

GOVERNMENT OF INDIA  
MINISTRY OF LABOUR AND EMPLOYMENT  
LOK SABHA

UNSTARRED QUESTION NO: 129

ANSWERED ON:30.11.2015

Pending Disposal Cases under PF Appellate Authority

RAMCHARAN BOHARA

(a)whether the rate of disposal of Provident Fund (PF) cases is very slow on account of insufficient number of Regional Provident Fund Appellate Authority;

(b)if so, the total number of cases referred to the said authority for disposal during each of the last three years and the current year along with the number of such cases lying pending during the said period, State/UT-wise;

(c)whether the Government proposes to set up more regional benches of the said authority; 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) & (b): There is a provision of an Employees' Provident Fund Appellate Tribunal under Employees' Provident Funds and Miscellaneous Provisions Act (EPF & MP), 1952. Only one Tribunal has been working at Delhi till date. One Bench of the Tribunal has been constituted at Bangaluru w.e.f. 7.11.2014 in respect of establishments situated within the territories of the States of Karnataka, Tamil Nadu, Kerala, Andhra Pradesh, Telangana and Goa, and the Union Territories of Andaman and Nicobar Islands and Puducherry.

Contd..2/-

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The total number of cases filed before the Tribunal during the last three years including current year is given below:-

2012:1030

2013:884

2014:1384

2015:1348 (as on 23/11/2015)

The total number of pending cases before the Tribunal during the last three years including current year State/UT wise is at Annex.

(c): At present, no such proposal is under consideration of the Government.

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

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GOVERNMENT OF INDIA  
MINISTRY OF LABOUR AND EMPLOYMENT  
LOK SABHA

STARRED QUESTION NO: 202

ANSWERED ON:14.12.2015

Online Services under EPFO

SUDHEER GUPTA

- (a)the number of employees registered under the Employees Provident Fund Organisation (EPFO), State/UT-wise;
- (b)whether the Government has launched online services for EPF customers and if so, the details thereof;
- (c)the number of workers likely to be benefited from the services, State/UT-wise at present; and
- (d)the other measures taken by the Government to make the functioning of EPFO more transparent and convenient for all stakeholders?

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.

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STATEMENT REFERRED TO IN REPLY TO PARTS (a) TO (d) OF LOK SABHA STARRED QUESTION NO. 202 TO BE ANSWERED ON 14.12.2015 BY SHRI SUDHEER GUPTA AND KUNWAR HARIBANSH SINGH REGARDING ONLINE SERVICES UNDER EPFO.

(a) On an average, 3.61 crore employees have contributed to the Provident Fund (PF) during April, 2015 to November, 2015. The State/UT- wise details are at Annex.

(b)The Government has launched the following online services for Employees' Provident Fund (EPF) stakeholders :

(i) For Employers:

- 1.Electronic Challan-cum-Receipt (ECR).
- 2.Online Registration of Establishment (OLRE).
- 3.Online filing of returns by Exempted Establishments.

(ii) For employees:

- 1.Universal Account Number (UAN).
- 2.E-Passbook.
- 3.Online payment through NEFT.
- 4.Facility for online transfer claim submission.

(iii) For Pensioners:

- 1.Disbursement of Pensions through the core banking system.

(c)These services will benefit not only the members who are contributing to the fund but also the workers who are presently not contributing. Total number of such workers is about 6 crore.

(d)The steps taken by the Government to make the functioning of Employees' Provident Fund Organisation (EPFO) more transparent and convenient for all stakeholders is given in reply to Part (b) of the Question above.

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

**LOK SABHA  
STARRED QUESTION NO. 217  
TO BE ANSWERED ON 14.12.2015**

**INVESTMENT OF FUNDS UNDER EPF**

**\*217. SHRIMATI K. MARAGATHAM:  
SHRI P.C. MOHAN:**

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

- (a) whether the Government proposes to raise investment limit of pension funds and also mandate the Employees' Provident Fund Organisation (EPFO) to invest upto five per cent of its incremental corpus in exchange traded funds/stock market and if so, the details thereof;**
- (b) whether this decision of the Government has been vehemently opposed by labour unions and if so, the reasons therefor and the reaction of the Government thereto;**
- (c) the amount earmarked to be invested and the precautions being taken to secure the interests of the employees due to volatile nature of the stock market;**
- (d) whether the dividends, if available through such investment, may likely to add to the accounts of beneficiaries and if so, the details thereof; and**
- (e) whether the Government proposes to introduce National e-payment gateway for collection of PF contribution and if so, the details thereof and whether the yearly audit report of the EPFO is also to be available to the employees and the public as well and if so, the details thereof?**

**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.**

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**STATEMENT REFERRED TO IN REPLY TO PARTS (a) TO (e) OF LOK SABHA STARRED QUESTION NO. 217 TO BE ANSWERED ON 14.12.2015 BY SHRIMATI K. MARAGATHAM AND SHRI P.C. MOHAN REGARDING INVESTMENT OF FUNDS UNDER EPF.**

(a) The Government has, vide Notification dated 2<sup>nd</sup> March, 2015, revised the Investment Pattern (IP) to be followed by Non-Government Provident Funds, Superannuation Funds and Gratuity Funds. The revised IP allows, inter-alia, investment in 'Equities and Related Investments' for a minimum of 5 per cent and maximum upto 15 per cent. The revised IP has been made effective from 1<sup>st</sup> April, 2015. Currently, there is no proposal to increase the said limit in "Equities and Related Investments".

