - The establishment is stated to be regular in compliance.
   - The RPFC has submitted copies of balance sheets of the establishment and of the Trust for last three years.

Above all, the proposal has been examined in the light of Act and Scheme provisions, conditions stipulated in Appendix 'A' to Para 27AA of the EPF Scheme, 1952, Ten Point Checklist prescribed by Ministry of Labour & Employment, Government of India and Instructions issued by EPFO from time to time in this regard and it is found to be a fit case to be placed before the Sub-Committee of CBT, EPF on Exempted Establishments for consideration and recommendation to Appropriate Government for grant of exemption.
I. **Name of the Establishment** : M/s. DET Norske Veritas  
**Code No.** : MH/49159  
**No of members** : 318  
**Name of the Office** : RO, Bandra  
**Date from Exemption sought** : 01.04.2012  
**Section/Para under which Exemption sought** : 27A  
**Appropriate Government** : Government of India

2. The above establishment has submitted the proposal for exemption under Para 27A of the Scheme addressed to Government of India. The same was forwarded by RPFC, RO, Bandra Head Office on 12.11.2013. The inconsistencies observed in the proposal by the Head Office were rectified by respective Office and last such reference was received from field office on 25.06.2014.

3. The following requirements for grant of exemption under Para 27A of the Scheme are fulfilled by the applicant establishment:

   - The Rules of its Provident Fund with respect to the rates of contribution are not less favourable than those specified in Section 6 of the EPF & MP Act, 1952 and
   - The employees are also in enjoyment of other Provident Fund benefits which on the whole are not less favourable than the benefits provided under this Act or the EPF Scheme, 1952.

4. Other essential requirements for grant of exemption have also been verified and are found in order. The same are detailed below:

   - The application for exemption is by the employer and is addressed to the Appropriate Government.
   - RPFC concerned has examined the proposal in accordance with the Ten Point Checklist prescribed by the Ministry of Labour and Employment, Government of India and certified that the proposal is in order.
   - RPFC concerned certified that the investments by the Trust during the last three years have been as per the pattern of investment prescribed by the Government of India Ministry of Labour and Employment in this regard from time to time.
   - There is specific recommendation of the RPFC for grant of exemption.
   - There is consent of a majority of employees for exemption.
   - The composition of the Board of Trustees is in accordance with the provisions of Para 79 of the Scheme.
   - Names and addresses of all the members of the BOTs have been incorporated in the Trust Rule.
   - The establishment is stated to be regular in compliance.
   - The RPFC has submitted copies of balance sheets of the establishment and of the Trust for last three years.

   Above all, the proposal has been examined in the light of Act and Scheme provisions, conditions stipulated in Appendix ‘A’ to Para 27AA of the EPF Scheme, 1952, Ten Point Checklist prescribed by Ministry of Labour & Employment, Government of India and instructions issued by EPFO from time to time in this regard and it is found to be a fit case to be placed before the Sub-Committee of CBT, EPF on Exempted Establishments for consideration and recommendation to Appropriate Government for grant of exemption.
<table>
<thead>
<tr>
<th>J. Name of the Establishment</th>
<th>M/s. IndusInd Bank Limited</th>
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<tbody>
<tr>
<td>Code No.</td>
<td>MH/45118</td>
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<tr>
<td>No of members</td>
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<td>Name of the Office</td>
<td>RO, Bandra</td>
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<tr>
<td>Date from Exemption sought</td>
<td>01.12.2013</td>
</tr>
<tr>
<td>Section/Para under which Exemption sought</td>
<td>27A</td>
</tr>
<tr>
<td>Appropriate Government</td>
<td>Government of India</td>
</tr>
</tbody>
</table>

2. The above establishment has submitted the proposal for exemption under Para 27A of the Scheme addressed to Government of India. The same was forwarded by RPFC, RO, Bandra to Head Office on 27.03.2013. The inconsistencies observed in the proposal by the Head Office were rectified by respective Office and last such reference was received from field office on 01.07.2014.

3. The following requirements for grant of exemption under Para 27A of the Scheme are fulfilled by the applicant establishment:

   - The Rules of its Provident Fund with respect to the rates of contribution are not less favourable than those specified in Section 6 of the EPF & MP Act, 1952 and
   - The employees are also in enjoyment of other Provident Fund benefits which on the whole are not less favourable than the benefits provided under this Act or the EPF Scheme, 1952.

4. Other essential requirements for grant of exemption have also been verified and are found in order. The same are detailed below:

   - The application for exemption is by the employer and is addressed to the Appropriate Government.
   - RPFC concerned has examined the proposal in accordance with the Ten Point Checklist prescribed by the Ministry of Labour and Employment, Government of India and certified that the proposal is in order.
   - RPFC concerned certified that the investments by the Trust during the last three years have been as per the pattern of investment prescribed by the Government of India Ministry of Labour and Employment in this regard from time to time.
   - There is specific recommendation of the RPFC for grant of exemption.
   - There is consent of a majority of employees for exemption.
   - The composition of the Board of Trustees is in accordance with the provisions of Para 79 of the Scheme.
   - Names and addresses of all the members of the BOTs have been incorporated in the Trust Rule.
   - The establishment is stated to be regular in compliance.
   - The RPFC has submitted copies of balance sheets of the establishment and of the Trust for last three years.

Above all, the proposal has been examined in the light of Act and Scheme provisions, conditions stipulated in Appendix 'A' to Para 27AA of the EPF Scheme, 1952, TenPoint Checklist prescribed by Ministry of Labour & Employment, Government of India and Instructions Issued by EPFO from time to time in this regard and it is found to be a fit case to be placed before the Sub-Committee of CBT, EPF on Exempted Establishments for consideration and recommendation to Appropriate Government for grant of exemption.
2. The above establishment has submitted the proposal for exemption under Section 17(1)(a) addressed to Government of India. The same was forwarded by RO, Bandra to Head Office on 27.03.2014. The inconsistencies observed in the proposal by the Head Office were rectified by respective Office and last such reference was received from field office on 21.05.2014.

3. The following requirements for grant of exemption under Section 17(1)(a) are fulfilled by the applicant establishment:

- The Rules of its Provident Fund with respect to the rates of contribution are not less favourable than those specified in Section 6 of the EPF & MP Act, 1952 and
- The employees are also in enjoyment of other Provident Fund benefits which on the whole are not less favourable than the benefits provided under this Act or the EPF Scheme, 1952.

4. Other essential requirements for grant of exemption have also been verified and are found in order. The same are detailed below:

- The application for exemption is by the employer and is addressed to the Appropriate Government.
- RPFC concerned has examined the proposal in accordance with the Ten Point Checklist prescribed by the Ministry of Labour and Employment, Government of India and certified that the proposal is in order.
- RPFC concerned certified that the investments by the Trust during the last three years have been as per the pattern of investment prescribed by the Government of India Ministry of Labour and Employment in this regard from time to time.
- There is specific recommendation of the RPFC for grant of exemption.
- There is consent of a majority of employees for exemption.
- The composition of the Board of Trustees is in accordance with the provisions of Para 79 of the Scheme.
- Names and addresses of all the members of the BOTs have been incorporated in the Trust Rule.
- The establishment is stated to be regular in compliance.
- The RPFC has submitted copies of balance sheets of the establishment and of the Trust for last three years.

Above all, the proposal has been examined in the light of Act and Scheme provisions, conditions stipulated in Appendix 'A' to Para 27AA of the EPF Scheme, 1952, Ten Point Checklist prescribed by Ministry of Labour & Employment, Government of India and instructions issued by EPFO from time to time in this regard and it is found to be a fit case to be placed before the Sub-Committee of CBT, EPF on Exempted Establishments for consideration and recommendation to Appropriate Government for grant of exemption.
1. Name of the Establishment: M/s. L & T MHI Boilers Pvt. Ltd

2. Code No.: MH/THN/202246
   No of members: 1265
   Name of the Office: RO, Thane
   Date from Exemption sought: 01.12.2008
   Section/Para under which Exemption sought: 17(1)(a)
   Appropriate Government: Govt. of India

2. The above establishment has submitted the proposal for exemption under Section 17(1)(a) addressed to Government of India. The same was forwarded by RO, Thane to Head Office on 26.04.2013. The inconsistencies observed in the proposal by the Head Office were rectified by respective Office and last such reference was received from field office on 13.05.2014.

3. The following requirements for grant of exemption under Section 17(1)(a) are fulfilled by the applicant establishment:

   - The Rules of its Provident Fund with respect to the rates of contribution are not less favourable than those specified in Section 6 of the EPF & MP Act, 1952 and
   - The employees are also in enjoyment of other Provident Fund benefits which on the whole are not less favourable than the benefits provided under this Act or the EPF Scheme, 1952.

4. Other essential requirements for grant of exemption have also been verified and are found in order. The same are detailed below:

   - The application for exemption is by the employer and is addressed to the Appropriate Government.
   - RPFC concerned has examined the proposal in accordance with the Ten Point Checklist prescribed by the Ministry of Labour and Employment, Government of India and certified that the proposal is in order.
   - RPFC concerned certified that the investments by the Trust during the last three years have been as per the pattern of investment prescribed by the Government of India Ministry of Labour and Employment in this regard from time to time.
   - There is specific recommendation of the RPFC for grant of exemption.
   - There is consent of a majority of employees for exemption.
   - The composition of the Board of Trustees is in accordance with the provisions of Para 79 of the Scheme.
   - Names and addresses of all the members of the BOTs have been incorporated in the Trust Rule.
   - The establishment is stated to be regular in compliance.
   - The RPFC has submitted copies of balance sheets of the establishment and of the Trust for last three years.

Above all, the proposal has been examined in the light of Act and Scheme provisions, conditions stipulated in Appendix 'A' to Para 27AA of the EPF Scheme, 1952, Ten Point Checklist prescribed by Ministry of Labour & Employment, Government of India and instructions issued by EPFO from time to time in this regard and it is found to be a fit case to be placed before the Sub-Committee of CBT, EPF on Exempted Establishments for consideration and recommendation to Appropriate Government for grant of exemption.
The above establishment has submitted the proposal for exemption under Section 17(1)(a) addressed to Government of NCT of Delhi. The same was forwarded by RO, Delhi (South) to Head Office on 20.05.2010. The inconsistencies observed in the proposal by the Head Office were rectified by respective Office and last such reference was received from field office on 17.06.2014.

3. The following requirements for grant of exemption under Section 17(1)(a) are fulfilled by the applicant establishment:

- The Rules of its Provident Fund with respect to the rates of contribution are not less favourable than those specified in Section 6 of the EPF & MP Act, 1952 and
- The employees are also in enjoyment of other Provident Fund benefits which on the whole are not less favourable than the benefits provided under this Act or the EPF Scheme, 1952.

