

**GOVERNMENT OF INDIA
MINISTRY OF LABOUR AND EMPLOYMENT**

RAJYA SABHA

**STARRED QUESTION NO. 48
TO BE ANSWERED ON 03.08.2011**

DEPOSIT OF PROVIDENT FUND BY SCHOOLS

†*48. SHRI ISHWARLAL SHANKARLAL JAIN:

Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

- (a) whether all the Government and private public schools in the State of Maharashtra are depositing provident fund regularly;**
- (b) if so, the details thereof; and**
- (c) if not, the action taken by Government against defaulting schools?**

ANSWER

**MINISTER OF LABOUR AND EMPLOYMENT
(SHRI MALLIKARJUN KHARGE)**

(a) to (c): A statement is laid on the Table of the House.

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**STATEMENT REFERRED TO IN REPLY TO PARTS (a) TO (c) OF THE
RAJYA SABHA STARRED QUESTION NO. 48 FOR 03.08.2011
REGARDING DEPOSIT OF PROVIDENT FUND BY SCHOOLS BY SHRI
ISHWARLAL SHANKARLAL JAIN.**

**The private public schools which are covered under the
Employees' Provident Funds & Miscellaneous Provisions Act, 1952 are
depositing the provident fund.**

**Total of 1588 private public schools are covered in the State of
Maharashtra out of which 47 are defaulters.**

**Proceedings under Section 7A of the Employees' Provident Funds
& Miscellaneous Provisions Act, 1952 have been initiated against
defaulting schools to secure compliance in respect of them.**

**GOVERNMENT OF INDIA
MINISTRY OF LABOUR AND EMPLOYMENT**

RAJYA SABHA

**UNSTARRED QUESTION NO. 445
TO BE ANSWERED ON 03.08.2011**

**EXTENSION OF EPF SCHEME TO COMPANIES WITH OVER 10
EMPLOYEES**

445. SHRI M.P. ACHUTHAN:

Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

- (a) whether Government is considering a proposal to extent the Employees Provident Fund Scheme to all companies with over 10 employees; and**
- (b) if so, the details thereof and at what stage is the proposal?**

**ANSWER
MINISTER OF LABOUR AND EMPLOYMENT
(SHRI MALLIKARJUN KHARGE)**

(a) & (b): Yes, Sir. The proposal is under examination and consideration of the Government.

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RAJYA SABHA

**UNSTARRED QUESTION NO. 1193
TO BE ANSWERED ON 10.08.2011**

**REVIEW OF THE RECOMMENDATION OF THE COMMITTEE ON EPS
1995**

1193. SHRI PRAKASH JAVADEKAR:

Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

- (a) whether Government has completed a review of the recommendations of the committee appointed to look into the various aspects of Employees Pensions Scheme (EPS) 1995;**
- (b) if so, the details thereof;**
- (c) if not, the reasons therefor; and**
- (d) whether Government is ready to increase its contribution under EPS 1995, so that minimum pension would be Rs. 2000 p.m.?**

**ANSWER
MINISTER OF LABOUR AND EMPLOYMENT
(SHRI MALLIKARJUN KHARGE)**

(a) to (d): The Expert Committee constituted by the Central Government to review the Employees' Pension Scheme, 1995 has submitted its report on 5th August, 2010, which is under consideration of the Central Board of Trustees (EPF). The report also includes recommendations on contribution to be made by all concerned viz. employers, employees and Central Government under various options.

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**GOVERNMENT OF INDIA
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RAJYA SABHA**

**UNSTARRED QUESTION NO. 1820
TO BE ANSWERED ON 17.08.2011**

NON-SUBMISSION OF PF RETURNS BY COMPANIES

1820. SHRI K.E. ISMAIL:

SHRI M.P. ACHUTHAN:

Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

- (a) Whether it is a fact that the management of various companies are not submitting their of returns in time though it is mandatory by law;**
- (b) if so, the State-wise details thereof with list of companies that are keeping pending the submission of PF returns;**
- (c) whether it is also a fact that due to this non-submission, the workers become the victims as they do not receive the receipt for their contributions from Employees Provident Fund Organisation (EPFO);**
- (d) if so, the details thereof; and**
- (e) the details of Government action against the erring companies regarding these delays?**

ANSWER

**MINISTER OF LABOUR AND EMPLOYMENT
(SHRI MALLIKARJUN KHARGE)**

(a): As per the Employees' Provident Funds & Miscellaneous Provisions Act, 1952 it is mandatory for the establishments covered under the Act to submit the Provident Fund returns as per the time stipulated in this respect. However, there are cases where the management of various companies do not submit returns or submit the returns after due dates.

