

GOVERNMENT OF INDIA
MINISTRY OF LABOUR AND EMPLOYMENT
LOK SABHA
UNSTARRED QUESTION NO: 139
ANSWERED ON:24.11.2014
SUBSCRIBERS UNDER EPS
ANTO ANTONY

(a)whether the Government has any record regarding the number of subscribers under the Employees` Pension Scheme (EPS) in the country;

(b)if so, the details thereof, State/UT-wise; and

(c)the details of the amount distributed under EPS during each of the last three years and the current year, State/UT-wise?

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

ANSWER

MINISTER OF STATE (IC) FOR LABOUR AND EMPLOYMENT (SHRI BANDARU DATTATREYA)

(a) & (b): Yes, Madam. The State/UT-wise details of membership of Employees' Pension Scheme, 1995 are at Annex-I.

(c): The State/UT-wise details of amount distributed under Employees' Pension Scheme, 1995 during the last three years and current year (upto June, 2014) are at Annex-II.

GOVERNMENT OF INDIA
MINISTRY OF LABOUR AND EMPLOYMENT
LOK SABHA
UNSTARRED QUESTION NO: 147
ANSWERED ON:24.11.2014
AMENDMENTS TO LABOUR LAWS
C. N. JAYADEVAN

(a)whether the Union Government and also some State Governments have proposed certain amendments in labour laws;

(b)if so, the details of the proposed amendments proposed by the Union and the State Governments separately along with the reasons therefor;

(c)the extent to which the proposed changes in the labour laws are likely to reduced hassles for employers and employees;

(d)whether the Government has also proposed for self-certification by the employer regarding the safety and security of the employees and of the people in and around the factory; and

(e)if so, the details thereof?

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

ANSWER

MINISTER OF STATE (IC) FOR LABOUR AND EMPLOYMENT (SHRI BANDARU DATTATREYA)

(a): Yes, Madam.

(b): The details of the amendments proposed by the Union Government are at Annexure-I. The details of amendment proposed by the State Governments and submitted for obtaining the instructions of the Hon'ble President of India are at Annexure-II.

(c) to (e): Review/updation of labour laws is a continuous process in order to bring them in tune with the emerging needs of the economy after tripartite consultations amongst Government, Employers' & Employees' Organizations. While undertaking such changes overall interests of labour like wages, employment, social security, working environment, health and safety etc. are protected keeping in view the requirements of the Indian Industry to make it efficient and internationally competitive. This constitutes an essential part of labour reforms which essentially means taking steps to increase production, productivity and employment opportunities in the economy.

The Ministry of Labour & Employment is also proactively engaged in addressing the issues related to multiplicity of labour laws and the ease of compliance to promote an enabling business environment.

A single unified Web Portal has been developed for Online Registration of units, Reporting of inspections, and submissions of Annual Returns and redressal of grievances. This portal facilitates ease of reporting at one place for various Labour Laws by a single online annual return; consolidate information of Labour Inspection and its enforcement thereby enhancing transparency in Labour Inspection as well as that in monitoring of Labour Inspections.

GOVERNMENT OF INDIA
MINISTRY OF LABOUR AND EMPLOYMENT
LOK SABHA

UNSTARRED QUESTION NO: 154

ANSWERED ON:24.11.2014

COVERAGE UNDER EPFO

DHANANJAY BHIMRAO MAHADIK

(a)whether a large number of workers from the construction sector as well as contract employees are not covered under the Employees` Provident Fund Organisation (EPFO);

(b)if so, the details thereof and the reasons therefor;

(c)whether workers from these sectors were unable to retrieve their savings with EPFO due to frequent job changes; and if so, the quantum of amount lying with EPFO as inoperative;

(d)whether the EPFO has constituted any committee to bring in more workers including workers from these sectors and if so, whether the committee has submitted its reports; and

(e)if so, the action taken thereon along with various other steps taken by the Government for the benefit of workers under EPFO?

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

ANSWER

MINISTER OF STATE (IC) FOR LABOUR AND EMPLOYMENT (SHRI BANDARU DATTATREYA)

(a) & (b): The Employees' Provident Funds and Miscellaneous Provisions Act, 1952 is applicable to 187 categories of industries and classes of establishments where 20 or more persons are working. Government has notified a Schedule Head - "Building & Construction Industry" vide GSR No. 1069 dated 11.10.1980.

There is no distinction between regular and contract workers under the Act. The workers whether regular or contractual working in the covered establishments are enrolled as EPF members.

(c): There are instances came to the notice of EPFO where the workers of these sectors face difficulties while retrieving their savings with EPFO due to frequent job changes. As per the unaudited Annual Account of the Organization for the year 2013-14, Rs. 27,448.54 Crore is lying in Inoperative Account.

(d) & (e): The Central Board of Trustees, EPF decided in their 204th meeting held on 26.08.2014 to constitute two non-statutory Sub-Committees, one for Construction Workers and the other for the Contract Workers with the terms of reference that these sub-committees will suggest mechanism to the Central Board so that coverage of both construction and contract workers can be increased. These sub-committees were constituted on 15.10.2014. The sub-committees met separately on 31.10.2014 and made some recommendations which are to be placed before the next meeting of the Central Board for consideration. Besides, EPFO have taken the following steps for benefits of workers:-

i. The process of allotting Universal Account Number has already started which will result in portability of the accounts.

ii. For transfer of accumulations on job/location change, provision for online transfer of accumulations has been put in place.

iii. Provision has been made in the Official website which will help the members to access their PF accounts online.

GOVERNMENT OF INDIA
MINISTRY OF LABOUR AND EMPLOYMENT
LOK SABHA
UNSTARRED QUESTION NO: 212
ANSWERED ON:24.11.2014
SMALL FACTORIES BILL
P.R. SUNDARAM

- (a) whether the Government has proposed the Small Factories (Regulation of Employment and Conditions of Services) Bill to govern wages and conditions of work in small and medium enterprises;
- (b) whether the proposed Bill also envisages rules for wages, overtime hours, social security and appointment of factory inspectors in units employing less than 40 workers;
- (c) if so, the details in this regard;
- (d) whether the Government has invited stakeholders' comments on the above Bill; and
- (e) if so, the details of response received along with the reaction of the Government thereto?

