



ASSOCIATION OF STATE ROAD TRANSPORT UNDERTAKINGS
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Permission Certificate in Lieu of Para 26(6) of the EPF Scheme, 1952

This certificate is being issued to the employees complying with the requirement mandated vide EPFO circular No. Pension/2022/56259/16541 dated 20 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 5,000 / 6,500 & 15000 and proof of joint option under Para 26(6) of EPF Scheme duly verified by the employer

M/s Association of State Road Transport Undertaking, New Delhi is a relaxed establishment u/p 79 of EPF Scheme, 1952 as good as exempted establishment u/s 17(1)(a) of EPF & MP Act, 1952. The Contributory Employees Provident Fund Trust Rules of the PF Trust had been approved by virtue of relaxation granted by RPFC, Delhi vide Order No. E/DL-3825/20985 dated 27/02/1981 w.e.f. 01/02/1981 and submission of revised application for grant of exemption u/s 17(1)(a) of EPF & MP Act, 1952 on 02.02.2007 & 06.11.2017 and time to time basis. Pursuant to the Rules of the Provident Fund (ASRTU Employees Provident Fund), we would like to submit that Rule 10 & Rule 11 deals with the Employer's Contribution & Members Contribution.

Under Rule 11 (c) 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 (b) Members Contribution: The contribution of each member shall be 12% of his basic salary and dearness allowance, if any.

The establishment has been complying with the Rule 10 & Rule 11 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 member's Individual PF account Further, the Employer's contribution at 12% on actual wages/salaries also been credited to Provident Fund along with members contribution under Rule 10 (b) of the Trust, by which, we have been complying with the Rule 26(6) of the Provident Fund Scheme, 1952

It is understood that the permission has already been granted by the department by virtue of relaxation from EPF Scheme, 1952 by RPFC, Delhi vide Order No. E/DL-3825/20985 dated 27/02/1981 w.e.f. 01/02/1981 and submission of revised application for grant of exemption u/s 17(1)(a) of EPF & MP Act, 1952 on 02.02.2007 & 06.11.2017 and time to time basis. It is also evident that our establishment (Employer) is also contributing on full wages / salary, and required administrative (or) inspection charges have been depositing with EPFO Authority, since then and the trust accounts were being audited by the EPFO from time to time under these circumstances, the provisions of para 26(6) of the EPF Scheme, 1952 have been complied with by the establishment. A copy of extract of Rule 10 & Rule 11 of "PF Trust Rules" is annexed, with this certificate.

For Association of State Road Transport Undertaking

Name: SHIV RAM SHARMA

Designation: AD (F.F.A)
Secretary, CPF

Secretary
ASRTU Employees CPF Trust

- (c) Where the nomination is wholly or partly in favour of a minor, the member may, for the purposes of this rule appoint a major person of his family, as defined in clause (g) of rule 2, to be the guardian of the minor nominee in the event of the member predeceasing the nominee and the guardian so appointed.

Provided that where there is no major person in the family, the member may, at his discretion, appoint any other person to be a guardian of the minor nominee.

- (f) A nomination or its modification shall take effect to the extent that it is valid on the date on which it is received by the Board of Trustees.

Rule 10. Contribution of Members :-

- a. Every member shall subscribe to the Fund every month sum equal to 12% of the total of his monthly basic pay, D.A and retaining allowance, if any with effect from 22.09.1997.
- b. Every member contributing to the provident fund under sub-ar 10-1, herein may, if so desires, contribute voluntarily to the Provident Fund an amount exceeding 12% of his total monthly basic pay and D.A. A member desiring to contribute to the provident fund an amount exceeding 12% of his basic pay and D.A per month shall submit an application in the form set out in Annexure 'F'. 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 next higher rupee.
- d. The estt. Shall every month deduct form the emoluments of the members, such sum as ay be required under sub para 10-1 and 10.2 herein and shall transfer every month not later than 15th of the following months 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.

