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Employees' Provident Funds and Miscellaneous Provisions Act, 1952

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Corrida Legal presents the Bare Act Series, sourced from official texts and supported with an executive summary designed to help readers grasp the essence of the law with ease.

NOTE: An Executive Summary of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 is included towards the end of this document, right after the full bare act of the statute. This summary helps professionals, business owners, compliance officers, HR managers, legal practitioners, and students quickly understand the key provisions relating to the establishment of provident fund schemes, contributions by employers and employees, administrative setup of the Employees' Provident Fund Organisation (EPFO), Employees' Pension Scheme, Employees' Deposit Linked Insurance Scheme, applicability of the Act to different establishments, rights and obligations of members, penalties for non-compliance, and enforcement mechanisms, without having to read the entire text.
The Employees' Provident Funds and Miscellaneous Provisions Act, 1952 Summary provides a clear, practical, and time-saving guide for anyone looking to understand India's provident fund framework, ensure statutory compliance in employee benefits, manage retirement savings effectively, and stay aligned with regulatory requirements under the EPF Act bare act.

THE EMPLOYEES' PROVIDENT FUNDS AND MISCELLANEOUS PROVISIONS ACT, 1952

ARRANGEMENT OF SECTIONS

CHAPTER I
PRELIMINARY

SECTIONS

SECTIONS

THE EMPLOYEES' PROVIDENT FUNDS AND MISCELLANEOUS PROVISIONS ACT, 1952

ACT NO. 19 OF 1952[1]

[4*th March*, 1952.]

An Act to provide for the institution of provident funds [2][,[3][pension fund] and deposit-linked insurance fund] for employees in factories and other establishments.

BE it enacted by Parliament as follows:—

1. Short title, extent and application.—[4][(*1*) This Act may be called the Employees' Provident Funds and Miscellaneous Provisions Act, 1952.]

(*2*) It extends to the whole of India [5]***.

[6][(*3*) Subject to the provisions contained in section 16, it applies—

(a) to every establishment which is a factory engaged in any industry specified in Schedule I and in which [7][twenty] or more persons are employed, and

(b) to any other establishment employing [6][twenty] or more persons or class of such establishments which the Central Government may, by notification in the Official Gazette, specify in this behalf:

Provided that the Central Government may, after giving not less than two months' notice of its intention so to do, by notification in the Official Gazette, apply the provisions of this Act to any establishment employing such number of persons less than [6][twenty] as may be specified in the notification.]

[8][(*4*) Notwithstanding anything contained in sub-section (*3*) of this section or sub-section (*1*) of section 16, where it appears to the Central Provident Fund Commissioner, whether on an application made to him in this behalf or otherwise, that the employer and the majority of employees in relation to any establishment have agreed that the provisions of this Act should be made applicable to the establishment, he may, by notification in the Official Gazette, apply the provisions of this Act to that establishment on and from the date of such agreement or from any subsequent date specified in such agreement.]

[9][(*5*) An establishment to which this Act applies shall continue to be governed by this Act notwithstanding that the number of persons employed therein at any time falls below twenty.]

[10]* * * * *

2. Definitions.—In this Act, unless the context otherwise requires,—

[11][(*a*) "appropriate Government" means—

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1. This Act has been extended to Dadra and Nagar Haveli by Reg. 6 of 1963, s. 2 and the First Schedule: Pondicherry by Reg. 7 of 1963, s. 3 and the First Schedule and Goa, Daman and Diu by Reg. 11 of 1963, s. 3 and Schedule (1-7-1964).
2. Subs. by Act 99 of 1976, s. 16, for "and family pension fund" (w.e.f. 1-8-1976).
3. Subs. by Act 25 of 1996, s. 2, for "family pension fund" (w.e.f. 16-11-1995).
4. Subs. by Act 99 of 1976, s. 17, for sub-section (1) (w.e.f. 1-8-1976).
5. The Words "except the State of Jammu and Kashmir" omitted by Act 34 of 2019, s. 95 and the Fifth Schedule (w.e.f. 31-10-2019) and extended to the Union territory of Jammu and Kashmir and Union territory of Ladakh by notification No. S.O. 3962(E), Part II-section 3-Sub-section (*ii*) dated 31-10-20 (w.e.f. 1-1-2020).
6. Subs. by Act 94 of 1956, s. 2, for sub-section (3).
7. Subs. by Act 46 of 1960, s. 2, for "fifty" (w.e.f. 31-12-1960).
8. Subs. by Act 33 of 1988, s. 2, for sub-section (4) (w.e.f. 1-8-1988).
9. Ins. by Act 46 of 1960, s. 2 (w.e.f. 31-12-1960).
10. The proviso omitted by Act 16 of 1971, s. 13 (w.e.f. 23-4-1971).
11. Subs. by Act 22 of 1958, s. 2, for clause (*a*).

(i) in relation to an establishment belonging to, or under the control of, the Central Government or in relation to an establishment connected with a railway company, a major port, a mine or an oilfield or a controlled industry, [1][or in relation to an establishment having departments or branches in more than one State,] the Central Government; and

(ii) in relation to any other establishment, the State Government;]

[2][(*aa*) "authorised officer" means the Central Provident Fund Commissioner, Additional Central Provident Fund Commissioner, Deputy Provident Fund Commissioner, Regional Provident Fund Commissioner or such other officer as may be authorised by the Central Government, by notification in the Official Gazette;]

(b) "basic wages" means all emoluments which are earned by an employee while on duty or [3][on leave or on holidays with wages in either case] in accordance with the terms of the contract of employment and which are paid or payable in cash to him, but does not include—

(i) the cash value of any food concession;

(ii) any dearness allowance (that is to say, all cash payments by whatever name called paid to an employee on account of a rise in the cost of living), house-rent allowance, overtime allowance, bonus commission or any other similar allowance payable to the employee in respect of his employment or of work done in such employment;

(iii) any presents made by the employer;

(c) "contribution" means a contribution payable in respect of a member under a Scheme [4][or the contribution payable in respect of an employee to whom the Insurance Scheme applies];

(d) "controlled industry" means any industry the control of which by the Union has been declared by a Central Act to be expedient in the public interest;

[5][(*e*) "employer" means—

(i) in relation to an establishment which is a factory, the owner or occupier of the factory, including the agent of such owner or occupier, the legal representative of a deceased owner or occupier and, where a person has been named as a manager of the factory under clause (*f*) of sub-section (*1*) of section 7 of the Factories Act, 1948 (63 of 1948), the person so named; and

(ii) in relation to any other establishment, the person who, or the authority which, has the ultimate control over the affairs of the establishment, and where the said affairs are entrusted to a manager, managing director or managing agent, such manager, managing director or managing agent;]

(f) "employee" means any person who is employed for wages in any kind of work, manual or otherwise, in or in connection with the work of [6][an establishment], and who gets his wages directly or indirectly from the employer, [7][and includes any person—

(i) employed by or through a contractor in or in connection with the work of the establishment;

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1. Ins. by Act 22 of 1965, s. 2 (w.e.f. 24-11-1964).
2. Ins. by Act 33 of 1988, s. 3 (w.e.f. 1-8-1988).
3. Subs. by s. 3, *ibid*., for "on leave with wages" (w.e.f. 1-8-1988).
4. Ins. by Act 99 of 1976, s. 18 (w.e.f. 1-8-1976).
5. Subs. by Act 94 of 1956, s. 4, for clause (*e*).
6. Subs. by *ibid*., s. 3, for "a factory".
7. Subs. by Act 33 of 1988, s. 3, for "and includes any person employed by or through a contractor in or in connection with the work of the establishment" (w.e.f. 1-8-1988).

