

OFFICE OF THE REGIONAL PROVIDENT FUND COMMISSIONER  
60, SKYLARK BUILDING, NEHRU PLACE, NEW DELHI-110019

REGISTERED A. D.

No. E/DL 7453/20906 Dated the 8-2-85

To, M/s Sentinels Security (P) Ltd,  
507 Sahyog, 58 Nehru Place,  
New Delhi-110019.

Sub: **Applicability of Employees' Provident Funds & Misc. Provisions Act, 1952 and the scheme framed thereunder.**

Dear Sirs,  
Enquiries made by this office/information available on record of this office reveal that your factory/establishment :-

- (i) Is engaged in the ..... which industry comes under the category of ..... as specified in the schedule of the Employees' Provident Funds & Misc. Provisions Act, 1952 as amended from time to time. Is a class of establishment which comes under the category of Export services as specified in Appendix 1 to Act as amended from time to time.
- (ii) Completed 3/7 years on or before 1-1-85 from the date of set up, and
- (iii) Employed 50/20 or more persons on 1-1-85.

As such your factory/establishment having satisfied the conditions for applicability of the Employees' Provident Funds & Misc. Provisions Act, 1952 on 1-1-85 the said Act, which taken effect at once on fulfilling the conditions, applied to your factory/establishment inclusive of Head Office/Branches and Department (whether situated in the same place or at different places, stations) with effect from 1-1-85 under the category of Export services as specified in the Schedule 1/Appendix 1 of the Act. You are accordingly required to comply with requirements of the Employees' Provident Funds & Misc. Provisions Act, 1952 and the scheme framed thereunder, with effect from 1-1-85 provisionally.

1. A The coverage is Provisional on the basis of enquiries made information available and is subject to further verification of your records for prior period.

1. B With reference to your application No ..... dated ..... received for extension of Employees' Provident Fund & Misc. Provisions Act, 1952 under Section 1 (4) of the Act on voluntary basis a code number is hereby allotted to your establishment namely DL/..... provisionally covering your establishment with effect from ..... pending issue of a Notification by the Government of India in exercise of the powers conferred on them by Sub-section (4) of section 1 of the Employees' Provident Funds & Misc. Provisions Act, 1952.

1. C With reference to your application No ..... dated ..... you are hereby allotted code No. DL/..... on Administrative ground. Please note that this will not effect the original applicability of the establishment and for all purpose it will be treated as part and parcel of the parent unit.

1. D The code No. DL/7453 is allotted to you for the purpose of making compliance with the provisions of the Employees' Provident Fund & Misc. Provisions Act, 1952 & the schemes framed thereunder. This code number should invariably be quoted in all the correspondence with this office.

2. You are required to implement the provisions of the Employees' Provident Funds scheme w. e. f. 1-1-85 Family Pension Scheme w. e. f. 1-2-85 and Deposit Linked Insurance Scheme w. e. f. 1-1-85 if not already done.

3. As provided in para 26 of the Employees' Provident Funds Scheme, 1952 an employee working in or in connection with the work of the factory/establishment shall be eligible for membership of the fund on completion of three months continuous service or has actually worked for not less than 60 days or has been declared permanent in any such factory or other establishment whichever is the earliest.

*Final w.e.f. 1/1/85 vide letter dt. 9/1/85*

4. The past accumulations of Provident Fund lying with you if any has to be transferred to provident fund account No. 1 as per section 15 (2) of the Employees' Provident Funds & Misc. Provisions Act, 1952 read with para 28 of the Employees Provident Fund Scheme, 1952.

5. (i) The contributions payable by the employee shall be at the rate of 8% of basic wages, dearness allowance (including cash value of food concession) and retaining allowance, if any, payable to each employee, every month. The contribution payable by the employer shall be equal to the contribution payable by the employee. From and out of the employees and employer contributions thus worked out contributions representing 1-1/6% of the pay and equal employers contribution should be deposited as Family Pension Fund and remaining amount as Employees Provident Fund Contribution.

**NOTE :** On your employing 50 or more than 50 persons or any day, you will be liable to pay contributions @ 8% provided your establishment is engaged in one of the Industries appearing in appendix II of the Employees Provident Funds & Misc. Provisional act 1952.

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

(iii) Each contributions shall be calculated to the nearest quarter of rupee i. e. 12.5 paise or more to be counted as the next higher quarter of a rupee. The Administrative charge shall be calculated to the nearest 0.50 np.

(iv) For the purpose of calculation of contributions, 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 being ignored.

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

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

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

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

(a)	P. F. Contribution (both employees and employer)	To be deposited in Employees Provident Fund Account No. 1.
(b)	Administrative charges	To be deposited in Employees' Provident Fund Account No. 2.
(c)	Family Pension Contribution (both employees & employers)	To be deposited in Employees Family Pension Fund Account No. 10.