(b): The details are given at Annexure-I.

Contd..2/-

(c): Due to non submission/delay in submission of returns the workers become victims as they do not get up to date statement of their PF accounts in the form of Account slips in time.

(d): The details are given at Annexure-I.

(e): As per section 14(2) of the Employees' Provident Funds & Miscellaneous Provisions Act, 1952 read with para 76 of the Employees' Provident Fund Scheme, 1952 default in submission of returns is the punishable offence and liable for prosecution.

The number of prosecution cases filed against chronic defaulting establishments including non submission of returns are mentioned in Annexure-II.

ANNEXURE - I

STATEMENT REFERRED TO IN REPLY TO PART (b) & (d) OF THE RAJYA SABHA UNSTARRED QUESTION NO.1820 FOR 17.08.2011 REGARDING NON-SUBMISSION OF PF RETURNS BY COMPANIES BY SHRI K.E. ISMAIL AND SHRI M.P. ACHUTHAN.

Number of establishments (State-wise) defaulted in submission of PF returns

S. No.	Name of the State	No. of establishments defaulted in submission of PF returns
1.	Andhra Pradesh	213
2.	Bihar	927
3.	Chhattisgarh	570
4.	Delhi	11842
5.	Goa	500
6.	Gujarat	6165
7.	Haryana	4508
8.	Himachal Pradesh	1230
9.	Jharkhand	1573
10.	Karnataka	8068
11.	Kerala	3696
12.	Madhya Pradesh	3489
13.	Maharashtra	18666
14.	North East Regions	78
15.	Orissa	1780
16.	Punjab	7285
17.	Rajasthan	2237
18.	Tamil Nadu	13734
19.	Uttar Pradesh	8757
20.	Uttaranchal	638
21.	West Bengal	4209
TOTAL		120165

PROSECUTION CASES – AS ON 31.03.2010

Region	Employees' Provident Fund Scheme, 1952	Employees' Pension Scheme, 1995	Employees' Deposit Linked Insurance Scheme, 1976
Dehradun	4	4	4
Delhi – North	382	264	210
Delhi – South	300	130	181
Chandigarh	424	251	452
Ludhiana	498	306	319
Shimla	75	0	0
Kanpur	152	45	40
Meerut	55	55	55
Patna	1546	1336	1336
Faridabad	334	302	296
Gurgaon	187	177	186
Jaipur	334	80	85
Ahmedabad	1419	216	203
Baroda	489	346	442
Indore	1378	1013	1412
Surat	369	161	167
Kandivali	517	77	76
Mumbai- I Bandra	657	327	344
Mumbai- II Thane	70	70	70
Nagpur	202	172	77
Pune	1270	1252	1272
Raipur	516	283	356
Bangalore	491	436	400
Gulbarga	549	370	353
Mangalore	561	243	248
Panaji	168	178	153
Peenya	178	178	175
Bhubaneshwar	906	477	617
Guntur	344	326	317
Hyderabad	2219	1780	1343
Nizamabad	178	149	139
Chennai	270	233	250
Coimbatore	640	303	306
Madurai`I	467	321	237
Tambaram	223	227	226
Thiruvananthapuram	1318	954	759
Guwahati	647	470	589
Jalpaiguri	838	838	838
Kolkata	1746	431	417
Ranchi	856	854	726
TOTAL	23777	15635	15676

**GOVERNMENT OF INDIA
MINISTRY OF LABOUR AND EMPLOYMENT
RAJYA SABHA**

**UNSTARRED QUESTION NO. 1833
TO BE ANSWERED ON 17.08.2011**

**DISCUSSION WITH MINISTRY OF FINANCE ON DEMANDS OF RETIRED
AND WORKING PERSONNEL**

+1833. SHRI ISHWARLAL SHANKARLAL JAIN:

Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

- (a) whether the Ministry had held discussion/meetings with the Ministry of Finance with reference to the pending demands of retired and working personnel under scheme of 1995;**
- (b) if so, the details thereof;**
- (c) whether Ministry of Finance itself is capable of meeting the years old pending demands of this scheme of 1995 or wants to extend cooperation; and**
- (d) if so, the details thereof?**

**ANSWER
MINISTER OF LABOUR AND EMPLOYMENT
(SHRI MALLIKARJUN KHARGE)**

(a): No discussions/meetings were held with the Ministry of Finance.

(b) to (d): Does not arise in view of reply to part (a) of the question.

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**GOVERNMENT OF INDIA
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RAJYA SABHA**

**UNSTARRED QUESTION NO. 2428
TO BE ANSWERED ON 24.08.2011
ENHANCING INTEREST RATE OF EPF**

**2428. SHRI R.C. SINGH:
SHRI M.P. ACHUTHAN:**

Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

- (a) whether it is a fact that the employees and workers covered by Employees Provident Fund (EPF) are getting pensions now-a-days from EPF fund;**
- (b) if so, the details thereof;**
- (c) whether it is also a fact that pension holders do not get any relief like other pensions due to hike in prices of essential commodities as inflation remains high in the country;**
- (d) if so, whether Government is considering to increase the pension amount as it has enhanced the interest rate on EPF deposit; and**
- (e) if so, the details thereof?**

**ANSWER
MINISTER OF LABOUR AND EMPLOYMENT
(SHRI MALLIKARJUN KHARGE)**

(a): Employees and workers covered by the Employees' Provident Fund (EPF) are getting pension from the Employees' Pension Fund created under the Employees' Pension Scheme, 1995.

(b): On completion of 10 years of eligible service and attaining the age of at least 50 years, a member is entitled to get pension from the Employees' Pension Fund as per the provisions of the Employees' Pension Scheme, 1995.

(c): Grant of relief under the Employees' Pension Scheme, 1995 is not linked with price rise, but is based on Annual Actuarial Valuation of the Employees' Pension Fund.

(d): There is no such proposal at present.

(e): Does not arise.

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J/C

**GOVERNMENT OF INDIA
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RAJYA SABHA**

**UNSTARRED QUESTION NO. 2435
TO BE ANSWERED ON 24.08.2011
IMPLEMENTATION OF EPFPS**

†2435. MISS ANUSUIYA UIKEY:

Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

- (a) whether it is a fact that "Employee Provident Fund Pension Scheme" (EPFPS) has been implemented by the Central Government since 1995 and the amount of pension has been increased time to time according to the price rise;
- (b) if so, whether the orders have been issued by the Central Government after notifying the amendments made through pension improvement procedure, in the Gazette and whether the Government and semi-government employees of the States and the Centre are being paid the pension as per the scheme; and
- (c) if notification and orders have not been issued, the reason therefor and by when these will be issued?

**ANSWER
MINISTER OF LABOUR AND EMPLOYMENT
(SHRI MALLIKARJUN KHARGE)**

(a): The Employees' Pension Scheme, 1995 has been implemented by the Central Government since 1995. Increase in the form of relief for pension has been granted from time-to-time (total four times till date) in the following manner and the grant of pension has increased accordingly:

Rate of Relief	Granted w.e.f.
4% of original pension amount	15.11.1996
5.5.% of original pension amount	01.04.1998
4% of original pension amount	01.04.1999
4% of original pension amount	01.04.2000

Also, following categories of pension were increased w.e.f. 29.01.2000 in the following manner:

Category of Pension	Increased from	Increased to
Widow/Widower Pension	Rs.250/-	Rs.450/-
Children Pension	Rs.115/-	Rs.150/-
Orphan Pension	Rs.170/-	Rs.250/-

However, grant of increase/relief under Employees' Pension Scheme, 1995 is not linked with price rise. The grant of relief is based on the Annual Actuarial Valuation of the Employees' Pension Fund.