(ii) engaged as an apprentice, not being an apprentice engaged under the Apprentices Act, 1961 (52 of 1961), or under the standing orders of the establishment;]

[1][(*ff*) "exempted employee" means an employee to whom a Scheme [2][or the Insurance Scheme, as the case may be,] would, but for the exemption granted under[3]*** section 17, have applied;

(*fff*) "exempted [4][establishment]" means [5][an establishment] in respect of which an exemption has been granted under section 17 from the operation of all or any of the provisions of any Scheme [2][or the Insurance Scheme, as the case may be], whether such exemption has been granted to the [4][establishment] as such or to any person or class of persons employed therein;]

(g) "factory" means any premises, including the precincts thereof, in any part of which a manufacturing process is being carried on or is ordinarily so carried on, whether with the aid of power or without the aid of power;

[6]* * * * *

(h) "Fund" means the provident fund established under a Scheme;

(i) "industry" means any industry specified in Schedule I, and includes any other industry added to the Schedule by notification under section 4;

[2][(*ia*) "Insurance Fund" means the Deposit-linked Insurance Fund established under sub-section (*2*) of section 6C;

(*ib*) "Insurance Scheme" means the Employees" Deposit-linked Insurance Scheme framed under sub-section (*1*) of section 6C;]

[7][[8][(*ic*)] "manufacture" or "manufacturing process" means any process for making, altering, repairing, ornamenting, finishing, packing, oiling, washing, cleaning, breaking up, demolishing or otherwise treating or adapting any article or substance with a view to its use, sale, transport, delivery or disposal;]

(j) "member" means a member of the Fund;

(k) "occupier of a factory" means the person who has ultimate control over the affairs of the factory, and, where the said affairs are entrusted to a managing agent, such agent shall be deemed to be the occupier of the factory;

[9][(*kA*) "Pension Fund" means the Employees' Pension Fund established under sub-section (*2*) of section 6A;

(*kB*) "Pension Scheme" means the Employees' Pension Scheme framed under sub-section (*1*) of section 6A;]

[10][(*ka*) "prescribed" means prescribed by rules made under this Act;

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1. Ins. by Act 37 of 1953, s. 3.
2. Ins. by Act 99 of 1976, s. 18 (w.e.f. 1-8-1976).
3. The words, brackets and figure "sub-section (*1*) of" omitted by Act 28 of 1963, s. 2 (w.e.f. 30-11-1963).
4. Subs. by Act 94 of 1956, s. 3, for "factory".
5. Subs. by s. 3, *ibid*., for "a factory".
6. Omitted by Act 25 of 1996, s. 3 (w.e.f. 16-11-1995).
7. Subs. by Act 28 of 1963, s. 2, for clause (*ia*) (w.e.f. 30-11-1963).
8. Clause (*ia*) re-lettered as clause (*ic*) by Act 99 of 1976, s. 18 (w.e.f. 1-8-1976).
9. Ins. by Act 25 of 1996, s. 3 (w.e.f. 16-11-1995).
10. Ins. by Act 33 of 1988, s. 3 (w.e.f. 1-8-1988).

(*kb*) "Recovery Officer" means any officer of the Central Government, State Government or the Board of Trustees constituted under section 5A, who may be authorised by the Central Government, by notification in the Official Gazette, to exercise the powers of a Recovery Officer under this Act;]

[1][(*l*) "Scheme" means the Employees' Provident Fund Scheme framed under section 5.]

[2][(*ll*) "Superannuation", in relation to an employee, who is the member of the Pension Scheme means the attainment, by the said employee, of the age of fifty-eight years;]

[3][(*m*) "Tribunal" means the Industrial Tribunal referred to in section 7 D].

[4][**2A. Establishment to include all departments and branches.—**For the removal of doubts, it is hereby declared that where an establishment consists of different departments or has branches, whether situate in the same place or in different places, all such departments or branches shall be treated as parts of the same establishment.]

[5][**3. Power to apply Act to an establishment which has a common provident fund with another establishment**.—Where immediately before this Act becomes applicable to an establishment there is in existence a provident fund which is common to the employees employed in that establishment and employees in any other establishment, the Central Government may, by notification in Official Gazette, direct that the provisions of this Act shall also apply to such other establishment.]

4. Power to add to Schedule I.—(*1*) The Central Government may, by notification in the Official Gazette, add to Schedule I any other industry in respect of the employees whereof it is of opinion that a provident fund scheme should be framed under this Act, and thereupon the industry so added shall be deemed to be an industry specified in Schedule I for the purposes of this Act.

(*2*) All notifications under sub-section (*1*) shall be laid before Parliament, as soon as may be, after they are issued.

5. Employees' Provident Fund Schemes.—[6][(*1*)] The Central Government may, by notification in the Official Gazette, frame a Scheme to be called the Employees' Provident Fund Scheme for the establishment of provident funds under this Act for employees or for any class of employees and specify the [7][establishments] or class of [7][establishments] to which the said Scheme shall apply [8][and there shall be established, as soon as may be after the framing of the Scheme, a Fund in accordance with the provisions of this Act and the Scheme].

[9][(*1A*) The Fund shall vest in, and be administered by, the Central Board constituted under section 5A.

(*1B*) Subject to the provisions of this Act, a Scheme framed under sub-section (*1*) may provide for all or any of the matters specified in Schedule II.]

[10][(*2*) A Scheme framed under sub-section (*1*) may provide that any of its provisions shall take effect either prospectively or retrospectively on such date as may be specified in this behalf in the Scheme.]

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1. Subs. by Act 16 of 1971, s. 14, for clause (*l*) (w.e.f. 23-4-1971).
2. Ins. by Act 25 of 1996, s. 3 (w.e.f. 16-11-1995).
3. Ins. by Act 7 of 2017, s. 159 (w.e.f. 26-5-2017).
4. Ins. by Act 46 of 1960, s. 3 (w.e.f. 31-12-1960).
5. Subs. by Act 94 of 1956, s. 5, for section 3.
6. Section 5 re-numbered as sub-section (*1*) thereof by Act 37 of 1953, s. 4.
7. Subs. by Act 94 of 1956, s. 3, for "factories".
8. Added by Act 37 of 1953, s. 4.
9. Ins. by Act 28 of 1963, s. 3 (w.e.f. 30-11-1963).
10. Ins. by Act 37 of 1953, s. 4.

[1][**5A. Central Board**.—(*1*) The Central Government may, by notification in the Official Gazette, constitute, with effect from such date as may be specified therein, a Board of Trustees for the territories to which this Act extends (hereinafter in this Act referred to as the Central Board) consisting of the following [2][persons as members] namely:—

(a) [3][a Chairman and a Vice-Chairman] to be appointed by the Central Government;

[4][(*aa*) the Central Provident Fund Commissioner, *ex officio*;]

(b) not more than five persons appointed by the Central Government from amongst its officials;

(c) not more than fifteen persons representing Governments of such States as the Central Government may specify in this behalf, appointed by the Central Government;

(d) [5][ten persons] representing employers of the establishments to which the Scheme applies, appointed by the Central Government after consultation with such organisations of employers as may be recognised by the Central Government in this behalf; and

(e) [5][ten persons] representing employees in the establishments to which the Scheme applies, appointed by the Central Government after consultation with such organisations of employees as may be recognised by the Central Government in this behalf.

