

Item No.25 : Amendment in EPF & MP Act/EPF Scheme in order to provide representation to all States in CBT (EPF).

1. Ministry of Labour & Employment vide letter dated 18.01.2018 (**Annexure-25A**) has asked EPFO to place before the CBT, EPF for its consideration a proposal to make the following amendment:-

“Amendment of section 5A(1)(C) of the EPF & MP Act, 1952 for including all States as member of CBT, EPF from the present limit of 15 States – as per direction of the then Hon’ble MOS (IC) for Labour & Employment”

2. All State Governments can be given representation in the Central Board of Trustees, EPF by accepting the following proposal.

- a. According to clause 1 (c) of section 5A of EPF & MP Act, 1952, the CBT shall include *“not more than fifteen persons representing Governments of such States as the Central Government may specify in this behalf, appointed by the Central Government”*.

- b. EPF & MP Act, 1952 can be amended to substitute clause 1(c) of section 5A with the following words:-

“one person representing Government of each State except the State of Jammu and Kashmir, appointed by the Central Government;”

- c. The advantage of accepting this proposal is that all State Governments will be represented in the Central Board of Trustees, EPF which administers the Schemes framed under EPF & MP Act which is applicable to the whole of India except the State of Jammu and Kashmir.

Proposal: The proposal in para 2 above is placed before the Board for deliberation and consideration.

No.S-35012/5/2017-SS-II
Government of India
Ministry of Labour & Employment

Handwritten notes:
Nobles 25.1.18
Acc (HO) Compliance
Acc (HO) Exemption
Acc (Lords)
Acc (Conf.)

Handwritten notes:
Acc (KLT) 11/1
ACC (HO) Coord. & Conf.
RC (Exemption) - Time bound
Be. put up exemption related items
(1) for CBT Meeting to get
offices approval

Shram Shakti Bhawan, Rafi Marg,
New Delhi, dated the 18 January, 2018

To

The Central Provident Fund Commissioner,
Employees' Provident Fund Organization,
Bhavishya Nidhi Bhawan,
14, Bhikaji Cama Place,
R. K. Puram, New Delhi.

Stamp: 22 JAN 2018
12273
23/01/2018

Handwritten notes:
272
24/01/2018

Sub.-: Amendment of EPF & MP Act, 1952 for insertions a new section to the Act namely section 17(1D) which contains the requisite eligibility conditions for grant of exemption - regarding.

Sir,

I am directed to refer to EPFO's letter No.E-III/Misc./2016/Exemption/1353 dated 17th November, 2017 on the subject cited above and to say that the matter has been examined in the Ministry and it has been decided that the following amendments have to be first considered by CBT, EPF:-

- (i) Amendment of EPF & MP Act, 1952 for insertions of a new section to the Act namely section 17(1D) which contains the requisite eligibility conditions for grant of exemption to the Trusts.
- (ii) Amendment of EPF & MP Act, 1952 for giving option to the employee to opt Employees' Pension Scheme (EPS) or New Pension Scheme (NPS) - in compliance of Hon'ble Finance Minister's Budget Speech 2015-16 (Addition of New Section).
- (iii) Amendment of section 5A(1)(C) of the EPF & MP Act, 1952 for including all States as member of CBT, EPF from the present limit of 15 States - as per direction of the then Hon'ble MOS (IC) for Labour & Employment.
- (iv) Amendment of section 3(a), 3(b) and Proviso below section 3(b), if an amendment to the EPF & MP Act, 1952 is made for covering the threshold limit from 20 to 10.
- (v) Amendment of section 2(b) of the EPF & MP Act, 1952 for definition of "wages".

2. EPFO is requested to place the above said amendments in the Agenda Items before next meeting of CBT, EPF for their consideration and furnish the proposals accordingly.

3. This issues with the approval of Secretary (Lab)

Yours faithfully,
[Signature]

Handwritten notes:
25.1.18
30 (Meeting)
30 (KLT)