



# ब्रह्मपुत्र वैली फर्टिलाइजर कॉर्पोरेशन लिमिटेड नामरूप

## Brahmaputra Valley Fertilizer Corporation Limited

(A Government of India Undertaking)

NAMRUP

CIN U24123AS2002GOI006786

### Permission Certificate in Lieu of Para 26(6) of the EPF Scheme, 1952

This certificate is being issued to the eligible members complying with requirement mandated vide EPFO circular No.Pension/2022/56259/16541 dated 20<sup>th</sup> February, 2023 for online submission of Joint Option Form provided in EPFO website. As per clause 6 (vii) of this circular, employees are required to submit the proof of remittance of employer's share in Provident Fund on higher wages exceeding the prevalent wage ceiling of 5000/6500 and proof of joint option under Para 26(6) of EPF Scheme duly verified by the employer.

M/s. Brahmaputra Valley Fertilizer Corporation Limited (BVFCL), Namrup is an exempted establishment u/s 17(1) of the EPF & MP Act, 1952 till date. M/s. Brahmaputra Valley Fertilizer Corporation Limited erstwhile M/s Hindustan Fertilizer Corporation Ltd., Namrup unit is/was an Exempted Provident Fund Trust under EPFO with P.F.Code No.AS/620. After the demerger of BVFCL, Namrup from M/s Hindustan Fertilizer Corporation Ltd, the concerned EPFO authority vide its' relaxation order dated 05 April, 2002 has allowed BVFCL EPF Trust with same P.F.Code No. AS/620 for the continuation of the operation of the same. Pursuant to the rules of the Provident Fund (BVFCL EPF Trust), we would like to submit that Rules under 10 & Rule 11 deals with the Employers contribution & member's contribution.

**Under Rule 11 (c) Corporation's (employer's) contribution to the fund:** The Contribution shall be calculated on the basis of the basic wages, dearness allowance (including the cash value of any food concession) and retaining allowance (if any) actually drawn during the whole month whether paid on weekly, fortnightly or monthly basis.

**Under Rule 10 (a) Contribution of Members:** Every member shall subscribe to the Fund every month a sum equal to 12% of the total of his monthly basic pay, D.A. and retaining allowance, if any, with effect from 5<sup>th</sup> April, 2002.

The establishment has been complying with the Rule 10 of the Trust, and provident fund contribution of the members at 12% of actual wages have been deducted from their wages / salaries and credited to the members individual PF account. Further, the Employers contribution at 12% on actual wages /salaries also been credited to Provident Fund along with members contribution under rule 10 (a) of the Trust, by which, we have been complying with the Rules 26(6) of the Provident Fund Scheme, 1952.

As per the said Provident Fund Rule 11 of the Trust, the permission has already been granted through the Provident Fund rules of the Trust for contribution on actual wages / salary. It is also evident that our establishment (Employer) is also contributing matching PF contribution on full wage / salary, and required administrative / (or) inspection charges have been depositing through month ECR system with EPFO Authority, since then and the trust accounts were being audited by the EPFO from time to time. Under these circumstances, the provision of Para 26(6) of the EPF Scheme, 1952 have been complied with by the establishment. A copy of extract of Rule 11(c) & 10 (a) of "EPF Trust Rules" is annexed with this certificate.

(D. Hembram)

Sr. Manager (HR) / Member Trustee,  
Board of Trustees, BVFCL EPF Trust

डा. हेमब्रम / D. Hembram

वरिष्ठ प्रबन्धक (HR) / Sr. Manager (HR)