The Central Board of Trustees (CBT), Employees' Provident Fund (EPF) has decided to invest 5 per cent of its total investment in Exchange Traded Fund (ETF) during this Financial Year.

(b) Some of the trade unions have opposed the move. However, the proposal was discussed and approved by the CBT, EPF, a tripartite body of employees', employers' and Government representatives in its meeting held on 31.03.2015.

(c) As per the decision of the CBT, EPF, investment of 5 per cent of its fresh increment will be invested in Exchange Traded Fund (Rs.5,000/- crore approximately) in this financial year.

ETF as an instrument would be least affected by market fluctuations. The volatility would be minimal in comparison to individual stocks. Employees' Provident Fund Organisation (EPFO) is in the process of creating an Equity Income Stabilisation Reserve (EISR) for recognition of income and distribution of profit from earning on the investment made in equity and related instruments. These measures would minimize volatility in terms of interest being paid to beneficiaries.

(d) The dividend yield becomes part of the net asset value of the ETF and is, therefore, added to the accounts of Employees' Provident Fund (EPF) of the employees.

(e) No proposal to introduce National e-payment gateway for collection of PF contribution is under consideration at present. Audit Report of EPFO is placed before the Parliament and, therefore, is a public document.

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

**LOK SABHA  
STARRED QUESTION NO. 217  
TO BE ANSWERED ON 14.12.2015**

**INVESTMENT OF FUNDS UNDER EPF**

**\*217. SHRIMATI K. MARAGATHAM:  
SHRI P.C. MOHAN:**

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

- (a) whether the Government proposes to raise investment limit of pension funds and also mandate the Employees' Provident Fund Organisation (EPFO) to invest upto five per cent of its incremental corpus in exchange traded funds/stock market and if so, the details thereof;**
- (b) whether this decision of the Government has been vehemently opposed by labour unions and if so, the reasons therefor and the reaction of the Government thereto;**
- (c) the amount earmarked to be invested and the precautions being taken to secure the interests of the employees due to volatile nature of the stock market;**
- (d) whether the dividends, if available through such investment, may likely to add to the accounts of beneficiaries and if so, the details thereof; and**
- (e) whether the Government proposes to introduce National e-payment gateway for collection of PF contribution and if so, the details thereof and whether the yearly audit report of the EPFO is also to be available to the employees and the public as well and if so, the details thereof?**

**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.**

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**STATEMENT REFERRED TO IN REPLY TO PARTS (a) TO (e) OF LOK SABHA STARRED QUESTION NO. 217 TO BE ANSWERED ON 14.12.2015 BY SHRIMATI K. MARAGATHAM AND SHRI P.C. MOHAN REGARDING INVESTMENT OF FUNDS UNDER EPF.**

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The Central Board of Trustees (CBT), Employees' Provident Fund (EPF) has decided to invest 5 per cent of its total investment in Exchange Traded Fund (ETF) during this Financial Year.

(b) Some of the trade unions have opposed the move. However, the proposal was discussed and approved by the CBT, EPF, a tripartite body of employees', employers' and Government representatives in its meeting held on 31.03.2015.

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(d) The dividend yield becomes part of the net asset value of the ETF and is, therefore, added to the accounts of Employees' Provident Fund (EPF) of the employees.

(e) No proposal to introduce National e-payment gateway for collection of PF contribution is under consideration at present. Audit Report of EPFO is placed before the Parliament and, therefore, is a public document.

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**GOVERNMENT OF INDIA  
MINISTRY OF LABOUR AND EMPLOYMENT  
LOK SABHA  
UNSTARRED QUESTION NO. 223  
TO BE ANSWERED ON 30.11.2015**

**EPF DEFAULTERS**

**223. SHRI K. ASHOK KUMAR:**

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

- (a) whether the Employees Provident Fund Organisation (EPFO) has launched prosecution cases against defaulting employers for non-submission of returns on time;**
- (b) if so, the details thereof during each of the last three years and the current year;**
- (c) whether the EPFO has also asked its Regional Offices to take stringent action against such defaulting employers; and**
- (d) if so, the details of action taken in this regard?**

**ANSWER**

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

**(a) & (b): Yes, Madam. Prosecution is launched by Employees' Provident Fund Organisation (EPFO) if the establishments violate the provisions of Employees' Provident Funds & Miscellaneous Provisions (EPF & MP) Act, 1952.**

**The details of number of prosecution cases filed by EPFO during the last three years and the current year are as under:-**

<b>Year</b>	<b>No. of Prosecution Cases</b>
<b>2012-13</b>	<b>317</b>
<b>2013-14</b>	<b>414</b>
<b>2014-15</b>	<b>1491</b>
<b>Current Year upto September, 2015</b>	<b>1401</b>

**Contd... 2/-**

**(c) & (d): Regional Offices of EPFO are required to take action against defaulting establishments by causing inspection for securing compliance and launching other stringent action as given below:**