4. Other essential requirements for grant of exemption have also been verified and are found in order. The same are detailed below:

- The application for exemption is by the employer and is addressed to the Appropriate Government.
- RPFC concerned has examined the proposal in accordance with the Ten Point Checklist prescribed by the Ministry of Labour and Employment, Government of India and certified that the proposal is in order.
- RPFC concerned certified that the investments by the Trust during the last three years have been as per the pattern of investment prescribed by the Government of India Ministry of Labour and Employment in this regard from time to time.
- There is specific recommendation of the RPFC for grant of exemption.
- There is consent of a majority of employees for exemption.
- The composition of the Board of Trustees is in accordance with the provisions of Para 79 of the Scheme.
- Names and addresses of all the members of the BOTs have been incorporated in the Trust Rule.
- The establishment is stated to be regular in compliance.
- The RPFC has submitted copies of balance sheets of the establishment and of the Trust for last three years.

Above all, the proposal has been examined in the light of Act and Scheme provisions, conditions stipulated in Appendix 'A' to Para 27AA of the EPF Scheme, 1952, Ten Point Checklist prescribed by Ministry of Labour & Employment, Government of India and instructions issued by EPFO from time to time in this regard and it is found to be a fit case to be placed before the Sub-Committee of CBT, EPF on Exempted Establishments for consideration and recommendation to Appropriate Government for grant of exemption.
The application for exemption is by the employer and is addressed to the Appropriate Government.

RPFC concerned has examined the proposal in accordance with the Ten Point Checklist prescribed by the Ministry of Labour and Employment, Government of India and certified that the proposal is in order.

RPFC concerned certified that the investments by the Trust during the last three years have been as per the pattern of investment prescribed by the Government of India Ministry of Labour and Employment in this regard from time to time.

There is specific recommendation of the RPFC for grant of exemption.

There is consent of a majority of employees for exemption.

The composition of the Board of Trustees is in accordance with the provisions of Para 79 of the Scheme.

Names and addresses of all the members of the BOTs have been incorporated in the Trust Rule.

The establishment is stated to be regular in compliance.

The RPFC has submitted copies of balance sheets of the establishment and of the Trust for last three years.

Above all, the proposal has been examined in the light of Act and Scheme provisions, conditions stipulated in Appendix ‘A’ to Para 27AA of the EPF Scheme, 1952, Ten Point Checklist prescribed by Ministry of Labour & Employment, Government of India and instructions issued by EPFO from time to time. In this regard and it is found to be a fit case to be placed before the Sub-Committee of CBT, EPF on Exempted Establishments for consideration and recommendation to Appropriate Government for grant of exemption.
0. Name of the Establishment: M/s. Kanga & Company
   Code No.: MH/BAN/6334
   No of members: 40
   Name of the Office: RO, Bandra
   Date from Exemption sought: 01.12.2010
   Section/Para under which Exemption sought: 27A
   Appropriate Government: State Govt. of Maharashtra

2. The above establishment has submitted the proposal for exemption under Para 27A of the Scheme addressed to State Govt. of Maharashtra. The same was forwarded by RPFC, RO, Bandra to Head Office on 06.11.2013. The inconsistencies observed in the proposal by the Head Office were rectified by respective Office and last such reference was received from field office on 07.07.2014.

3. The following requirements for grant of exemption under Para 27A of the Scheme are fulfilled by the applicant establishment:
   - The Rules of its Provident Fund with respect to the rates of contribution are not less favourable than those specified in Section 6 of the EPF & MP Act, 1952 and
   - The employees are also in enjoyment of other Provident Fund benefits which on the whole are not less favourable than the benefits provided under this Act or the EPF Scheme, 1952.

4. Other essential requirements for grant of exemption have also been verified and are found in order. The same are detailed below:
   - The application for exemption is by the employer and is addressed to the Appropriate Government.
   - RPFC concerned has examined the proposal in accordance with the Ten Point Checklist prescribed by the Ministry of Labour and Employment, Government of India and certified that the proposal is in order.
   - RPFC concerned certified that the investments by the Trust during the last three years have been as per the pattern of investment prescribed by the Government of India Ministry of Labour and Employment in this regard from time to time.
   - There is specific recommendation of the RPFC for grant of exemption.
   - There is consent of a majority of employees for exemption.
   - The composition of the Board of Trustees is in accordance with the provisions of Para 79 of the Scheme.
   - Names and addresses of all the members of the BOTs have been incorporated in the Trust Rule.
   - The establishment is stated to be regular in compliance.
   - The RPFC has submitted copies of balance sheets of the establishment and of the Trust for last three years.

Above all, the proposal has been examined in the light of Act and Scheme provisions, conditions stipulated in Appendix 'A' to Para 27AA of the EPF Scheme, 1952, Ten Point Checklist prescribed by Ministry of Labour & Employment, Government of India and Instructions issued by EPFO from time to time in this regard and it is found to be a fit case to be placed before the Sub-Committee of CBT, EPF on Exempted Establishments for consideration and recommendation to Appropriate Government for grant of exemption.
The application for exemption is by the employer and is addressed to the Appropriate Government. RPFC concerned has examined the proposal in accordance with the Ten Point Checklist prescribed by the Ministry of Labour and Employment, Government of India and certified that the proposal is in order.

RPFC concerned certified that the investments by the Trust during the last three years have been as per the pattern of investment prescribed by the Government of India Ministry of Labour and Employment in this regard from time to time. There is specific recommendation of the RPFC for grant of exemption.

The above establishment has submitted the proposal for exemption under Para 27A of the Scheme addressed to Government of India. The same was forwarded by RPFC, SRO, Noida to Head Office on 21.10.2013. The inconsistencies observed in the proposal by the Head Office were rectified by respective Office and last such reference was received from field office/establishment on 11.07.2014.

The following requirements for grant of exemption under Para 27A of the Scheme are fulfilled by the applicant establishment:

- The application for exemption is by the employer and is addressed to the Appropriate Government.
- RPFC concerned has examined the proposal in accordance with the Ten Point Checklist prescribed by the Ministry of Labour and Employment, Government of India and certified that the proposal is in order.
- RPFC concerned certified that the investments by the Trust during the last three years have been as per the pattern of investment prescribed by the Government of India Ministry of Labour and Employment in this regard from time to time.
- There is specific recommendation of the RPFC for grant of exemption.
- Names and addresses of all the members of the BOTs have been incorporated in the Trust Rule.
- The establishment is stated to be regular in compliance.
- The RPFC has submitted copies of balance sheets of the establishment and of the Trust for last three years.

Above all, the proposal has been examined in the light of Act and Scheme provisions, conditions stipulated in Appendix ‘A’ to Para 27AA of the EPF Scheme, 1952, Ten Point Checklist prescribed by Ministry of Labour & Employment, Government of India and Instructions issued by EPFO from time to time in this regard and it is found to be a fit case to be placed before the Sub-Committee of CBT, EPF on Exempted Establishments for consideration and recommendation to Appropriate Government for grant of exemption.

<table>
<thead>
<tr>
<th>P.</th>
<th>Name of the Establishment</th>
<th>M/s. Timex Group Precision Engineering Limited</th>
</tr>
</thead>
<tbody>
<tr>
<td>Code No.</td>
<td>UP/45556</td>
<td></td>
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<tr>
<td>No of members</td>
<td>118</td>
<td></td>
</tr>
<tr>
<td>Name of the Office</td>
<td>SRO, Noida</td>
<td></td>
</tr>
<tr>
<td>Date from Exemption sought</td>
<td>Date of Notification</td>
<td></td>
</tr>
<tr>
<td>Section/Para under which Exemption sought</td>
<td>27A</td>
<td></td>
</tr>
<tr>
<td>Appropriate Government</td>
<td>Govt. of India</td>
<td></td>
</tr>
</tbody>
</table>
2. The above establishment has submitted the proposal for exemption under Para 27A of the Scheme addressed to Govt. of India. The same was forwarded by RPFC, SRO, Park Street to Head Office on 10.10.2012. The inconsistencies observed in the proposal by the Head Office were rectified by respective Office and last such reference was received from field office/establishment on 23.05.2014.

3. The following requirements for grant of exemption under Para 27A of the Scheme are fulfilled by the applicant establishment:
   ➢ The Rules of its Provident Fund with respect to the rates of contribution are not less favourable than those specified in Section 6 of the EPF & MP Act, 1952 and
   ➢ The employees are also in enjoyment of other Provident Fund benefits which on the whole are not less favourable than the benefits provided under this Act or the EPF Scheme, 1952.

4. Other essential requirements for grant of exemption have also been verified and are found in order. The same are detailed below:
   ➢ The application for exemption is by the employer and is addressed to the Appropriate Government.
   ➢ RPFC concerned has examined the proposal in accordance with the Ten Point Checklist prescribed by the Ministry of Labour and Employment, Government of India and certified that the proposal is in order.
   ➢ RPFC concerned certified that the investments by the Trust during the last three years have been as per the pattern of investment prescribed by the Government of India Ministry of Labour and Employment in this regard from time to time.
   ➢ There is specific recommendation of the RPFC for grant of exemption.
   ➢ There is consent of a majority of employees for exemption.
   ➢ The composition of the Board of Trustees is in accordance with the provisions of Para 79 of the Scheme.
   ➢ Names and addresses of all the members of the BOTs have been incorporated in the Trust Rule.
   ➢ The establishment is stated to be regular in compliance.
   ➢ The RPFC has submitted copies of balance sheets of the establishment and of the Trust for last three years.

Above all, the proposal has been examined in the light of Act and Scheme provisions, conditions stipulated in Appendix 'A' to Para 27AA of the EPF Scheme, 1952, Ten Point Checklist prescribed by Ministry of Labour & Employment, Government of India and instructions issued by EPFO from time to time in this regard and it is found to be a fit case to be placed before the Sub-Committee of CBT, EPF on Exempted Establishments for consideration and recommendation to Appropriate Government for grant of exemption.
R. | Name of the Establishment | M/s. MCC PTA India Corp. Pvt. Ltd.  
---|---------------------------|---------------------------------
    | Code No.                  | WB/34494  
    | No of members             | 120  
    | Name of the Office        | SRO, Park Street  
    | Date from Exemption sought| 01.03.2014  
    | Section/Para under which Exemption sought | 27A  
    | Appropriate Government    | State Government  

2. The above establishment has submitted the proposal for exemption under Para 27A of the Scheme addressed to State Government. The same was forwarded by RPFC, SRO, Park Street to Head Office on 21.03.2014. The inconsistencies observed in the proposal by the Head Office were rectified by respective Office and last such reference was received from field office/establishment on 01.07.2014.

