

EXHIBIT - A

2 PAGES

EMPLOYEES' PROVIDENT FUND ORGANISATION
CENTRAL OFFICE,
Hudco Vishala, 14-Bhikaji Cama Place,
New Delhi-110066.

No. Cord. I(3)/97/

Date : 21 April, 1997

To,

All Members,
Central Board of Trustees,
Employees' Provident Fund.

Sub :- Application of the enhanced rate of Provident Fund Contribution to every establishment and class of establishments other than those specified in Schedule-II - regarding.

Sir,

A copy of Notification No. S-35019/1/97-SS.II dated 9/4/1997 issued by the Ministry of Labour, Govt. of India, New Delhi on the subject cited above for being published in Part-II, Section-3(ii) of the Gazette of India extraordinary is enclosed herewith for information and necessary action. It shall come into force with effect from 1/5/97.

2. Please acknowledge receipt.

Yours faithfully,

Sd/-

(R. KALYANARAMAN)

REGIONAL PROVIDENT FUND COMMISSIONER.

OFFICE OF THE REGIONAL PROVIDENT FUND COMMISSIONER,
341, BHAVISHYA NIDHI BHAVAN, BANDRA (E), MUMBAI-51.

No. MH/PF/Cord. I/Amendment/3

(Date : 2/5/97.)

Sub : Application of the enhanced rate of P.F. Contribution to every estt. and Class of Establishments other than those specified in Schedule-II - regarding.

A copy of Notification dt. 9/4/97 issued by the Ministry of Labour, Govt. of India, New Delhi on the above subject is circulated to all Officers and Staff in RO/SAOs/SROs for information and necessary action.

Sd/-

(V. H. HISHNAMCORTHY)

REGIONAL PROVIDENT FUND COMMISSIONER II

(To be published in the Gazette of India, Extra-Ordinary
Part-II, Section-3, Sub-Section (ii))

Government of India/Bharat Sarkar
Ministry of Labour/Shram Mantralaya

New Delhi, dated.9th April,97

NOTIFICATION

S.O. In exercise of the powers conferred by the first proviso to section 6 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) and in supersession of the notification specified in Schedule-I to this notification except as respects things done or omitted to be done before such supersession, the Central Government after making necessary inquiry into the matter hereby specifies with effect from the first day of May, 1997 every establishment and class of establishments other than those specified in Schedule-II, to which the said proviso shall apply.

SCHEDULE-I

- (i) S.O. 360 Dated, the 17th May, 1989
- (ii) S.O. 1837 Dated, the 29th June, 1990
- (iii) S.O. 627(E) Dated, the 31st August, 1994.
- (iv) S.O. 126(E) Dated, the 1st March, 1995.

SCHEDULE-II

ESTABLISHMENTS TO WHICH THE FIRST PROVISO TO SECTION 6 SHALL NOT APPLY.

- (i) Any establishment in which less than twenty persons are employed;
- (ii) Any sick industrial company as defined in clause(c) of sub-section(1) of section 3 of the Sick Industrial Companies (Special Provisions) Act, 1985 (1 of 1986) and which has been declared as such by the Board for Industrial and Financial Reconstruction established under section.4 of that Act, for the period commencing on and from the date of registration of the reference in the Board and ending either on the date by which the net worth of the said company becomes positive in terms of the orders passed under Sub-section (2) of section.17 of that Act or on the last date of implementation of the scheme sanctioned under section.18 of that Act;
- (iii) Any establishment which has at the end of any financial year accumulated losses equal to or exceeding its entire net worth that is, the sum total of paid up capital and free reserves and has also suffered cash losses in such financial year and the financial year immediately.

Explanation :- For the purposes of clause (iii) "Cash Loss" means loss as computed without providing for depreciation;

- (iv) Any establishment in the
 - (A) Jute industry;
 - (B) Beedi industry;
 - (C) Brick industry;
 - (D) Coir industry other than the spinning sector ;
 - (E) Gaur gum factories