

OFFICE OF THE REGIONAL PROVIDENT FUND
COMMISSIONER
9th FLOOR, Mayapuri Bhawan New Delhi - 110001

Recd. AT

File No. 209958
M/s Chibellines Security Solutions Ltd.
41A, Friends Colony East, New Delhi-68



Date: 2/12/04

Sub: Applicability of the Employees Provident Fund & Miscellaneous Provisions Act 1952 and the schemes framed thereunder to M/s

Dear Sirs,

On the basis of particulars furnished by you on 28/11/04 and on the basis of the inspection of the records of your establishment conducted by the Enforcement Officer on 13/10/04, it is evident that

(a) Your establishment, factory viz M/s on 13/10/04 is engaged in [activity] which is included in schedule I (class of establishment) in Employees Provident Funds and Miscellaneous Provisions Act 1952

(b) that the said establishment/factory has employed 20 persons on 13/10/04

(c) that it has completed the notice period in terms of provisions of Sec 10(1)(b) of the Employees Provident Funds and Miscellaneous Provisions Act 1952 of 3 years on 13/10/04. Therefore, the provisions of the EPF and Misc Provisions Act 1952 and the schemes framed thereunder are applicable to your above named establishment together with head office and its branches/departments whether situated at the same place or at different places with effect from 13/10/04, subject to further verification of your records for the earlier period.

With reference to your application No. [blank] dated [blank], you are hereby allotted code No. [blank] on administrative grounds with effect from [blank]. Please note that this will not effect the original applicability of the establishment and it will be treated as part and parcel of the parent unit for all purposes (changes etc) Employees share for the period to which will not be waived off.

With reference to your application No. [blank] dated [blank] received for extension of EPF & Misc Provisions Act 1952 under section 16(1) of the act, on temporary basis a code No is hereby allotted to your establishment namely [blank] provisionally covering your establishment with effect from [blank] pending issue of a notification by the Govt. of India in exercise of the powers conferred on them by Sub-Section (1) of Section 16 of the EPF & Misc Provisions Act 1952.

The Code No. Dir. 209958 is allotted to your unit for the purpose of making compliance with the various provisions of the EPF & Misc Provisions Act 1952 and the schemes framed thereunder namely EPF Scheme, 1952 Employees Provident Scheme 1952 and Employees' Deposit Linked Insurance Scheme 1976. This Code No. should invariably be quoted in all the correspondence with this office.

The contribution payable by the employer shall be 12% of basic wages, dearness allowance (including cash value of food concession) and retaining allowances, if any payable to each employee every month. The contribution payable by the employee shall be equal to the contribution payable by the employer.

1. The contribution shall be calculated on the basic wages dearness allowance etc. payable during the whole month whether paid on daily, weekly, fortnightly or monthly basis.

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

III. For the purpose of calculation of contribution the wages may be rounded off to the nearest rupee i.e. 50 paise or more being taken as one rupee and less than 50 paise ignored.

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For Chibellines Security Solutions Ltd.
Managing Director

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

(a) E.P.F. contribution

To be deposited in E.P.F. A/c No. 1⁴

(b) Administrative charges

To be deposited in E.P.F. A/c No. 2⁵

(c) E.P.S.

To be deposited in Employees, Pension A/c No. 10

Note (1) The rate of administrative charges 1-10% w.e.f. 1-8-98 subject to a minimum of Rs. 5/- of pay basic wages, dearness allowance including cash value of any food-concession and retaining allowance, if any.

(ii) It may be noted that if timely deductions are not made from the member's wages, the employer will have to pay both the shares himself, as the recovery of arrear, contributions for the back period from the subsequent wages of the employee's is prohibited except when such recovery could not be made at the appropriate time due to accidental mistake or clerical error.

(iii) The Employees' Pension Scheme 95 will be applicable from prospective the date of coverage.

Besides making deposits in A/c. No. 1, 2 and 10 as explained above, you are also required to deposit the contributions and Admn. Charges in Account No. 21 and 22 under the employee's Deposit Linked Insurance Scheme, 1976, in the manner indicated below within 15 days of the close of each month.

(1) Deposit-Link Insurance Fund A/c. No. 21

To this account contributions will be deposited @0.5% which will be the aggregate the basic Wages, dearness allowance including cash value of food concession and retaining allowance if any, payable to the employees by employer.

(2) Deposit Linked Insurance Fund 22

To this account will be deposited the administration charges @ 0.01% (W.e.f. 1-10-87) subject to a minimum of Rs. 2 which will be the aggregate of the basic wages, dearness allowance (including the cash value of food concession and retaining allowance) if any, payable to the employees by an employer Prior to this the rate was 0.1%.