- i. Action under Section 7A of the EPF & MP Act, 1952 for quantification of Provident Fund dues and raising demand against defaulters.**
- ii. Recovery action as provided under Section 8B to 8G of the EPF & MP Act, 1952.**
- iii. Action under Section 14 for prosecution of defaulters before the court of law.**
- iv. Action under Section 14B for levying penal damages for belated remittances.**
- v. Action under Section 7Q for levy of interest for belated remittances.**
- vi Action under Section 406/409 of Indian Penal Code (IPC) for non-payment of employees' share deducted from the wages but not deposited.**

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**GOVERNMENT OF INDIA  
MINISTRY OF LABOUR AND EMPLOYMENT  
LOK SABHA  
UNSTARRED QUESTION NO. 1162  
TO BE ANSWERED ON 07.12.2015**

**AMENDMENT TO EPF ACT**

**1162. SHRI K. ASHOK KUMAR:**

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

- (a) whether the Government has any proposal to amend the Employee's Provident Fund (EPF) and Miscellaneous Provisions Act, 1952 to give employees the choice of investing in the new pension scheme or in the existing retirement fund body;**
- (b) if so, the details thereof and the reasons therefor;**
- (c) whether the Government proposes to move ahead with the said changes amid stiff opposition from trade unions which feel that New Pension Scheme is not a substitute for EPFO and that the proposed amendments will affect adversely to the organization; and**
- (d) if so, the reaction of the Government thereto?**

**ANSWER**

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

**(a) & (b): Yes, Madam. A proposal to provide option to employees between Employees' Provident Fund (EPF) and National Pension System (NPS) has been included in the proposed comprehensive amendment to the Employees' Provident Funds & Miscellaneous Provisions (EPF & MP) Act, 1952, which is under consideration of the Government.**

**(c) & (d): Various Trade Unions raised concerns about the above proposal during the Tripartite Consultation on the proposed comprehensive amendment to the Act. The concerns raised during the meeting were clarified.**

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**GOVERNMENT OF INDIA  
MINISTRY OF LABOUR AND EMPLOYMENT  
LOK SABHA  
UNSTARRED QUESTION NO. 1277  
TO BE ANSWERED ON 07.12.2015**

**ONLINE EPF MONITORING**

**1277. SHRI PARESH RAVAL:**

**SHRI LADU KISHORE SWAIN:**

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

- (a) whether the transfer of accounts has been increased after the introduction of uniform Account Number (UAN) under Employees Provident Fund Organisation (EPFO) and if so, the details thereof;**
- (b) whether the Government has also proposes to implement online provident fund monitoring and Electronic Challan cum Return (ECR) contribution;**
- (c) if so, the details in this regard along with the number of labourers likely to take advantage of the same, State/UT-wise including Gujarat; and**
- (d) the time by which the said facilities are likely to be functional?**

**ANSWER**

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

**(a):** The request for transfer of accounts is received from such members who change their employment and it has no direct correlation with Universal Account Number (UAN). Introduction of UAN has enabled digitization of the transfer of accounts online through Online Transfer Claim Portal (OTCP).

**(b) & (c):** Electronic Challan-cum-Return was introduced in the year 2012. With the introduction of this facility, employers can remit the dues and returns of the employees online. This has facilitated effective monitoring of remittances of provident fund. Therefore, all categories of employees get benefited. For the month of November, 2015, dues and returns of 3,55,33,070 members have been remitted through Electronic Challan-cum-Return (ECR). State/UT wise list is at Annex.

**(d):** Both these facilities are already functional.

ANNEX

ANNEX REFERRED TO IN PARTS (b) & (c) OF LOK SABHA UNSTARRED QUESTION NO.1277 FOR REPLY ON 07.12.2015 BY SHRI PARESH RAVAL AND SHRI LADU KISHORE SWAIN REGARDING ONLINE EPF MONITORING.

State/UT-wise details of EPF members whose dues and returns have been remitted through Electronic Challan-cum-Return (ECR) for the month of November, 2015

No.	STATES/UT	ECR Received for the month of November, 2015
1	ANDHRA PRADESH	812819
2	BIHAR	270004
3	CHHATTISGARH	328735
4	DELHI	2325724
5	GOA	154916
6	GUJARAT (including Daman & Diu)	2381508
7	HARYANA	1818582
8	HIMACHAL PRADESH	248070
9	JHARKHAND	376429
10	KARNATKA	4410832
11	KERALA (including Lakshadweep)	948535
12	MADHYA PRADESH	830140
13	MAHARASHTRA	7212970
14	NORTH EAST REGION	228561
15	ODISHA	593147
16	PUDUCHERRY	89798
17	PUNJAB (including Chandigarh)	929249
18	RAJASTHAN	836448
19	TAMIL NADU	4241231
20	TELANGANA	2268126
21	UTTAR PRADESH	1499700
22	UTTARAKHAND	446237
23	WEST BENGAL (including Andaman & Nicobar Islands)	2281309
	<b>GRAND TOTAL</b>	<b>35533070</b>

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**GOVERNMENT OF INDIA  
MINISTRY OF LABOUR AND EMPLOYMENT  
LOK SABHA  
UNSTARRED QUESTION NO. 1337  
TO BE ANSWERED ON 07.12.2015  
DA FOR PENSIONERS UNDER PF**