(2) The terms and conditions subject to which a member of the Central Board may be appointed and the time, place and procedure of the meetings of the Central Board shall be such as may be provided for in the Scheme.

(3) The Central Board shall [6][, subject to the provisions of section 6A [7][and section 6C]] administer the Fund vested in it in such manner as may be specified in the Scheme.

(4) The Central Board shall perform such other functions as it may be required to perform by or under any provisions of the Scheme [8][, the [9][Pension] Scheme and the Insurance Scheme].

[10][(*5*) The Central Board shall maintain proper accounts of its income and expenditure in such form and in such manner as the Central Government may, after consultation with the Comptroller and Auditor-General of India, specify in the Scheme.

(6) The accounts of the Central Board shall be audited annually by the Comptroller and Auditor-General of India and any expenditure incurred by him in connection with such audit shall be payable by the Central Board to the Comptroller and Auditor-General of India.

(7) The Comptroller and Auditor-General of India and any person appointed by him in connection with the audit of the accounts of the Central Board shall have the same rights and privileges and authority in connection with such audit as the Comptroller and Auditor-General has, in connection with the audit of Government accounts and, in particular, shall have the right to demand the production of books, accounts, connected vouchers, documents and papers and inspect any of the offices of the Central Board.

(8) The accounts of the Central Board as certified by the Comptroller and Auditor-General of India or any other person appointed by him in this behalf together with the audit report thereon shall be forwarded

1. Ins. by Act 28 of 1963, s. 4.
2. Subs. by Act 33 of 1988, s. 4, for "persons" (w.e.f. 1-8-1988).
3. Subs. by s. 4, *ibid*., for "a chairman" (w.e.f. 1-8-1988).
4. Ins. by s. 4, *ibid*. (w.e.f. 1-8-1988).
5. Subs. by s. 4, *ibid*., for "six persons" (w.e.f. 1-8-1988).
6. Ins. by Act 16 of 1971, s. 15 (w.e.f. 23-4-1971).
7. Ins. by Act 99 of 1976, s. 19 (w.e.f. 1-8-1976).
8. Subs. by s. 19, *ibid*., for "and the Family Pension Scheme" (w.e.f. 1-8-1976).
9. Subs. by Act 25 of 1996, s. 4, for "Family Pension" (w.e.f. 16-11-1995).
10. Ins. by Act 33 of 1988, s. 4 (w.e.f. 1-8-1988).

to the Central Board which shall forward the same to the Central Government along with its comments on the report of the Comptroller and Auditor-General.

(9) It shall be the duty of the Central Board to submit also to the Central Government an annual report of its work and activities and the Central Government shall cause a copy of the annual report, the audited accounts together with the report of the Comptroller and Auditor-General of India and the comments of the Central Board thereon to be laid before each House of Parliament.]

[1][**5AA. Executive Committee**.—(*1*) The Central Government may, by notification in the Official Gazette, constitute, with effect from such date as may be specified therein, an Executive Committee to assist the Central Board in the performance of its functions.

(2) The Executive Committee shall consist of the following persons as members, namely:—

(a) a Chairman appointed by the Central Government from amongst the members of the Central Board;

(b) two persons appointed by the Central Government from amongst the persons referred to in clause (*b*) of sub-section (*1*) of section 5A;

(c) three persons appointed by the Central Government from amongst the persons referred to in clause (*c*) of sub-section (*1*) of section 5A;

(d) three persons representing the employers elected by the Central Board from amongst the persons referred to in clause (*d*) of sub-section (*1*) of section 5A;

(e) three persons representing the employees elected by the Central Board from amongst the persons referred to in clause (*e*) of sub-section (*1*) of section 5A;

(f) the Central Provident Fund Commissioner, *ex officio*.

(3) The terms and conditions subject to which a member of the Central Board may be appointed or elected to the Executive Committee and the time, place and procedure of the meetings of the Executive Committee shall be such as may be provided for in the Scheme].

5B. State Board.—(*1*) The Central Government may, after consultation with the Government of any State, by notification in the Official Gazette, constitute for that State a Board of Trustees (hereinafter in this Act referred to as the State Board) in such manner as may be provided for in the Scheme.

(2) A State Board shall exercise such powers and perform such duties as the Central Government may assign to it from time to time.

(3) The terms and conditions subject to which a member of a State Board may be appointed and the time, place and procedure of the meetings of a State Board shall be such as may be provided for in the Scheme.

5C. Board of Trustees to body corporate.—Every Board of Trustees constituted under section 5A or section 5B shall be a body corporate under the name specified in the notification constituting it, having perpetual succession and a common seal and shall by the said name sue and be sued.

5D. Appointment of officers.—(*1*) The Central Government shall appoint a Central Provident Fund Commissioner who shall be the chief executive officer of the Central Board and shall be subject to the general control and superintendence of that Board.

(2) The Central Government may also appoint [2][a Financial Adviser and Chief Accounts Officers] to assist the Central Provident Fund Commissioner in the discharge of his duties.

1. Ins. by Act 33 of 1988, s. 5 (w.e.f. 1-8-1988).
2. Subs. by Act 33 of 1988, s. 6, for certain words (w.e.f. 1-8-1988).

(3) The Central Board may appoint [1][, subject to the maximum scale of pay, as may be specified in the Scheme, as many Additional Central Provident Fund Commissioners, Deputy Provident Fund Commissioners, Regional Provident Fund Commissioners, Assistant Provident Fund Commissioners and] such other officers and employees as it may consider necessary for the efficient administration of the Scheme [2][, the [3][Pension] Scheme and the Insurance Scheme].

(4) No appointment to [4][the post of the Central Provident Fund Commissioner or an Additional Central Provident Fund Commissioner or a Financial Adviser and Chief Accounts Officer or any other post under the Central Board carrying a scale of pay equivalent to the scale of pay of any Group 'A' or Group 'B' post under the Central Government] shall be made except after consultation with the Union Public Service Commission:

Provided that no such consultation shall be necessary in regard to any such appointment—

(a) for a period not exceeding one year; or

(b) if the person to be appointed is at the time of his appointment—

(i) a member of the Indian Administrative Service, or

(ii) in the service of the Central Government or a State Government or the Central Board in a [5][Group 'A' or Group 'B' post].

(5) A State Board may, with the approval of the State Government concerned, appoint such staff as it may consider necessary.

(6) The method of recruitment, salary and allowances, discipline and other conditions of service of the Central Provident Fund Commissioner, [6][and the Financial Adviser and Chief Accounts Officer] shall be such as may be specified by the Central Government and such salary and allowances shall be paid out of the Fund.

[7][(*7*) (*a*) The method of recruitment, salary and allowances, discipline and other conditions of service of the Additional Central Provident Fund Commissioner, Deputy Provident Fund Commissioner, Regional Provident Fund Commissioner, Assistant Provident Fund Commissioner and other officers and employees of the Central Board shall be such as may be specified by the Central Board in accordance with the rules and orders applicable to the officers and employees of the Central Government drawing corresponding scales of pay:

Provided that where the Central Board is of the opinion that it is necessary to make a departure from the said rules or orders in respect of any of the matters aforesaid, it shall obtain the prior approval of the Central Government.