3. The following requirements for grant of exemption under Para 27A of the Scheme are fulfilled by the applicant establishment:

- The Rules of its Provident Fund with respect to the rates of contribution are not less favourable than those specified in Section 6 of the EPF & MP Act, 1952.
- The employees are also in enjoyment of other Provident Fund benefits which on the whole are not less favourable than the benefits provided under this Act or the EPF Scheme, 1952.

4. Other essential requirements for grant of exemption have also been verified and are found in order. The same are detailed below:

- The application for exemption is by the employer and is addressed to the Appropriate Government.
- RPFC concerned has examined the proposal in accordance with the Ten Point Checklist prescribed by the Ministry of Labour and Employment, Government of India and certified that the proposal is in order.
- RPFC concerned certified that the investments by the Trust during the last three years have been as per the pattern of investment prescribed by the Government of India Ministry of Labour and Employment in this regard from time to time.
- There is specific recommendation of the RPFC for grant of exemption.
- There is consent of a majority of employees for exemption.
- The composition of the Board of Trustees is in accordance with the provisions of Para 79 of the Scheme.
- Names and addresses of all the members of the BOTs have been incorporated in the Trust Rule.
- The establishment is stated to be regular in compliance.
- The RPFC has submitted copies of balance sheets of the establishment and of the Trust for last three years.

Above all, the proposal has been examined in the light of Act and Scheme provisions, conditions stipulated in Appendix 'A' to Para 27AA of the EPF Scheme, 1952, Ten Point Checklist prescribed by Ministry of Labour & Employment, Government of India and instructions issued by EPFO from time to time in this regard and it is found to be a fit case to be placed before the Sub-Committee of CBT, EPF on Exempted Establishments for consideration and recommendation to Appropriate Government for grant of exemption.
2. The above establishment has submitted the proposal for exemption under Para 27A of the Scheme addressed to State Government. The same was forwarded by RPFC, SRO, Kollam to Head Office on 19.10.2006. The inconsistencies observed in the proposal by the Head Office were rectified by respective Office and last such reference was received from field office/establishment on 02.07.2014.

3. The following requirements for grant of exemption under Para 27A of the Scheme are fulfilled by the applicant establishment:
   - The Rules of its Provident Fund with respect to the rates of contribution are not less favourable than those specified in Section 6 of the EPF & MP Act, 1952 and the employees are also in enjoyment of other Provident Fund benefits which on the whole are not less favourable than the benefits provided under this Act or the EPF Scheme, 1952.

4. Other essential requirements for grant of exemption have also been verified and are found in order. The same are detailed below:
   - The application for exemption is by the employer and is addressed to the Appropriate Government.
   - RPFC concerned has examined the proposal in accordance with the Ten Point Checklist prescribed by the Ministry of Labour and Employment, Government of India and certified that the proposal is in order.
   - RPFC concerned certified that the investments by the Trust during the last three years have been as per the pattern of investment prescribed by the Government of India Ministry of Labour and Employment in this regard from time to time.
   - There is specific recommendation of the RPFC for grant of exemption.
   - There is consent of a majority of employees for exemption.
   - The composition of the Board of Trustees is in accordance with the provisions of Para 79 of the Scheme.
   - Names and addresses of all the members of the BOTs have been incorporated in the Trust Rule.
   - The establishment is stated to be regular in compliance.
   - The RPFC has submitted copies of balance sheets of the establishment and of the Trust for last three years.

Above all, the proposal has been examined in the light of Act and Scheme provisions, conditions stipulated in Appendix 'A' to Para 27AA of the EPF Scheme, 1952, Ten Point Checklist prescribed by Ministry of Labour & Employment, Government of India and instructions issued by EPFO from time to time in this regard and it is found to be a fit case to be placed before the Sub-Committee of CBT, EPF on Exempted Establishments for consideration and recommendation to Appropriate Government for grant of exemption.
The application for exemption is by the employer and is addressed to the Appropriate Government.

RPFC concerned has examined the proposal in accordance with the Ten Point Checklist prescribed by the Ministry of labour and Employment, Government of India and certified that the proposal is in order.

RPFC concerned certified that the investments by the Trust during the last three years have been as per the pattern of investment prescribed by the Government of India Ministry of Labour and Employment in this regard from time to time.

There is specific recommendation of the RPFC for grant of exemption.

There is consent of a majority of employees for exemption.

The composition of the Board of Trustees is in accordance with the provisions of Para 79 of the Scheme.

Names and addresses of all the members of the BOTs have been incorporated in the Trust Rule.

The establishment is stated to be regular in compliance.

The RPFC has submitted copies of balance sheets of the establishment and of the Trust for last three years.

Above all, the proposal has been examined in the light of Act and Scheme provisions, conditions stipulated in Appendix ‘A’ to Para 27AA of the EPF Scheme, 1952, Ten Point Checklist prescribed by Ministry of Labour & Employment, Government of India and Instructions issued by EPFO from time to time in this regard and it is found to be a fit case to be placed before the Sub-Committee of CBT, EPF on Exempted Establishments for consideration and recommendation to Appropriate Government for grant of exemption.
2. The above establishment has submitted the proposal for exemption under Para 27A of the Scheme addressed to Government of India. The same was forwarded by RPFC, SRO, Park Street to Head Office on 23.09.2011. The inconsistencies observed in the proposal by the Head Office were rectified by respective Office and last such reference was received from field office on 21.07.2014.

3. The following requirements for grant of exemption under Para 27A of the Scheme are fulfilled by the applicant establishment:

- The Rules of its Provident Fund with respect to the rates of contribution are not less favourable than those specified in Section 6 of the EPF & MP Act, 1952 and
- The employees are also in enjoyment of other Provident Fund benefits which on the whole are not less favourable than the benefits provided under this Act or the EPF Scheme, 1952.

4. Other essential requirements for grant of exemption have also been verified and are found in order. The same are detailed below:

- The application for exemption is by the employer and is addressed to the Appropriate Government.
- RPFC concerned has examined the proposal in accordance with the Ten Point Checklist prescribed by the Ministry of Labour and Employment, Government of India and certified that the proposal is in order.
- RPFC concerned certified that the investments by the Trust during the last three years have been as per the pattern of investment prescribed by the Government of India Ministry of Labour and Employment in this regard from time to time.
- There is specific recommendation of the RPFC for grant of exemption.
- There is consent of a majority of employees for exemption.
- The composition of the Board of Trustees is in accordance with the provisions of Para 79 of the Scheme.
- Names and addresses of all the members of the BOTs have been incorporated in the Trust Rule.
- The establishment is stated to be regular in compliance.
- The RPFC has submitted copies of balance sheets of the establishment and of the Trust for last three years.

Above all, the proposal has been examined in the light of Act and Scheme provisions, conditions stipulated in Appendix 'A' to Para 27AA of the EPF Scheme, 1952, Ten Point Checklist prescribed by Ministry of Labour & Employment, Government of India and instructions issued by EPFO from time to time in this regard and it is found to be a fit case to be placed before the Sub-Committee of CBT, EPF on Exempted Establishments for consideration and recommendation to Appropriate Government for grant of exemption.
The application for exemption is by the employer and is addressed to the Appropriate Government.

RPFC concerned has examined the proposal in accordance with the Ten Point Checklist prescribed by the Ministry of Labour and Employment, Government of India and certified that the proposal is in order.

RPFC concerned certified that the investments by the Trust during the last three years have been as per the pattern of investment prescribed by the Government of India Ministry of Labour and Employment in this regard from time to time.

There is specific recommendation of the RPFC for grant of exemption.

There is consent of a majority of employees for exemption.

The composition of the Board of Trustees is in accordance with the provisions of Para 79 of the Scheme.

Names and addresses of all the members of the BOTs have been incorporated in the Trust Rule.

The establishment is stated to be regular in compliance.

The RPFC has submitted copies of balance sheets of the establishment and of the Trust for last three years.

V. Name of the Establishment: M/s. Jubilant Industries Limited
   Code No.: UP/49271
   No of members: 122
   Name of the Office: SRO, Noida
   Date from Exemption sought: 01.11.2010
   Section/Para under which Exemption sought: 17(1)(a)
   Appropriate Government: Government of India

2. The above establishment has submitted the proposal for exemption under Section 17(1)(a) addressed to Government of India. The same was forwarded by SRO, Noida to Head Office on 24.10.2013. The inconsistencies observed in the proposal by the Head Office were rectified by respective Office and last such reference was received from field office/establishment on 15.07.2014.

3. The following requirements for grant of exemption under Section 17(1)(a) are fulfilled by the applicant establishment:
   - The Rules of its Provident Fund with respect to the rates of contribution are not less favourable than those specified in Section 6 of the EPF & MP Act, 1952 and
   - The employees are also in enjoyment of other Provident Fund benefits which on the whole are not less favourable than the benefits provided under this Act or the EPF Scheme, 1952.

4. Other essential requirements for grant of exemption have also been verified and are found in order. The same are detailed below:
   - The application for exemption is by the employer and is addressed to the Appropriate Government.
   - RPFC concerned has examined the proposal in accordance with the Ten Point Checklist prescribed by the Ministry of Labour and Employment, Government of India and certified that the proposal is in order.
   - RPFC concerned certified that the investments by the Trust during the last three years have been as per the pattern of investment prescribed by the Government of India Ministry of Labour and Employment in this regard from time to time.
   - There is specific recommendation of the RPFC for grant of exemption.
   - There is consent of a majority of employees for exemption.
   - The composition of the Board of Trustees is in accordance with the provisions of Para 79 of the Scheme.
   - Names and addresses of all the members of the BOTs have been incorporated in the Trust Rule.
   - The establishment is stated to be regular in compliance.
   - The RPFC has submitted copies of balance sheets of the establishment and of the Trust for last three years.

Above all, the proposal has been examined in the light of Act and Scheme provisions, conditions stipulated in Appendix 'A' to Para 27AA of the EPF Scheme, 1952, Ten Point Checklist prescribed by Ministry of Labour & Employment, Government of India and Instructions issued by EPFO from time to time in this regard and it is found to be a fit case to be placed before the Sub-Committee of CBT, EPF on Exempted Establishments for consideration and recommendation to Appropriate Government for grant of exemption.
2. The above establishment has submitted the proposal for exemption under Section 17(1)(a) addressed to Government of India. The same was forwarded by SRO, Noida to Head Office on 24.10.2013. The inconsistencies observed in the proposal by the Head Office were rectified by respective Office and last such reference was received from field office/establishment on 10.07.2014.

3. The following requirements for grant of exemption under Section 17(1)(a) are fulfilled by the applicant establishment:
   - The Rules of its Provident Fund with respect to the rates of contribution are not less favourable than those specified in Section 6 of the EPF & MP Act, 1952 and the employees are also in enjoyment of other Provident Fund benefits which on the whole are not less favourable than the benefits provided under this Act or the EPF Scheme, 1952.