**1337. SHRIMATI K. MARAGATHAM:  
SHRI A. ARUNMOZHITHEVAN:  
SHRI C.S. PUTTA RAJU:**

- Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:**
- (a) whether the Government has implemented the decision to increase the minimum pension under Employees Provident Fund (EPF) Pensions;**
  - (b) if so, the details thereof and if not, the reasons therefor;**
  - (c) whether the Government proposes to make proportional increase to the pensioners who are getting more than Rs. 1000;**
  - (d) if so, the details thereof; and**
  - (e) whether the Government has also any proposal to pay pensions with Dearness Allowance (DA) to pensioners under EPS 1995 and if so, the details thereof and if not, the reasons therefor?**

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

- (a): No, Madam. The minimum pension for pensioners under Employees' Pension Scheme (EPS), 1995 remains at Rs. 1000/- per month.**
- (b): The Union Cabinet in its meeting held on 29.04.2015 has approved continuation of minimum pension of Rs. 1000/- per month under EPS, 1995 beyond 2014-15 in perpetuity with certain conditionalities. The deductions on account of benefits availed by pensioners on the basis of choice exercised at the time of making claim like Commutation, Return of Capital and Short Service Pension are continued to be applied on the minimum pension amount.**
- (c): No, Madam.**
- (d): Does not arise in view of reply to part (c) of the Question above.**
- (e): There is no proposal under consideration at present for providing inflation-linked Dearness Allowance (DA) to pensioners of EPS, 1995. The issue of index-linking of pension by fully neutralizing inflation was considered by the Expert Committee constituted by the Government in the year 2009 for review of EPS, 1995 and the same was found not feasible in the case of a funded scheme like EPS, 1995. In EPS, 1995, the contribution of the employer and Government is at a fixed rate of 8.33 per cent and 1.16 per cent respectively. Therefore, the value of benefits cannot be left open-ended by linking it with inflation which is variable.**

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

**LOK SABHA  
UNSTARRED QUESTION NO. 2302  
TO BE ANSWERED ON 14.12.2015**

**NUMBER OF PF ACCOUNTS**

**†2302. SHRI LADU KISHORE SWAIN:**

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

- (a) whether there is a wide gap between the number of Provident Fund (PF) accounts and members contributing every month and if so, the reasons therefor;**
- (b) the total number of PF accounts being handled by Employee's Provident Fund Organisation along with active and dormant account for which contributions are not received; and**
- (c) the number of members whose contributions are continuously received through their employers during each of the last three years and the current year, State/UT-wise?**

**ANSWER**

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

**(a) & (b): Out of 15.84 crore Provident Fund (PF) accounts registered under Employees' Provident Fund Organisation (EPFO), contributions have been received in respect of 3.61 crore members (on an average). Reasons for this wide gap include:-**

- (i) The members after switching over from one covered establishment to another, especially, those employed in seasonal establishments and contract workers, do not withdraw or get their balance transferred to the new PF account resulting in multiple accounts.**
- (ii) It is not statutorily mandated for members to withdraw the accumulations after they are no longer in employment.**

**Contd..2/-**

**There are no dormant accounts in Employees' Provident Fund (EPF). However, as per para 72(6) of the Employees' Provident Funds Scheme 1952, certain accounts are classified as 'Inoperative Accounts' in which contributions have not been received for 36 months continuously. All such Inoperative Accounts have, however, definite claimants.**

**(c): The total number of PF members whose contributions have been received during the last three years is as under:-**

<b>2013-14:</b>	<b>3.26 crore</b>
<b>2014-15:</b>	<b>3.49 crore</b>
<b>2015-16:</b>	<b>3.61 crore</b>
<b>(April-November)</b>	

**Details of 3.61 crore PF Members, State/UT-wise, for 2015-16 are at Annex.**

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**ANNEX REFERRED TO IN PART (c) OF LOK SABHA UNSTARRED QUESTION NO. 2302 TO BE ANSWERED ON 14.12.2015 BY SHRI LADU KISHORE SWAIN REGARDING NUMBER OF PF ACCOUNTS.**

**Average of Contributing PF Members (April-November, 2015)**

Sl. No.	STATE	CONTRIBUTING MEMBERS
1	ANDAMAN AND NICOBAR ISLANDS	10,606
2	ANDHRA PRADESH	8,44,228
3	ASSAM	2,12,859
4	BIHAR	2,73,154
5	CHANDIGARH	3,50,431
6	CHHATTISGARH	3,41,078
7	DELHI	23,91,762
8	GOA	1,56,543
9	GUJARAT	24,12,906
10	HARYANA	18,42,453
11	HIMACHAL PRADESH	2,51,103
12	JHARKHAND	3,99,465
13	KARNATAKA	44,10,138
14	KERALA	9,63,975
15	MADHYA PRADESH	8,55,375
16	MAHARASHTRA	72,11,059
17	MEGHALAYA	28,637
18	ODISHA	6,28,955
19	PUDUCHERRY	92,747
20	PUNJAB	6,02,897
21	RAJASTHAN	8,44,636
22	SIKKIM	1,56,589
23	TAMIL NADU	42,81,105
24	TELANGANA	23,05,861
25	TRIPURA	28,388
26	UTTAR PRADESH	15,75,530
27	UTTARAKHAND	4,50,072
28	WEST BENGAL	22,08,285
<b>Grand Total</b>		<b>3,61,30,837</b>