(*b*) In determining the corresponding scales of pay of officers and employees under clause (*a*), the Central Board shall have regard to the educational qualifications, method of recruitment, duties and responsibilities of such officers and employees under the Central Government and in case of any doubt, the Central Board shall refer the matter to the Central Government whose decision thereon shall be final.]

1. Ins. by Act 33 of 1988, s. 6. (w.e.f. 1-8-1988).
2. Subs. by Act 99 of 1976, s. 20, for "and the Family Pension Scheme" (w.e.f. 1-8-1976).
3. Subs. by Act 25 of 1996, s. 4, for "Family Pension" (w.e.f. 16-11-1995).
4. Subs. by Act 33 of 1988, s. 6, for certain words (w.e.f. 1-8-1988).
5. Subs. by s. 6, *ibid*., for "Class I or Class II post" (w.e.f. 1-8-1988).
6. Subs. by s. 6, *ibid*., for ",Deputy Provident Fund Commissioner and Regional Provident Fund Commissioner" (w.e.f. 1-8-1988).
7. Subs. by s. 6, *ibid*., for sub-section (*7*) (w.e.f. 1-8-1988).

(*8*) The method of recruitment, salary and allowances, discipline and other conditions of service of officers and employees of a State Board shall be such as may be specified by that Board, with the approval of the State Government concerned.

[1][**5DD. Acts and proceedings of the Central Board or its Executive Committee or the State Board not to be in validated on certain grounds**.—No act done or proceeding taken by the Central Board or the Executive Committee constituted under section 5AA or the State Board shall be questioned on the ground merely of the existence of any vacancy in, or any defect in the constitution of, the Central Board or the Executive Committee or the State Board, as the case may be.]

5E. Delegation.—[2][The Central Board may delegate to the Executive Committee or to the Chairman of the Board or to any of its officers and a State Board may delegate to its Chairman or to any of its officers] subject to such conditions and limitations, if any, as it may specify, such of its powers and functions under this Act as it may deem necessary for the efficient administration of the Scheme [3][, the [4][Pension] Scheme and the Insurance Scheme].]

6. Contributions and matters which may be provided for in Schemes.—[5]*** The contribution which shall be paid by the employer to the Fund shall be [6][ten per cent.] of the basic wages, [7][dearness allowance and retaining allowance (if any)] for the time being payable to each of the employees [8][(whether employed by him directly or by or through a contractor)], and the employees' contribution shall be equal to the contribution payable by the employer in respect of him and may, [9][if any employee so desires, be an amount exceeding [6][ten per cent.]of his basic wages, dearness allowance and retaining allowance (if any), subject to the condition that the employer shall not be under an obligation to pay any contribution over and above his contribution payable under this section]:

[9][Provided that in its application to any establishment or class of establishments which the Central Government, after making such inquiry as it deems fit, may, by notification in the Official Gazette specify, this section shall be subject to the modification that for the words [6][ten per cent.], at both the places where they occur, the words [10][twelve per cent.]shall be substituted:]

Provided further that where the amount of any contribution payable under this Act involves a fraction of a rupee, the Scheme may provide for the rounding off of such fraction to the nearest rupee, half of a rupee or quarter of a rupee.

[11][*Explanation 1*].—For the purposes of this [12][section], dearness allowance shall be deemed to include also the cash value of any food concession allowed to the employee.

[13][*Explanation 2*.—For the purposes of this [12][section], "retaining allowance" means an allowance payable for the time being to an employee of any factory or other establishment during any period in which the establishment is not working, for retaining his services.]

[14]* * * * *

1. Ins. by Act 33 of 1988, s. 7. (w.e.f. 1-8-1988).
2. Subs. by s. 8, *ibid*., for certain words (w.e.f. 1-8-1988).
3. Subs. by Act 99 of 1976, s. 20, for "and the Family Pension Scheme" (w.e.f. 1-8-1976).
4. Subs. by Act 25 of 1996, s. 4, for "Family Pension" (w.e.f. 16-11-1995).
5. The brackets and figure "(*1*)" omitted by Act 28 of 1963, s. 5 (w.e.f. 30-11-1963).
6. Subs. by Act 10 of 1998, s. 2, for "eight and one-third per cent." (w.e.f. 22-9-1997).
7. Subs. by Act 46 of 1960, s. 4, for "and the dearness allowance" (w.e.f. 31-12-1960).
8. Ins. by Act 28 of 1963, s. 5 (w.e.f. 30-11-1963).
9. Subs. by Act 33 of 1988, s. 9, for certain words (w.e.f. 1-8-1988).
10. Subs. by Act 10 of 1998, s. 2, for "ten per cent." (w.e.f. 22-9-1997).
11. The *Explanation* re-numbered as *Explanation*1 by Act 46 of 1960, s. 4 (w.e.f. 31-12-1960).
12. Subs. by Act 28 of 1963, s. 5, for "sub-section" (w.e.f. 30-11-1963).
13. The *Explanation* ins. by Act 46 of 1960, s. 4 (w.e.f. 31-12-1960).
14. Omitted by Act 28 of 1963, s. 5 (w.e.f. 30-11-1963).

[1][**6A. Employees' Pension Scheme**.—(*1*) The Central Government may, by notification in the Official Gazette, frame a scheme to be called the Employees' Pension Scheme for the purpose of providing for—

(a) superannuation pension, retiring pension or permanent total disablement pension to the employees of any establishment or class of establishments to which this Act applies; and

(b) widow or widower's pension, children pension or orphan pension payable to the beneficiaries of such employees.

(2) Notwithstanding anything contained in section 6, there shall be established, as soon as may be after framing of the Pension Scheme, a Pension Fund into which there shall be paid, from time to time, in respect of every employee who is a member of the Pension Scheme,—

(a) such sums from the employer's contribution under section 6, not exceeding eight and one-third per cent. of the basic wages, dearness allowance and retaining allowance, if any, of the concerned employees, as may be specified in the Pension Scheme;

(b) such sums as are payable by the employers of exempted establishments under sub-section (*6*) of section 17;

(c) the net assets of the Employees' Family Pension Fund as on the date of the establishment of the Pension Fund;

(d) such sums as the Central Government may, after due appropriation by Parliament by law in this behalf, specify.

(3) On the establishment of the Pension Fund, the Family Pension Scheme (hereinafter referred to as the ceased scheme) shall cease to operate and all assets of the ceased scheme shall vest in and shall stand transferred to, and all liabilities under the ceased scheme shall be enforceable against, the Pension Fund and the beneficiaries under the ceased scheme shall be entitled to draw the benefits, not less than the benefits they were entitled to under the ceased scheme, from the Pension Fund.

(4) The Pension Fund shall vest in and be administered by the Central Board in such manner as may be specified in the Pension Scheme.

(5) Subject to the provisions of this Act, the Pension Scheme may provide for all or any of the matters specified in Schedule III.

(6) The Pension Scheme may provide that all or any of its provisions shall take effect either prospectively or retrospectively on such date as may be specified in that behalf in that Scheme.

(7) A Pension Scheme, framed under sub-section (*1*), shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the scheme or both Houses agree that the scheme should not be made, the scheme shall thereafter have effect only in such modified form or be of no effect, as the may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that Scheme.]