The deposit in the above accounts, viz 1,2,10,21 and 22 are to be made by separate challans and triplicate copies of the challans as received from the Bank, should be forwarded to this office duly attached with Form 12 A (Revised) (explained below).

You are required to maintain/forward the following returns :-

(i) Form No.9 Revised under the E.P.F. Scheme 1952 & E.P. Scheme 1995

This is to be submitted to this office once in respect of those employees who are required, or entitled, to become members on the date the factory/establishment is covered under the scheme

(ii) Form No. 2 under the E.P.F. Scheme 1952 and also under the E.P. Scheme 1995

These are to be obtained in duplicate form every member for submission to this office.

(iii) Form No. 5-A

This is to be submitted to this office in duplicate. Any subsequent change in ownership is also to be notified to this office through this form.

(iv) Form No. 3-A

This is to be maintained at the factory/ establishment, in respect of every employee who is a member, in which the contribution paid to the P.F. are to be posted every month.

(v) Form No. 6-A

This is an annual return of contribution and is to be submitted to this office within 30 days of the close of the financial year, along with Form 3A (Last contribution to be shown for Feb. payable in March each year).

(vi) Form No. 12-A

(5)

This is the monthly return of contribution and is to be submitted to this office by 25th of every following month. Triplicate copies of the challans in support of the deposits made in the State Bank of India should be attached with this.

(vii) Form No. 5 & 10

These are the returns of employees who have become new member or have left the service in the month and are to be submitted to this office by the 15th of the following months.

All the forms prescribed under the Employees' Provident Funds Scheme, 1952, the Employees Pension Scheme, 1995, and the Deposit Linked Insurance Scheme, 1976, are available in the PF office and will be supplied free of cost on receipt of your indent. The Specimen of forms are enclosed.

Regarding Employees' Pension Fund contributions, it should be separated from the Employee Provident Fund Contributions and shown separately in the respective Forms and remitted separately in Account No. 10 from the month of 12/10/04 onwards.

As regards E.P.F. and E.D.L.I. dues for the period from 13/10/04 to date arrears should be remitted on or before within 15 days from the date of receipt of the Form.

In case, the employees shown in form 9 (Revised) were the members of the establishment's Private Provident Fund at the commencement of the Scheme, the accumulations in the Provident Fund standing to their credit should be remitted into the State Bank of India to the credit of the E.P.F. Account No. 1 through the prescribed challans and the triplicate copy of the challans sent to this office. All the amounts relating to the Provident Fund accumulations lying invested in securities should be transferred to the E.P.F. within four months by having the securities transferred to and endorsed in favour of the Central Board of Trustees, Employees' Provident Fund, and the Securities thus transferred should be sent to this office. A note containing the instructions in the matter of transfer to these accumulations is enclosed. Cash and hand in relation to the Accounts of the Private Provident Fund should be remitted within 30 days from the receipt of this communication, failing which damages at the prescribed rates will have to be paid by you on the delayed remittances made in cash after the due date.

The receipt of this letter along with its enclosures may kindly be acknowledged.

Yours faithfully
Asst. Regional Provident Fund Commissioner

Encls :

1. Instructions regarding implementation of the Employees' Provident Fund Scheme, employees' P.E. Pension Scheme, and Employees' Deposit Linked Insurance Scheme.
2. Instructions regarding allotment of Account Nos.
3. Instructions regarding transfer of Provident Fund Accumulations and transfer of securities.
4. Ready Reckoner for calculation of Provident Fund contributions, Family Pension contribution and Deposit Linked Insurance Contributions.
5. Form 5A (in triplicate).

Copy to :

1. The Enforcement Officer Shri/Smt. for watching compliance. He/she is requested to obtain 5-A in duplicate in respect of the establishment immediately. He/She is advised to finalise the coverage within 45 days as per instructions contained in CPFC's circular No. E-72/11(28) 80/PN dated 6-6-81.
2. Accounts Branch (Nehru Place/Gupta Complex) (It is understood that this factory/establishment has/has no previous Provident Fund accumulations to transfer to E.P.F. This may please be noted in the contributions Register maintained in the Group with suitable remarks).
3. Enforcement Branch Section.
4. File No. E/DU 29958
5. R.P.F.C. with reference to their letter No dated for information and necessary action.

For : Regional Provident Fund Commissioner

For Ghibellines Security Solutions Ltd.