**NOTE :-** The rate of administrative charges is 0.37% of pay i. e. 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 members wages the employer will have to pay both the shares himself as the recovery of arrears contributions for back period from the subsequent wages of the employee is prohibited.

(iii) You have to deposit the total P. F. contribution of the eligible employees for all the past months namely from 1.1.85 to 31.12.85 into respective account within 15 days from the date of this letter.

7. Besides making deposit in Account Nos. 1, 2, and 10 (as explained above) you are also required to deposit the amounts in Account No. 21 and 22 under the Employees' Deposits Linked Insurance Scheme, 1976 in the manner indicated below within 15 days of the close of each month.

i) Deposit Linked Insurance Fund Account No. 21

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

ii) Deposit Linked Insurance Adm inistrative charges in Account No. 22

To this account will be deposited the Adm. Charges @ 0.1% which will be the aggregate of basic wages dearness allowance (including the cash value of food concession) & retaining allowance, if any payable to the employees by an employer

8. The deposits in the above Account viz. no. 1, 2, 10, 21 & 22 are to be made by separate challans and a copy of the challan as receipted by the Bank may be forwarded to this office duly attached with form 12-A (explained below).

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

(i) Form No. 9 under the E. P. F. Scheme 1952 & Form No. 3 (F. P. F.) under the F. P. Scheme, 1971.

These are 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 F. P. F. Scheme, 1971.

These are to be obtained in duplicate from 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.

(v) Form No. 6-A

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

(vi) Form No. 12-A

This is the monthly return of contributions and is to be submitted to this office by 25th of the following months. Triuplicate 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 members or have left the service in the month and are to be submitted to this office by the 25th of the following month.

10. All the forms prescribed under the Employees' Provident Funds Scheme, 1952 the Family Pension Fund Scheme, 1971 and the Deposit Linked Insurance Scheme, 1976 are available in the office and will be supplied on receipt of your indent. The specimen forms are enclosed herewith.

11. Besides, you should also take a declaration in Form No. 11 from every employee who is taken in employment to ascertain as to whether or not he was already a member of the Provident Fund Scheme, if the employee is already member of fund, he is required to and entitled for membership from the date of joining.

12. An Inspection Book in the following proforma may also be maintained and produced the Provident Fund Inspector for recording his observations :-

- i) Name of the Provident Fund Inspector.....  
 ii) Period for which accounts are checked.....  
 iii) Date of visit.....  
 iv) Observations .....

#### ALLOTMENT OF ACCOUNT NUMBER

13. The employees' subscribers account number will be a running number under the code number of the factory/establishment. Each factory/establishment having a serial of its own and as many number in the serial as there are subscribers to the fund The running numbers prefixed with the code number of the factory/establishment will be the full provident Fund Account Number of the employees/subscriber concerned. For example, if there are 52 subscribers in a factory/establishment their full provident fund Account Numbers will be DL7453/1, DL7453/2, DL7453/3 and so on till DL7453/52, when DL7453 denotes the unalterable factory/establishments code number and the running numerical number denote the Account Number allotted to each subscriber. Like the code number the account number, once allotted to the subscriber will not be changed. When he quit service and his account is closed, the number of the closed account will be left blank and **WILL NOT BE RE-ALLOTTED TO ANY NEW MEMBER**. On transfer of a subscriber from one factory/establishment in which he was last employed will become in-operative & will not be reallocated to any one. The Account Number of each subscriber must be quoted in all correspondence between the Regional Provident Fund Commissioner and the factory/establishment and vice-versa.

14. It may be noted that all belated payments as explained above are subject to levy of damages as provided under sec. 14-B of the Act. You are requested to make full compliance to the various provisions of the Act and scheme as explained above within 15 days of the receipt of this communication, failing which, this office will be constrained to take legal action as contemplated under section 14 & 8 of the Act for recovery of dues as arrears of land revenue

Please acknowledge receipt of the communication.

Yours faithfully,

  
(K. L. SEHGAL)

REGIONAL PROVIDENT FUND COMMISSIONER  
DELHI

Copy forwarded to :

1. Accounts officer (Local) for information.
2. Provident Fund Inspector Sh/Smt..... for watching compliance and finalise the coverage at an early date within 3 months as per instructions contained in C. P. F. C.'s circular No. E. 11/11 (28) /80/PN dated 6-6-81.
3. Dealing Assistant Sh./Smt./Kin..... with the advise to open a file in respect of this establishment and secure/watch compliance. He/She may also take necessary action regarding its Notification through C. P. F. C. if it is covered under section 1 (4) of the Act.
4. File No. E/DL/.....
5. R. P. F. C..... with reference to their letter No ..... dated ..... for information and necessary action.

  
(K. JAIN)  
ASSISTANT COMMISSIONER  
FOR REGIONAL PROVIDENT FUND COMMISSIONER