[2][**6C. Employees' Deposit linked Insurance Scheme**.—(*1*) The Central Government may, by notification in the Official Gazette, frame a scheme to be called the Employees' Deposit-linked Insurance Scheme for the purpose of providing life insurance benefits to the employees of any establishment or class of establishments to which this Act applies.

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1. Subs. by Act 25 of 1996, s. 5, for sections 6A and 6B (w.e.f. 16-11-1995).
2. Ins. by Act 99 of 1976, s. 21 (w.e.f. 1-8-1976).

(*2*) There shall be established, as soon as may be after the framing of the Insurance Scheme, a Deposit-linked Insurance Fund into which shall be paid by the employer from time to time in respect of every such employee in relation to whom he is the employer, such amount, not being more than one per cent. of the aggregate of the basic wages, dearness allowance and retaining allowance (if any) for the time being payable in relation to such employee as the Central Government may, by notification in the Official Gazette, specify.

Explanation.—For the purposes of this sub-section, the expressions "dearness allowance" and "relating allowance" have the same meanings as in section 6.

[1]* * * * *

(4) (*a*) The employer shall pay into the Insurance Fund such further sums of money, not exceeding one-fourth of the contribution which he is required to make under sub-section (*2*), as the Central Government may, from time to time, determine to meet all the expenses in connection with the administration of the Insurance Scheme other than the expenses towards the cost of any benefits provided by or under that scheme.

[1]* * * * *

(5) The Insurance Fund shall vest in the Central Board and be administered by it in such manner as may be specified in the Insurance Scheme.

(6) The Insurance Scheme may provide for all or any of the matters specified in Schedule IV.

(7) The Insurance Scheme may provide that any of its provisions shall take effect either prospectively or retrospectively on such date as may be specified in this behalf in that Scheme.]

[2][**6D. Laying of schemes before Parliament**.—Every scheme framed under section 5, section 6A and section 6C shall be laid, as soon as may be after it is framed, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the scheme, or both Houses agree that the scheme should not be framed, the scheme shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that scheme.]

7. Modification of scheme.—(*1*) The Central Government may, by notification in the Official Gazette, add to [3][amend or vary, either prospectively or retrospectively, the Scheme, the [4][Family Pension] Scheme or the Insurance Scheme, as the case may be].

[5][(*2*) Every notification issued under sub-section (*1*) shall be laid, as soon as may be after it is issued, before each House of Parliament, while it is in session, for a total period of thirty days, which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the notification, or both Houses agree that the notification should not be issued, the notification shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that notification.]

1. Omitted by Act 25 of 1996, s. 6 (w.e.f. 16-11-1995).
2. Ins. by Act 4 of 1986, s. 2 and Schedule (w.e.f. 15-5-1986).
3. Subs. by Act 99 of 1976, s. 22, for "amend or vary the Scheme or the Family Pension Scheme, as the case may be" (w.e.f. 1-8-1976).
4. Subs. by Act 25 of 1996, s. 4, for "Family Pension" (w.e.f. 16-11-1995).
5. Subs. by Act 4 of 1986, s. 2 and Schedule, for sub-section (*2*) (w.e.f. 15-5-1986).

[1][**7A. Determination of moneys due from employers**.—[2][(*1*) The Central Provident Fund Commissioner, any Additional Central Provident Fund Commissioner, any Deputy Provident Fund Commissioner, any Regional Provident Fund Commissioner, or any Assistant Provident Fund Commissioner may, by order,—

(a) in a case where a dispute arises regarding the applicability of this Act to an establishment, decide such dispute; and

(b) determine the amount due from any employer under any provision of this Act, the Scheme or the [3][Pension] Scheme or the Insurance Scheme, as the case may be,

and for any of the aforesaid purposes may conduct such inquiry as he may deem necessary];

(2) The officer conducting the inquiry under sub-section (*1*) shall, for the purposes of such inquiry, have the same powers as are vested in a court under the Code of Civil Procedure, 1908 (5 of 1908), for trying a suit in respect of the following matters, namely:—

(a) enforcing the attendance of any person or examining him on oath;

(b) requiring the discovery and production of documents;

(c) receiving evidence on affidavit;

(d) issuing commissions for the examination of witnesses;

and any such inquiry shall be deemed to be a judicial proceeding within the meaning of sections 193 and 228, and for the purpose of section 196, of the Indian Penal Code (45 of 1860).

(3) No order [4]*** shall be made under sub-section (*1*), unless [5][the employer concerned] is given a reasonable opportunity of representing his case.

[6][(*3A*) Where the employer, employee or any other person required to attend the inquiry under sub-section (*1*) fails to attend such inquiry without assigning any valid reason or fails to produce any document or to file any report or return when called upon to do so, the officer conducting the inquiry may decide the applicability of the Act or determine the amount due from any employer, as the case may be, on the basis of the evidence adduced during such inquiry and other documents available on record.]

[7][(*4*) Where an order under sub-section (*1*) is passed against an employer *ex parte*, he may, within three months from the date of communication of such order, apply to the officer for setting aside such order and if he satisfies the officer that the show cause notice was not duly served or that he was prevented by any sufficient cause from appearing when the inquiry was held, the officer shall make an order setting aside his earlier order and shall appoint a date for proceeding with the inquiry:

Provided that no such order shall be set aside merely on the ground that there has been an irregularity in the service of the show cause notice if the officer is satisfied that the employer had notice of the date of hearing and had sufficient time to appear before the officer.

Explanation.—Where an appeal has been preferred under this Act against an order passed *ex parte* and such appeal has been disposed of otherwise than on the ground that the appellant has withdrawn the appeal, no application shall lie under this sub-section for setting aside the *ex parte* order.

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1. Ins. by Act 28 of 1963, s. 6 (w.e.f. 30-11-1963).
2. Subs. by Act 33 of 1988, s. 10, for sub-section (*1*) (w.e.f. 1-8-1988).
3. Subs. by Act 25 of 1996, s. 4, for "Family Pension" (w.e.f. 16-11-1995).
4. The words "determining the amount due from employer" omitted by Act 33 of 1988, s. 10. (w.e.f. 1-8-1988).
5. Subs. by s. 10, *ibid*., for "the employer" (w.e.f. 1-8-1988).
6. Ins. by s. 10, *ibid*. (w.e.f. 1-8-1988).
7. Subs. by s. 10, *ibid*., for sub-section (*4*) (w.e.f. 1-8-1988).

(*5*) No order passed under this section shall be set aside on any application under sub-section (*4*) unless notice thereof has been served on the opposite party.]

[1][**7B. Review of orders passed under section 7A**.—(*1*) Any person aggrieved by an order made under sub-section (*1*) of section 7A, but from which no appeal has been preferred under this Act, and who, from the discovery of new and important matter or evidence which, after the exercise of due diligence was not within his knowledge or could not be produced by him at the time when the order was made, or on account of some mistake or error apparent on the face of the record or for any other sufficient reason, desires to obtain a review of such order may apply for a review of that order to the officer who passed the order:

Provided that such officer may also on his own motion review his order if he is satisfied that it is necessary so to do on any such ground.

(2) Every application for review under sub-section (*1*) shall be filed in such form and manner and within such time as may be specified in the Scheme.

(3) Where it appears to the officer receiving an application for review that there is no sufficient ground for a review, he shall reject the application.

