



# कर्मचारी भविष्य निधि संगठन

Employees Provident Fund Organisation

(श्रम एवं रोजगार मंत्रालय, भारत सरकार)

(MINISTRY OF LABOUR & EMPLOYMENT, GOVERNMENT OF INDIA)



## मुख्य कार्यालय/Head Office

प्लेट ए, ग्राउंडफ्लोर, ब्लॉक-II, ईस्ट किडवाई नगर, नई दिल्ली-110023

Plate A, Ground Floor, Block II, East Kidwai Nagar, New Delhi-110023

Website: www.epfindia.gov.in, www.epfindia.nic.in

No. E-III/10(133)2023/Notification/9856

Dated: 24 JUL 2025

To,

The Zonal Additional Central Provident Fund Commissioner, (West Bengal)  
The Regional Provident Fund Commissioner-I, Kolkata

**Subject: Cancellation of Exemption under Section 17(1)(a) of the EPF & MP Act, 1952 in respect of M/s Bird Jute & Exports Limited, bearing code no. (WB/CAL/14)**

Madam/Sir,

I am directed to forward herewith the copy of Exemption cancellation notification dated 09.07.2025 received from the Government of West Bengal - the Appropriate Government, in respect of M/s Bird Jute & Exports Limited, bearing code no. (WB/CAL/14) under Section 17 (4) of the EPF & MP Act, 1952.

Appropriate necessary action may be taken as required after issue of this order of the appropriate Government. A compliance report to this effect may accordingly be sent to HO at the earliest please.

Please also make a request for removal of link for filing Online Returns as per Head Office circular dated 12.12.2017 after complete transfer of past accumulations. A certificate may be obtained from the employer duly certifying that no amount in form of cash or security or deposit etc. which is related to the trust, is available with the establishment (copy enclosed). This certificate from the establishment should be validated by RPFC-I/OIC based on office records and recertified and communicated to HO at the earliest.

(This issues with the approval of ACC(Exemption))

Yours faithfully

Encl: as above

(Sudhir N. Ganvir)

Regional P.F. Commissioner-I(Exemption),

Copy to:

1. RPFC-I (Compliance) Head Office.
2. RPFC-I Investment/Finance Head Office.
3. RPFC-I (Recovery) Head Office.
4. RPFC-I (NDC) /DD (IS) for upload in Exempted Establishment Tab of the website.
5. The Secretary to Government of West Bengal, Labour Department, LW MW Cell, N.S. Building (12<sup>th</sup> Floor) I, K.S. Roy Road, Kolkata-700001.
6. The Chairman, M/s Bird Jute & Exports Limited Dhakindhari, P.O. Belgachia, Kolkata-700037.

**3423244/2025/Diary & Dispatch**

Government of West Bengal  
Labour Department  
LW MW Cell  
N.S.Building(12th Floor)  
1, K.S.Roy Road, Kolkata-700001  
(Computer No-1216728)



No. I/663427 (1)/12/2025/LABR-25011(12)/3/2025 Date:09-07-2025

**Notification**

**Whereas**, the Governor was pleased to exempt the establishment namely M/s Bird jute & Exports Limited, Dhakindhari, P.O-Belgachia, Kolkata-700037, (WB/CAL/14) vide notification No. 425 LW/LW /1A-41/59 dated 21/01/1960 under Section 17(1)(a) of the Employees' Provident Fund And Miscellaneous Provisions Act, 1952 to M/s Lansdowne Jute Co. Ltd. Later the name of the establishment was changed to M/s Birds Jute & Exports Limited vide fresh certificate of Incorporation dated 17/12/1971.

**Whereas**, the establishment was declared closure vide Government of India, Ministry of Textile, Order no. 11/18/2014-Jute (Vol.III) dated 31/10/2018 as per Compliance Audit.Report for the year 2017-18 all the employees are retired and PF settlement completed.

**Whereas**, the PF and allied dues have been paid belatedly for April-2008, Jute 2008, July-2008, August-2008, September-2008, October-2008, November-2008, December-2008, January-2009, April-2009, May-2009, July-2009, September-2009, in violation of the Condition No-5 under para 27AA , of the EPF Scheme,1952.

**Whereas**, the same auditor was appointed in two consecutive years i.e. for the period from 2009-2010 and 2010-2011 for the purpose of auditing of the Accounts of the BOT in violation of the Condition No.24C under para 27AA of the EPF Scheme,1952.

**Whereas**, Rs 78557.02 is booked as UCD accounts as at 31/03/2012 having no action taken for settlement nor even the establishment and its BOT could furnish details of members to whom such account balance relates to and therefore, it attracts violation of the Condition no. 12 under Para 27AA of the EPF Scheme,1952

**Whereas**, Rs 142874.64 is booked as receivable from the establishment as at 31/03/2012 and by not remitting the same attracts violation of the Condition No.5 under Para 27AA, of the EPF Scheme,1952.

**Whereas**, Minimum inspection charges have not been deposited in A/c No. 2 & A/C No.22 from October 2011 which attracts violation of the Condition No. 26 under Para 27AA of the EPF Scheme,1952.

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**3423244/2025/Diary & Dispatch**

**Whereas,** the Compliance in respect of Security personnel deployed at the site of the Mill has not been insured and guaranteed through ECR mode which attracts violation of the Condition No.3 under Para 27AA of the EPF Scheme,1952.

