



**कर्मचारी भविष्य निधि संगठन**  
**(श्रम मंत्रालय भारत सरकार)**  
**Employees' Provident Fund Organisation**  
**(Ministry of Labour, Govt. Of India)**  
**मुख्य कार्यालय / Head Office**

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No. C-III/Compliance-2001/Cir/E-II

39808

**CIRCULAR**

Dated: 25.02.2015

25 FEB 2015

To

All Regional Provident Fund Commissioners  
In-Charge of Regional/Sub Regional Offices

**Subject : Mandatory filing of return in Form-5A online by the employers of the establishments covered under the Employees' Provident Funds & Miscellaneous Provisions Act, 1952 (the Act).**

It has already been instructed that the employers of establishments to which the Employees' Provident Funds & Miscellaneous Provisions Act, 1952(the Act) applies, shall file a return on particulars of ownership in Form 5A showing the particulars of all the branches and departments owners, occupiers, directors, partners, manager or any other person or persons who have the ultimate control over the affairs of such factory or establishment online.

2. While reviewing the progress made on this count, the Central Provident Fund Commissioner observed that the total number of establishments which filed Form 5A online is not very much encouraging. It has already been instructed that all the offices shall ensure that 50% of establishments covered (other than those which got Code No. online through OLRE) file Form 5A online by 4<sup>th</sup> March, 2015.

3. To accelerate the pace of filing, it has now been mandated that the employers of establishments to which the Act applies shall file Form 5A online by 31<sup>st</sup> March, 2015. The copy of the order passed by the Central Provident Fund Commissioner in exercise of powers conferred by sub-paragraph 7 of Paragraph 36 of the Employees' Provident Fund Scheme, 1952 is enclosed herewith.

4. It is desired that the entire work of filing of Form 5A by the employers is completed in 100% by 31<sup>st</sup> March, 2015.

5. Failure to file the said return online by 31<sup>st</sup> March, 2015 will amount to non-submission of statutory return and also render the defaulting establishment liable for action as provided under Section 14 of the Act.

Enclosures: As above

25/2/2015  
(P.K. Udgata)

**Additional Central P.F. Commissioner-I (Compliance)**



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No. GIII/Compliance-2001/Cir/E-I/

39807

**ORDER**

Dated: 25.02.2015

25 FEB 2015

**In the matter of – Mandatory filing of return in Form-5A online by the employers of the establishments covered under the Employees' Provident Funds & Miscellaneous Provisions Act, 1952 (the Act).**

1. Paragraph 36-A of the Employees' Provident Fund Scheme, 1952 stipulates that every employer in relation to a factory or other establishment to which the Employees' Provident Funds & Miscellaneous Provisions Act, 1952(the Act) applies, shall furnish in duplicate to the Regional Provident Fund Commissioner a return on particulars of ownership in Form 5A showing the particulars of all the branches and departments owners, occupiers, directors, partners, manager or any other person or persons who have the ultimate control over the affairs of such factory or establishment.

2. Till date, the employers of the establishments covered under the Act were submitting ownership returns in Form 5A manually. However when the Employees' Provident Fund Organisation has embarked upon its next phase of e-governance reforms with a view to make its services available to its stakeholders in an efficient, transparent and reliable manner and at low costs, it becomes imperative that the establishments furnish statutory returns electronically.

3. Sub-Paragraph 7 of Paragraph 36 of the Employees' Provident Fund Scheme, 1952 states as under :

**(7) Every employer shall send to the Commissioner such returns in electronic format also, in such form and manner as may be specified by the Commissioner.**

4. Now, in exercise of powers conferred by the above paragraph of Employees' Provident Funds Scheme, 1952, it is directed that employers of establishments covered under the Employees' Provident Funds & Miscellaneous Provisions Act, 1952 shall mandatorily file Form 5A online with the Employees' Provident Fund Organisation w.e.f. 25<sup>th</sup> February, 2015 that is from the date of issue of this order.

5. The establishments which have already submitted the return in Form 5A manually are also directed to file the said return online.

6. It is also mandated that the deadline for filing of return in Form 5A is fixed as 31<sup>st</sup> March, 2015. Failure to file the said return online by 31<sup>st</sup> March, 2015 will amount to non-submission of statutory return and also render the defaulting establishment liable for action as provided under Section 14 of the Act.

  
(K.K. Jalan)

**Central P.F. Commissioner**