(4) Where the officer is of opinion that the application for review should be granted, he shall grant the same:

Provided that,—

(a) no such application shall be granted without previous notice to all the parties before him to enable them to appear and be heard in support of the order in respect of which a review is applied for, and

(b) no such application shall be granted on the ground of discovery of new matter or evidence which the applicant alleges was not within his knowledge or could not be produced by him when the order was made, without proof of such allegation.

(5) No appeal shall lie against the order of the officer rejecting an application for review, but an appeal under this Act shall lie against an order passed under review as if the order passed under review were the original order passed by him under section 7A.

7C. Determination of escaped amount.—Where an order determining the amount due from an employer under section 7A or section 7B has been passed and if the officer who passed the order—

(a) has reason to believe that by reason of the omission or failure on the part of the employer to make any document or report available, or to disclose, fully and truly, all material facts necessary for determining the correct amount due from the employer, any amount so due from such employer for any period has escaped his notice;

(b) has, in consequence of information in his possession, reason to believe that any amount to be determined under section 7A or section 7B has escaped from his determination for any period notwithstanding that there has been no omission or failure as mentioned in clause (*a*) on the part of the employer,

he may, within a period of five years from the date of communication of the order passed under section 7A or section 7B, re-open the case and pass appropriate orders re-determining the amount due from the employer in accordance with the provisions of this Act:

Provided that no order re-determining the amount due from the employer shall be passed under this section unless the employer is given a reasonable opportunity of representing his case.

1. Ins. by Act 33 of 1988, s. 11(w.e.f. 1-7-1977).

[1][**7D. Tribunal**.—The Industrial Tribunal constituted by the Central Government under sub-section (*1*) of section 7A of the Industrial Disputes Act, 1947 shall, on and from the commencement of Part XIV of Chapter VI of the Finance Act, 2017, be the Tribunal for the purposes of this Act and the said Tribunal shall exercise the jurisdiction, powers and authority conferred on it by or under this Act.]

7E. [*Term of office*.]*Omitted by the Finance Act*, 2017 (7 *of* 2017), *s*. 159 (*w.e.f.* 26-5-2017).

7F. [*Resignation*.] *Omitted by s*. 159, *ibid.* (*w.e.f.* 26-5-2017).

7G. [*Salary and allowances and other terms and conditions of or service of Presiding Officer*.] *Omitted by s*. 159, *ibid.* (*w.e.f.* 26-5-2017).

7H. [*Staff of Tribunal***.]** *Omitted by s*. 159, *ibid.* (*w.e.f.* 26-5-2017).

7-I. Appeals to Tribunal.—(*1*) Any person aggrieved by a notification issued by the Central Government, or an order passed by the Central Government or any authority, under the proviso to sub-section (*3*), or sub-section (*4*), of section 1, or section 3, or sub-section (*1*) of section 7A, or section 7B

[except an order rejecting an application for review referred to in sub-section (*5*) thereof], or section 7C, or section 14B, may prefer an appeal to a Tribunal against such notification or order.

(*2*) Every appeal under sub-section (*1*) shall be filed in such form and manner, within such time and be accompanied by such fees, as may be prescribed.

7J. Procedure of Tribunals.—(*1*) A Tribunal shall have power to regulate its own procedure in all matters arising out of the exercise of its powers or of the discharge of its functions including the places at which the Tribunal shall have its sittings.

(*2*) A Tribunal shall, for the purpose of discharging its functions, have all the powers which are vested in the officers referred to in section 7A and any proceeding before the Tribunal shall be deemed to be a judicial proceeding within the meaning of sections 193 and 228, and for the purpose of section 196, of the Indian Penal Code (45 of 1860) and the Tribunal shall be deemed to be a civil court for the all purposes of section 195 and Chapter XXVI of the Code of Criminal Procedure, 1973 (2 of 1974).

7K. Right of appellant to take assistance of legal practitioner and of Government, etc., to appoint presenting officers.—(*1*) A person preferring an appeal to a Tribunal under this Act may either appear in person or take the assistance of a legal practitioner of his choice to present his case before the Tribunal.

(*2*) The Central Government or a State Government or any other authority under this Act may authorise one or more legal practitioners or any of its officers to act as presenting officers and every person so authorised may present the case with respect to any appeal before a Tribunal.

7L. Orders of Tribunal.—(*1*) A Tribunal may after giving the parties to the appeal, an opportunity of being heard, pass such orders thereon as it thinks fit, confirming, modifying or annulling the order appealed against or may refer the case back to the authority which passed such order with such directions as the Tribunal may think fit, for a fresh adjudication or order, as the case may be, after taking additional evidence, if necessary.

(2) A Tribunal may, at any time within five years from the date of its order, with a view to rectifying any mistake apparent from the record, amend any order passed by it under sub-section (*1*) and shall make such amendment in the order if the mistake is brought to its notice by the parties to the appeal:

Provided that an amendment which has the effect of enhancing the amount due from, or otherwise increasing the liability of, the employer shall not be made under this sub-section, unless the Tribunal has given notice to him of its intention to do so and has allowed him a reasonable opportunity of being heard.

1. Subs. by Act 7 of 2017, s. 159, for section 7D (w.e.f. 26-5-2017).

(3) A Tribunal shall send a copy of every order passed under this section to the parties to the appeal.

(4) Any order made by a Tribunal finally disposing of an appeal shall not be questioned in any court of law.

7M. **[***Filling up of vacancies.*] *Omitted by the Finance Act*, 2017 (7 *of* 2017), *s.* 159 (*w.e.f.* 26-5-2017).

7N. **[***Finality orders constituting a tribunal.*] *Omitted by s.* 159, *ibid*. (*w.e.f.* 26-5-2017).

7-O. Deposit of amount due, on filing appeal.—No appeal by the employer shall be entertained by a Tribunal unless he has deposited with it seventy-five per cent. of the amount due from him as determined by an officer referred to in section 7A:

Provided that the Tribunal may, for reasons to be recorded in writing, waive or reduce the amount to be deposited under this section.

7P. Transfer of certain applications to Tribunals.—All applications which are pending before the Central Government under section 19A before its repeal, shall stand transferred to a Tribunal exercising jurisdiction in respect of establishments in relation to which such applications had been made as if such applications were appeals preferred to the Tribunal.

7Q. Interest payable by the employer.—The employer shall be liable to pay simple interest at the rate of twelve per cent. per annum or at such higher rate as may be specified in the Scheme on any amount due from him under this Act from the date on which the amount has become so due till the date of its actual payment:

Provided that higher rate of interest specified in the Scheme shall not exceed the lending rate of interest charged by any scheduled bank.]

[1][**8. Mode of recovery of moneys due from employers**.—Any amount due—

(a) from the employer in relation to [2][an establishment] to which any [3][Scheme or the Insurance Scheme] applies in respect of any contribution payable to [4][the Fund or, as the case may be, the Insurance Fund], damages recoverable under section 14B, accumulations required to be transferred under sub-section (*2*) of section 15 [5][or under sub-section (*5*) of section 17] or any charges payable by him under any other provision of this Act or of any provision of the [3][Scheme or the Insurance Scheme]; or

(b) from the employer in relation to an exempted [6][establishment] in respect of any damages recoverable under section 14B or any charges payable by him to the appropriate Government under any provision of this Act or under any of the conditions specified [7][under section 17 or in respect of the contribution payable by him towards the [8][Pension] Scheme under the said section 17],

may,if the amount is in arrear, [9][be recovered [10][in the manner specified in sections 8B to 8G].]