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

ANSWER

MINISTER OF STATE (IC) FOR LABOUR AND EMPLOYMENT (SHRI BANDARU DATTATREYA)

(a) to (c): A draft Bill to regulate the employment of workers in small factories is presently under examination in the Ministry. A copy of the draft Bill was put on the Website of the Ministry for inviting comments / views of the general Public.

(d) & (e): The comments have been received from the general Public and the same are under examination.

GOVERNMENT OF INDIA
MINISTRY OF LABOUR AND EMPLOYMENT
LOK SABHA
STARRED QUESTION NO: 304
ANSWERED ON:15.12.2014
LABOUR IDENTIFICATION NUMBER
PRAHLAD SINGH PATEL

(a)whether the Government has recently launched a unique Labour Identification Number (LIN) for each employer, establishment and employees on a dedicated web portal for employees so as to facilitate filing of annual returns, compliance and inspection reports;

(b)if so, the details thereof and the reasons therefor;

(c)the total number of employers/establishments which have registered themselves under this scheme; and

(d)the extent to which this scheme is likely to be beneficial for employers/establishments and employees?

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

ANSWER

MINISTER OF STATE(IC) FOR LABOUR AND EMPLOYMENT (SHRI BANDARU DATTATREYA)

(a) to (d): A Statement is laid on the Table of the House.

STATEMENT REFERRED TO IN REPLY TO PART (a) TO (d) OF LOK SABHA STARRED QUESTION NO. 304 FOR ANSWER ON 15.12.2014 RAISED BY SHRI PRAHLAD SINGH PATEL REGARDING "LABOUR IDENTIFICATION NUMBER".

(a) & (b): Ministry of Labour & Employment has launched the Shram Suvidha Portal which provides for allotment of a unique Labour Identification Number (LIN) to the establishments. The Web Portal has been operationalized in four major Organisations under the Ministry of Labour & Employment, namely Chief Labour Commissioner (Central) [CLC(C)], Directorate General of Mines Safety [DGMS], Employees' Provident Fund Organization [EPFO] and Employees' State Insurance Corporation [ESIC] for 16 Labour Acts. The Web Portal envisages the following:

- (i) Allotment of a unique Labour Identification Number (LIN) to the establishments.
 - (ii) Transparent Labour Inspection Scheme with selection criteria keeping in view the provisions of respective labour Laws.
 - (iii) Filing of self-certified and simplified single on-line Return.
 - (iv) Timely redressal of grievances through the Portal.
- (i) and (ii) above have become operational.

(c): The total number of establishments allotted LIN as on 08.12.2014 on the basis of records of four Central enforcement agencies, namely, EPFO, ESIC, DGMS, and CLC(C) is 7,13,624. As on 08.12.2014, 59 new establishments have also been registered by employers on the web portal.

(d): The Shram Suvidha Portal will enhance convenience of registration of establishments and filing returns under different Labour Acts. It will bring transparency and accountability in Labour Inspections. The mandatory uploading of Inspection Reports within 72 hours would ensure check on the arbitrariness in inspections and will ensure more effective and purposive labour inspections. Single on-line returns and on-line inspection reports will lead to better compliance and enforcement of labour laws thereby, benefiting the workers. The Portal will have complete database at one place to facilitate systemic policy discourse and informed decision making. This will also create conducive environment for industrial peace and harmony. The Grievance Redressal System would also bring transparency and accountability in enforcement of Labour Laws for the benefit of employees.

GOVERNMENT OF INDIA
MINISTRY OF LABOUR AND EMPLOYMENT
LOK SABHA
UNSTARRED QUESTION NO: 1196
ANSWERED ON:01.12.2014
ORGANISED SECTOR WORKERS UNDER EPF
SUNIL BALIRAM GAIKWAD

- (a) the total number of workforce engaged in the organized sector;
- (b) the number of such workers enrolled under the Employees' Provident Fund (EPF) Act, 1952 and Employees' State Insurance Corporation (ESIC) Act, 1948;
- (c) whether there is a huge gap between the total number of workers engaged and the number of workers enrolled under the EPF and ESIC Act;
- (d) if so, the reasons therefor; and
- (e) the steps taken/being taken by the Government to enroll all the workers under EPF and ESIC Act?

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

ANSWER

MINISTER OF STATE (IC) FOR LABOUR AND EMPLOYMENT (SHRI BANDARU DATTATREYA)

(a): The statistics regarding total number of workers employed in the organised sector in the country is not maintained centrally.

(b): As on 31.03.2014, there were 11,78,13,454 workers enrolled under Employees' Provident Funds & Miscellaneous Provisions (EPF & MP) Act, 1952. However, contributing members for the month of June, 2014 were 3,10,04,111 only. Further, as on 31.03.2014, there were 1.74 crore employees enrolled under Employees' State Insurance (ESI) Act, 1948.

(c) & (d): The EPF & MP Act, 1952 is applicable to workers employed in establishments having 20 or more workers. While, ESI Act, 1948 is applicable in respect of establishments employing 10 or more workers. Further, it is implemented by notifying an area for coverage under ESI Scheme depending upon industrial concentration and availability of dedicated medical infrastructure for providing medical care. This is the main reason of gap between the total number of workers engaged and number of workers enrolled under EPF & MP Act 1952 and ESI Act 1948.

(e): The following steps have been taken by Employees' Provident Fund Organisation (EPFO) and Employees' State Insurance Corporation (ESIC) to bring more and more workers under the ambit of these Acts:

(i) The wage ceiling for coverage under the EPF & MP Act, 1952 has been enhanced from Rs.6500/- per month to Rs. 15000/- per month recently.

(ii) ESIC undertakes surveys on periodic basis to bring additional areas under the Scheme. Before notification is issued for bringing the area under coverage, State Government has to put in place arrangement for medical care. ESIC requests the State Governments to provide medical care either through dedicate medical facilities or through their general health system.

