



F. No. 20/49/2020-IF-I
Government of India
Ministry of Finance
Department of Financial Services

3rd Floor, Jeevan Deep Building
Parliament Street, New Delhi
Dated 27th November, 2020

To
Shri Raj Kumar Singh
Type-3/40j, Anu Pratap Colony
P.O. : Bhabhnagar via Kota
PIN : 323307
Rajasthan

Subject : RTI application Registration number MLABE/R/E/20/01575 dated 6th September, 2020 of Shri Raj Kumar Singh.

Sir,

Kindly refer to PR Section of this Department's letter number FX-15/183/2020-PR Section dated 20th November, 2020 transferring your RTI application Registration number MLABE/R/E/20/01575 dated 6th September, 2020 with the request to provide the information as sought vide point no. 5 of the RTI request, if any, directly to you.

2. As far as IF-I Section of this Department is concerned no information is available in this regard. However, your application is being transferred to CPIOs of Export Import Bank of India (EXIM Bank), India Infrastructure Finance Company Ltd. (IIFCL) and IFCI Ltd. under section 6(3) of the RTI Act, 2005 with the request to provide the desired information directly to you. You may also refer to the replies furnished by other CPIOs of this Department to whom the RTI application has already been transferred.

3. Any appeal with regard to instant reply may be preferred to the Appellate Authority at the following address:

Shri Anshuman Sharma, Director (IF.I) / Appellate Authority, Ministry of Finance, Department of Financial Services, Jeevan Deep Building, Parliament Street, New Delhi - 110 001.

Yours faithfully,

(Soumyajit Ghosh)

Under Secretary (IF.I) & CPIO

Copy to :

- (i) The CPIO, India Infrastructure Finance Company Limited (IIFCL), 5th Floor, Block 2, Plate A & B, NBCC Tower, East Kidwai Nagar, New Delhi-110023 -- with the request to provide the requisite information as sought vide point no.5 of the RTI application directly to applicant under intimation to this Department. A copy of the aforesaid RTI application is accordingly forwarded herewith.
- (ii) The CPIO, Export-Import Bank of India (EXIM Bank), Centre One Building, Floor 21, World Trade Centre Complex, Cuffe Parade, Mumbai-400005 -- with the request to provide the requisite information as sought vide point no.5 of the RTI application directly to applicant under intimation to this Department. A copy of the aforesaid RTI application is accordingly forwarded herewith.
- (iii) The CPIO, IFCI Ltd., IFCI Tower, 61, Nehru Place, New Delhi - 110019 -- with the request to provide the requisite information as sought vide point no.5 of the RTI application directly to applicant under intimation to this Department. A copy of the aforesaid RTI application is accordingly forwarded herewith.
- (iv) CPIO, PR Section, DFS

20/11/2020-1121

9

F. No. FX-15/183/2020-PR Section
Government of India
Ministry of Finance
Department of Financial Services

2nd Floor, Jeevandeep Building
Sansad Marg, New Delhi
Dated: the 28th November, 2020

To
Shri Raj Kumar Singh,
Type-3/40J, Anu Pratap Colony,
Post Office - Bhabhanagar via Kota,
Kota - 323 307.

Subject: Information sought under RTI Act, 2005.

Sir,

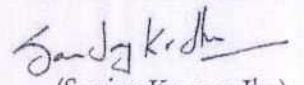
Kindly refer to Department of Financial Services (DFS)' OM No. 12/1/2020-Coord. dated 15.10.2020 forwarding therewith a copy of Department of Expenditure (DoE)'s OM No. 12/27(10)/2020 dated 12.10.2020 enclosing therewith a copy of Ministry of Labour & Employment (MoLE)'s letter No. S-65016/1/2020-SS-II dated 29.09.2020 along with your RTI application dated 06.09.2020, received in Pension Reforms (PR) Section on 17.11.2020, under the RTI Act, 2005.

2. In this connection, it is stated that the information sought by you does not pertain to PR Section, DFS. Hence, PR Section has no information to furnish in this regard. However, in accordance with the provisions contained in Section 6(3) of the RTI Act, 2005, a copy of your RTI application is being transferred to all CPIOs within DFS for providing the suitable information, if any, directly to you.

