



0177-2621401

e-mail: pwd-hp@nic.in

Himachal Pradesh
Public Works Department

No. PW-CTR- 29-2285(EPF Instructions)/2015- 20593-692 Dated: 12/9/17

From:

Engineer-in-Chief

To

All the Chief Engineers
Working in HP PWD
(Including Chief Engineer, NH)

All the Superintending Engineers (Civil)
(Including National Highway, Electrical & Mechanical.)
(Through e-mail)

Subject: - Applicability of the EPF & MP Act, 1952- regarding.

In this regard refer to this office letter of even file No. 16189-225 dated 14/03/2016 vide which the instruction to comply with EPF Act were issued & directed to insert the condition of EPF number in the S.B.D at sr. No. 25-A in the General rules and directions.

Now the EPF Commissioner vide his office letter No. RO/HP/Intelligence/Contract Worker/2585 dated 18/08/2017 has intimated that **EPF** code number may not be made mandatory pre- condition for participating in the Contract/ tender and the same may be obtained after awarding of works/ contract. The matter has been examined in this office in view of the above letter and decided that EPF code number may not be made mandatory pre- condition for participating in the Contract/ tender and the same may be obtained after awarding of works/contract with in a month, from the contractor who has no EPF code No.

Now the condition 25-A of S.B.D(General Rules & Directions) may be amended as under:-

Condition 25- "A" The Contractor will have to submit the proof of registration under Employees Provident Funds & Miscellaneous Provision Act, 1952 (EPF number) with in a month from award of work/contract.

You are, therefore, requested to direct all the filled offices working under your control that **EPF** code number may not be made mandatory pre- condition for participating in the Contract/ tender and the same may be obtained

after awarding of works/contract. (Which can be obtained on line through ORLE Portal) with in a month of allotment of work and ensure compliance under EPF Act.

DA: As above


Engineer-in Chief,
HP PWD., Shimla-2

Copy of above is forwarded to the:-

1. The Additional Chief Secretary (PW) to the Government of Himachal Pradesh, Shimla-2 for information.
2. The Regional Provident Fund Commissioner, Block No. 34, I & II Floor, SDA Complex Kasumpti, Shimla -9 H.P. w.r.t his office letter referred to above for information.
3. All the Executive Engineers in HPPWD,(through e-mail) for information and compliance.
4. The Executive Engineer (IT), HPPWD Shimla -2 for information. He is requested to amend the clause 25 "A" of the S.B.D. accordingly.


Engineer-in Chief,
HP PWD., Shimla-2



Employees' Provident Fund Organization

श्रम एवं रोजगार मंत्रालय, भारत सरकार

Ministry of Labour and Employment, Government of India,

ब्लॉक नं. 34, प्रथम एवं द्वितीय तल, एस.डी.ए. कॉम्प्लेक्स, कसुम्पटी, शिमला-171009 (हि.प्र.)

Block No. 34, 1st & 2nd Floor, SDA Complex, Kasumpti, Shimla-171009 (HP)

No. RO/HP/Intelligence/Contract Worker/ 2585

Dated: 8 AUG 2017

Regd. Post

To

The Engineer-in-Chief
HPPWD Department
Nirman Bhawan, Nigam Vihar,
Shimla-2

Subject:- Applicability of the EPF & MP Act, 1952 -regarding.

Sir/Madam,

It is brought to your kind notice that EPF Organization is a premier Organization providing Social Security benefits to all the workers engaged in organized sector where no other social security benefits are available. This Act applies to the entire establishments mentioned in schedule 1 and 2 of the EPF & MP Act, 1952 who are employing 20 or more persons on any day. We have been receiving large number of online application from various contractors for coverage under EPF & MP Act, 1952. But it has been noticed that after obtaining EPF Code number only 1% contractors are reporting compliance under the Act. This has resulted in a large number of defaulters under the Act. The department has issued notices to such defaulters for non compliance. From the replies received from many contractors it has been noticed that contractors have obtained the EPF Code number only to participate in the tender as all the Government Departments have inserted EPF code number as a pre condition to participate in a tender. The replies of the contractors reveals that they have never employed 20 or more persons but shown bogus employees to obtain the EPF code number. Since EPF code number is not a kind of license, therefore, cannot be put as a prerequisite condition for participating in a tender.

2. It is therefore, requested that PF code number may not be made mandatory pre-condition for participating in contract/tender and only after awarding work/contract it may be ensured that the contractor obtains PF code number (which can be obtained online through OLRE Portal) within a month of allotment of work and ensure compliance under EPF Act & Schemes every month by obtaining proof of deposition of EPF dues before making any payment to them. This will help us to cover actual employers under the EPF & MP Act, 1952 and also help us to provide social security benefits to actual workers.

3. Necessary instructions may kindly be issued to all concerned of your department.

Please treat this as most urgent.

Yours faithfully

(Uma Mandal)

Regional P. F. Commissioner-I

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