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**GOVERNMENT OF INDIA  
MINISTRY OF LABOUR AND EMPLOYMENT  
LOK SABHA  
UNSTARRED QUESTION NO. 2339  
TO BE ANSWERED ON 14.12.2015**

**GPF ACCOUNT NUMBER**

**†2339. KUNWAR SARVESH KUMAR:**

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

- (a) whether the Employees Provident Fund Organisation (EPFO) has made it mandatory for employees to furnish the bank account number and IFS Code of the branch of their employees;**
- (b) whether the EPFO proposes to allot General Provident Fund (GPF) Account Number and make payment to contributors; and**
- (c) if so, whether the GPF is likely to benefit about 417 crore contributors immensely and if so, the details thereof?**

**ANSWER**

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

**(a): As per para 68-O of the Employees' Provident Funds Scheme, 1952, payment of withdrawal or advance is made through postal money order, deposit in payee's bank account or through the employer.**

**In case the employee opts for payment through deposit in his account, the payment is made electronically through Reserve Bank of India operated National Electronic Funds Transfer (NEFT). The bank account number and Indian Financial System Code (IFSC) are the pre-requisites for such a transaction.**

**(b): Employees' Provident Fund Organisation (EPFO) does not allot General Provident Fund (GPF) account number. However, EPFO has allotted a unique Universal Account Number (UAN) to its members for portability and for consolidation of all previous accounts.**

**(c): Does not arise in view of reply to part (b) of the Question above.**

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

**LOK SABHA  
UNSTARRED QUESTION NO. 2404  
TO BE ANSWERED ON 14.12.2015**

**AADHAAR CARD FOR PRIVATE SECTOR**

**2404. SHRI M.I. SHANAVAS:**

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

- (a) whether the Government has made Aadhaar cards mandatory for employment in private companies indirectly;**
- (b) if so, the details thereof and the reasons therefor;**
- (c) whether Aadhaar card is also mandatory for withdrawal of provident fund and if so, the details thereof;**
- (d) whether the existing regulations amount to denial of employment/salary to the existing/new employees in private companies; and**
- (e) if so, the corrective steps taken in this regard?**

**ANSWER**

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

**(a): No, Madam.**

**(b): Does not arise in view of reply to Part (a) of the Question above.**

**(c): No, Madam. However, Universal Account Number (UAN) based withdrawal Form No. 19(UAN) and 31(UAN) have been provisioned for withdrawal of Provident Fund (PF) in respect of those PF members whose Aadhaar and bank details have been seeded and digitally verified by the employers. These employees can file their UAN-based claim forms without attestation by the employer to the respective PF office. All other members can withdraw through existing claim form.**

**(d): No, Madam.**

**(e): Does not arise in view of reply to Part (d) of the Question above.**

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

**LOK SABHA  
UNSTARRED QUESTION NO. 2445  
TO BE ANSWERED ON 14.12.2015**

**REVIEW OF INVESTMENT IN EQUITY UNDER EPFO**

**2445. SHRI M.B. RAJESH:**

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

- (a) whether the equity investment made by Employees Provident Fund Organisation (EPFO) have led to poor returns;**
- (b) if so, the details of equity investments made and returns earned by the EPFO during each of the last three years and the current year;**
- (c) whether this poor return will have any impact on the interest rate offered by EPFO and if so, the reaction of the Government thereto; and**
- (d) whether the Government proposes to review equity investment plans and to bring changes in this regard and if so, the details thereof?**

**ANSWER**

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

**(a) & (b): No investment has been made by Employees' Provident Fund Organisation (EPFO) in equity. However, EPFO has started investments in Exchange Traded Fund (ETF) from August, 2015. ETF as an instrument is affected by market fluctuations. Investment in ETF is a long-term strategy for maximisation of wealth. Five months is a very short period to judge return from the same.**

**No investment has been made by EPFO in equity in the last three years. The details of investment made by EPFO from August, 2015 to November, 2015 is as follows:**

**Contd..2/-**

<b>Index</b>	<b>Total Investment (Rs. in crore)</b>
<b>EPS Sensex</b>	<b>258.0</b>
<b>EPS Nifty</b>	<b>752.3</b>
<b>EPF Sensex</b>	<b>547.7</b>
<b>EPF Nifty</b>	<b>1616.6</b>
<b>Total</b>	<b>3174.6</b>

**(c): Investments in ETFs have been made with the view that in long term this investment would provide better returns. Impact of investment in ETF on rate of return declared by EPFO can be arrived at the end of the financial year.**

