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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 Branch**

**N. S. Buildings, 12th Floor,**

**1, K. S. Roy Road, Kolkata-700001**

No. Labr./2490(LC-LW/MW)

Date 31/12/2021

**NOTIFICATION**

Whereas, the Governor was pleased to exempt the establishment namely M/s Dunlop India Ltd. 46, Syed Amir Ali Avenue, Ruia Centre, Kolkata-700017 against the EPF Code No. WB/716, vide Notification No. 4316-LW/LW/1A-268/60 dated 30/07/1960 Under Section 17(1) of the Employees' Provident Funds & Miscellaneous Provisions Act, 1952, from the operation of all the provisions of the said Act and Employees' Provident Fund Scheme, 1952, subject to the conditions specified therein.

Whereas, it has been reported by the Regional Provident Fund Commissioner - II, vide their No.- C-Ex/32(29)07/WB/CE/EZ dated 17/08/2010 and subsequent No. C-Ex/32(33)/09/Review of Jute establishment/WB, dated 30/03/2011 from the Additional Central Provident Fund Commissioner and No. WB/HWR/716 & 5106/Labour Deptt/GoWB/197 dated 02/03/2015 from the Regional Provident Fund Commissioner-II/OIC, SRO, Howrah that M/s Dunlop India Ltd, 46, Syed Amir Ali Avenue, Ruia Centre, Kolkata-700017, have been failing i) to remit Provident Fund Contribution upto 06/2011 ii) Provident Fund trust has not audited its accounts and nor submitted any Accounts Report since 2004-2005 iii) Prosecution case as per provision U/s 14 of the Act filed before the appropriate Court for non-submission of statutory returns and not filing audited accounts of the said Provident Fund Trust Board.

Whereas, complaint U/s 405 was filed on 30/09/2008 before Deputy Commissioner of Police, E.B., 12, B.B.C. Road, Kolkata-700001 for non-deposition of Employees share of Provident Fund Contribution for the period 09/2005 to 07/2008.

Whereas, another complaint U/s 405 was filed on 04/10/2012 before OIC Chinsurah P.S., Hooghly, bearing No. WB/HWR/716 & 5106/Complaint, dated 27/07/2011 for non-deposition of employees share of Provident Fund contribution for the period 01/2011 to 05/2011.

After considering the proposal of EPFO authority and the correspondences and available documents, it may be deduced that M/s Dunlop India Ltd. 46, Syed Amir Ali Avenue, Ruia Centre, Kolkata-700017 have grossly violated the essential term and conditions specified under the Act and the scheme and thereafter, the recommendation of cancellation from the EPFO authority seems to stand solid and valid.

Now, the Governor is hereby pleased to cancel the granted in favour of the M/s Dunlop India Ltd against the EPF Code No. WB/716 vide Notification No. 4316/LW/LW/1A-268/60 dated 30/07/1960 as per Section 17(4) of the Employees Provident Fund and Miscellaneous Provisions Act, 1952 and as per Section 27 of the Employees Provident Fund Scheme 1952, from the date of issuance of the Notification.

By Order of the Governor,

BARUN KUMAR RAY

*Principal Secretary to the Government of West Bengal*