



कर्मचारी भविष्य निधि संगठन
EMPLOYEES' PROVIDENT FUND ORGANISATION
 धर्म एवं रोजगार मंत्रालय, भारत सरकार
 MINISTRY OF LABOUR & EMPLOYMENT, GOVERNMENT OF INDIA
 मुख्य कार्यालय/Head Office
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 Website: www.epfindia.gov.in, www.epfindia.nic.in



EDLI/Exemption/2021/Extension (82720)

Dated: 06.05.2022

To,

All Addl. CPFCs, ZO
 All RPFC-Is / OICs, RO

Sub: Proposals for Exemption / Extension of Exemption from EDLI Scheme - 1976.

Ref: a) This Office Circular dated 29.04.2021.

b) Appendix - 1 (All relevant Circulars) .

c) Appendix - 2 (Circulars issued with direction for Class of Employees)

Madam / Sir,

It has been observed that various proposals regarding grant of exemption/ extension of Exemption from EDLI Scheme - 1976 have been forwarded by field offices to Head Office for approval of CPFC.

2. In this regard, the following provisions governing the same are highlighted:

Exemption to be granted under Section 17 (2A) stipulates the following:

["The Central Provident Fund Commissioner may, if requested so to do by the employer, by notification in the Official Gazette, and subject to such conditions as may be specified in the notification, exempt, whether prospectively or retrospectively, any establishment from the operation of all or any of the provisions of the Insurance scheme, if he is satisfied] that the employees of such establishment are, without making any separate contribution or payment of premium, in enjoyment of benefits in the nature of life insurance, whether linked to their deposits in provident fund or not, and such benefits are more favourable to such employees than the benefits admissible under the Insurance Scheme."

Exemption to be granted under Section 17 (2B) stipulates the following:

"Without prejudice to the provisions of sub-section (2A), the Insurance Scheme may provide for the exemption of any person or class of persons employed in any establishment and covered by that scheme from the operation of all or any of the provisions thereof, if the benefits in the nature of life insurance admissible to such person, or class of persons are more favourable than the benefits provided under the Insurance Scheme."

3. As is evident from the above, there is basic difference between the two provisions. Whereas, in the former, exemption is granted to establishment as a whole for which Central Provident Fund Commissioner is the competent authority, in the case of latter, it is granted to a class of employees 'or' employee(s) for which powers have been delegated to Additional Central Provident Fund Commissioner (HQs) or Addl. CPFC, as per Gazetted Notification {(G.S.R 299(E)} dated 28.04.2021 (copy enclosed).

4. Further, vide Circular dated 29.04.2021 (copy enclosed), it was also intimated that all such proposals for grant of exemption from EDLI Scheme, 1976 that may have been forwarded to HO are required to be re-examined by concerned office in the light of the above amendment. In the pending exemption proposals where the establishment may have sought exemption for a "class of employees ", where such class may be of regular employees of the establishment or any other such defined class, appropriate action for grant of exemption may be taken in accordance with relevant directions issued from time to time as mentioned under reference. Further, for ease of referencing, list of documents is also attached herewith as in **Appendix 2**.

5. It is, however, noticed that proposals for grant of exemption from EDLI Scheme - 1976 are invariably being received in Head Office without clearly stating as to under which Section [17(2A) or 17(2B)] the exemption is sought. There could be cases that need not be referred to Head Office as the competent authority would be Additional Central Provident Fund Commissioner (HQs) or Addl. CPFC. In order to remove this confusion, the following instructions are issued for strict compliance:

- i. In all cases requiring approval of Central Provident Fund Commissioner, Additional Central Provident Fund Commissioner(HQs) or Addl. CPFC, shall enclose a certificate under her/his signature that the exemption is to be granted under Section 17 (2A) of the Act and the establishment shall comply/is complying in respect of all categories and classes of employees including contractual and casual ones in its own EPF Code Number.
- ii. In case the exemption is sought only for regular employees (or any other class of employees), it is to be treated as exemption for class of employees for which Zonal ACCs are competent authority.

6. The ZO / RO must, in all cases, also check and ensure the basic requirement, that the benefits under the policies of insurers opted for by the establishments are more favorable than the benefits given under the EDLI Scheme, 1976, is fulfilled before approving any proposal at their level. Similarly, in each case under Section 17(2A) requiring approval of CPFC, Zonal ACC shall enclose a certificate that the benefits under the policy of insurer opted for by the establishment are more favourable than the benefits given under the EDLI Scheme, 1976.

7. Further, in order to have regular monitoring and check on/of pending EDLI proposals at Head Office, a monthly report is hereby prescribed by way of Google spreadsheet (link pasted below) that may be updated by Zonal Offices by 5th of every month. The same is to be uploaded as 'NIL' if there is no pendency. The said list shall include both cases under Section 17 (2A) as well as Section 17 (2B).

"<https://docs.google.com/spreadsheets/d/1A6M-3neIF7eO-Mcm0ppYC UuPe4YjGSaDgYRp06L2NG/edit?usp=sharing> "

[This issues with the approval of CPFC.]

Yours faithfully,

Encl.: As above.


06.05.22

(Vishal Agarwal)
Regional P.F.Commissioner-I (EDLI)

(Letter Head of the Zone)**Certificate**

To,

Central Provident Fund Commissioner

Sub: Certificate for Exemption / Extension in lieu of EDLI Scheme -1976.

Madam / Sir,

This is to certify that:-

- a) (Establishment name with PF Code No.) has sought exemption / Extension of Exemption under Section 17 (2A) of the EDLI Scheme-1976 and is found fit for granting the same.
- b) The above establishment is complying as a whole in respect of all categories and classes of employees including contractual and casual ones in its own PF Code No.
- c) The insurance benefits under the policy of insurer opted by the establishment are more favourable than the benefits under the EDLI Scheme-1976.

(Signature with date)
Name of the Zonal ACC
Designation with name of the Zone