**(d): No proposal to review equity investment by EPFO is under consideration of the Government at present.**

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

**LOK SABHA  
UNSTARRED QUESTION NO. 2461  
TO BE ANSWERED ON 14.12.2015**

**NON-PAYMENT OF EPF CONTRIBUTION**

**2461. SHRI R. DHRUVA NARAYANA:  
SHRI RAJESH KUMAR DIWAKER:**

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

- (a) the details of the companies in various parts of the country including Uttar Pradesh which are running in loss and did not open the pool for the amount of Provident Fund (PF) deducted from the labourers during the last three years even after directions issued by the Government;**
- (b) whether the Government is also aware of various such companies not providing their employees/workers their entitlement such as medical checkup, job security, provision of employment on compassionate ground etc.;**
- (c) if so, the details of such companies, company-wise along with the action taken against the erring companies/officials during each of the last three years; and**
- (d) the details of the steps taken by the Government to protect the provident fund of such labourers along with the action taken against such companies for the inordinate delay in EPF distribution to beneficiary families?**

**ANSWER**

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

**(a): Employees' Provident Fund Organisation (EPFO) does not differentiate between profit or loss-making companies covered under the Employees' Provident Funds & Miscellaneous Provisions (EPF & MP) Act, 1952. However, number of companies defaulted in Uttar Pradesh in the last 3 years is as follows:**

**Contd..2/-**

<b>Years</b>	<b>Number of Establishments</b>	<b>Amount (Rs. in crore)</b>
<b>2012-13</b>	<b>809</b>	<b>264.81</b>
<b>2013-14</b>	<b>789</b>	<b>266.57</b>
<b>2014-15</b>	<b>512</b>	<b>331.54</b>

**(b) & (c): Whenever instances of such violations come to the notice of the Government, action as provisioned in the respective Acts/Schemes is taken.**

**No statistics about such companies and action taken against erring companies/officials is maintained centrally.**

**(d): EPFO takes the following actions against the defaulting companies, including those situated in Uttar Pradesh, under the provisions of EPF & MP Act, 1952 to protect the interest of workers:**

- i. Proceedings under Section 7A of the Act for assessment of dues are initiated.**
- ii. Prosecution for non-deposit of dues is launched under Section 14 of the Act.**
- iii. First Information Reports (FIRs) are filed under Section 406/409 of Indian Penal Code (IPC) for non-deposit of employees' share of contribution recovered from wages of employees and not deposited in EPFO account.**

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

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**ANSWER**

**MINISTER OF STATE (IC) FOR LABOUR AND EMPLOYMENT  
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**GOVERNMENT OF INDIA  
MINISTRY OF LABOUR AND EMPLOYMENT**

**LOK SABHA  
UNSTARRED QUESTION NO. 2470  
TO BE ANSWERED ON 14.12.2015**

**HOUSING FOR EPF SUBSCRIBERS**

**2470 MOHAMMED FAIZAL:**

**KUNWAR SARVESH KUMAR:**

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

- (a) whether the Government is considering housing scheme to offer affordable houses to subscribers to the Employees' Provident Fund Organisation (EPFO);**
- (b) if so, the details thereof and the salient features of the said scheme;**
- (c) whether the Government is considering to collaborate with some other Government/Public Sector Undertakings in this regard and if so, the details thereof; and**
- (d) the time by which the scheme is likely to roll out and be completed along with the number of employees likely to be benefited under the scheme?**

**ANSWER**

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

**(a) to (d): Government is exploring the possibility for providing a suitable low-cost housing scheme for subscribers of Employees' Pension Fund through Government/Public Sector Undertaking(s). It is in preliminary discussion stage, and hence, no details have been worked out.**

**\*\*\*\*\***

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

**LOK SABHA  
UNSTARRED QUESTION NO. 2470  
TO BE ANSWERED ON 14.12.2015**

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- (d) the time by which the scheme is likely to roll out and be completed along with the number of employees likely to be benefited under the scheme?**

**ANSWER**

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

**(a) to (d): Government is exploring the possibility for providing a suitable low-cost housing scheme for subscribers of Employees' Pension Fund through Government/Public Sector Undertaking(s). It is in preliminary discussion stage, and hence, no details have been worked out.**

**\*\*\*\*\***

**GOVERNMENT OF INDIA  
MINISTRY OF LABOUR AND EMPLOYMENT  
LOK SABHA  
UNSTARRED QUESTION NO. 3481  
TO BE ANSWERED ON 21.12.2015**

**TEA GARDEN WORKERS**

**3481. SHRI ADHIR RANJAN CHOWDHURY:**

**SHRI SHIVKUMAR UDASI:**

**SHRI NABA KUMAR SARANIA:**

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

- (a) whether the labourers working in the tea gardens get wages as per the Plantation Act;**
- (b) if so, the details thereof and if not, the reasons therefor;**
- (c) whether such tea garden workers in the country get very low wages and are deprived of social security cover and if so, the reasons therefor and the reaction of the Government thereto; and**
- (d) the various welfare schemes implemented particularly for tea garden workers in the country including Assam and West Bengal?**

**ANSWER**

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

**(a) to (d): The wages of the labourers working in the tea gardens are being decided as per the provisions of the Minimum Wages Act, 1948 (11 of 1948).**

**Further, the Ministry of Commerce & Industry has informed that the tea garden workers are paid wages as per the negotiated agreement reached through a process of collective bargaining between the producer associations and workers unions. The prevailing daily wages being paid to the workers in different States are as under:**