(iii) ESIC also collects information of the units covered with other Government bodies, such as, EPFO, etc. for bringing the units under the coverage of ESI Scheme.

GOVERNMENT OF INDIA
MINISTRY OF LABOUR AND EMPLOYMENT
LOK SABHA
UNSTARRED QUESTION NO: 1204
ANSWERED ON:01.12.2014
DEVELOPING INFORMAL SECTOR
FEROZE VARUN GANDHI

- (a) whether the share of informal workers in organised firms has increased in the country;
- (b) if so, the details and the percentage of increased during each of the last three years and the current year;
- (c) whether the Government is taking any concrete steps to develop this sector; and
- (d) if so, the details thereof and if not, the reasons therefor?

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

ANSWER

MINISTER OF STATE (IC) FOR LABOUR AND EMPLOYMENT (SHRI BANDARU DATTATREYA)

(a) to (d): No such information is maintained Centrally.

GOVERNMENT OF INDIA
MINISTRY OF LABOUR AND EMPLOYMENT
LOK SABHA
UNSTARRED QUESTION NO: 1211
ANSWERED ON:01.12.2014
UNIFIED WEB PORTAL
CHINTAMAN NAVSHA WANAGA

(a) whether a unified web portal inspection system has been launched for making the labour compliance process easier for industries;

(b) if so, the details thereof;

(c) whether the Government had decided to replace all the forms which factory owners have to fill with one form under the said system;

(d) if so, the details thereof; and

(e) the steps taken by the Government for time-bound redressal of labour related grievances from industries?

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

ANSWER

MINISTER OF STATE (IC) FOR LABOUR AND EMPLOYMENT (SHRI BANDARU DATTATREYA)

(a) & (b): Ministry of Labour & Employment has launched an on-line inspection scheme as part of Shram Suvidha Portal in respect of four enforcement agencies, namely Chief Labour Commissioner (Central), Employees Provident Fund Organisation, Employees' State Insurance Corporation and Directorate General of Mines Safety. The scheme provides for filing on-line inspection reports.

(c) & (d): The Ministry has taken steps for a unified format for filing Returns under various Labour Acts under Central Sphere.

(e): The Shram Suvidha Portal launched by the Ministry of Labour & Employment includes an online grievance redressal system hyperlinked with DARPG Grievance Portal.

GOVERNMENT OF INDIA
MINISTRY OF LABOUR AND EMPLOYMENT
LOK SABHA
UNSTARRED QUESTION NO: 1229
ANSWERED ON:01.12.2014
UNIVERSAL ACCOUNT NUMBER
P.R. SUNDARAM

(a) whether the Government has introduced the Universal Account Number (UAN) to all employees/labourers working in the country;

(b) if so, the details thereof and the reasons therefor;

(c) the number of UAN given to the employees/labourers in the country including from Tamil Nadu at present; and

(d) the time by which the said account numbers are likely to be given to all employees in the country?

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

ANSWER

MINISTER OF STATE (IC) FOR LABOUR AND EMPLOYMENT (SHRI BANDARU DATTATREYA)

(a) & (b): Yes, Madam. The Universal Account Number (UAN) has been designed to be an umbrella number of a member for all his employment with different establishments in organized sector. This would benefit the members initially in the following ways:

(i) The member can get this updated Provident Fund balance through Universal Account Number (UAN) based member portal.

(ii) The system would enable portability of Provident Fund accumulations when the details of bank account, Aadhar and PAN seeded in UAN database of member are verified by employer on change of job.

(iii) The member would get message on his mobile number about the receipt of his PF contribution if he has registered his mobile number on Universal Account Number (UAN) based member portal.

The reason for introduction of Universal Account Number (UAN) is to provide one number to the Employees' Provident Fund member for all his employments with different employers. Whenever Employees' Provident Fund Organisation (EPFO) member changes his job, he has to transfer his Provident Fund accumulations to his new Provident Fund number. With the introduction of UAN number, now, member has to give his UAN number to his present employer for linking his previous Provident Fund accounts with his present Provident Fund membership.

(c): Total numbers of UAN allotted, including Tamil Nadu, as on 25.11.2014 is 4,20,69,360. The UAN allotted to Tamil Nadu Region is 52,48,279.

(d): The allotment of UAN is an ongoing process. Whenever any new employee/member joins the establishment, EPFO allots the UAN number to the member on verification of his details by the employer.

GOVERNMENT OF INDIA
MINISTRY OF LABOUR AND EMPLOYMENT
LOK SABHA
UNSTARRED QUESTION NO: 1238
ANSWERED ON:01.12.2014
UNCLAIMED EP FUND
GOPALAKRISHNAN CHINNARAJ

- (a) whether there is a large amount of unclaimed Employees Provident Fund (EPF) money lying with the Employees Provident Fund Organization (EPFO);
- (b) if so, the details of such unclaimed money lying with EPFO, State/UT-wise including Tamil Nadu along with the reasons therefor; and
- (c) the corrective steps being taken by the Government to ensure that these funds reach their legitimate owners?

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

ANSWER

MINISTER OF STATE (IC) FOR LABOUR AND EMPLOYMENT (SHRI BANDARU DATTATREYA)

(a) & (b): There is no unclaimed amount in EPFO. However, as per the Annual Accounts of the Organisation for the year 2013-14, an amount of Rs. 27,448.54 crore is lying in Inoperative Accounts as on 31st March 2014. As per para 72(6) of the Employees' Provident Fund Scheme 1952 certain accounts are classified as 'Inoperative Accounts' in which contribution have not been received for 36 months continuously. The State/UT-wise details of amount lying in Inoperative Accounts as on 31st March 2014 are at Annex. The reasons are as under :

(i) The members after switching over from one covered establishment to another do not get the funds transferred to their present account. As a result, the old account becomes inoperative after 36 months.

(ii) The interest earned on the deposits with EPFO is exempted from Income Tax. Therefore, there exists a tendency of leaving the balance amount with EPFO.