(b): Notifications and orders have been issued by the Central Government for grant of relief/increase in pension as mentioned in reply to part (a) above. Further, Central Government and State Government employees' are not covered under the Employees' Pension Scheme, 1995. The Semi-Government employees of States and Central Government undertakings are being paid pension as per this Scheme, if, such undertakings are covered under the Employees' Provident Funds & Miscellaneous Provisions Act, 1952.

(c): Does not arise in view reply to part (b) above.

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**GOVERNMENT OF INDIA
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**UNSTARRED QUESTION NO. 2437
TO BE ANSWERED ON 24.08.2011
REVISION OF WAGE CEILING UNDER EPS, 1995**

2437. SHRI TAPAN KUMAR SEN:

Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

- (a) whether the Parliamentary Standing Committee on Labour in its 39th report on Employees Pension Scheme, 1995 had recommended to revise the wage ceiling for coverage to Rs. 15000 per month;**
- (b) if so, whether the same has been accepted; and**
- (c) if not, the reasons therefor?**

**ANSWER
MINISTER OF LABOUR AND EMPLOYMENT
(SHRI MALLIKARJUN KHARGE)**

(a): Yes, Sir.

(b): No, Sir.

(c): In order to implement the above recommendation of the Committee, various options to neutralize the associated liability on Pension Fund due to this reason are being explored in consultation with experts.

**GOVERNMENT OF INDIA
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RAJYA SABHA**

**STARRED QUESTION NO. 485
TO BE ANSWERED ON 07.09.2011**

CLAIMS PENDING WITH EPFO

***485. SHRI K.E. ISMAIL:**

Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

- (a) whether Government's attention has been drawn to the fact that retired workers are subjected to inhuman sufferings due to inordinate delay in the settlement of their claims by the Employees Provident Fund Organisation (EPFO);**
- (b) if so, the State-wise detailed list of claim cases pending for settlement in the country;**
- (c) whether Government has made any study to ascertain the causes of the delay;**
- (d) if so, the details thereof;**
- (e) whether Government proposes to take some special measures to expedite the settlement claims of retired workers;**
- (f) if so, the details thereof; and**
- (g) by when settlement claim cases would become normal?**

ANSWER

**MINISTER OF LABOUR AND EMPLOYMENT
(SHRI MALLIKARJUN KHARGE)**

(a) to (g): A statement is laid on the Table of the House.

STATEMENT REFERRED TO IN REPLY TO PARTS (a) TO (g) OF RAJYA SABHA STARRED QUESTION NO. 485 FOR 07.09.2011 REGARDING CLAIMS PENDING WITH EPFO BY SHRI K.E. ISMAIL.

(a): Representations/complaints/suggestions are being received from individuals/various forums regarding delay in settlement of claims by the Employees' Provident Fund Organization (EPFO).

(b): The list of pending cases of claim settlement as on 30.08.2011 is given at Annexure. A total of 21,66,935 claims are pending for settlement as on 30.08.2011. However, during the period from 01.04.2011 to 30.08.2011, a total of 26,55,743 claims were settled.

(c) & (d): No study has been conducted in this regard. However, pendency was noticed in the process of settlement of claims due to the fact that more manpower was engaged in Updation of members' accounts.

(e) & (f): The following steps have been taken for speedy disposal of claims and to reduce pendency:

- i) Upgradation of existing offices and by opening new offices commensurate with the workload.
- ii) Computerization of settlement process and monitoring by the Regional Provident Fund Commissioners in-charge. All the field offices have been computerized during the current year.
- iii) Recruitment of staff to meet the shortage in offices

(g): The settlement of claims is a continuous process. The claims which are pending in a month are settled in the subsequent cycle of the settlement of claims.

ANNEXURE REFERRED TO IN REPLY OF PART (b) OF THE RAJYA SABHA STARRED QUESTION NO. 485 FOR 07.09.2011 REGARDING CLAIMS PENDING WITH EPFO BY SHRI K.E. ISMAIL.