<b>Sl. No.</b>	<b>Name of the state</b>	<b>Existing Basic Wage rate (Rs.)</b>	<b>Other/Fringe benefits in terms of Rupees as understood from different Tea Associations</b>
<b>1</b>	<b>Assam</b>	<b>Assam valley- 115.00  Cachar- 100.00</b>	<b>a) Rs.109.89 which includes food grain, dry tea, fuel, housing, education facilities, medical, maternity benefit, P.F., Gratuity, bonus etc. b) Rs.95.03 which includes all above as at (a) above.</b>

**Contd..2/-**

<b>2</b>	<b>West Bengal</b>	<b>122.50</b>	<b>a) Dooars- Rs.117.05 which includes all above as at sl. No.1. b) Terai- Rs.114.15 which includes all above as at sl. No.1. c) Darjeeling-Rs.121.94 which includes all above as at sl. No.1.</b>
<b>3</b>	<b>Tamil Nadu</b>	<b>230.03</b>	<b>173.92 which includes all above as at sl. No.1.</b>
<b>4</b>	<b>Kerala</b>	<b>301.00</b>	<b>N.A.</b>
<b>5</b>	<b>Karnataka</b>	<b>247.95</b>	
<b>6</b>	<b>Himachal Pradesh</b>	<b>a)Permanent worker - 180.00+12%P F b) Temporary worker - 180.00+ Sunday</b>	<b>Free housing, electricity, water etc.</b>
<b>7.</b>	<b>Tripura</b>	<b>71.00</b>	<b>Rs.64.0994 which includes all above as at sl. No.1.</b>

**Various initiatives have been taken by the Government, through Tea Board, during the XII Plan Period, which includes, holding meetings with the State Governments & Tea Boards & emphasizing on including all tea growing areas under the flagship scheme for social welfare; requesting State Governments to cancel the lease of land for closed tea garden & identifying new lessees for managing the garden; request the State Governments, including West Bengal, for deputing nodal officers to cooperate in formulating revival package for closed tea garden and payment of Rs. 3000/- to the wards of workers in closed tea estate by the Tea Board under Tea Development & Promotion Scheme. For revival of closed Tea Garden in the State of West Bengal & Assam several meetings have been held between Central Government, Governments of both States & Tea Boards.**

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

**LOK SABHA**

**UNSTARRED QUESTION NO. 3564  
TO BE ANSWERED ON 21.12.2015**

**MINIMUM PENSIONS**

**†3564. SHRI HARISH CHANDRA ALIAS HARISH DWIVEDI:**

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

- (a) the minimum pension fixed by the Government for the employees retired from the Government departments, corporations and Semi-Government departments;**
- (b) the minimum pension recommended by the various committees constituted so far by the Government;**
- (c) whether the Government has received complaints regarding anomalies in minimum pension scheme; and**
- (d) if so, the details thereof and the reaction of the Government thereto?**

**ANSWER**

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

**(a): The minimum pension fixed for retired Central Government employees is Rs. 3,500/- per month with effect from 01.01.2006. For pensioners, including those retired from public sector corporations and other establishments, to whom the Employees' Pension Scheme (EPS), 1995 framed under the Employees' Provident Funds & Miscellaneous Provisions Act, 1952 applies, provision of a minimum pension of Rs. 1,000/- per month has made with effect from 01.09.2014.**

**(b): The Sixth Central Pay Commission had recommended pension of Rs. 3,330/- per month in respect of employees retired from the Central Government.**

**Contd..2/-**

**The minimum pension of Rs. 1,000/- per month under the EPS, 1995 implemented by the Central Government was one of the recommendations of the Expert Committee constituted by the Government. Apart from this, the Committee on Petitions of the Rajya Sabha under the chairmanship of Shri Bhagat Singh Koshiyari in its 147<sup>th</sup> Report had recommended to increase Government share of contribution under EPS, 1995 from 1.16 per cent to 8.33 per cent to support the minimum pension level of Rs. 3000/- per month. However, it was not found feasible for implementation.**

**(c) & (d): No complaints regarding anomalies in minimum pension in respect of Central Government employees have been received by the Government.**

**However, representations, grievances and complaints have been received from various quarters that the monthly pension to pensioners under EPS, 1995 have not increased to Rs. 1,000/- per month even after the notification in respect of pensioners who had taken short service pension, commutations or return of capital. Some grievances also relate to the fact that pension has not increased for those drawing more than Rs. 1,000/- per month.**

**Consequent upon implementation of the minimum pension to pensioners under EPS, 1995 vide notification number GSR 593(E) dated 19.08.2014, the pension of all member/widow(er)/disabled/nominee/dependent parent pensioners whose original pension was less than Rs. 1,000/- per month had been fixed at the minimum of Rs. 1,000/- per month. In cases where members had preferred option for Commutation, Return of Capital and Short Service Pension and have already availed these benefits as per choice exercised by them at the time of making pension claim, the deductions on account of these options would continue to apply on the minimum pension of Rs. 1,000/- per month that has now been fixed. In such cases, the pension amount would be less than Rs. 1,000/- per month even after implementation of the said notification.**

