संदर्भ संख्या: सी॰आई॰एल/महाप्र(संप्रप्र)/2023/ 29   दिनांक: 19.01.2023

सेवा में,

The General Manager (CMC)
ECL/BCCL/CCL/NCL/WCL/SECL/MCL/CMPDI

The General Manager, NEC.

विषय: <u>**Modification in Clauses in Chapter 2, 3 & 6 of CMM pertaining to Provident Fund**</u>

महाशय,

      Ambiguity of clause pertaining to Provident Fund in Contract Management Manual (CMM) was observed in connection with intensive examination in some of the mines by CTE. Accordingly, a proposal was put up in the 298th meeting of CFDs, CIL held on 13.01.2023.

As communicated by Company Secretary, CIL vide letter No. CIL:XI(D):04135:2023:29958 dated 19.01.2023, CFDs, CIL in its 298th meeting held on 13.01.2023 have approved modifications in Clauses in Chapter 2, 3 & 6 of CMM pertaining to Provident Fund.

The approved modifications are enclosed as Annexure – A.

This is for your information and further needful actions.

भवदीय,

Encl: As above

GM (CMC)
CIL

प्रतिलिपी:

1. Director (Technical), CIL
2. ED (Co-ordination), CIL / TS to Chairman, CIL
3. ED (Personnel), CIL
4. ED (Finance), CIL
5. GM (Civil), CIL
6. GM (UMD), CMPDI
7. TS to D(T), CIL
8. Office file

Modification in Clauses in Chapter 2, 3 & 6 of CMM pertaining to Provident Fund approved in 298th meeting of CFDs, CIL held on 13.01.2023

	Existing Clause	Approved amended clause
Chapter 3 & 6 of CMM Instructions to Bidders Employment of Labour: Clause 28.1	Contractors are to employ, to the extent possible (as per policy decision of the Company valid from time to time), local project affected people and pay wages not less than the wages fixed (notified and prevalent during execution of the work for mining activity) by the Company and guidelines incorporated at Clause 12 of GTC. *CIL/ Subsidiary companies shall specify such rates in their bid. Payment of Provident Fund for the workmen employed by him for the work as per the Law prevailing under provision of CMPF/EPF and allied scheme valid from time to time shall be responsibility of the Contractor. In addition to the above, the Contractor shall provide a copy of the updated passbook having entry made in the CMPF/EPF or Allied Scheme(s) of Provident fund as the case may by the Competent Authority annually / as and when asked. Bidder shall also submit copies of statutory returns.	Contractors are to employ, to the extent possible (as per policy decision of the Company valid from time to time), local project affected people and pay wages not less than the wages fixed (notified and prevalent during execution of the work for mining activity) by the Company and guidelines incorporated at Clause 12 of GTC. CIL/ Subsidiary companies shall specify such rates in their bid. Payment of Provident Fund for the workmen employed by him for the work as per the Law prevailing under provision of CMPF/EPF and allied scheme valid from time to time shall be responsibility of the Contractor **which shall be in accordance with the following guidelines:** **1. The Contractor must be mandatorily registered as employer under the CMPF Act and allied scheme and shall submit details of their workers with the CMPF number, wherever required. The contractor shall submit CMPF registration certificate before signing of agreement.** **2. If any employee of a Contractor is not a member of any Provident Fund, he shall be required to become a member of CMPF scheme immediately, for availing benefits therefrom.** **3. Where the employees of a Contractor are members of EPF scheme, the Contractor shall provide appropriate facilitation to those employees who voluntarily opt for conversion from EPF Schemes to CMPF Schemes.** **In addition to the above, the Contractor shall provide a copy of the updated passbook having entry made in the CMPF/EPF or Allied Scheme(s) of Provident fund as the case may be, to the Competent Authority annually or as and when asked. Bidder shall also submit copies of statutory returns.**

Chapter 3 Special Terms & Conditions Clause 32.02	The contractor shall also comply with the provisions of the Coal Mines Provident Fund Scheme and regularly deposit the contributions in accordance with the same. The Company shall have no liability whatsoever in this regard.	The contractor shall also comply with the provisions of the **CMPF / EPF** and regularly deposit the contributions in accordance with the same. The Company shall have no liability whatsoever in this regard.
Chapter 2 of CMM Conditions of Contract Clause 13.5	In case the owner becomes liable to pay any wages or dues to the labour or to any Government agency under any of the provisions of the Minimum Wages Act, Workmen compensation Act, Contract Labour Regulation Abolition Act, CMPF Act/EPF Act or any other law due to act of omission of the contractor, the owner may make such payments and shall recover the same from the contractor's bills.	Payment of Provident Fund for the workmen employed by him for the work as per the Law prevailing under provision of CMPF/EPF and allied scheme valid from time to time shall be responsibility of the Contractor **which shall be in accordance with the given guidelines:** **1. The Contractor must be mandatorily registered as employer under the CMPF Act and allied scheme and shall submit details of their workers with the CMPF number, wherever required. The contractor shall submit CMPF registration certificate before signing of agreement.** **2. If any employee of a Contractor is not a member of any Provident Fund, he shall be required to become a member of CMPF scheme immediately, for availing benefits therefrom.** **3. Where the employees of a Contractor are members of EPF scheme, the Contractor shall provide appropriate facilitation to those employees who voluntarily opt for conversion from EPF Schemes to CMPF Schemes.** **In addition to the above, the Contractor shall provide a copy of the updated passbook having entry made in the CMPF/EPF or Allied Scheme(s) of Provident fund as the case may be, to the Competent Authority annually or as and when asked. Bidder shall also submit copies of statutory returns.** **The contractor shall also comply with the provisions of the CMPF / EPF and regularly deposit the contributions in accordance with the same. The Company shall have no liability whatsoever in this regard.**