

(TO BE PUBLISHED IN THE DELHI GAZETTE EXTRA ORDINARY PART-IV

GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI
LABOUR DEPARTMENT
5, SHAMNATH MARG, DELHI-110054

NOTIFICATION

No.F.29/18/EPF/Lab/09/ 3324

Dated.10.11.2011

No.F.29/18/EPF/Lab/09:- Whereas, M/s Indira Gandhi Memorial Trust Employees Contributory Provident Fund, 1, Akbar Road, New Delhi-110001 (herein after referred to as the said establishment) applied for exemption under clause (a) of sub-section (1) of section 17 of the Employees Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) hereinafter referred to as the said Act.

And whereas, the Central Board vide letter dated 30.03.2009, after considering the application has recommended that exemption under section 17(1) (a) of the Employees, Provident Fund and Miscellaneous Provisions Act, 1952(19 of 1952) to M/s Indira Gandhi Memorial Trust Employees Contributory Provident Fund DL/6477 retrospectively with effect from 01.01.1987 may be granted.

And whereas, in the opinion of the Government of National Capital Territory of Delhi the rules of the provident fund of the said establishment with respect to the rates of contribution are not less favorable than those specified in section 6 of the said Act, and the employees are also in the enjoyment of other provident fund benefits which on the whole are not less favorable to the employees that the benefits provided under the said Act or under the Employees Provident Fund Scheme, 1952 (herein after referred to as the said scheme) in relation to the employees in any other establishment of a similar character.

Now, therefore, in exercise of the powers conferred by clause (a) of sub-section (1) of section 17 of the Employees, Provident Fund and Miscellaneous Provisions Act, 1952(19 of 1952) and subject to the conditions specified in the schedule annexed hereto, the Lt-Governor, National Capital Territory of Delhi hereby

802/P 08
11

MS.

exempts the said establishment from the operation of the provisions of Employees Provident Fund Scheme retrospectively with effect from 01.01.1987.

THE SCHEDULE

I. The employer in relation to the said Establishment

(i) 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 said Act, 15 days from the close of every month.

(ii) Shall comply with the directions issued by the Central Government from time to time, under clause (a) of subsection (3) of section 17 of the said Act in regard to the investment of contributions to the provident fund;

(iii) Shall take due care to see that the Board of Trustees constituted in respect of the said establishment invest the contributions to the provident fund in accordance with the directions issued by the Central Government, from time to time and shall be responsible for such investment of the contributions to the provident fund by the said Board of Trustees;

(iv) Shall submit such returns to the Regional Provident Fund Commissioner, Delhi as the Central Government may from time to time direct;

(v) Shall furnish to each employee an annual statement of account or a pass book;

(vi) Shall bear all expenses involved in the administration of the provident fund including the maintenance of the accounts, submission of accounts and returns, transfer of accumulations and payment of inspection charges;

(vii) Shall credit, every year to the account each member interest at such rates as may be determined by the Board of Trustees and such rates shall not be less than the rates determined by the Central Government from time to time;



(viii) Shall display on the Notice Board of the said Establishment a copy of the rules of the provident fund as approved by the Central Government and as when amended the amendment thereto along with translation of the salient points thereof in the language of the majority of the employees;

(ix) Shall enhance the rate of contributions to the provident fund appropriately if such rate for the class of under the said Act so that the benefit under the provident fund scheme of the said establishment shall not become less favorable than the benefit provided under the said Act;


(x) Shall submit an audited balance sheet of its provident fund every year to the Regional Provident Fund Commissioner Delhi, within three months of the close of the year;

(xi) Shall comply with the directions issued by the Regional Provident Fund Commissioner from time to time.

2. Where an employee who is already a member of the Employees Provident Fund under the said Act or the said scheme (statutory fund) or the provident fund or another exempted establishment is employed in the establishment, the employer shall immediately enroll him as a member of the provident fund of the said establishment and accept the past accumulations in respect of such employee and credit the same to his account;

3. No amendment of the rules of the provident fund of the said establishment shall be made without the previous approval of the Regional Provident Fund Commissioner, Delhi and where any amendment is likely to affect adversely the interests of the employees of the said establishment, the Regional Provident Fund Commissioner, Delhi shall before giving his approval, give a reasonable opportunity to the employees to explain their point of view;

By Order and in the Name of the Lt. Governor
National Capital Territory of Delhi



(B.V. Selvaraj)
Principal Secretary (Labour)
Government of NCT of Delhi

Copy to:-

1. Secretary to the Government of India, Ministry of Labour, Shram Shakti Bhawan, New Delhi-110001.
2. Pr. Secretary (Law, Justice & Legislative Affairs), Government of NCT of Delhi, New Delhi.
3. Secretary to the Lt. Governor, Delhi.
4. Central Provident Fund Commissioner, Employees' Provident Fund Organisation, Bhavishya Nidhi Bhawan, 14-Bhikaji Cama Place, New Delhi-110066.
5. Regional P.F. Commissioner (Exemption), Employees' Provident Fund Organisation, Bhavishya Nidhi Bhawan, 14-Bhikaji Cama Place, New Delhi-110066.
6. Dy. Secretary, General Administrative Department (Co-ord), Government of NCT of Delhi, Delhi Secretariat, I.P. Estate, New Delhi; (in Duplicate) for favour of publication in Delhi Gazette Part-IV extraordinary, with the request to sent ten copies of the Gazette to this office for official use.
7. Assistant Director (Planning & Statistics), Labour Department, Government of NCT of Delhi, 5 Sham Nath Marg, Delhi-54, to place it on the website of the Department and to lay on table of the Delhi Vidhan Sabha.
8. M/s Indira Gandhi Memorial Trust Employees Contributory Provident Fund, 1, Akbar Road, New Delhi-110001.
9. Joint Labour Commissioner, Labour Department, Government of NCT of Delhi, 5 Sham Nath Marg, Delhi-54.
10. All DLCs/ALCs/LOs.
11. PS to Principal Secretary (Labour).
12. PA to Labour Commissioner.
13. Librarian, Labour Department, Government of NCT of Delhi.



Joint Secretary (Labour)
Govt. of NCT of Delhi