3. In terms of Section 19 of the Right to Information Act, 2005, the name and address of the Appellate Authority is as follows:

Ms. Sushma Kindo, First Appellate Authority / Joint Director (PR)
Department of Financial Services, Ministry of Finance,
3rd Floor, Jeevan Deep Building, Parliament Street, New Delhi- 110001.

Yours faithfully,


(Sanjay Kumar Jha)

Under Secretary to the Government of India & CPIO

Tele no. 2374 8709

Email Id- pensec-dfs@nic.in

Copy to:

All CPIOs/ Under Secretaries, DFS with the request to take necessary action under RTI Act, 2005. A copy of RTI application dated 06.09.2020 along with enclosure is attached.

Art. (2) per

23/11
528(F1)

23/11
ASo(S)

e-1547496/2020/PR

8

Send Back Put in a File Copy Dispatch Details Movements Edit Close Attach File Attach Receipt

Receipt Details

Receipt No : 1520645/2020/O/o SIU File No :
 From : Devinder Kumar Designation : Under Secretary
 Main Category : RTI Cases Sub Category :
 Address : Department of Expenditure Sent Date : 11/11/20 04:00 PM
 Letter Ref. No : Letter Date : 12-10-2020
 Subject : The RTI application of Shri Raj Kumar Singh (Rajas... Enclosures :
 Delivery Mode : By Hand Sender Type :

Movement Details

Sent By	Sent On	Sent To	Action	Remarks	Received On
Suraj Kumar,C&P SECTION-DFS	11/11/20 04:00	SANJAY KUMAR JHA,O/o US(Sanjay Kumar Jha)-DFS	Forward	-	12/11/20 02:25
OUTSIDE MINISTRY,OUTSIDE MINISTRY	11/11/20 03:59	Suraj Kumar,C&P SECTION-DFS		Forced Received: Pull up	11/11/20 03:59
DEVINDER KUMAR,O/o SIU	14/10/20 10:00	OUTSIDE MINISTRY,OUTSIDE MINISTRY	Forward	To,, Shri Manish Kumar Mittal, US & CPIO, D/o Fin...	

<<<1>>>

Sch
7.11.20

ASO (Sandeep)

7/11/2020 संमन्वय
विभाग, भारत सरकार
वित्तिय सेवा विभाग
(समन्वय अनुभाग)

1027

वित्तिय तल, जीवन दीप बिल्डिंग,
संसद मार्ग, नई दिल्ली,
दिनांक: 11-11-2020

कार्यालय नापत

विषय: सूचनाका अधिकार अधिनियम, 2005 के तहत कु/श्रीमति/श्री Raj Kumar से प्राप्त आवेदन के संबंध में।

कु/श्रीमति/श्री Raj Kumar ने सूचना का अधिकार अधिनियम, 2005 के तहत दिनांक 06.09.2020 का आवेदन प्रस्तुत किया है, जो इस विभाग के समन्वय अनुभाग में दिनांक

05.11.2020 को प्राप्त हुआ है जो PR से संबंधित है। इसे

सूचनाका अधिकार अधिनियम की धारा 6(3) के तहत आवश्यक कार्रवाई हेतु उन्हें हस्तांतरित किया जाता है।

2. मंत्रालय/विभाग / कार्यालय द्वारा उक्त नियत समय सीमा में सौंपे आवेदन को भेजा जाए। यह भी अनुरोध किया जाता है की यदि यह आर टी आई आवेदन आपसे संबंधित नहीं है तो इसे संबंधित मंत्रालय / विभाग / कार्यालय को हस्तांतरित किया जाए।

सी.पी.आई.ओ. एवं जवर सचिव (समन्वय), भारत सरकार
(जिनका नाम)
दूरभाष : 23743780

सेवा में

श्रीमति/श्री Sanjay Kumar Jha जवर सचिव, आर.टी.आई. PR अनुभाग, वित्तिय सेवा विभाग, जीवन दीप बिल्डिंग, संसद मार्ग, नई दिल्ली,