(iii) Such deposits are safe investments and cannot be attached even by a decree of any Court.

(c): The following steps have been taken to facilitate payments of these funds to rightful claimants:

(i) EPFO has launched allotment of permanent numbers to its members called Universal Account Number (UAN). After successful implementation of UAN, it will be possible to identify the members without intermediation of the employers. The amount can be claimed by current member in an easy manner in that case.

(ii) Awareness campaigns have been undertaken through electronic as well as print media from time to time to educate the members.

(iii) The employers' and employees' unions have also been requested to advise the members to file such claims for settlement.

(iv) Online Transfer Claim Portal (OTCP) has been introduced to facilitate online submission of transfer claim in order to make the transfer process transparent & simple.

(v) The settlement of claims have been simplified and following precautions have been taken to ensure payments to the rightful claimants:

(I) Attestation of claim forms by the authorized signatory has been made mandatory where the establishment is in operation.

(II) To identify the members in those cases where employer is not available, the attestation by the bank authorities is insisted upon along with at least one of the documents as required under KYC (Know Your Customer) of the bank.

GOVERNMENT OF INDIA
MINISTRY OF LABOUR AND EMPLOYMENT
LOK SABHA

UNSTARRED QUESTION NO: 1267

ANSWERED ON:01.12.2014

INADEQUACY IN SOCIAL SECURITY SYSTEM

PRALHAD VENKATESH JOSHI

(a) whether the world`s top economies have ranked India`s pension system at the bottom, as India`s social security system currently in place lags in scores for adequacy (benefits, saving, tax support etc.) and sustainability (coverage, contributions etc.);

(b) if so, the reaction of the Government thereto; and

(c) the steps taken by the Government to provide good pension system to citizens especially the aged poor and measures taken by the Government to safeguard the post retirement coverage for persons from the informal sector?

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

ANSWER

MINISTER OF STATE (IC) FOR LABOUR AND EMPLOYMENT (SHRI BANDARU DATTATREYA)

(a): No, Madam.

(b) & (c): Do not arise in view of reply to part (a) of the Question above.

GOVERNMENT OF INDIA
MINISTRY OF LABOUR AND EMPLOYMENT
LOK SABHA
UNSTARRED QUESTION NO: 1312
ANSWERED ON:01.12.2014
IMPLEMENTATION OF LABOUR LAWS
KAMLA DEVI PATLE

- (a) the number of inspections conducted and that of those found guilty for violating labour laws during each of the last three years and the current year along with the action taken against such violations;
- (b) whether desired success has been achieved in implementation of labour laws due to nexus between labour inspectors/officials and those violating labour laws;
- (c) if so, the details thereof during the said period and if not, the reasons therefor;
- (d) whether the Government proposes to review the working of labour inspectors; and
- (e) if so, the details thereof and if not, the reasons therefor?

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

ANSWER

MINISTER OF STATE (IC) FOR LABOUR AND EMPLOYMENT (SHRI BANDARU DATTATREYA)

(a): The number of inspections conducted during the last three years and the current year and the status of prosecution and action taken against violators in the Central sphere are at Annexure I to III.

(b) & (c): In the Central Sphere, the officers of the Chief Labour Commissioner (Central) conducts inspections under various Labour Laws.

The Office of the Chief Labour Commissioner (Central) through its Regional Offices monitors the enforcement of various Labour Laws by conducting regular inspections of the establishments falling in the Central Sphere and takes action against the employer found violating the provisions of various Labour Laws.

(d) & (e): Ministry of Labour & Employment has developed a single unified web portal for online registration of units for labour identification no. (LIN), reporting of inspections, submissions of Annual Returns and redressal of grievances.

This integrated portal will operate through a Unique Labour Identification Number (Shram Pehchan Sankhya) for each employer/ Establishment. The enforcement agency will upload the data of inspection on the web portal which will be updated periodically.

The new inspection scheme will be computerized through random picking of establishments on mandatory and optional criteria automatically.

GOVERNMENT OF INDIA
MINISTRY OF LABOUR AND EMPLOYMENT

LOK SABHA

UNSTARRED QUESTION NO: 1319

ANSWERED ON:01.12.2014

CBT OF EPFO

SUNIL BALIRAM GAIKWAD

(a) the details of the set of rules and conditions of service under which member of the Central Board Trustees (CBT) are governed;

(b) the details of the accountability of members of CBT;

(c) whether the Trustees of Central Board Employees Provident Fund Organization (EPFO) a statutory body comes under the definition of `Public Servant`;

(d) if so, the details thereof; and

(e) if not, the reasons for allowing CBT to govern huge funds involving the interest of crores of EPF subscribers and their families?

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

ANSWER

MINISTER OF STATE (IC) FOR LABOUR AND EMPLOYMENT (SHRI BANDARU DATTATREYA)

(a) to (e): The Central Board of Trustees (CBT) of EPF is a statutory body constituted under Section 5A of the Employees' Provident Funds & Miscellaneous Provisions Act, 1952. Section 5A (3) of the Act provides that the CBT shall (subject to the provisions of Section 6 and Section 6C) administer the Fund vested in it.

CBT consists of both official and non-official trustees/members. The official members are public servants who are governed and are accountable under their respective service rules. The non-official members, who represent employees'/employers' associations, do not come under the definition of 'Public Servants' only by virtue of being a trustee/member of CBT as they only receive TA/DA for attending the meetings of CBT as defined in Para 18 of the Employees' Provident Funds Scheme, 1952.

GOVERNMENT OF INDIA
MINISTRY OF LABOUR AND EMPLOYMENT
LOK SABHA

UNSTARRED QUESTION NO: 1337

ANSWERED ON:01.12.2014

MINIMUM PENSION TO LABOURERS

RAMESH POKHRIYAL NISHANK

(a) whether a scheme to pay minimum pension to the poor labourers of the organised and unorganised sector of the country is under consideration and if so, the details thereof;

(b) the number and percentage of employees of total workforce of the country covered under Employees Provident Fund Organisation (EPFO);

(c) whether the Government has also any proposal for extending the benefits of EPF to all workers irrespective of labour strength of the organisations;

(d) if so, the details thereof and if not, the reasons therefor; and

(e) the time by which such poor labourers and deprived persons are likely to get the benefits of the said scheme?

