

The
Kolkata Gazette



सत्यमेव जयते

Extraordinary
Published by Authority

Notification No. : I/698118/2025/LABR-25011(12)/2/2025-LW MW

Date : 09.10.2025

PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

Labour Department

LW/MW Cell

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NOTIFICATION

No. I/698118/2025/LABR-25011(12)/2/2025-LW MW

Date : 09.10.2025

Whereas, the Governor was pleased to exempt the establishment namely M/s St. Xavier's Collegiate School, against PF Code No. WB/PRB/19656 vide Notification No. 484-LW/PF-05/2008 dated 12/05/2008 with effect from 01/01/1993 under section 17(1) (a) of the Employees Provident Fund & Miscellaneous Provisions Act, 1952 from the operation of all provisions of the said act of the Employees' Provident Fund Scheme, 1952 subject to the conditions as specified therein.

Whereas, their Board of Trustees on 20/01/2017 unanimously passed a resolution to surrender the exemption w.e.f 01/04/2017 as the Fund was unable to generate sufficient income to meet the statutory financial obligations to its subscribing members and the employer was unable to make good the losses incurred by the fund. The establishment accordingly has desired to surrender the exemption. The above resolution is in concurrence with the mandate given by the majority of contributing members, through a secret ballot held on 25th April 2011 in the School Hall of St. Xavier's Collegiate School.

Whereas, the application of the Establishment for surrender of Exemption was placed before the Exempted Establishment's Committee (EEC) of the Central Board, in their 57th EEC meeting held on 26/11/2024 and subsequently in the 237th meeting of the Central Board of Trustees, held on 28/02/2025.

Whereas, The Central Board of Trustees, EPF has recommended the application of M/s St. Xavier's Collegiate School, WB/PRB/19656 for a formal Surrender of Exemption granted under section 17(1)(a) of Employees Provident Fund & Miscellaneous Act, 1952.

Whereas, the Jurisdictional Regional Provident Fund Commissioner, Park Street has also reported that the establishment has started reporting compliance to EPFO with effect from 01/04/2017 and all the securities along with past accumulation of the members lying in the Provident Fund Trust has also been transferred in the name of Central Board of Trustees, EPF.

Whereas, the Regional Provident Fund Commissioner-I, Office, Park Street, certified that the entire past accumulation liability has been deposited by the said exempted trust and their pension fund contributions as well as Administrative Charges contributions is received up to December, 2022. Further, all the losses incurred by the trust, if any, have been liquidated by the establishment. This certificate is issued without prejudice to any 7A (for evasion of membership) or 14B proceedings for levy or damages/FIR/Prosecution instituted against the establishment as well as any hidden losses not detected by compliance Audit/Third Party Auditors as such proceedings can continue even after surrender of the exemption.

Whereas, the Regional Provident Fund Commissioner-I, Office, Park Street, also certified that on the basis of compliance audit reports of preceding three years from the date of surrender, M/s St. Xavier's Collegiate School has been reported to have violated condition No.17 of Grant of Exemption. However, the said establishment has submitted application for surrender with effect from 01/04/2017 and has remitted the entire corpus to match the past accumulation statement, which has been verified by the Third Party Audit and/or the Enforcement Officer.

Therefore, after considering the proposals of the EPFO authority and the correspondences documents, it may be deduced that the Cancellation of Exemption of M/s St. Xavier's Collegiate School (WB/PRB/19656) seems to stand solid and valid.

Now, the Governor is hereby pleased to cancel formally the granted Exemption in favor of M/s St. Xavier's Collegiate School against P.F Code No.WB/PRB/19656 vide Notification No.484-LW/PF-05/2008 dated 12/05/2008 as per section 17(4) of the Employees' Provident Fund and Miscellaneous Act, 1952 as per 27A of the Employees' Provident Fund Scheme, 1952 from the date of issuance of this notification.

By order of the Governor,

AVANINDRA SINGH, IAS

Secretary to the Government of West Bengal