[11][**8A. Recovery of moneys by employers and contractors**.—(*1*) [12][The amount of contribution (that is to say the employer's contribution as well as the employee's contribution in pursuance of any Scheme and the employer's contribution in pursuance of the Insurance Scheme)], and any charges [13]*** for meeting the cost of administering the Fund paid or payable by an employer in respect of an employee employed by or through a contractor may be recovered by such employer from the contractor, either by

1. Subs. by Act 37 of 1953, s. 6, for section 8.
2. Subs. by Act 94 of 1956, s. 3, for "a factory".
3. Subs. by Act 99 of 1976, s. 24, for "Scheme" (w.e.f. 1-8-1976).
4. Subs. by s. 24, *ibid*., for "the Fund" (w.e.f. 1-8-1976).
5. Ins. by Act 28 of 1963, s. 7 (w.e.f. 30-11-1963).
6. Subs. by Act 94 of 1956, s. 3, for "factory".
7. Subs. by Act 16 of 1971, s. 21, for "under section 17" (w.e.f. 23-4-1971).
8. Subs. by Act 25 of 1996, s. 4, for "Family Pension" (w.e.f. 16-11-1995).
9. Subs. by Act 40 of 1973, s. 2, for certain words (w.e.f. 1-11-1973).
10. Subs. by Act 33 of 1988, s. 12, for certain words (w.e.f. 1-7-1990).
11. Ins. by Act 28 of 1963, s. 8 (w.e.f. 30-11-1963).
12. Subs. by Act 99 of 1976, s. 25, for certain words (w.e.f. 1-8-1976).
13. The words "on the basis of such contribution" omitted by Act 33 of 1988, s. 13. (w.e.f. 1-8-1988).

deduction from any amount payable to the contractor, under any contract or as a debt payable by the contractor.

(2) A contractor from whom the amounts mentioned in sub-section (*1*) may be recovered in respect of any employee employed by or through him, may recover from such employee the employee's contribution [1][under any Scheme] by deduction from the basic wages, dearness allowance and retaining allowance (if any) payable to such employee.

(3) Notwithstanding any contract to the contrary, no contractor shall be entitled to deduct the employer's contribution or the charges referred to in sub-section (*1*) from the basic wages, dearness allowance, and retaining allowance (if any) payable to an employee employed by or through him or otherwise to recover such contribution or charges from such employee.

Explanation.—In this section, the expressions, "dearness allowance" and "retaining allowance" shall have the same meanings as in section 6.]

[2][**8B. Issue of certificate to the Recovery Officer**.—(*1*) Where any amount is in arrear under section 8, the authorised officer may issue, to the Recovery Officer, a certificate under his signature specifying the amount of arrears and the Recovery Officer, on receipt of such certificate, shall proceed to recover the amount specified therein from the establishment or, as the case may be, the employer by one or more of the modes mentioned below:—

(a) attachment and sale of the movable or immovable property of the establishment or, as the case may be, the employer;

(b) arrest of the employer and his detention in prison;

(c) appointing a receiver for the management of the movable or immovable properties of the establishment or, as the case may be, the employer:

Provided that the attachment and sale of any property under this section shall first be effected against the proportion of the establishment and where such attachment and sale is insufficient for recovering the whole of the amount of arrears specified in the certificate, the Recovery Officer may take such proceedings against the property of the employer for recovery of the whole or any part of such arrears.

(2) The authorised officer may issue a certificate under sub-section (*1*), notwithstanding that proceedings for recovery of the arrears by any other mode have been taken.

8C. Recovery Officer to whom certificate is to be forwarded.—(*1*) The authorised officer may forward the certificate referred to in section 8B to the Recovery Officer within whose jurisdiction the employer—

(a) carries on his business or profession or within whose jurisdiction the principal place of his establishment is situate; or

(b) resides or any movable or immovable property of the establishment or the employer is situate.

(2) Where an establishment or the employer has property within the jurisdiction of more than one Recovery Officers and the Recovery Officer to whom a certificate is sent by the authorised officer—

(a) is not able to recover the entire amount by the sale of the property, movable or immovable, within his jurisdiction; or

(b) is of the opinion that, for the purpose of expediting or securing the recovery of the whole or any part of the amount, it is necessary so to do,

1. Ins. by Act 99 of 1976, s. 25 (w.e.f. 1-8-1976).
2. Ins. by Act 33 of 1988, s. 14 (w.e.f. 1-7-1990).

he may send the certificate or, where only a part of the amount is to be recovered, a copy of the certificate certified in the prescribed manner and specifying the amount to be recovered to the Recovery Officer within whose jurisdiction the establishment or the employer has property or the employer resides, and thereupon that Recovery Officer shall also proceed to recover the amount due under this section as if the certificate or the copy thereof had been the certificate sent to him by the authorised officer.

8D. Validity of certificate and amendment thereof.—(*1*) When the authorised officer issues a certificate to a Recovery Officer under section 8B, it shall not be open to the employer to dispute before the Recovery Officer the correctness of the amount, and no objection to the certificate on any other ground shall also be entertained by the Recovery Officer.

(2) Notwithstanding the issue of a certificate to a Recovery Officer, the authorised officer shall have power to withdraw the certificate or correct any clerical or arithmetical mistake in the certificate by sending an intimation to the Recovery Officer.

(3) The authorised officer shall intimate to the Recovery Officer any order withdrawing or cancelling a certificate or any correction made by him under sub-section (*2*) or any amendment made under sub-section (*4*) of section 8E.

8E. Stay of proceedings under certificate and amendment or withdrawal thereof.—(*1*) Notwithstanding that a certificate has been issued to the Recovery Officer for the recovery of any amount, the authorised officer may grant time for the payment of the amount, and thereupon the Recovery Officer shall stay the proceedings until the expiry of the time so granted.

(2) Where a certificate for the recovery of amount has been issued, the authorised officer shall keep the Recovery Officer informed of any amount paid or time granted for payment, subsequent to the issue of such certificate.

(3) Where the order giving rise to a demand of amount for which a certificate for recovery has been issued has been modified in appeal or other proceeding under this Act, and, as a consequence thereof, the demand is reduced but the order is the subject-matter of a further proceeding under this Act, the authorised officer shall stay the recovery of such part of the amount of the certificate as pertains to the said reduction for the period for which the appeal or other proceeding remains pending.

(4) Where a certificate for the recovery of amount has been issued and subsequently the amount of the outstanding demand is reduced as a result of an appeal or other proceeding under this Act, the authorised officer shall, when the order which was the subject-matter of such appeal or other proceeding has become final and conclusive, amend the certificate or withdraw it, as the case may be.

8F. Other modes of recovery.—(*1*) Notwithstanding the issue of a certificate to the Recovery Officer under section 8B, the Central Provident Fund Commissioner or any other officer authorised by the Central Board may recover the amount by any one or more of the modes provided in this section.