4. Other essential requirements for grant of exemption have also been verified and are found in order. The same are detailed below:
   - The application for exemption is by the employer and is addressed to the Appropriate Government.
   - RPFC concerned has examined the proposal in accordance with the Ten Point Checklist prescribed by the Ministry of Labour and Employment, Government of India and certified that the proposal is in order.
   - RPFC concerned certified that the investments by the Trust during the last three years have been as per the pattern of investment prescribed by the Government of India Ministry of Labour and Employment in this regard from time to time.
   - There is specific recommendation of the RPFC for grant of exemption.
   - There is consent of a majority of employees for exemption.
   - The composition of the Board of Trustees is in accordance with the provisions of Para 79 of the Scheme.
   - Names and addresses of all the members of the BOTs have been incorporated in the Trust Rule.
   - The establishment is stated to be regular in compliance.
   - The RPFC has submitted copies of balance sheets of the establishment and of the Trust for last three years.

Above all, the proposal has been examined in the light of Act and Scheme provisions, conditions stipulated in Appendix 'A' to Para 27AA of the EPF Scheme, 1952, Ten Point Checklist prescribed by Ministry of Labour & Employment, Government of India and instructions issued by EPFO from time to time in this regard and it is found to be a fit case to be placed before the Sub-Committee of CBT, EPF on Exempted Establishments for consideration and recommendation to Appropriate Government for grant of exemption.
4. Other essential requirements for grant of exemption have also been verified and are found in order. The same are detailed below:

- The application for exemption is by the employer and is addressed to the Appropriate Government.
- RPFC concerned has examined the proposal in accordance with the Ten Point Checklist prescribed by the Ministry of Labour and Employment, Government of India and certified that the proposal is in order.
- RPFC concerned certified that the investments by the Trust during the last three years have been as per the pattern of investment prescribed by the Government of India Ministry of Labour and Employment in this regard from time to time.
- There is specific recommendation of the RPFC for grant of exemption.
- There is consent of a majority of employees for exemption.
- The composition of the Board of Trustees is in accordance with the provisions of Para 79 of the Scheme.
- Names and addresses of all the members of the BOTs have been incorporated in the Trust Rule.
- The establishment is stated to be regular in compliance.
- The RPFC has submitted copies of balance sheets of the establishment and of the Trust for last three years.

Above all, the proposal has been examined in the light of Act and Scheme provisions, conditions stipulated in Appendix 'A' to Para 27AA of the EPF Scheme, 1952, Ten Point Checklist prescribed by Ministry of Labour & Employment, Government of India and instructions issued by EPFO from time to time in this regard and it is found to be a fit case to be placed before the Sub-Committee of CBT, EPF on Exempted Establishments for consideration and recommendation to Appropriate Government for grant of exemption.

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1. Name of the Establishment: M/s. V E Commercial Vehicles Ltd.
   Code No.: MP/5587-A
   No of members: 706
   Name of the Office: RO, Madhya Pradesh
   Date from Exemption sought: 01.10.2007
   Section/Para under which Exemption sought: 27A
   Appropriate Government: Govt. of India

2. The above establishment has submitted the proposal for exemption under Para 27A of the Scheme addressed to Government of India. The same was forwarded by RPFC, RO, Madhya Pradesh Head Office on 13.03.2014. The inconsistencies observed in the proposal by the Head Office were rectified by respective Office and last such reference was received from field office on 30.05.2014.

3. The following requirements for grant of exemption under Para 27A of the Scheme are fulfilled by the applicant establishment:
   - The Rules of its Provident Fund with respect to the rates of contribution are not less favourable than those specified in Section 6 of the EPF & MP Act, 1952 and
   - The employees are also in enjoyment of other Provident Fund benefits which on the whole are not less favourable than the benefits provided under this Act or the EPF Scheme, 1952.

4. Other essential requirements for grant of exemption have also been verified and are found in order. The same are detailed below:
   - The application for exemption is by the employer and is addressed to the Appropriate Government.
   - RPFC concerned has examined the proposal in accordance with the Ten Point Checklist prescribed by the Ministry of Labour and Employment, Government of India and certified that the proposal is in order.
   - RPFC concerned certified that the investments by the Trust during the last three years have been as per the pattern of investment prescribed by the Government of India Ministry of Labour and Employment in this regard from time to time.
   - There is specific recommendation of the RPFC for grant of exemption.
   - There is consent of a majority of employees for exemption.
   - The composition of the Board of Trustees is in accordance with the provisions of Para 79 of the Scheme.
   - Names and addresses of all the members of the BOTs have been incorporated in the Trust Rule.
   - The establishment is stated to be regular in compliance.
   - The RPFC has submitted copies of balance sheets of the establishment and of the Trust for last three years.

Above all, the proposal has been examined in the light of Act and Scheme provisions, conditions stipulated in Appendix 'A' to Para 27AA of the EPF Scheme, 1952, Ten Point Checklist prescribed by Ministry of Labour & Employment, Government of India and instructions issued by EPFO from time to time in this regard and it is found to be a fit case to be placed before the Sub-Committee of CBT, EPF on Exempted Establishments for consideration and recommendation to Appropriate Government for grant of exemption.
The application for exemption is by the employer and is addressed to the Appropriate Government.

RPFC concerned has examined the proposal in accordance with the Ten Point Checklist prescribed by the Ministry of Labour and Employment, Government of India and certified that the proposal is in order.

RPFC concerned certified that the investments by the Trust during the last three years' have been as per the pattern of investment prescribed by the Government of India Ministry of Labour and Employment in this regard from time to time.

There is specific recommendation of the RPFC for grant of exemption.

There is consent of a majority of employees for exemption.

The composition of the Board of Trustees is in accordance with the provisions of Para 79 of the Scheme.

Names and addresses of all the members of the BOTs have been incorporated in the Trust Rule.

The establishment is stated to be regular in compliance.

The RPFC has submitted copies of balance sheets of the establishment and of the Trust for last three years.

Above all, the proposal has been examined in the light of Act and Scheme provisions, conditions stipulated in Appendix 'A' to Para 27AA of the EPF Scheme, 1952, Ten Point Checklist prescribed by Ministry of Labour & Employment, Government of India and instructions issued by EPFO from time to time in this regard and it is found to be a fit case to be placed before the Sub-Committee of CBT, EPF on Exempted Establishments for consideration and recommendation to Appropriate Government for grant of exemption.

Page 68 of 83
2. The above establishment has submitted the proposal for exemption under Para 27A of the Scheme addressed to Government of Maharashtra. The same was forwarded by RPFC, RO, Bandra to Head Office on 08.11.2013. The inconsistencies observed in the proposal by the Head Office were rectified by respective Office and last such reference was received from field office on 27.06.2014.

3. The following requirements for grant of exemption under Para 27A of the Scheme are fulfilled by the applicant establishment:

- The Rules of its Provident Fund with respect to the rates of contribution are not less favourable than those specified in Section 6 of the EPF & MP Act, 1952 and
- The employees are also in enjoyment of other Provident Fund benefits which on the whole are not less favourable than the benefits provided under this Act or the EPF Scheme, 1952.

4. Other essential requirements for grant of exemption have also been verified and are found in order. The same are detailed below:

- The application for exemption is by the employer and is addressed to the Appropriate Government.
- RPFC concerned has examined the proposal in accordance with the Ten Point Checklist prescribed by the Ministry of Labour and Employment, Government of India and certified that the proposal is in order.
- RPFC concerned certified that the investments by the Trust during the last three years have been as per the pattern of investment prescribed by the Government of India Ministry of Labour and Employment in this regard from time to time.
- There is specific recommendation of the RPFC for grant of exemption.
- There is consent of a majority of employees for exemption.
- The composition of the Board of Trustees is in accordance with the provisions of Para 79 of the Scheme.
- Names and addresses of all the members of the BOTs have been incorporated in the Trust Rule.
- The establishment is stated to be regular in compliance.
- The RPFC has submitted copies of balance sheets of the establishment and of the Trust for last three years.

Above all, the proposal has been examined in the light of Act and Scheme provisions, conditions stipulated in Appendix 'A' to Para 27AA of the EPF Scheme, 1952, Ten Point Checklist prescribed by Ministry of Labour & Employment, Government of India and instructions issued by EPFO from time to time in this regard and it is found to be a fit case to be placed before the Sub-Committee of CBT, EPF on Exempted Establishments for consideration and recommendation to Appropriate Government for grant of exemption.
2. The above establishment has submitted the proposal for exemption under Para 27A of the Scheme addressed to Government of India. The same was forwarded by RPFC, RO, Bandra Head Office on 08.11.2013. The inconsistencies observed in the proposal by the Head Office were rectified by respective Office and last such reference was received from field office on 27.06.2014.

3. The following requirements for grant of exemption under Para 27A of the Scheme are fulfilled by the applicant establishment:

   ➤ The Rules of its Provident Fund with respect to the rates of contribution are not less favourable than those specified in Section 6 of the EPF & MP Act, 1952 and
   ➤ The employees are also in enjoyment of other Provident Fund benefits which on the whole are not less favourable than the benefits provided under this Act or the EPF Scheme, 1952.

4. Other essential requirements for grant of exemption have also been verified and are found in order. The same are detailed below:

   ➤ The application for exemption is by the employer and is addressed to the Appropriate Government.
   ➤ RPFC concerned has examined the proposal in accordance with the Ten Point Checklist prescribed by the Ministry of Labour and Employment, Government of India and certified that the proposal is in order.
   ➤ RPFC concerned certified that the investments by the Trust during the last three years have been as per the pattern of investment prescribed by the Government of India Ministry of Labour and Employment in this regard from time to time.
   ➤ There is specific recommendation of the RPFC for grant of exemption.
   ➤ There is consent of a majority of employees for exemption.
   ➤ The composition of the Board of Trustees is in accordance with the provisions of Para 79 of the Scheme.
   ➤ Names and addresses of all the members of the BOTs have been incorporated in the Trust Rule.
   ➤ The establishment is stated to be regular in compliance.
   ➤ The RPFC has submitted copies of balance sheets of the establishment and of the Trust for last three years.

Above all, the proposal has been examined in the light of Act and Scheme provisions, conditions stipulated in Appendix 'A' to Para 27AA of the EPF Scheme, 1952, TenPoint Checklist prescribed by Ministry of Labour & Employment, Government of India and Instructions issued by EPFO from time to time in this regard and it is found to be a fit case to be placed before the Sub-Committee of CBT, EPF on Exempted Establishments for consideration and recommendation to Appropriate Government for grant of exemption.
2. The above establishment has submitted the proposal for exemption under Para 27A of the Scheme addressed to Government of India. The same was forwarded by RPFC, RO, Shimla to Head Office on 24.09.2013. The inconsistencies observed in the proposal by the Head Office were rectified by respective Office and last such reference was received from field office on 09.07.2014.