(Signature)
Trustee/Employer

N. Ramaswamy

(Signature)
Trustee/Employee

Sushil Kumar 17

Rule 11. Employer's Contribution to the Fund :-

- a. The employer 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 the employers contribution of 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 employer each month under Rule 11 above, a part of contribution representing 8.33 % of te Employys pay shall be remitted by the employer to the Employees Pension Fund within 15 days of the close of every month by a separate bank draft of cheaue on account of Employees 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 member exceeds Rs.6500/- per month the contribution payable by the employer 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 Employee's Pension Fund shall be credited to the members individual account. The establishment 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 contributions 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.
- d. 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 Employees 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 employer as per Rule 11(a) shall be credited to the members account.


(Signature)
Trustee/Employer

N. Ramasamy


(Signature)
Trustee/Employee

Sushil Kumar

Rule 11A.

Payment of Contribution. :-

- i. The employer shall, in the first instance, pay both the contribution payable by himself towards employer's contribution and also, on behalf of the employees employed by him 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 principal employer 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 principal employer 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.

Employer's share not to be deducted from the member's

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

Rule 11C.

Recovery of a member's share of contribution :-

- i. The amount of a member's contribution paid by the employer (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, is recoverable by means of deduction from the wages of the member and not otherwise.

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


(Signature)
Trustee/Employer

M. Ramasamy


(Signature)
Trustee/Employer

Sushil Kumar

Provided further that the employer (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 employer (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.


- ii. Deduction made from the wages of a member paid on daily, weekly or fortnightly basis should be totaled up to indicate the monthly deduction.
- iii. Any sum deducted by the employer or a contractor from the wages of an employee under this rule shall be deemed to have been entrusted to him for the purpose of paying the contribution in respect of which it was deducted.

Rule 11D. Payment of Interest and damages by Employer :-

The employer shall be liable to pay simple interest and penal damage to the Board of Trustees at such rate as may be specified by the Regional provident. Fund Commissioner for any delay in payment of contributions in the same manner as an un-exempted establishment is liable under similar circumstances.

Interest

- a. Interest shall be credited to the members account on monthly running balances basis with effect from the last day in each year at such rates as may be decided by the Board of Trustees but shall not be lower than the rates declared for the employees provident fund scheme 1952 in the following manner
- b. On the amount at the credit of a member on a last day of the preceding year, less any sums withdrawn during the current year interest for twelve months.
- c. Amount withdrawn during the current year-interest from the beginning of the current year up to the last day of the monthly preceding the month of withdrawal;
- d. On all the sums credited to the member's account after the last day of the preceding year-interest from the first day of the month succeeding the month of credit to the end of the current year.


(Signature)
Trustee/Employer

M. Ramasamy


(Signature)
Trustee/Employer

Sushil Kumar²⁰

- c. The total amount of interest shall be rounded to the nearest whole rupee (fifty paise counting as the next higher rupee).
- f. If the Board of Trustees are unable to pay interest at the rate declared by the Central Government for the reason that the return on investment is less or for any other reason then the deficiency shall be made good by the employer.
- g. In determining the rate of interest the Board shall satisfy itself that no excess amount is drawn from the revenue account as result of debit thereto of the interest credited to the individual accounts.
- h. The Board shall before the close of the financial year declare the rate of interest for the succeeding year.

Interest on final withdrawal

- a. In case of transfer of provident fund accumulations or final settlement of an account interest on the balance standing at the credit of the account shall be payable up to the end of the month preceding the date on which the transfer or final payment is authorized.
- b. Provided that interest up to and for the current month shall be payable on the claims which are authorized on or after the 25th day of a particular month along with actual payment after the end of the current month.
- c. The rate of interest to be allowed for the broken currency period shall be the rate declared for the year in which payment is made.
- d. In case of a member coming from other provident fund interest on his transferred accumulations is to be credited to his account from the beginning of the month in which the accumulations are received.


(Signature)
Trustee/Employer

N. Ramasamy


(Signature)
Trustee/Employee

Sasili Kumaran