श्रीमति/श्री जवर सचिव, आर.टी.आई. प्रकोष्ठ, नई दिल्ली 11 मंत्रालय/विभाग,

प्रतिनिधि सूचनाई
निवासी 3/40 J. Anu Pratap Colony, PO- Bhabharagan via Kota, Kota कु/श्रीमति/श्री Raj Kumar
इस आदेश में अतिरिक्त जानकारी के लिए उपर्युक्त लोक प्राधिकारी से संपर्क करने के परामर्श के साथ 323307
सूचनाई। (Raj)

सं. 12/27(10)/2020-आरटीआई
वित्त मंत्रालय
व्यय विभाग
आरटीआई प्रकोष्ठ

लोक नायक भवन, खान मार्केट
511, पांचवा तल, ए विंग,
नई दिल्ली
दिनांक 12.10.2020

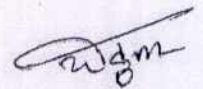
कार्यालय ज्ञापन

1520645/20-RTI
14/10/20

विषय: सूचना का अधिकार अधिनियम, 2005 के तहत प्राप्त Shri Raj Kumar Singh के आरटीआई आवेदन का हस्तांतरण।

अधोहस्ताक्षरी को उपर्युक्त विषय पर सूचना का अधिकार अधिनियम, 2005 के तहत M/o Labour & Employment के दिनांक 29.09.2020 के पत्र सं. S-65016/1/2020-SS-II के तहत दिनांक 09.10.2020 को इस विभाग के आरटीआई प्रकोष्ठ में प्राप्त Shri Raj Kumar Singh के दिनांक 09.06.2020 के आरटीआई आवेदन की प्रति संलग्न करने का निदेश हुआ है।

2. चूंकि विषय-वस्तु **D/o Financial Services** से संबंधित है, सूचना सीधे आवेदक को प्रस्तुत किए जाने के अनुरोध के साथ उन्हें सूचना का अधिकार अधिनियम, 2005 की धारा 6(3) के तहत उक्त आवेदन हस्तांतरित किया जाता है। अंतिम उत्तर की एक प्रति रिकार्ड के लिए आरटीआई प्रकोष्ठ, व्यय विभाग को भी पृष्ठांकित की जाए। यदि विषय-वस्तु आपसे संबन्धित नहीं है तो कृपया आवेदन को उचित जन सूचना अधिकारी को हस्तांतरित करें।



(देवेन्द्र कुमार)
अवर सचिव, भारत सरकार
दूरभाष: 24654593

सेवा में,

श्री मनीष कुमार मित्तल, अवर सचिव (समनव्य), वित्तीय सेवाए विभाग जीवन दीप विल्डिंग, रूम न0 32, तीसरा तल संसद मार्ग, नई दिल्ली।

प्रतिलिपि सूचनार्थ: Shri Raj Kumar Singh, Type-3/40 J, Anu Pratap Colony, PO-Bhabhanagar via Kota, Kota - 323307 (Rajasthan), को इस मामले में अतिरिक्त जानकारी के लिए उपर्युक्त लोक प्राधिकारी से संपर्क करने के परामर्श के साथ सूचनार्थ।

PP

No.S-65016/1/2020-SS-II
Government of India
Ministry of Labour & Employment

Shram Shakti Bhawan, Rafi Marg
New Delhi, dated the 29 September, 2020

To

Shri Raj Kumar Singh
Type 3/40j, Anu Pratap colony, PO-Bhabhanagar via Kota
Kota-323307

Subject:- Information under Right to Information (RTI) Act, 2005-regarding.

Sir

Please refer to your online RTI applications bearing no. MLABE/R/E/20/01575 dated 06.09.2020 seeking information under the RTI Act, 2005 and to say that your RTI application has been transferred to EPFO vide reference no. EPFOG/R/X/20/00035 dated 07.09.2020. EPFO has been furnished reply vide letter no. C-1/2/(191)//2/RTI/Raj Kumar Singh dated 23.09.2020. In this regard, so far as this section is concerned, the requisite information is as under:-

Point no. 1:- In this regard, it is stated that the file no. S-35014/11/90-SSII is not traceable in this Section. A note dated 08.08.2017 in r/o of file no. S-35014/11/90-SS-II was also issued to all divisions/Sections in the Ministry with request to return/handover the same to this Section if it is found anywhere.