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

ANSWER

MINISTER OF STATE (IC) FOR LABOUR AND EMPLOYMENT (SHRI BANDARU DATTATREYA)

(a): The Employees' Provident Funds & Miscellaneous Provisions (EPF & MP) Act, 1952 is applicable to the establishments employing 20 or more workers. The Employees' Pension Scheme 1995 is one of the Schemes under the Act. Government has notified a minimum pension of Rs. 1000/- per month to the pensioners under Employees' Pension Scheme, 1995. Further, the Government is implementing Indira Gandhi National Old Age Pension Scheme. All citizens above the age of 60 years and living below poverty line are eligible for benefits under the scheme. For persons above the age of 80 years, the amount of pension has been raised from Rs. 200 to Rs. 500 per month.

(b): The statistics regarding total number of workers employed in the organised sector in the country is not maintained centrally. However, as on 31.03.2014, total number of members under the EPF & MP Act, 1952 are 1178.13 lakhs. There are 310 lakhs contributory members as on 30.06.2014.

(c) to (e): A proposal to reduce the threshold limit from 20 to 10 for coverage under EPF & MP Act, 1952 is under consideration of the Government to bring more workers under the ambit of the Act.

GOVERNMENT OF INDIA
MINISTRY OF LABOUR AND EMPLOYMENT
LOK SABHA
UNSTARRED QUESTION NO: 1350
ANSWERED ON:01.12.2014
DEPOSIT OF EPF CONTRIBUTION
VIRENDRA KUMAR

- (a) whether a number of employers and establishments are not depositing their contribution in Provident Fund (PF) regularly and that some Government bodies are also violating PF laws;
- (b) if so, the details thereof and the reasons therefor along with the action taken by the Government against such defaulting employers and establishment including Government bodies etc. during each of the last three years and the current year, State/UT-wise;
- (c) whether the Government has taken any action to ensure compliance of PF laws by all establishments/employers including Government bodies;
- (d) if so, the details thereof and if not, the reasons therefor; and
- (e) the measures taken by the Government to protect the interests of the employees in this regard?

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

ANSWER

MINISTER OF STATE (IC) FOR LABOUR AND EMPLOYMENT (SHRI BANDARU
DATTATREYA)

(a) to (e): Yes, Madam. Some of the establishments including Government bodies covered under the Employees' Provident Funds & Miscellaneous Provisions Act, 1952 have defaulted for different periods in remitting their share of Provident Fund contribution and thereby violated the Provisions of the Act and the Schemes framed thereunder. The State/UT-wise details of defaulting establishments for last three years and current year (up to June, 2014) are at Annex.

For such defaults, the following actions have been taken by EPFO against the defaulters:

- i. Wherever the establishments were found coverable under the Employees' Provident Funds & Miscellaneous Provisions Act, 1952, the same have been covered under the Act.
- ii. In case of default in remittance of dues, enquiry under Section 7A of the Act has been initiated for quantification of dues.
- iii. The dues have been recovered by way of recovery action under section 8 of the Act.
- iv. In case of belated remittance, action under Section 14B of the Act has been taken for levy of penal damages and under Section 7Q for calculating interest.
- v. Action under Section 14 of the Act has been taken for filing prosecution against the defaulters before the competent court of law.
- vi. Wherever it was found that the Provident Fund contribution has been deducted from salary of employees but not deposited in the fund, action under Section 406/409 of IPC has been taken.

GOVERNMENT OF INDIA
MINISTRY OF LABOUR AND EMPLOYMENT
LOK SABHA
UNSTARRED QUESTION NO: 1377
ANSWERED ON:01.12.2014
INVESTMENT OF EP FUND IN PUBLIC SECTOR
RAVNEET SINGH

- (a) the funds allocated for the implementation of portable provident fund accounts;
- (b) whether the Government propose to utilise the unclaimed deposit from Employees Provident Fund (EPF) for investment in public sector; and
- (c) if so, the details thereof?

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

ANSWER

MINISTER OF STATE (IC) FOR LABOUR AND EMPLOYMENT (SHRI BANDARU DATTATREYA)

(a): The project of Portable Provident Fund Account Number has not been taken as a standalone project. Therefore, it is not feasible to quantify the expenditure on the Universal Account Number (UAN) alone.

(b) & (c): There is no deposit listed as unclaimed deposit in EPFO. However, the funds of EPFO are invested as per the pattern of investment notified by Ministry of Labour and Employment which allows investment up to 55% of fresh accretion in bonds of Public Sector Undertakings. As on 31.03.2014, 93.5% of funds of EPFO are invested in Central Government Securities, State Government Securities/SDLs and Public Sector bonds.

GOVERNMENT OF INDIA
MINISTRY OF LABOUR AND EMPLOYMENT
LOK SABHA

UNSTARRED QUESTION NO: 2451

ANSWERED ON:08.12.2014

AADHAAR CARD FOR WITHDRAWAL OF PENSION

BHOLA SINGH

(a) whether the Employee Provident Fund Organisation (EPFO) has made it mandatory to submit Aadhaar Card details of employees for any PF transactions;

(b) if so, the details thereof;

(c) whether it is being proved relevant to make Aadhaar Card mandatory in view of the delay in Aadhaar Card project and its lack of universality; and

(d) if so, the reaction of the Government thereto along with the measures taken by the Government to provide the said card to all the citizens speedily and in time?

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

ANSWER

MINISTER OF STATE(IC) FOR LABOUR AND EMPLOYMENT (SHRI BANDARU DATTATREYA)

(a): No, Madam.

(b) & (c): Do not arise in view of reply to part (a) of the Question above.