**\*\*\*\*\***

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

**LOK SABHA  
UNSTARRED QUESTION NO. 3608  
TO BE ANSWERED ON 21.12.2015**

**CONTRACTUAL WORKERS**

**†3608.SHRIMATI BHAVANA PUNDALIKRAO GAWALI PATIL:  
SHRI KRUPAL BALAJI TUMANE:**

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

- (a)whether the Government has issued any guidelines in regard to contractual workers;**
- (b)if so, the details thereof;**
- (c)the extent to which the said guidelines have been implemented by the Ministries/Departments/public sector undertakings;**
- (d)the number and details of violation of the said guidelines along with the details of action taken thereon during each of the last three years, PSU/company-wise; and**
- (e)the steps taken for the stringent implementation of the said guidelines for the protection of the interest of contractual workers in the country?**

**ANSWER**

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

**(a): No, Madam. The Central Government has not issued any guidelines in regard to Contractual Workers.**

**(b) to (e): The question does not arise in view of the reply to part (a) of the question.**

**\*\*\*\*\***



**GOVERNMENT OF INDIA  
MINISTRY OF LABOUR AND EMPLOYMENT  
LOK SABHA  
UNSTARRED QUESTION NO. 3664  
TO BE ANSWERED ON 21.12.2015  
EMPLOYMENT ON CONTRACTUAL BASIS**

**3664. SHRI GAJENDRA SINGH SHEKHAWAT:  
SHRI PRATHAP SIMHA:  
SHRI VINOD KUMAR SONKAR:  
SHRI SHIVKUMAR UDASI:  
SHRIMATI RAKSHATAI KHADSE:  
SHRI ADHIR RANJAN CHOWDHURY:  
SHRI BHAIKON PRASAD MISHRA:  
SHRI P.P. CHAUDHARY:  
SHRI VISHNU DAYAL RAM:**

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

- (a) the number of contract and casual workers working in the Central Government, Public Sector Undertakings during each of the last three years and the current year, separately, State/UT-wise;**
- (b) whether organized enterprise employers are increasingly hiring workers on contractual terms due to labour laws and other concerns and if so, the details in this regard along with Government's stand on employment on contractual basis;**
- (c) the details of minimum wages paid to them including the steps taken by the Government to provide "equal pay for equal work" to such contract and casual workers on the pattern of regular ones;**
- (d) the mechanism put in place to ensure payment of minimum wages to the contract and casual workers through the labour contractors; and**
- (e) whether the Government has formulated any policy for safeguarding the interest of contractual/casual workers in term of wages and other service conditions and also with regard to social security scheme including regularisation and improvement of working conditions and if so, the details thereof and if not, the reasons therefor?**

**ANSWER**

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

**(a) & (b): The number of contract workers engaged on the basis of license issued under Contract Labour(Regulation & Abolition) Act, 1970 in the Central Sphere during the last 3 years is given below:**

**Contd..2/-**

<b>Year</b>	<b>No. of Licensed Contractor</b>	<b>No. of Contract Labour*</b>
<b>2012-13</b>	<b>33484</b>	<b>1804389</b>
<b>2013-14</b>	<b>36790</b>	<b>1967747</b>
<b>2014-15</b>	<b>41183</b>	<b>1903170</b>

**\*State/UT wise figures are not available.**

**The number of casual workers working in the Central Government and the establishments thereunder is not centrally maintained. They are engaged by the establishments based on their individual requirements.**

**(c): Contract and Casual workers engaged in Central Government Offices have the protection of minimum wages fixed under the Minimum Wages Act, 1948. For “equal pay for equal work”, the provision exists under Rule 25(2)(v)(a) of Contract Labour (Regulation & Abolition) Act, 1970. It stipulates that the contract workers performing the same or similar kind of work as the regular employee of the establishment the wage rates, holidays, hours of work and other conditions of service of the contract workers will be the same as applicable to the regular employee of the establishment performing the same or similar kind of work. Whenever any case comes, Deputy Chief Labour Commissioner (Central) is an authority under Rule 25 (2)(v)(a) to decide the matter.**

**As regards the casual workers, in places where the nature of work entrusted to the casual workers and regular employees is the same, the casual workers is to be paid at the rate of 1/30<sup>th</sup> of the pay at the minimum of the relevant pay scale plus dearness allowance for work of 8 hours a day. In cases where the work done by a casual worker is different from the work done by a regular employee, the casual worker is to be paid only the minimum wages notified by the Central Government or the State Government/Union Territory Administration, whichever is higher, as per the Minimum Wages Act, 1948. However, if a Department was already paying daily wages at a higher rate as on 7<sup>th</sup> June, 1988, the practice could be continued with the approval of its Financial Advisor.**

**(d) & (e): Strict monitoring of payment is done by conducting regular inspections and whenever there is a delay or non-payment of wages, claim cases are filed before the respective Regional Labour Commissioner (Central) who is an authority under the Act to decide the claims.**

**Though there is no social security scheme as such to ensure regularisation of workers working on contract or casual basis in the Central Government, Public Sector Undertakings, the workers avail social security and other benefits of the Employees' Compensation Act (1923), the Industrial Dispute Act (1947), the Employees' State Insurance Act (1948), the Minimum Wages Act (1948), The Provident Funds Act (1925), the Employees Provident Fund and Miscellaneous Provisions Act (1952), the Maternity Benefit Act (1961), the Contract Labour Act (1970), the Payment of Gratuity Act (1972), etc.**

**\*\*\*\*\***