3. The following requirements for grant of exemption under Para 27A of the Scheme are fulfilled by the applicant establishment:

   - The Rules of its Provident Fund with respect to the rates of contribution are not less favourable than those specified in Section 6 of the EPF & MP Act, 1952 and
   - The employees are also in enjoyment of other Provident Fund benefits which on the whole are not less favourable than the benefits provided under this Act or the EPF Scheme, 1952.

4. Other essential requirements for grant of exemption have also been verified and are found in order. The same are detailed below:

   - The application for exemption is by the employer and is addressed to the Appropriate Government.
   - RPFC concerned has examined the proposal in accordance with the Ten Point Checklist prescribed by the Ministry of Labour and Employment, Government of India and certified that the proposal is in order.
   - RPFC concerned certified that the investments by the Trust during the last three years have been as per the pattern of investment prescribed by the Government of India Ministry of Labour and Employment in this regard from time to time.
   - There is specific recommendation of the RPFC for grant of exemption.
   - There is consent of a majority of employees for exemption.
   - The composition of the Board of Trustees is in accordance with the provisions of Para 79 of the Scheme.
   - Names and addresses of all the members of the BOTs have been incorporated in the Trust Rule.
   - The establishment is stated to be regular in compliance.
   - The RPFC has submitted copies of balance sheets of the establishment and of the Trust for last three years.

   Above all, the proposal has been examined in the light of Act and Scheme provisions, conditions stipulated in Appendix ‘A’ to Para 27AA of the EPF Scheme, 1952, Ten Point Checklist prescribed by Ministry of Labour & Employment, Government of India and instructions issued by EPFO from time to time in this regard and it is found to be a fit case to be placed before the Sub-Committee of CBT, EPF on Exempted Establishments for consideration and recommendation to Appropriate Government for grant of exemption.
2. The above establishment has submitted the proposal for exemption under Para 27A of the Scheme addressed to State Government of Maharashtra. The same was forwarded by RPFC, RO, Bandra to Head Office on 08.11.2013. The inconsistencies observed in the proposal by the Head Office were rectified by respective Office and last such reference was received from field office on 27.06.2014.

3. The following requirements for grant of exemption under Para 27A of the Scheme are fulfilled by the applicant establishment:

» The Rules of its Provident Fund with respect to the rates of contribution are not less favourable than those specified in Section 6 of the EPF & MP Act, 1952 and

» The employees are also in enjoyment of other Provident Fund benefits which on the whole are not less favourable than the benefits provided under this Act or the EPF Scheme, 1952.

4. Other essential requirements for grant of exemption have also been verified and are found in order. The same are detailed below:

» The application for exemption is by the employer and is addressed to the Appropriate Government.

» RPFC concerned has examined the proposal in accordance with the Ten Point Checklist prescribed by the Ministry of Labour and Employment, Government of India and certified that the proposal is in order.

» RPFC concerned certified that the investments by the Trust during the last three years have been as per the pattern of investment prescribed by the Government of India Ministry of Labour and Employment in this regard from time to time.

» There is specific recommendation of the RPFC for grant of exemption.

» There is consent of a majority of employees for exemption.

» The composition of the Board of Trustees is in accordance with the provisions of Para 79 of the Scheme.

» Names and addresses of all the members of the BOTs have been incorporated in the Trust Rule.

» The establishment is stated to be regular in compliance.

» The RPFC has submitted copies of balance sheets of the establishment and of the Trust for last three years.

Above all, the proposal has been examined in the light of Act and Scheme provisions, conditions stipulated in Appendix 'A' to Para 27AA of the EPF Scheme, 1952, Ten Point Checklist prescribed by Ministry of Labour & Employment, Government of India and instructions issued by EPFO from time to time in this regard and it is found to be a fit case to be placed before the Sub-Committee of CBT, EPF on Exempted Establishments for consideration and recommendation to Appropriate Government for grant of exemption.
AE. Name of the Establishment : M/s. Mafatlal Industries Limited
Code No. : MH/BAN/4092
No of members : 127
Name of the Office : RO, Bandra
Date from Exemption sought : 01.04.2012
Section/Para under which Exemption sought : 27A
Appropriate Government : Government of India

2. The above establishment has submitted the proposal for exemption under Para 27A of the Scheme addressed to Government of India. The same was forwarded by RPFC, RO, Bandra Head Office on 08.11.2013. The inconsistencies observed in the proposal by the Head Office were rectified by respective Office and last such reference was received from field office on 27.06.2014.

3. The following requirements for grant of exemption under Para 27A of the Scheme are fulfilled by the applicant establishment:
   - The Rules of its Provident Fund with respect to the rates of contribution are not less favourable than those specified in Section 6 of the EPF & MP Act, 1952 and
   - The employees are also in enjoyment of other Provident Fund benefits which on the whole are not less favourable than the benefits provided under this Act or the EPF Scheme, 1952.

4. Other essential requirements for grant of exemption have also been verified and are found in order. The same are detailed below:
   - The application for exemption is by the employer and is addressed to the Appropriate Government.
   - RPFC concerned has examined the proposal in accordance with the Ten Point Checklist prescribed by the Ministry of Labour and Employment, Government of India and certified that the proposal is in order.
   - RPFC concerned certified that the investments by the Trust during the last three years have been as per the pattern of investment prescribed by the Government of India Ministry of Labour and Employment in this regard from time to time.
   - There is specific recommendation of the RPFC for grant of exemption.
   - There is consent of a majority of employees for exemption.
   - The composition of the Board of Trustees is in accordance with the provisions of Para 79 of the Scheme.
   - Names and addresses of all the members of the BOTS have been incorporated in the Trust Rule.
   - The establishment is stated to be regular in compliance.
   - The RPFC has submitted copies of balance sheets of the establishment and of the Trust for last three years.

Above all, the proposal has been examined in the light of Act and Scheme provisions, conditions stipulated in Appendix 'A' to Para 27AA of the EPF Scheme, 1952, Ten Point Checklist prescribed by Ministry of Labour & Employment, Government of India and Instructions issued by EPFO from time to time in this regard and it is found to be a fit case to be placed before the Sub-Committee of CBT, EPF on Exempted Establishments for consideration and recommendation to Appropriate Government for grant of exemption.
2. The above establishment has submitted the proposal for exemption under Para 27A of the Scheme addressed to Government of India. The same was forwarded by RPFC, RO, Kandivali to Head Office on 19.01.2008. The inconsistencies observed in the proposal by the Head Office were rectified by respective Office and last such reference was received from field office on 02.06.2014.

3. The establishment has been covered under the EPF & MP Act, 1952, w.e.f 01.06.2003. The employees drawing salary upto Rs. 6500/-, were enrolled as members of the statutory fund. For persons drawing salary beyond Rs. 6500/-, the establishment had formed a Trust and the provident fund contributions in respect of these employees are regularly credited to the Trust – "J.P. Morgan Services India Pvt. Ltd., Employees’ Provident Fund".

4. The amendment in the Finance Act in 2006 made it mandatory for all Private Provident Fund Trusts to get themselves covered under the EPF & MP Act, 1952 for the purpose of recognition under the Income Tax Act, 1961. Accordingly, the establishment applied for grant of exemption under Para 27A of the EPF Scheme, 1952 for Class of Employees directly employed and who are on the rolls of the establishment. The establishment was granted relaxation by the RPFC under Para 79 of the EPF Scheme, 1952 on 12.01.2008 w.e.f. 01.04.2007. Even after submission of application for grant of exemption, the establishment continued to remit the provident fund contribution in respect of the employees drawing salary upto Rs. 6500/- Further, even after grant of relaxation i.e. from 12.01.2008 till August, 2008, the establishment continued to remit the contribution in respect of employees drawing salary upto Rs. 6500/- to the statutory fund.

5. Thereafter, i.e., w.e.f. 01.09.2008 the establishment started complying in respect of all the employees in the Trust as per the definition of Class of Employees provided in the Trust Rule of the establishment. RPFC, considered this as a violation of condition No. 5 of the Appendix ‘A’ to Para 27AA of the EPF Scheme, 1952 governing grant of exemption/relaxation and withdrew relaxation granted to the establishment after issuing a Show-Cause Notice. However, this is not a case of evasion of liability by the establishment as there is no default on the part of the establishment in compliance to the provisions of the Act. Instead of complying to the Trust for all the employees, the establishment remitted contribution for the excluded employees to the Trust and for the employees drawing salary upto Rs. 6500/- to the statutory fund.

6. Being aggrieved with the order of the RPFC, the establishment has moved Hon’ble High Court at Mumbai against the order of withdrawal of relaxation. The Writ Petitions are
pending for decision before the High Court. However withdrawal of relaxation order has been stayed by the Hon’ble High Court in an interim order in writing vide their letter dated 30.07.2014.

7. Further, the establishment has agreed not to pursue the pending Writ Petition before the Hon’ble High Court Bombay.

8. Even though the matter is subjudice and department is pursuing the case in the High Court, the application of the establishment for grant of exemption case needs to be considered keeping in view the interest of 16469 employees of the establishment.

9. The following requirements for grant of exemption under Para 27A of the Scheme are fulfilled by the applicant establishment:

   > The Rules of its Provident Fund with respect to the rates of contribution are not less favourable than those specified in Section 6 of the EPF & MP Act, 1952 and
   > The employees are also in enjoyment of other Provident Fund benefits which on the whole are not less favourable than the benefits provided under this Act or the EPF Scheme, 1952.

10. Other essential requirements for grant of exemption have also been verified and are found in order. The same are detailed below:

   > The application for exemption is by the employer and is addressed to the Appropriate Government.
   > RPFC concerned has examined the proposal in accordance with the Ten Point Checklist prescribed by the Ministry of Labour and Employment, Government of India and certified that the proposal is in order.
   > RPFC concerned certified that the investments by the Trust during the last three years have been as per the pattern of investment prescribed by the Government of India Ministry of Labour and Employment in this regard from time to time.
   > There is specific recommendation of the RPFC for grant of exemption.
   > There is consent of a majority of employees for exemption.
   > The composition of the Board of Trustees is in accordance with the provisions of Para 79 of the Scheme.
   > Names and addresses of all the members of the BOTs have been incorporated in the Trust Rule.
   > The establishment is stated to be regular in compliance.
   > The RPFC has submitted copies of balance sheets of the establishment and of the Trust for last three years.

   Above all, the proposal has been examined in the light of Act and Scheme provisions, conditions stipulated in Appendix 'A' to Para 27AA of the EPF Scheme, 1952, Ten Point Checklist prescribed by Ministry of Labour & Employment, Government of India and instructions issued by EPFO from time to time in this regard and it is found to be a fit case to be placed before the Sub-Committee of CBT, EPF on Exempted Establishments for consideration and recommendation to Appropriate Government for grant of exemption.
2. The above establishment has submitted the proposal for exemption under Para 27A of the Scheme addressed to Government of India. The same was forwarded by RPFC, RO, Dehradun to Head Office on 06.02.2009. The inconsistencies observed in the proposal by the Head Office were rectified by respective Office and last such reference was received from field office on 22.07.2014.