बी वी एफ सी (ब्रह्मपुत्र), BVFCL, Namrup

**Rule 10: Contribution of Members:-**

- (a) Every member shall subscribe to the Fund every month a sum equal to 12% of the total of his monthly basic pay, D.A. and retaining allowance, if any, with effect from 5<sup>th</sup> April, 2002.
- (b) Every member contributing to the Provident fund under sub-rule (a) herein may, if so desires, contribute voluntarily to the provident fund an amount exceeding 12% of his basic pay and D.A. A member desiring to contribute to the Provident Fund an amount exceeding 12% of his basic pay and DA per month shall submit an application in the form set out in Annexure 'E'. A member who is permitted to contribute to the provident fund an amount exceeding 12% of his total monthly basic pay and D.A. shall be allowed to change the rate of voluntary contribution on his applying for such change in contribution, only at intervals of a minimum period of one year. Such a change in the rate by way of voluntary contribution shall only be given effect to from the beginning of an accounting period of the fund.  
Explanation: The term D.A. shall include the cash value of food concession and retaining allowance, if any.
- (c) Each monthly contribution to the Fund shall be calculated to the nearest rupee that is 50 paise or more shall be counted as the next higher rupee and any fraction of a rupee less than 50 paise shall be ignored.
- (d) The establishment shall every month deduct from the emoluments of the member, such sum as may be required under sub-rule(a) and (b) herein and shall transfer every month not later than 15<sup>th</sup> of the following month to the Board of Trustees. The money so deducted shall be credited to the member's individual account.
- (e) No subscription shall be recovered from an employee for such period as he is absent from duties without pay.

**Rule 11: Corporation's contribution to the Fund:-**

- (a) The corporation shall not later than the fifteenth day of the succeeding month, in respect of each of the members of the fund, pay to the trustees as employers contribution to the Fund a sum equal to the total of the member's compulsory contribution under Rule 10(a) hereinbefore.
- (b) From and out of the contribution payable by the corporation each month under Rule 11 (a) above, a part of contribution representing 8.33% of the Employees pay shall be remitted by the corporation to the Employee's Pension Fund within 15 days of the close of every month by a separate bank draft or cheque on account of Employee's Pension Fund contribution in such manner as may be specified in this behalf by the Regional Provident Fund Commissioner. The cost of the remittance, if any, shall be borne by the employer. Provided that where the pay of the member exceeds Rs. 6500/- per month the contribution payable by the corporation be limited to the amount on his pay of Rs. 6500/- only. The balance of employer's contribution after the remittance of contribution to the Employees' Pension Fund shall be credited to the member's individual account. The estt. shall not be liable to make any contribution in respect of the voluntary contribution, if any, made by the member to the provident fund under Rule 10(a) hereinbefore.
- (c) The contribution shall be calculated on the basis of the basic wages, dearness allowance (including the cash value of any food concession) and retaining allowance (if any) actually drawn during the whole month whether paid on weekly, fortnightly or monthly basis.



- (ii) The contribution to Employees Pension Fund shall be applicable only in case the employee in question is a member of the Employee's Pension Scheme, 1995 as laid down in Para 6 of the Employee's Pension Scheme, 1995, and shall cease on the employee attaining the age of superannuation as defined in the Employees' Pension Scheme, 1995.

Provided further that if the employee continues in service even after the date of superannuation the entire contribution payable by the corporation as per Rule 11(a) shall be credited to the member's account.

**Rule 11A: Payment of contribution:-**

- (i) The corporation shall, in the first instance, pay both the contribution payable by itself towards employer's contribution and also, on behalf of the member employed by the corporation directly or by through a contractor, the contribution payable by such member (in the rules referred to as the member's contribution).
- (ii) In respect of employees employed by or through a contractor, the contractor shall recover the contribution payable by such employee (i.e. member's contribution) and shall pay to the corporation the amount of member's contribution so deducted together with an equal amount of contribution (in this rule referred to as the Employer's contribution) and also inspection charges.
- (iii) It shall be the responsibility of the corporation to pay both the contributions payable by himself in respect of the employees directly employed by him and also in respect of the employees employed by or through a contractor and also inspection charges.

**Rule 11B: Corporation's share not to be deducted from the member's:-**

Notwithstanding any contract to the contrary the corporation shall not be entitled to deduct the employer's contribution from the wages of a member or otherwise to recover it from the corporation.

**Rule 11C: Recovery of a member's share of contribution:-**

- (i) The amount of a member's contribution paid by the corporation (or a contractor) shall, notwithstanding the provisions in this rule or any law for the time being in force or any contract to the contrary, be recoverable by means of deduction from the wages of the member and not otherwise.

Provided that no such deduction may be made from any wages other than which is paid in respect of the period or part of the period in respect of which the contribution is payable.

Provided further that the corporation (or a contractor) shall be entitled to recover the employee's share from a wage other than that which is paid in respect of the period for which the contribution has been paid or is payable where the employee has in writing given a false declaration at the time of joining service with the corporation (or a contractor) that he was not already a member of the fund.

Provided further that where no such deduction has been made on account of an accidental mistake or a clerical error, such deduction may with the consent in writing of the Regional Provident Fund Commissioner, be made from the subsequent wages.