(d): Aadhaar Card is issued to residents of India. The Unique Identification Authority of India (UIDAI) has taken the following steps for speedy and timely delivery of Aadhaar Cards:

(i) UIDAI has adopted a multi-registrar model for enrolments. Under this model, the State Governments and various non-State Government agencies, such as, banks, which, in the normal course of implementation of their operations interact with residents, are appointed as Registrars to enroll the residents. The Registrars, in turn, enroll the residents by deploying enrolment agencies appointed for this purpose. Over 71 crore Aadhaar numbers have been generated so far.

(ii) The enrolment of residents is carried out in camp mode as well as through Permanent Enrolment Centres established throughout the country, where the residents can avail the enrolment facility free of charge.

(iii) Multiple Printers to print the Aadhaar letters at scale and speed have been engaged, while the actual letters are delivered to the residents by India Post. Residents can also download the e-Aadhaar, the electronic copy of Aadhaar, from the Resident Portal of the UIDAI.

(iv) The UIDAI data centre has a capacity to process about 15 lakh enrolments packets per day for generation of Aadhaar.

GOVERNMENT OF INDIA
MINISTRY OF LABOUR AND EMPLOYMENT
LOK SABHA
UNSTARRED QUESTION NO: 2505
ANSWERED ON:08.12.2014
DIGITAL LIFE CERTIFICATE SCHEME
P.R. SUNDARAM

- (a) whether the Government has introduced a Digital Life Certificate Scheme for the retired employees and Provident Fund Portability Scheme recently in the country;
- (b) if so, the details thereof and the reasons therefor;
- (c) whether the Government has fixed any targets and time- frame for implementing the said schemes; and
- (d) if so, the actual number of beneficiaries under these schemes at present in the country, State/UT-wise particularly in Jharkhand?

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

ANSWER

MINISTER OF STATE(IC) FOR LABOUR AND EMPLOYMENT (SHRI BANDARU DATTATREYA)

(a) & (b): Yes, Madam. The facility under Digital Life Certificate Scheme provides an option to a pensioner to give his life certificate remotely through the Jeevan Pramaan Portal. Aadhaar Number is used for authentication of pensioners. As a result, the pensioner is not required to present himself before his pension disbursing agency or produce other documents that he is alive.

The Universal Account Number (UAN) Scheme provides portability for the employees covered under the Employees' Provident Funds and Miscellaneous Provisions Act, 1952. One number is provided to the EPF member for all his employments with different employers as, prior to introduction of UAN, whenever a member used to change his job, he had to transfer his PF accumulations. With the introduction of UAN, the member has to give his UAN to his present employer for linking his previous PF accounts with his present PF membership.

(c) & (d): Presently, 22.50 lakh persons have activated their UAN. In Jharkhand, the number of beneficiaries under UAN at present is 16,338. State/Union Territory- wise details of number of beneficiaries under UAN at present in the country are at Annex.

GOVERNMENT OF INDIA
MINISTRY OF LABOUR AND EMPLOYMENT
LOK SABHA
UNSTARRED QUESTION NO: 3510
ANSWERED ON:15.12.2014
SETTING UP OF EPFO OFFICES
NARASIMHAM THOTA

- (a) whether the Employees` Provident Fund Organisation (EPFO) is considering to open more regional offices for settlement of claims and to provide facilities to its members and if so, the details thereof;
- (b) whether EPFO is also considering to upgrade some of the EPFO offices into regional offices; and
- (c) if so, the details thereof along with the present status of the said proposal?

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

ANSWER

MINISTER OF STATE(IC) FOR LABOUR AND EMPLOYMENT (SHRI BANDARU DATTATREYA)

(a) to (c): At present no such proposal to open Regional Office or to upgrade any office to Regional Office is being considered by the Executive Committee, Employees Provident Fund.

GOVERNMENT OF INDIA
MINISTRY OF LABOUR AND EMPLOYMENT
LOK SABHA
UNSTARRED QUESTION NO: 3525
ANSWERED ON:15.12.2014
EPF FOR SMALL COMPANIES
DEVAJIBHAI GOVINDBHAI FATEPARA

(a) whether the Government has any proposal to cover all the companies having more than 10 employees and also companies set up in the rural areas under the Employees' Provident Fund (EPF) scheme; and

(b) if so, the details thereof; and

(c) if not, the reasons therefor?

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

ANSWER

MINISTER OF STATE(IC) FOR LABOUR AND EMPLOYMENT (SHRI BANDARU DATTATREYA)

(a) to (c): A proposal to reduce threshold limit for coverage under Employees' Provident Funds & Miscellaneous Provisions Act, 1952 from 20 to 10 employees is included in the proposed comprehensive amendment to the Act.

GOVERNMENT OF INDIA
MINISTRY OF LABOUR AND EMPLOYMENT
LOK SABHA
UNSTARRED QUESTION NO: 3530
ANSWERED ON:15.12.2014
NON PAYMENT OF EPF CONTRIBUTION
HEMAMALINI

(a)whether some of the private schools in various parts of the country including Delhi, especially non- recognised schools have not deposited the Employees' Provident Fund (EPF) contribution of their employees though deducted from the salary of their employees every month;

(b)if so, the details thereof and the reasons therefor;

(c)whether the EPFO has served notices to these schools to deposit their contribution in PF Accounts;

(d)if so, the details thereof and if not, the reasons therefor;

(e)the details of schools which have complied with the directions of the EPFO and have deposited their dues and the total amount recovered from such schools; and

(f)the details of schools which have not complied along with the action taken against the defaulting schools?

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

ANSWER

MINISTER OF STATE(IC) FOR LABOUR AND EMPLOYMENT (SHRI BANDARU
DATTATREYA)

(a) & (b): Instances of non-compliance by some schools in various parts of the country including Delhi have come to the notice of Employees' Provident Fund Organisation (EPFO). EPFO does not distinguish between recognized and unrecognized schools. As per the provisions of Employees' Provident Funds & Miscellaneous Provisions Act, 1952, all the schools having twenty or more employees are covered under the Act.

A total number of 464 schools in various parts of the country (including 08 schools of Delhi) have failed to deposit provident fund contribution after deducting the same from the salary.