3. The following requirements for grant of exemption under Para 27A of the Scheme are fulfilled by the applicant establishment:

   > The Rules of its Provident Fund with respect to the rates of contribution are not less favourable than those specified in Section 6 of the EPF & MP Act, 1952 and
   > The employees are also in enjoyment of other Provident Fund benefits which on the whole are not less favourable than the benefits provided under this Act or the EPF Scheme, 1952.

4. Other essential requirements for grant of exemption have also been verified and are found in order. The same are detailed below:

   > The application for exemption is by the employer and is addressed to the Appropriate Government.
   > RPFC concerned has examined the proposal in accordance with the Ten Point Checklist prescribed by the Ministry of Labour and Employment, Government of India and certified that the proposal is in order.
   > RPFC concerned certified that the investments by the Trust during the last three years have been as per the pattern of investment prescribed by the Government of India Ministry of Labour and Employment in this regard from time to time.
   > There is specific recommendation of the RPFC for grant of exemption.
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   > The composition of the Board of Trustees is in accordance with the provisions of Para 79 of the Scheme.
   > Names and addresses of all the members of the BOTs have been incorporated in the Trust Rule.
   > The establishment is stated to be regular in compliance.
   > The RPFC has submitted copies of balance sheets of the establishment and of the Trust for last three years.

Above all, the proposal has been examined in the light of Act and Scheme provisions, conditions stipulated in Appendix 'A' to Para 27AA of the EPF Scheme, 1952, Ten Point Checklist prescribed by Ministry of Labour & Employment, Government of India and Instructions issued by EPFO from time to time in this regard and it is found to be a fit case to be placed before the Sub-Committee of CBT, EPF on Exempted Establishments for consideration and recommendation to Appropriate Government for grant of exemption.
AH. Name of the Establishment : M/s Genius Consultants Limited

Code No. : WB/34609
No of members : 1965
Name of the Office : RO, Kolkata
Date from Exemption sought : 01.01.2008
Section/Para under which Exemption sought : 17(1)(a)
Appropriate Government : Govt. of India

2. The above establishment has submitted the proposal for exemption under Section 17(1)(a) of the EPF & MP Act 1952 addressed to Government of India. The same was forwarded by RPFC, RO, Kolkata to Head Office on 07.01.2008. The inconsistencies observed in the proposal by the Head Office were rectified by respective Office and last such reference was received from field office on 24.06.2014.

3. The following requirements for grant of exemption under Section 17(1)(a) of the EPF & MP Act, 1952 are fulfilled by the applicant establishment:
   - The Rules of its Provident Fund with respect to the rates of contribution are not less favourable than those specified in Section 6 of the EPF & MP Act, 1952 and
   - The employees are also in enjoyment of other Provident Fund benefits which on the whole are not less favourable than the benefits provided under this Act or the EPF Scheme, 1952.

4. Other essential requirements for grant of exemption have also been verified and are found in order. The same are detailed below:
   - The application for exemption is by the employer and is addressed to the Appropriate Government.
   - RPFC concerned has examined the proposal in accordance with the Ten Point Checklist prescribed by the Ministry of Labour and Employment, Government of India and certified that the proposal is in order.
   - RPFC concerned certified that the investments by the Trust during the last three years have been as per the pattern of investment prescribed by the Government of India Ministry of Labour and Employment in this regard from time to time.
   - There is specific recommendation of the RPFC for grant of exemption.
   - There is consent of a majority of employees for exemption.
   - The composition of the Board of Trustees is in accordance with the provisions of Para 79 of the Scheme.
   - Names and addresses of all the members of the BOTs have been incorporated in the Trust Rule.
   - The establishment is stated to be regular in compliance.
   - The RPFC has submitted copies of balance sheets of the establishment and of the Trust for last three years.

Above all, the proposal has been examined in the light of Act and Scheme provisions, conditions stipulated in Appendix 'A' to Para 27AA of the EPF Scheme, 1952, Ten Point Checklist prescribed by Ministry of Labour & Employment, Government of India and instructions issued by EPFO from time to time in this regard and it is found to be a fit case to be placed before the Sub-Committee of CBT, EPF on Exempted Establishments for consideration and recommendation to Appropriate Government for grant of exemption.
Item No.4: Levy of Surcharge on the Board of Trustees for failure to make investments as per the directions of the Government from 2000-01 fiscal.

4.1 The Sub Committee of Central Board of Trustees on Exempted Establishments in their 35th meeting held on 28.03.2014 prescribed surcharge to be levied on the Board of Trustees who fail to invest Trust Fund as per the direction of the Government.

4.2 It was decided that the cases of establishments which have already been granted exemption or are enjoying relaxation pending grant of exemption and failed to invest the Trust Fund as per the direction of the Government shall be regularised by levying surcharge at the following rates of surcharge for all deviations till 2013-14.

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Investment Category</th>
<th>Deviation</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Within Central Government and State Government together</td>
<td>To any extent within the two combined in either of them</td>
<td>0.0025%</td>
</tr>
<tr>
<td></td>
<td></td>
<td>To any extent in the two combined together</td>
<td>0.0025%</td>
</tr>
<tr>
<td>2.</td>
<td>Bonds/Securities of Public Financial Institution</td>
<td>Of any extent</td>
<td>0.0025%</td>
</tr>
<tr>
<td>3.</td>
<td>Private Sector Bonds/Securities</td>
<td>To any extent</td>
<td>0.005%</td>
</tr>
</tbody>
</table>

4.3 The provision for levy of surcharge on the Board of Trustees of Exempted Establishments who fail to invest Trust Fund as per the direction of the Government was introduced vide Gazette Notification dated the 6th January, 2014 (Placed at Annexure-4A).

4.4 Thus, the levy of surcharge shall be only from the 2000-01 fiscal and not prior to that.

Proposal: The Sub-Committee is requested to consider and approve the proposal of levy of surcharge only from 2000-01 fiscal.
भारत का राजपत्र
The Gazette of India

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

भाग II—खण्ड 3—उप-खण्ड (1)
PART II—Section 3—Sub-section (1)

भारत तर्कका नंतराल्यां (राष्ट्रं पंजाबांची ठोड़क) व भ-तीन्त्र अधिकारिकां (संग-राष्ट्रांत्रूप व्रस्तालीं को ठोड़क) द्वारा संचिते के अंतर्गत निर्माण करके और जारी फिरा यह साधन सांगितिक नियम (जिन्ससे साधारण प्रकार के अंतर्गत, उप-नियम आदि संपर्कित है)

General Statutory Rules (Including Order, By-clauses etc. of a general character) issued by the Ministries of the Government of India (other than the Ministry of Defence) and by the Central Authorities (other than the Administrations of Union Territories)

पुंज-पंजाब
(भारत के योजनाबद्ध का कार्यालय)

भाग नं: 12 दिसम्बर, 2000

ला.का. प्र. 1—एकुटी, संदर्भाने के अनुसार, 109 के पात्रतू-रावण द्वार व्यापारीयां का प्रयोग करने हुए और घर्ण के नव-शैक्षिक वा वार्षिक [अनुसार अधिकारी (राजी) फ़ायल फ़ायल, 1988 का अधिकार करते हैं। अनुसार नये हैं ये संपत्ति में की गई बैटी बैटी की आज यहीं कार्यालय को ठोड़क, भारत के योजनाबद्ध का कार्यालय साथ ही गया और संपुष्पकों में स्थान बनाने का निर्णय करने में अनुभव अधिकारी (रुफ़्ते) के पद पर भारत की पद्धति का ही निम्नांकन करती है। यही निर्णय होता है। भारतीयों के नाम और प्रतीकावधि—(1) इन नियमों का नाम भारत के योजनाबद्ध का कार्यालय और सबसे ज्यादा संपर्कधार में स्थान बनाने का निर्णय (अनुसार अधिकारी (रुफ़्ते) फ़ायल फ़ायल, 2000 होगा।

(2) ये संपत्ति में प्रकाशित की वरीय को प्रस्तुत होगी।

2. पद्धति की संरक्षण, छापकारण और प्रकाशन—इन पद्धति की संरक्षण, छापकारण और उपभोक्ता श्रेणीय पद को इन नियमों से उपभोक्ता अनुसंधान के संपर्क (2) से संपर्क (4) में विनिर्देश है।

3. भारतीय पद्धति, आयु-सीमा, शैक्षिक अवसरांकन अवसर—संरक्षण पद या पद्धति की पद्धति, आयु-सीमा, शैक्षिक अवसरांकन और उप-पद के रंग में संरक्षण अन्य वयों भी होगे जो तब अनुसंधान के संपर्क (5) से संपर्क (14) में विनिर्देश हैं।

4. विनिर्देशात्मक—(क) निर्णय ने अन्य व्यक्ति ने, जिसको पद्धति या गतिको पद्धति जोड़ता है, विनिर्देशित है, तो यह विनिर्देशात्मक—

(क) निर्णय ने अन्य व्यक्ति ने, जिसको पद्धति या गतिको पद्धति जोड़ता है, विनिर्देशित है, तो यह विनिर्देशात्मक—
G. S. R. 18.—In exercise of the powers conferred by section 5, read with sub-section (1) of section 7, of the Employees Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), the Central Government hereby makes the following Scheme further to amend the Employees Provident Funds Schemes, 1952, namely:—

1. (1) This scheme may be called the Employees Provident Funds (Amendment) Scheme, 2000.

(2) It shall come into force with effect from the date of its publication in the Official Gazette.

2. In the Employees Provident Funds Scheme, 1952:—

(i) in paragraph 5 for sub-paragraph (4) the following sub-paragraph shall be substituted namely:—

(ii) after paragraph 27A, the following paragraph shall be inserted, namely:

"27AA. Terms and conditions of exemption:—

All exemptions already granted or to be granted hereafter under section 17 of the Act or under paragraph 27A of the scheme shall be subject to the terms and conditions as given in the Appendix A."

(iii) in paragraph 79C, for sub-paragraph (5) the following sub-paragraph shall be substituted namely:—

"5) the term of office of the Trustee shall be five years from the date of election or nomination, An outgoing Trustee shall be eligible for re-election or re-nomination. A Trustee elected or nominated to fill the casual vacancy shall hold office for the remaining period of the term of the Trustee in whose place he is elected or nominated."

Appendix-A

1. The employer in relation to the exempted establishment shall provide for such facilities for inspection and pay such inspection charges as the Central Government may from time to time direct under clause (a) of sub-section (3) of section 17 of the Act within 15 days from the close of every month.