Point no. 3&4:- Section 8 of PF Act, 1925 defines appropriate government itself.

Point no. 5:- The PF Act, 1925 has been allotted to this Ministry by Cabinet Secretariat order dated 26.06.2018, since then no exclusion to any institution has been given by this Ministry. However, RTI is being transferred to Department of Expenditure, Ministry of Finance.

Point no. 18- As per Section 8 of PF Act, 1925 (copy enclosed)

Point no. 19&20:- No such information available. Therefore, RTI may be transferred to Department of Pension and Pension welfare's.

2. Further your RTI application is being transferred under Section 6(3) of the Right to Information Act, 2005 to Department of Expenditure, Ministry of Finance in r/o point no. 5 and Department of Pension and Pension Welfare's in r/o point no. 19 & 20 with request to furnish requisite information to the applicant directly under intimation to this Ministry.

12/28 (10)/2020 RIF

Recd today
PF take n. a

9/10/20
VS (RTI) - Sh. Desai (on leave)
SO (RTI) - Sh. Raj Kumar
ASO (RTI)

for DAS
9/10/2020

5

RTI REQUEST DETAILS (आरटीआई अनुरोध विवरण)

40

4

Registration Number (पंजीकरण संख्या) MLABE/R/E/20/01575

Date of Receipt 06/09/2020

(प्राप्ति की तारीख):

Type of Receipt (रसीद का प्रकार): Online Receipt

Language of Request English
(अनुरोध की भाषा):

Name (नाम): raj kumar singh

Gender (लिंग): Male

Address (पता): type-3/40j, anu pratap colony, po bhabhanagar via kota,
Pin:323307

State (राज्य): Rajasthan

Country (देश): India

Phone Number (फोन नंबर): Details not provided

Mobile Number +91-
(मोबाईल नंबर): 8905480476

Email-ID (ईमेल-आईडी): anil6929@rediffmail.com

Status (स्थिति)(Rural/Urban): Details not provided

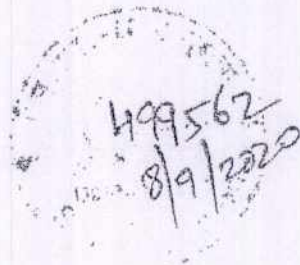
Education Status: Details not provided

Is Requester Below Poverty Line ? (क्या
आवेदक गरीबी रेखा से नीचे का है?): NoCitizenship Status Indian
(नागरिकता)

Amount Paid (राशि का भुगतान): 10) (original recipient)

Mode of Payment Payment
(भुगतान का प्रकार) GatewayDoes it concern the life or Liberty of a
Person? No(Normal)(क्या यह किसी व्यक्ति के जीवन अथवा
स्वतंत्रता से संबंधित है?):Request Pertains to S K Das,
(अनुरोध निम्नलिखित
संबंधित है): SS-IIInformation Sought (जानकारी मांगी): as per attachment please provide the information under RTI
act 2005

Print Save Close



P.T.O
Post transferred to Effo ↑

S/A/2001
7/9/2020

SC) SS II
A80UB)

970 3

To,
CPIO,
Ministry of Labour,
New Delhi

Sub : Under RTI act 2005

Sir,

Please refer to the clause 16 of EPF & MP ACT 1952 which is meant for non-applicability of this act upon certain establishments. Please refer to the PF act 1925 in this regard and also refer the min. of Labour OM dated 9/10-6-1992. In this regards, please furnish the following information:-