(c) & (d): Field Offices of Employees' Provident Fund Organisation have issued notices to 464 such schools.

(e): 230 such schools have complied with the directions of EPFO and an amount of Rs. 541.61 lakhs has been deposited to the Fund.

(f): 234 such schools have not complied with the direction of EPFO. Actions as envisaged under Employees' Provident Funds & Miscellaneous Provisions Act, 1952 and the Schemes framed there under for assessment of dues and recovery thereof have been initiated against these schools.

GOVERNMENT OF INDIA
MINISTRY OF LABOUR AND EMPLOYMENT
LOK SABHA
UNSTARRED QUESTION NO: 4697
ANSWERED ON:22.12.2014
MINIMUM PENSION SCHEME
VINOD KUMAR SONKAR

- (a) the eligibility conditions for beneficiaries of Minimum Pension Scheme of Rs. 1,000/- launched by the Government;
- (b) whether this scheme is limited only to Government/ semi-Government and Corporation employees working under the Union Government;
- (c) if so, the details thereof;
- (d) whether the Government proposed to extent this scheme's benefit to Government/semi-Government and Corporation employees working under the State Governments as well;
- (e) if so, the steps being taken in this regard; and
- (f) if not, the reasons therefor?

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

ANSWER

MINISTER OF STATE(IC) FOR LABOUR AND EMPLOYMENT (SHRI BANDARU DATTATREYA)

(a): The Government has notified a minimum pension of Rs.1,000/- per month under Employees' Pension Scheme, 1995 vide G.S.R. No. 593(E) dated 19.08.2014 with effect from 01.09.2014 for the year 2014-15. It would benefit all members, widow/widower, disabled, nominee and parent pensioners drawing pension less than Rs.1,000/- under the Scheme. Further, it would benefit children and orphan pensioners whose minimum pension would be Rs.250/- per month and Rs.750/- per month respectively.

(b) to (d): The Employees' Pension Scheme, 1995, framed under the Employees' Provident Funds & Miscellaneous Provisions (EPF & MP) Act, 1952, applies to all the workers covered under the Act. The Act applies to all the establishments employing 20 or more workers and falling under the Schedule of Industries and classes of establishments specified in the Act.

(e) & (f): Do not arise in view of reply to parts (b) to (d) of the Question above.

GOVERNMENT OF INDIA
MINISTRY OF LABOUR AND EMPLOYMENT
LOK SABHA

UNSTARRED QUESTION NO: 4699

ANSWERED ON:22.12.2014

FIXING MINIMUM PENSION

R.P. MARUTHARAJAA

(a)whether the Government proposed to review the existing minimum pension scheme for the person involved in private sector and also to increase the ceiling thereunder; and

(b)if so, the details thereof and if not, the reasons therefor?

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

ANSWER

MINISTER OF STATE(IC) FOR LABOUR AND EMPLOYMENT (SHRI BANDARU DATTATREYA)

(a) & (b): The Government has recently notified a minimum pension of Rs. 1,000/- per month to the pensioners under Employees' Pension Scheme, 1995 vide Notification No. G.S.R. 593 (E) dated 19th August, 2014 effective from 01.09.2014 for the year 2014-15.

The Government has also notified increase of wage ceiling from Rs. 6,500/- to Rs. 15,000/- for coverage under Employees' Provident Funds & Miscellaneous Provisions Act, 1952 vide Notification No. G.S.R 609 (E) dated 22nd August, 2014 effective from 01.09.2014.

GOVERNMENT OF INDIA
MINISTRY OF LABOUR AND EMPLOYMENT
LOK SABHA
UNSTARRED QUESTION NO: 4773
ANSWERED ON:22.12.2014
VIOLATION OF LABOUR LAWS
BIDYUT BARAN MAHATO

- (a)the number of labourers employed in private sector in various parts of the country including Jharkhand;
- (b)the number of complaints received and cases registered with the Government for violation of Labour Laws by the companies/factories including fire crackers industry during each of the last three years and the current year, State/UT-wise including Jharkhand;
- (c)the action taken by the Government against such companies/factories during the said period, year-wise;
- (d)whether Labour Inspectors carry out regular inspections of the companies/factories to ensure compliance of Labour Laws;
- (e)if not, the number of cases registered and the action taken against the errant Labour Inspectors; and
- (f)the further steps taken by the Government for proper implementation of various Labour Laws in the country?

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

ANSWER

MINISTER OF STATE(IC) FOR LABOUR AND EMPLOYMENT (SHRI BANDARU DATTATREYA)

(a) to (c): The information on number of labourers employed in private sector are not centrally maintained by this Ministry. Some of the establishments in the private sector are under the Central Sphere and others are under the State Sphere. Action on complaints relating to violation of Labour Laws is taken by the enforcement agencies of the respective appropriate Government.

(d) & (e): To ensure compliance of Labour Laws, inspections are carried out by the labour inspectors in both the Central and State Spheres.

(f): The Ministry of Labour & Employment has recently launched the Shram Suvidha Portal. The Web Portal envisages the following:

- (i) Allotment of a unique Labour Identification Number (LIN) to the establishments.
 - (ii) Transparent Labour Inspection Scheme with selection criteria keeping in view the provisions of respective labour Laws.
 - (iii) Filing of self-certified and simplified single on-line Return.
 - (iv) Timely redressal of grievances through the Portal.
- (i) and (ii) above have become operational.

The Shram Suvidha Portal will enhance convenience of registration of establishments and filing returns under different Labour Acts. It will bring transparency and accountability in Labour Inspections. The mandatory uploading of Inspection Reports within 72 hours would ensure check on the arbitrariness in inspections and will ensure more effective and purposive labour inspections. Single on-line returns and on-line inspection reports will lead to better compliance and enforcement of labour laws. The Grievance Redressal System would also bring transparency and accountability in enforcement of Labour Laws for the benefit of employees.