**Whereas,** Rs258227.34 is booked as TDS receivable from the Income Tax Department as at 31/03/2012 . No tangible action has been taken by the establishment and its BOT to recover the same from the Income Tax Department and therefore, entailing Loss to the Fund which attracts violation of the Condition No-6 and 28 under Para 27AA of the EPF Scheme,1952.

**Whereas,** the Audit of the Fund has been kept pending since 2012-13 which is in violation of the condition No 24(b) under Para 27AA of the EPF Scheme,1952.

**Whereas,** securities are not kept in DEMAT from which is violation of the condition No-18 under Para-27AA of the EPF Scheme,1952. And no statutory return (monthly/annually) was submitted by the establishment for the year 2015-16 which is in violation of the Condition No.16 under Para 27AA of the EPF Scheme,1952.

**Whereas,** the establishment has reported losses for the three consecutive financial years entailing violation of the Condition No.25 Under Para 27AA of the EPF Scheme,1952. Available records reveal that the establishment had not followed the pattern of investment as per Government direction. As per provision in the Act/Scheme, the fund of an exempted establishment cannot be taken over without cancellation of exemption. The fund can be taken over if the establishment applies for surrender of exemption As per Compliance Audit Report for the year 2017-18, the establishment has not issued the annual statement of accounts or pass books to every employee with in six months of the close of Financial/Accounting year free of cost once in the year. Audit has not done after 2012-13 (As per Compliance Audit Report for the Year 2017-18). BOT Audit has not done after 2012-13 (As per Compliance Audit report for the Year 2017-18). No activities done by the Bot (As per Compliance Audit Report for the 2017-18). No statutory return (monthly/annually) was submitted by the establishment. The Trust Account has not been audited after 2012-13(as per Compliance Audit Report for the year 2017-18).

**Whereas,** during the course of compliance inspection violation conditions No.25 were noticed as enunciated in to Para-27AA of the EPF Scheme, 1952, Show Cause Notice were issued by the office of RPFC vide letter dated 05/03/2007. The establishment replied to the notice but failed to substantiate the reasons for non-compliance. Accordingly, Regional Provident Fund Commissioner/OIC, Kolkata , proposed for cancellation of exemption.

**Whereas,** the proposal for cancellation of Exemption was placed before Exempted Establishment Committee of the Central Board and the Board has recommended the proposal against the said establishment.

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**3423244/2025/Diary & Dispatch**

**Whereas**, the said establishment suffered continuous losses form 2007-2008 to 2017-2018 and also from 2019-20 to 2021-22. It is found that the establishment incurred losses for all consecutive years 2007-08 to 2017-2018. As per Auditors remark the establishment incurred losses since its inception. As such , the condition No. 25 to para 27AA of the EPF Scheme, 1952 is squarely applicable to this case and the company's exemption was liable to be withdrawn with effect from 01/04/2012 as inferred by Zonal Office.

**Therefore**, after considering the proposal of EPFO authority and the correspondences , documents it may be deduced that the Cancellation of Exemption of M/s Bird Jute & Exports Limited,(WB/CAL/14) seems to stand solid and valid.

**Now**, the Governor is hereby pleased to cancel formally the granted Exemption in favour of M/s Bird Jute & Exports Limited against P.F. code No.WB/CAL/14, vide Notification No.425 LW/1A-41/59 dated 21/01/1960 as per section 17(4) of the Employees' Provident Fund and Miscellaneous Act,1952 and as per 27A of the Employees' Provident Fund Scheme, 1952 from the date of issuance of this notification.

By order of the Governor,

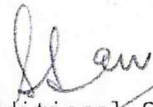
  
SECRETARY

to the Government of West Bengal.

No. I/663427 (1)/12/2025/LABR-25011(12)/3/2025 Date: 09-07-2025

Copy forwarded for information and necessary action to:

1. The Special Secretary & Labour Commissioner (In Charge), W.B., N.S. Building. (11th Floor), 1, K.S. Roy Road, Kolkata-700001
2. The Regional P.F. Commissioner (Exemption), Bhavishya Nidhi Bhawan, 14, Bhikaiji Cama Place, New Delhi-110066.
3. The Regional P.F. Commissioner-II (Exemption), Bhavishya Nidhi Bhawan, 14, Bhikaiji Cama Place, New Delhi-110066
4. Regional P.F. Commissioner-I (Compliance), Bhavishya Nidhi Bhawan, 14, Bhikaiji Cama Place, New Delhi, 110066
5. The Regional P.F. Commissioner-I, DK-Block, Sector-II, Salt Lake City, Kolkata-700119
6. The Regional P.F. Commissioner-I, R.O-Barrackpore, 4(2), S.N. Banerjee Road, Barrackpore, Kolkata-700120
7. The Regional P.F. Commissioner, Barrackpore, 14 & 15, B.T. Road, Titagarh, Kolkata-700119
- ✓ 8. The Assistant P.F. Commissioner (Compliance), Bhavishya Nidhi Bhawan, 14, Bhikaiji Cama Place, New Delhi-110066
9. The Assistant P.F. Commissioner & OIC, SRO Barrackpore, 14 & 15, B.T. Road, Titagarh, Kolkata-700119.
10. The Director (BOT), 4-D, Dalhousie Square East, Kolkata-700001.
11. Sr.P.A/P.S. to the H.M.I.C, Labour Department, Government of West Bengal.
12. Sr.P.A to the Secretary, Labour Department, Government of West Bengal.

  
The Additional Secretary  
to the Government of West Bengal