1. Please provide a copy of letter No 1017 dated 5-12-1991 as mentioned in attached o.m 9/10-6-1992.
 2. Provide the reference of any documents or communication between Min. of Labour and Provident fund commissioner regarding grant of exclusion to NPCIL as per o.m.
 3. As per clause 2 and 3 of section 8 of PF ACT 1925, please give the reference of any documents or office order or notification which defines the name of "appropriate government" in this clause.
 4. As per clause 2 and 3 of section 8 of PF ACT 1925, please give the reference of any documents or office order or notification which defines that the "appropriate government" in this clause is ministry of Labour or Ministry of Finance.
 5. The list of all public sector enterprises or establishments or government companies who have granted exclusion under this clause in last 30 years by this Ministry.
 6. Please provide the conditions of eligibility of above establishments for granting exclusion.
 7. The details of Authority or the appropriate government departments or office who is having the power to grant the exclusion to the above establishments.
 8. The conditions which are to be fulfilled by any establishment before exclusion.
 9. The status of Provident fund of employee before and after granting the exclusion to any establishment.
 10. The status of Pension of employees before and after granting the exclusion to any establishment.
 11. Provide the reference of any documents which provide the information about the compliance by the establishment for the provisions of the exclusion after granting exclusion under the clause.
 12. Provide the reference of any documents in which it is mentioned that for granting exclusion for any establishments, its employees are getting benefits of old age pension as per rules. Please provide the copy of the reference of the type of pension or C.P.F as given in the clause.
 13. What is the rules /procedures / references for an establishment who has got exclusion under clause 16 in past wants to incorporate again in PF act 1952?
 14. What is the rules /procedures / references for an establishment who has got exclusion under clause 16 in past wants to incorporate again in PF act 1952 from a retrospective date. For example an establishment namely "XYZ" has granted exclusion in year 1992, applies to EPFO for inclusion again in PF act 1952 in year 2018. Please provide the rules and procedures to be applicable in this case if such organisation wants to incorporate in 'pf act 1952 from a retrospective date such as year 1992 or 1995.
- 16/12

- 48 2
15. An organisation had taken the benefit of clause 16 (1) (d) is having No pension scheme for its employee but it forms a separate PF scheme for its employees contributing 10% of basic as employer contribution. It applies for the exclusion under clause 16-1-b in the act of 1952. What are the rules /procedures / references to grant exclusion to such organisation in the absence of Old age pension scheme for its employees.
 16. What are the rules /procedures / references to grant exclusion to an organisation in the absence of Old age pension scheme for its employees and contributing lesser amount in PF from the statutory limit of 12% of the act.
 17. Whether the exclusion under clause 16 can be granted to an organisation who is giving lesser benefits to its employees in terms of PF contribution and without any old age pension scheme. Please provide rules /procedures / references for this.
 18. Whether an organisation who has acquire the status of PF ACT 1925 and its name is included in the schedule of PF act 1925, can automatically be granted exclusion from pf act 1952 just because of the fact that it has been incorporated in PF act 1925 by the appropriate government under section (2) of act of 1925.
 19. What is the rule position or government guidelines for pensionable establishments in India?
 20. What is the rule position or government guidelines for Non-pensionable establishments in India?

Regards

(Raj Kumar Singh)
Type-3/40J,
Anu Pratap Colony PO : Bhabhanagar via kota
Rawatbhata Rajasthan Pin 323307

49

Annexure - T

104

Sl. no. 20 (R)

85

No. S-35014/11/90-SS.11
Government of India/Bharat Sarkar
Ministry of Labour/Shram Mantralaya
New Delhi, dated 17th June, 1992.

9-6-92
6

To

Secretary,
Department of Atomic Energy,
Chatrapathi Shivaji Maharaj Marg,
BOMBAY - 400 039.

Sub : Exemption/exclusion from the Provisions of the
EPF & MP Act, 1952 - Nuclear Power Corporation
of India Limited.

Sir,

I am directed to refer to your letter No. 1/1
(1)/90-PP/1017 dated the 5th December, 1991 on the
subject mentioned above and to say that the question
of non-applicability of the EPF & MP Act, 1952 to
M/s. Nuclear Power Corporation of India Limited, Bombay
has been considered in consultation with the Ministry
of Law. It has been found that M/s. NPCIL fulfils the
requisite conditions for exclusion specified under
section 16(I)(b). It is, therefore, not coverable under
the EPF & MP Act, 1952.

POWER PROJECT SECTION
111
Date 24.6.92
Enclosure 1/3

Yours faithfully,

(S.P. SHUKLA)
UNDER SECRETARY

Copy to : CPFC, New Delhi

55 (B)
1/9/92

1/9/92

P. Conway to NPLC
immediately

(R) 1
24/6/92

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24/6/92

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24/6

27/6