GOVERNMENT OF INDIA
MINISTRY OF LABOUR AND EMPLOYMENT
LOK SABHA

STARRED QUESTION NO: 111

ANSWERED ON:01.12.2014

SOCIAL SECURITY TO UNORGANISED SECTOR WORKERS

RAM PRASAD SARMAH

(a) whether the Government proposes to extend social security benefits like EPF and ESIC, gratuity and pension facilities to all the workers of unorganised sector including those in construction, forest, agriculture fields in the country;

(b) if so, the details thereof along with the funds allocated by the Government for the said purpose and if not, the reasons therefor;

(c) whether the Building and Other Construction Workers (Regulation of Employment and Conditions of Service

(e) Act, 1996 and the Building and Other Construction Workers' Welfare Cess Act, 1996" and the Rules framed thereunder have been/are being implemented in all the States of the country; and

(d) if so, the details thereof, State/UT-wise and if not, the reasons therefor?

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

ANSWER

MINISTER OF STATE (IC) FOR LABOUR AND EMPLOYMENT (SHRI BANDARU DATTATREYA)

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

STATEMENT REFERRED TO IN REPLY TO PART (a) TO (d) OF LOK SABHA STARRED QUESTION NO. 111 FOR 01.12.2014 BY SHRI RAM PRASAD SARMAH AND DR. K. GOPAL REGARDING SOCIAL SECURITY TO UNORGANISED SECTOR WORKERS.

(a) & (b): There is no proposal to extend social security benefits like EPF and ESIC, gratuity and pension facilities to all unorganised sector workers. Government has enacted the "Unorganized Workers' Social Security Act, 2008" with a view to provide social security measures to all unorganized workers. As per the Act National Social Security Board was constituted at the central level to recommend social security schemes viz. life and disability cover, health and maternity benefits, old age protection and any other benefit as may be determined by the Government for unorganized workers. Government has already taken various steps to provide social security for the unorganized workers. Some of these schemes are listed as under:

1. Indira Gandhi National Old Age Pension Scheme, (Ministry of Rural Development).
2. National Family Benefit Scheme, (Ministry of Rural Development).
3. Janani Suraksha Yojana, (Ministry of Health and Family Welfare).
4. Handloom Weavers' Comprehensive Welfare Scheme, (Ministry of Textiles).
5. Handicraft Artisans' Comprehensive Welfare Scheme, (Ministry of Textiles).
6. Pension to Master Craft Persons, (Ministry of Textiles).
- 7 National Scheme for Welfare of Fishermen and Training and Extension, (Department of Animal Husbandry, Dairying & Fisheries).
8. Janshree Bima Yojana and Aam Admi Bima Yojana, (Department of Financial Services).
9. Rashtriya Swasthya Bima Yojana, (Ministry of Labour and Employment).

(c) & (d): The Government has enacted the Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996 and the Building and Other Construction Workers' Welfare Cess Act, 1996 with a view to regulating the employment and conditions of service of building and other construction workers and provide for their safety, health and welfare measures etc. Under the Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act, 1996, every State Government has to constitute a State Building and Other Construction Workers Welfare Board. All States except newly formed Telangana have constituted the Boards.

The functions of the Board include providing welfare and social security measure such as immediate assistance to a beneficiary in case of accident, Payment of pension to the

beneficiaries who have completed the age of 60 years, loan and advances for construction of house, paying amount in connection with premia for Group Insurance Scheme etc.

The responsibility of collecting cess under the Act and its utilization for welfare activities lies with the respective state Governments and State Building and Other Construction Workers Welfare Boards.

GOVERNMENT OF INDIA
MINISTRY OF LABOUR AND EMPLOYMENT
LOK SABHA

STARRED QUESTION NO: 120

ANSWERED ON:01.12.2014

INVESTMENT OF EPFO FUND

A. ARUNMOZHITHEVAN

(a)whether the norms for investments of Employees Provident Fund Organization (EPFO) funds in private sector debentures are so strict that only 5.65 per cent of its corpus is able to get invested therein against a permissible limit of 10 per cent;

(b)if so, the details thereof and the reaction of the Government thereto;

(c)whether investment in the equity is not permitted at present by EPFO;

(d)if so, the details thereof and the reasons therefor; and steps taken by the Government to provide more autonomy to EPFO in regard to investments in order to gain better returns?

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

ANSWER

MINISTER OF STATE (IC) FOR LABOUR AND EMPLOYMENT (SHRI BANDARU DATTATREYA)

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

STATEMENT REFERRED TO IN REPLY TO PARTS (a) TO (e) OF LOK SABHA STARRED QUESTION NO. 120 FOR REPLY ON 01.12.2014 BY SHRI A. ARUNMOZHITHEVAN REGARDING INVESTMENT OF EPFO FUND

(a) & (b): The present norms of investment allow investment upto 10% of its fresh accretion in debentures of private companies. The norms for investment of EPFO funds have been devised to safeguard interests of members/subscribers. Apart from investment norms, the investment in private sector debentures also depends upon the availability (supply) of such bonds and also appropriate rate of return being offered on them.

(c) & (d): Yes, Madam. Central Board of Trustees (CBT), Employees' Provident Fund (EPF) in its 201st meeting held on 25-02-2013 agreed to adopt pattern of investment of Ministry of Finance dated 14-08-2008 except those in equity. Ministry of Labour & Employment in consultation with Ministry of Finance notified the investment pattern as agreed to by CBT, EPF, on 21st November, 2013 for investment of EPF funds wherein investment in equity is not permitted.

(e): As per Section 5A (3) of Employees' Provident Funds & Miscellaneous Provisions Act, 1952, the Central Board is entrusted to administer the fund vested in it in such a manner as may be specified in the Scheme. Para 52 of Employees' Provident Funds Scheme, 1952 specifies that the monies belonging to Employees' Provident Fund shall be invested subject to such directions as the Central Government may give from time to time. Ministry of Labour & Employment notifies investment pattern from time to time for investment of monies belonging to EPF. EPFO has full autonomy to invest monies within the ambit of the investment pattern notified by Ministry of Labour and Employment. Further, CBT, EPF monitors the funds to yield maximum return while safeguarding the interests of subscribers.