2. The rate of contribution payable under the provident fund rules of the establishment shall at no time be lower than those payable under the Act in respect of un-exempted establishments and the scheme framed thereunder.

3. In the matter of advances the scheme of the exempted establishment shall not be less favourable than the Employees Provident Fund Scheme, 1952.

4. Any amendment to the Scheme which is more beneficial to the employees than the existing rules of the establishment shall be made applicable to them automatically. The employer shall not however make any other amendment in its P.F. Rules without the approval of Regional Provident Fund Commissioner. The Regional Provident Fund Commissioner shall before giving his approval give a reasonable opportunity to the employees to explain their point of view.

5. All employees (as defined in section 2(f) of the Act) who have been eligible to become members of the Provident Fund, had the establishment not been granted exemption, shall be enrolled as members.

6. Where an employee who is already a member of the Employees' Provident Fund or a provident Fund of any other exempted establishment is employed in his establishment, the employer shall immediately enroll him as a member of the fund and arrange to have the accumulations in the provident fund account of such employee with his previous employer transferred and credited into his account.
7. The employer shall establish a Board of Trustees for the management of the provident fund according to such directions as may be given by the Central Provident Fund Commissioner or by the Central Government, as the case may be, from time to time.

8. The provident fund shall vest in the Board of Trustees who will be responsible for and accountable to the Employees Provident Fund Organisation inter-alia for proper accounts of the receipts into and payments from the provident fund and the balance in their custody.

9. The Board of Trustees shall meet at least once in every three months and shall function in accordance with the guidelines that may be issued from time to time by the Central Government/Central Provident Fund Commissioner or an officer authorized by him.

10. The accounts of the Provident Fund maintained by the Board of Trustees shall be subject to audit by a qualified independent Chartered Accountant annually. Where considered necessary, the Central Provident Fund Commissioner shall have the right to have the accounts reaudited by any other qualified auditor and the expenses so incurred shall be borne by the employer.

11. A copy of the audited annual provident fund accounts together with the audited balance sheet of the establishment for each accounting year shall be submitted to the Regional Provident Fund Commissioner within six months after the close of the financial year. For this purpose the financial year of the provident fund shall be from the 1st of April to the 31st of March.

12. The employer shall transfer to the Board of Trustees the contributions payable to the Provident Fund by himself and employees by the 15th of each month following the months for which the contributions are payable. The employer shall be liable to pay simple interest for any delay in payment of the establishment is liable in similar circumstances.

13. The Board of Trustees shall invest the monies in the fund as per directions that may be given by the Government from time to time. The securities shall be obtained in the name of the Board of Trustees and shall be kept in the custody of a scheduled Bank under the Credit Control of the Reserve Bank of India.

14. Failure to make investments as per direction of the Government shall make the Board of Trustees separately and jointly liable to surcharge as may be imposed by the Central Provident Fund Commissioner or his representative.

15. The Board of Trustees shall maintain a scriptwise register and ensure time by realization of interest.

16. The Board of Trustees shall maintain detailed accounts to show the contribution credited, withdrawal and interest in respect of each employee.

17. The Board of Trustees shall issue an annual statement of accounts to every employee within six months of the close of financial/accounting year.

18. The Board of Trustees may, instead of the annual statement of accounts, issue pass book to every employee. Those pass book shall remain in custody of the employees and will be brought up to date by the Board on presentation by the employees.

19. The account of each employee shall be credited with interest calculated on the opening balance as on the 1st day of the accounting year at such rate as may be decided by the Board of Trustees but shall not be lower than the rate declared by the Central Government under paragraph 69 of the said Scheme.

20. If the Board of Trustees are unable to pay interest at the rate declared by the Central Government for the reason that the return on investment is less or for any other reason then the deficiency shall be made good by the employer.

21. The employer shall also make good any other loss that may be caused to the Provident Fund due to theft, burglary, defalcation, misappropriation or any other reason.

22. The employer as well as the Board of Trustees shall submit such returns to the Regional Provident Fund Commissioner as the Central Government/Central Provident Fund Commissioner may prescribe from time to time.

23. If the Provident Fund rules of the establishment provide for forfeiture of the employees' contribution in cases where an employee ceases to be a member of the fund on the lines of para 69 of the said Scheme, the Board
of Trustees shall maintain a separate account of the amount so forfeited prior to 01-01-1990 utilize by the Board of Trustees for such purposes as may be determined with the prior approval of the Central Provident Fund Commissioner.

24. Notwithstanding anything contained in the Provident Fund Rules of the establishment, if on the cessation of any individual from the membership of the fund consequent on retiring from service or on taking up the employment in some other establishment, it is found that the rate of forfeiture etc. under the P.F. rules of the establishment are less favourable as compared to these under the statutory Scheme, the difference shall be borne by the employer.

25. The employer shall bear all the expenses of the administration of the provident fund including the maintenance of accounts, submission of returns, transfer of accumulations.

26. The employer shall display on the notice board of the establishment, a copy of the rules of the fund as approved by the appropriate authority and as and when amended thereto along with a translation of the salient points thereof in the language of the majority of the employees.

27. The appropriate Government may lay down any further conditions for continued exemption of the establishment.

28. The employee shall enhance the rate of provident fund contributions appropriately if the rate of provident fund contribution is enhanced under the said Act so that the benefits under the Provident Fund Scheme of the establishment shall not become less favourable than the benefits provided under the Act.

29. The exemption may be cancelled for violation of any of the conditions laid down in the Appendix.

[File No. : S-35016/S/2000-SS.II]

J.P. SHUKLA, Dy. Secy.

Footnote:— The Employees' Provident Funds Scheme, 1952 was published in the Gazette of India, Part II, Section 3 (i) dated 02-09-1952 as S.R.O. 1509. The relevant paragraphs have been amended as mentioned below:—

(i) Paragraph (5) has been subsequently amended by the following notifications:

(a) GSR 1298 dated 27-09-1972
(b) GSR 606 (E) dated 30-06-1989
(c) GSR 406 dated 27-10-1997

(ii) Paragraph 27AA is a new provision being inserted below paragraph 27A.

(iii) Paragraph 79-C was inserted in the Scheme vide GSR 341 dated 09-07-1992 and it was subsequently amended vide the notification GSR 406 dated the 27-10-1997
Item No. 5 : Any other Item with the permission of the Chair.
All the Members, (as per the list enclosed),
Sub-Committee of Central Board of Trustees, EPF on Exempted Establishments.

Subject: Minutes of the 37th Meeting of the Sub-Committee of the Central Board of Trustees, EPF on Exempted Establishments held on 07.08.2014 at Conference Hall, 3rd Floor, EPFO, Head Office, New Delhi—Regarding.

Sir,

The 37th meeting of the Sub-Committee of Central Board of Trustees, EPF on Exempted Establishments was held on 07.08.2014 as per the notice circulated vide this office letter No. E-III/18(1)04/Sub-Committee/Vol-II/10710 dated 31.07.2014.

2. A copy of the approved minutes of the said meeting is enclosed herewith for your kind information.

Enclosure:- As above

Your faithfully

(P. K. Udgata)
Additional P.F. Commissioner-I (Compliance)
Telephone No.- 011-26172672

Copy forwarded for information to:

1. Central Provident Fund Commissioner and Chairman, Sub-Committee of the Central Board of Trustees, EPF on Exempted Establishments along with a copy of the approved minutes (through PS), EPFO, Head Office, New Delhi.
2. Smt. Meenakshi Gupta, IA & AS,
   Joint Secretary & Financial Advisor,
   Room No. 107, Shram Shakti Bhawan,
   Ministry of Labour & Employment
   Government of India, New Delhi.

3. Director (SS),
   Ministry of Labour & Employment
   Government of India,
   Shram Shakti Bhawan,
   New Delhi-110001.

4. Shri B.P. Pant
   Secretary, FICCI & ED, AIOE
   (Res.) V/5, NCERT Campus,
   Aurobindo Marg, New Delhi-110016.

   (Off.) Executive Director,
   All India Organisation Of Employers,
   Federation House,
   Tansen Marg, New Delhi-110001.

5. Shri Sushanta Sen,
   Principal Advisor,
   Confederation of Indian Industry,
   249-F, Sector 18, Udyog Vihar,
   Phase-IV, Gurgaon-122015 (Haryana).

6. Shri A.K. Padmanabhan,
   President, CITU, B.T.R. Bhawan,
   13A, Rouse Avenue,
   New Delhi-110002.

7. Shri Ashok Singh
   VP, INTUC & Chairman, CBWE,
   (Res.) No. 435,
   Vishwas Khand III,
   Gomti Nagar, Lucknow (UP).

   (Off.) of the Chairman, CBWE,
   Room No. 21 & 22,
   Barrack No. 7/10, Jamnagar House,
   Mansingh Road, New Delhi-110011.

(P. K. Udgata)
Additional P.F. Commissioner-I (Compliance)
Telephone No.- 011-26172672

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EMPLOYEES' PROVIDENT FUND ORGANISATION

MINUTES OF THE

37th MEETING OF THE SUB-COMMITTEE, CBT (EPF) ON EXEMPTED
ESTABLISHMENTS

(EPF HEADQUARTERS, NEW DELHI; 07th August, 2014; 12.30 PM)

The 37th meeting of the Sub-Committee, CBT (EPF) on Exempted Establishments was chaired by Shri K.K. Jalan, Central PF Commissioner. The following members attended the meeting:

Smt. Meenakshi Gupta  Joint Secretary & Financial
Advisor (Ministry of Labour & Employment)

Shri Sushanta Sen  Employers' representative

Shri B.P. Pant  Employers' representative

Shri Ashok Singh  Employees' representative

Shri A.K. Padmanabhan  Employees' representative

Shri P.K. Udgata  Additional Central PF Commissioner-I (Compliance) and
Convener

Shri D.S.-Negi, Director (Ministry of Labour & Employment) could not attend the meeting because of his pre-occupation and sought leave of absence.

Shri Rajesh Bansal, Additional CPFC (HQ) has attended the meeting as a special invitee.

The list of officers of the Employees' Provident Fund Organisation, who attended the meeting, is at Annexure 'A'.

At the outset, Central P.F. Commissioner and Chairman welcomed all the Members and apprised the need for convening the meeting of the Sub-Committee at a short notice.

Thereafter the agenda items were taken up.
Item No.1 Confirmation of the minutes of 36th meeting of the Sub-Committee of the Central Board of Trustees, EPF on Exempted Establishments held on 15.05.2014.

1.1 Addl. CPFC (Compliance) informed that the minutes of the 36th meeting of the Sub-Committee of the Central Board of Trustees, EPF on Exempted Establishments held on 15.05.2014 were circulated to all the members on 23.05.2014 and no feedback has been received from any of the members.