Pendency of claims as on 30.08.2011

Sl. No.	State	Total Pending
1	DELHI	311418
2	UTTARAKHAND	17696
3	HARYANA	128320
4	RAJASHTAN	18336
5	HIMACHAL PRADESH	6773
6	PUNJAB	24729
7	BIHAR	9891
8	UTTAR PRADESH	43958
9	ANDHRA PRADESH	96545
10	ORISSA	10054
11	KARNATAKA	388735
12	GOA	4320
13	TAMILNADU	206006
14	KERALA	21693
15	JHARKHAND	9919
16	WEST BENGAL	86293
17	NORTH EAST REGION	9868
18	CHHATTISGARH	3465
19	MAHARASHTRA	701398
20	GUJARAT	53587
21	MADHYA PRADESH	13931
	TOTAL (ALL STATES)	2166935

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**GOVERNMENT OF INDIA
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**UNSTARRED QUESTION NO. 3845
TO BE ANSWERED ON 07.09.2011**

BRINGING UNSKILLED WORKERS UNDER THE AMBIT OF PF AND ESI

3845. SHRI T.M. SELVAGANAPATHI:

Will the Minister of **LABOUR AND EMPLOYMENT** be pleased to state:

- (a) whether it is a fact that the labour courts in the country have become irrelevant because of the employment conditions prevailing in the country;
- (b) whether it is also a fact that Government is considering to bring unskilled workers under the ambit of PF and ESI;
- (c) if so, the details thereof; and
- (d) whether it is also a fact that Government is considering to revise the limit for investment into PF?

ANSWER

**MINISTER OF LABOUR AND EMPLOYMENT
(SHRI MALLIKARJUN KHARGE)**

(a): As per section 7 of the Industrial Disputes Act, 1947, 'the appropriate Government may, by notification in the Official Gazette, constitute one or more Labour Courts for the adjudication of industrial disputes and for performing such other functions as may be assigned to them under this Act'. Thus, the primary function of Labour Courts is to adjudicate on industrial disputes. So long as industrial disputes continue to exist, labour courts are relevant.

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(b) & (c): The Employees' Provident Funds & Miscellaneous Provisions Act, 1952 is applicable to all employees working in such establishments which are employing 20 or more workers and is falling under any of the Schedule Heads or class of establishments notified by the Central Government and getting wages up to Rs.6500/- per month without any reference of being skilled or unskilled. The Act is uniformly applicable all over India except in the State of Jammu & Kashmir.

The Employees' State Insurance Act, 1948 applies to factories employing 10 or more persons and certain specified establishments such as shops, hotels and restaurants, cinemas and preview theatres, road motor transport undertakings and newspaper establishments etc. employing 10/20 or more persons. Employees of such factories/establishments drawing wages upto Rs. 15000/- per month are covered under the scheme. The Act does not make any distinction between skilled or unskilled workers.

(d): There is no such proposal. However, Government is contributing 1.16% in Employees' Pension Scheme, 1995.

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**GOVERNMENT OF INDIA
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RAJYA SABHA**

**UNSTARRED QUESTION NO. 3846
TO BE ANSWERED ON 07.09.2011**

PENSIONERS IN THE EPF 95 PENSION SCHEME

3846. SHRI AMBETH RAJAN:

Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

- (a) the details of the number of pensioners in the Employees Pension Fund (EPF) 95 pension scheme;**
- (b) the details of amount paid as pension to the pensioners as on 31 March, 2011; and**
- (c) the year-wise pension payment since 1995, till date?**

ANSWER

**MINISTER OF LABOUR AND EMPLOYMENT
(SHRI MALLIKARJUN KHARGE)**

(a): The number of pensioners under the Employees' Pension Scheme, 1995 as on 31.03.2011, is 35,25,971.

(b): The amount paid as pension during the year 2010-2011 is Rs.3,839.48 crore (unaudited).

(c): The year-wise pension payment since 1995 till date is given below:

Year	Amount (Rs. in crore)
1995-96	150.14
1996-97	182.14
1997-98	271.55
1998-99	385.92
1999-00	580.47
2000-01	777.52
2001-02	995.89
2002-03	1,209.63
2003-04	1,496.88
2004-05	1,717.93
2005-06	1,955.95
2006-07	2,324.23,
2007-08	2,727.97
2008-09	3,120.84
2009-10	3,488.41
2010-11	3,839.48 (Unaudited)
TOTAL	25,224.96