1.2 Hon’ble Members unanimously confirmed the minutes.

1.3 Shri Sushanta Sen suggested that whenever meetings of exempted establishments are arranged by EPFO prior intimation may be given to Confederation of India Industries (CII) so that their member establishments can participate in the meetings to sort out the issues in relation to grant of exemption.

Item No.2 Action Taken Statement in respect of decisions taken in the 36th meeting of the Sub-Committee of the Central Board of Trustees, EPF on Exempted Establishments held on 15.05.2014.

2.1 As regards actionable point No. 1, Additional CPFC (Compliance) apprised the Committee that the details of ten exempted establishments have been supplied to the members of the two Member Committee comprising Shri Sushanta Sen and Shri A.K. Padmanabhan on 28.05.2014 as per the decision taken in the 36th meeting of the Committee. Shri Padmanabhan stated that the details of the exempted establishments have been studied in detail within and barring 2-3 cases, rest of the establishments are following the conditions stipulated for compliance by exempted establishments. Shri Sushanta Sen consented the views of Shri Padmanabhan. In connection with the study of exempted establishments, the following were decided:

a) EPFO will provide all logistic support and some officer will also be asked to associate with the members in the study if required by the members.

b) For the purpose of study, the establishments will be selected at random basing on certain parameters.

c) The study is a continuous process and this actionable point should be kept alive.

2.2 As regards actionable point No. 2, it was decided that the guidelines in the form of a small booklet will be issued to the exempted establishments latest by 15th September, 2014.
2.3 As regards actionable point No. 3, it was decided that the Interim report on the findings of the investigation containing the actions up to initiation of proceedings under Section 7A of the Act will be submitted before the Committee latest by 15th September, 2014.

2.4 As regards actionable point No. 4, Hon'ble Members were apprised about the action taken against the exempted establishments who fail to follow the conditions stipulated for compliance by the exempted establishments ending in proposing cancellation of exemption. Even if an establishment follows all other conditions satisfactorily but reports loss for three years consecutively, cancellation of exemption is resorted.

Item No.3 : Grant of exemption under Section 17(1)(a) of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 and Para 27A of the Employees' Provident Funds Scheme, 1952 by Appropriate Government.

3.1 Additional CPFC(Compliance) informed the Committee that the proposals of enlisted thirty six establishments have been processed and placed before the Committee for consideration and recommendation, on behalf of the Central Board of Trustees, EPF to the Appropriate Government, for grant of exemption.

3.2 Thereafter listed cases are taken one by one:

3.3 In case of Sl. No.1, i.e., Heavy Engineering Corporation Limited, JS & FA wanted to know as to why the exemption is proposed with retrospective effect from 01.11.1966 and whether the employees are getting all the benefits at par with the statute. It was apprised that relaxation was granted to the establishment pending grant of exemption w.e.f. 01.11.1966 and thus exemption is proposed from 01.11.1966. During the intervening period, the establishment is functioning like an exempted establishment and the members were allowed to avail the benefits at par with the statute. Members accordingly approved the proposal.

3.4 Hon'ble Members approved the proposals at Sl. No. 2 to Sl. No. 31 as they followed the conditions stipulated for compliance by exempted establishments satisfactorily.

3.5 The proposal at Sl. No. 32, i.e., M/s. J. P. Morgan Services was taken up for discussion.

3.6 The status of the case was discussed in detail in the meeting.
3.7 It was explained to the Committee that the remittance of contributions partly to the Trust and partly to the Statutory Fund is nothing but a technical default as there was no delay in deposit of contributions. The accumulations of the members are secured. There is no point to pursue the case at the High Court by EPFO which will incur unnecessary legal expenses. Rather the case may be considered and recommended to the Appropriate Government for consideration and grant of exemption in the interest of the workers since the establishment has agreed in writing not to pursue the case pending before the Hon'ble High Court Bombay.

3.8 Keeping in view the facts of the case, Hon'ble Members agreed and approved the proposal of M/s. J. P. Morgan Services.

3.9 Hon'ble Members also approved the proposals at Sl. No. 33 to Sl. No. 35 as they satisfactorily followed the conditions stipulated for compliance by exempted establishments.

3.10 The approved proposals are detailed below:

<table>
<thead>
<tr>
<th>Sl.No</th>
<th>Name of the establishment</th>
<th>Office</th>
<th>Code No.</th>
<th>With effect from</th>
<th>Section Para</th>
<th>Appropriate Government</th>
<th>No. of members</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>M/s. Heavy Engineering Corporation Ltd. (M/s. HEC Ltd.), Dhanwa, Ranchi</td>
<td>RPFC, RO, Jharkhand</td>
<td>WBA1465</td>
<td>01.11.1986</td>
<td>17(1)(a)</td>
<td>Government of India</td>
<td>3219</td>
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<td>2.</td>
<td>M/s. Hindustan Charity Trust</td>
<td>RPFC, SRO, Park Street</td>
<td>WBA42468</td>
<td>01.01.2003</td>
<td>17(1)(a)</td>
<td>Government of India</td>
<td>76</td>
</tr>
<tr>
<td>3.</td>
<td>M/s. Software India Pvt. Ltd.</td>
<td>RPFC, Delhi (South)</td>
<td>DU19955</td>
<td>01.04.2007</td>
<td>17(1)(a)</td>
<td>Government of India</td>
<td>257</td>
</tr>
<tr>
<td>SL No.</td>
<td>Name of the establishment</td>
<td>City</td>
<td>Code No.</td>
<td>With effect from</td>
<td>Section/Para</td>
<td>Government</td>
<td>No. of members</td>
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<td>7.</td>
<td>Ms. Capgemini India Pvt. Ltd.</td>
<td>RO. Thane</td>
<td>MH/THN/31543</td>
<td>01.07.2008</td>
<td>27A</td>
<td>Government of India</td>
<td>23509</td>
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<tr>
<td>3.</td>
<td>Ms. Jaewan Limited</td>
<td>RO. Bandra</td>
<td>MH/BAN/125397</td>
<td>01.03.2009</td>
<td>17(1)(a)</td>
<td>State Government of Maharashtra</td>
<td>4</td>
</tr>
<tr>
<td>12.</td>
<td>Ms. RNO Holding Pvt. Limited</td>
<td>RO. Delhi (South)</td>
<td>DL/4688</td>
<td>15.09.2009</td>
<td>17(1)(a)</td>
<td>Government of India</td>
<td>41</td>
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<tr>
<td>14.</td>
<td>Ms. Total Shipping Company Ltd</td>
<td>RO. Bandra</td>
<td>MH/BAN/146458</td>
<td>01.01.2008</td>
<td>17(1)(a)</td>
<td>State Government of Maharashtra</td>
<td>91</td>
</tr>
<tr>
<td>18.</td>
<td>Ms. Timtex Group Precission Engineering Ltd</td>
<td>SRO, Noida</td>
<td>UP/45555</td>
<td>Date of Notification</td>
<td>27A</td>
<td>Government of India</td>
<td>118</td>
</tr>
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<td>17.</td>
<td>Ms. Koomer Tea Co. Limited</td>
<td>SRO, Park Street</td>
<td>WB/53043</td>
<td>Date of coverage (01.04.2008)</td>
<td>27A</td>
<td>Government of India</td>
<td>49</td>
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<tr>
<th>S.No.</th>
<th>Name of the establishment</th>
<th>Office</th>
<th>Code No.</th>
<th>With effect from</th>
<th>Section/Para</th>
<th>Appropriate Government</th>
<th>No. of members</th>
</tr>
</thead>
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<td>12.</td>
<td>Ms. MCC PTA India Corp. Pvt. Ltd.</td>
<td>SRO, Park Street</td>
<td>WB/34494</td>
<td>01.02.2014</td>
<td>27A</td>
<td>State Government</td>
<td>120</td>
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<td>22.</td>
<td>Ms. Jubilant Industries Limited</td>
<td>SRO, Noida</td>
<td>UP/43271</td>
<td>01.11.2010</td>
<td>17(1) (a)</td>
<td>Government of India</td>
<td>122</td>
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<td>24.</td>
<td>Ms. IFGL Refractories Limited</td>
<td>SRO, Rourkela</td>
<td>OR/3460</td>
<td>01.06.1988</td>
<td>17(1) (a)</td>
<td>Government of India</td>
<td>355</td>
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<tr>
<td>33.</td>
<td>Ms. Bharat Heavy Electricals Ltd.</td>
<td>RO, Oshahramun</td>
<td>UK/3347</td>
<td>03.01.1970</td>
<td>27A</td>
<td>Government of India</td>
<td>7990</td>
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<tr>
<td>34.</td>
<td>Ms. Genius Consultants Limited</td>
<td>RO Kolkata</td>
<td>WB/34569</td>
<td>01.01.2008</td>
<td>17(1)(a)</td>
<td>Government of India</td>
<td>1966</td>
</tr>
<tr>
<td>35.</td>
<td>Ms. Oxford University Press Ltd.</td>
<td>RO, Bandra</td>
<td>MH/BA04/3972</td>
<td>01.06.1987</td>
<td>17(1)(a)</td>
<td>Government of India</td>
<td>658</td>
</tr>
</tbody>
</table>
Item No.4 : Lavy of Surcharge on the Board of Trustees for failure to make investments as per the direction of the Government from 2000-01 fiscal.

4.1 It was decided in the 35th meeting of the Sub Committee of Central Board of Trustees on Exempted Establishments held on 28.03.2014 that the establishments which have already been granted exemption or are enjoying relaxation pending grant of exemption and which failed to invest the Trust Fund as per the direction of the Government shall be regularised by levying minimum surcharge for all deviations till 2013-14.

4.2 It was informed to the Committee that the Government had issued notification vide GSR 18 dated 06.01.2001 whereby the terms and conditions of exemption were prescribed under Paragraph 27AA newly inserted after paragraph 27A. Condition No. 14 of the said notification stipulates that failure to make investments as per direction of the Government shall make the Board of Trustees separately and jointly liable to surcharge as may be imposed by the Central Provident Fund Commissioner or his representative. Thus, the levy of surcharge shall be only from the 2000-01 fiscal and not prior to that.

4.4 Hon'ble Members unanimously decided that it will be judicious to levy surcharge only from the date of notification i.e. from 06.01.2001 and from 2000-2001 fiscal.

The meeting ended with vote of thanks to the Chair.
**LIST OF PPF OFFICERS WHO ATTENDED THE MEETING:**

<table>
<thead>
<tr>
<th>S.I.No.</th>
<th>Name of the Officer</th>
<th>Designation</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Dr. Ved Prakash</td>
<td>RPFCT (Exemption)</td>
</tr>
<tr>
<td>2.</td>
<td>Shri Ashok Kumar</td>
<td>RPFCT (Exemption)</td>
</tr>
</tbody>
</table>