(2) If any amount is due from any person to any employer who is in arrears, the Central Provident Fund Commissioner or any other officer authorised by the Central Board in this behalf may require such person to deduct from the said amount the arrears due from such employer under this Act and such person shall comply with any such requisition and shall pay the sum so deducted to the credit of the Central Provident Fund Commissioner or the officer so authorised, as the case may be:

Provided that nothing in this sub-section shall apply to any part of the amount exempt from attachment in execution of a decree of a civil court under section 60 of the Code of Civil Procedure, 1908 (5 of 1908).

(3) (*i*) The Central Provident Fund Commissioner or any other officer authorised by the Central Board in this behalf may, at any time or from time to time, by notice in writing, require any person from whom money is due or may become due to the employer or, as the case may be, the establishment or any person who holds or may subsequently hold money for or on account of the employer or as the case may be, the

establishment, to pay to the Central Provident Fund Commissioner either forthwith upon the money becoming due or being held or at or within the time specified in the notice (not being before the money becomes due or is held) so much of the money as is sufficient to pay the amount due from the employer in respect of arrears or the whole of the money when it is equal to or less than that amount.

(ii) A notice under this sub-section may be issued to any person who holds or may subsequently hold any money for or an account of the employer jointly with any other person and for the purposes of this sub-section, the shares of the joint-holders in such account shall be presumed, until the contrary is proved, to be equal.

(iii) A copy of the notice shall be forwarded to the employer at his last address known to the Central Provident Fund Commissioner or, as the case may be, the officer so authorised and in the case of a joint account to all the joint-holders at their last addresses known to the Central Provident Fund Commissioner or the officer so authorised.

(iv) Save as otherwise provided in this sub-section, every person to whom a notice is issued under this sub-section shall be bound to comply with such notice, and, in particular, where any such notice is issued to a post office, bank or an insurer, it shall not be necessary for any pass book, deposit receipt, policy or any other document to be produced for the purpose of any entry, endorsement or the like being made before payment is made notwithstanding any rule, practice or requirement to the contrary.

(v) Any claim respecting any property in relation to which a notice under this sub-section has been issued arising after the date of the notice shall be void as against any demand contained in the notice.

(vi) Where a person to whom a notice under this sub-section is sent objects to it by a statement on oath that the sum demanded or any part thereof is not due to the employer or that he does not hold any money for or on account of the employer, then, nothing contained in this sub-section shall be deemed to require such person to pay any such sum or part thereof, as the case may be, but if it is discovered that such statement was false in any material particular, such person shall be personally liable to the Central Provident Fund Commissioner or the officer so authorised to the extent of his own liability to the employer on the date of the notice, or to the extent of the employer's liability for any sum due under this Act, whichever is less.

(vii) The Central Provident Fund Commissioner or the officer so authorisedmay, at any time or from time to time, amend or revoke any notice issued under this sub-section or extend the time for making any payment in pursuance of such notice.

(viii) The Central Provident Fund Commissioner or the officer so authorised shall grant a receipt for any amount paid in compliance with a notice issued under this sub-section, and the person so paying shall be fully discharged from his liability to the employer to the extent of the amount so paid.

(ix) Any person discharging any liability to the employer after the receipt of a notice under this sub-section shall be personally liable to the Central Provident Fund Commissioner or the officer so authorised to the extent of his own liability to the employer so discharged or to the extent of the employer's liability for any sum due under this Act, whichever is less.

(x) If the person to whom a notice under this sub-section is sent fails to make payment in pursuance thereof to the Central Provident Fund Commissioner or the officer so authorised he shall be deemed to be an employer in default in respect of the amount specified in the notice and further proceedings may be taken against him for the realisation of the amount as if it were an arrear due from him, in the manner provided in sections 8B to 8E and the notice shall have the same effect as an attachment of a debt by the Recovery Officer in exercise of his powers under section 8B.

(4) The Central Provident Fund Commissioner or the officer authorised by the Central Board in this behalf may apply to the court in whose custody there is money belonging to the employer for payment to him of the entire amount of such money, or if it is more than the amount due, an amount sufficient to discharge the amount due.

(5) The Central Provident Fund Commissioner or any officer not below the rank of Assistant Provident Fund Commissioner may, if so authorised by the Central Government by general or special order, recover any arrears of amount due from an employer or, as the case may be, from the establishment

by distraint and sale of his or its movable property in the manner laid down in the Third Schedule to the Income- tax Act, 1961 (43 of 1961).

8G. Application of certain provisions of Income-tax Act.—The provisions of the Second and Third Schedules to the Income-tax Act, 1961 (43 of 1961) and the Income-tax (Certificate Proceedings) Rules, 1962, as in force from time to time, shall apply with necessary modifications as if the said provisions and the rules referred to the arrears of the amount mentioned in section 8 of this Act instead of to the income-tax:

Provided that any reference in the said provisions and the rules to the "assessee" shall be construed as a reference to an employer as defined in this Act.]

9. Fund to be recognised under Act 11 of 1922.—For the purposes of the Indian Income-tax Act, 1922, the Fund shall be deemed to be a recognised provident fund within the meaning of Chapter IXA of that Act:

[1][Provided that nothing contained in the said Chapter shall operate to render ineffective any provision of the Scheme (under which the Fund is established) which is repugnant to any of the provisions of that Chapter or of the rules made thereunder.]

10. Protection against attachment.—(*1*) The amount standing to the credit of any member in the Fund [2][or of any exempted employee in a provident fund] shall not in any way be capable of being assigned or charged and shall not be liable to attachment under any decree or order of any court in respect of any debt or liability incurred by the member [2][or the exempted employee], and neither the official assignee appointed under the Presidency-towns Insolvency Act, 1909 (3 of 1909), nor any receiver appointed under the Provincial Insolvency Act, 1920 (5 of 1920), shall be entitled to, or have any claim on, any such amount.

[3][(*2*) Any amount standing to the credit of a member in the Fund or of an exempted employee in a provident fund at the time of his death and payable to his nominee under the Scheme or the rules of the provident fund shall, subject to any deduction authorised by the said Scheme or rules, vest in the nominee and shall be free from any debt or other liability incurred by the deceased or the nominee before the death of the member of the exempted employee [4][and shall also not be liable to attachment under any decree or order of any court].

[5][(*3*) The provisions of sub-section (*1*) and sub-section (*2*) shall, so far as may be, apply in relation to the family pension or any other amount payable under the [6][Pension] Scheme [7][and also in relation to any amount payable under the Insurance Scheme] as they apply in relation to any amount payable out of the Fund.]

11. Priority of payment of contributions over other debts.—[8][(*1*)] [9][Where any employer is adjudicated insolvent or, being a company, an order for winding up is made, the amount due—

(a) from the employer in relation to [10][an establishment] to which any [11][Scheme or the Insurance Scheme] applies in respect of any contribution payable to the Fund [12][or, as the case may be, the Insurance Fund], damages recoverable under section 14B, accumulations required to be transferred

1. Ins. by Act 37 of 1953, s. 7.
2. Ins. by s. 8, *ibid*.
3. Subs. by s. 8, *ibid*., for sub-section (*2*).
4. Added by Act 33 of 1988, s. 15 (w.e.f. 1-8-1988).
5. Ins. by Act 16 of 1971, s. 22 (w.e.f. 23-4-1971).
6. Subs. by Act 25 of 1996, s. 4, for "Family Pension" (w.e.f.16-11-1995).
7. Ins. by Act 99 of 1976, s. 26 (w.e.f. 1-8-1976).
8. Section 11 re-numbered as sub-section (*1*) of that section by Act 40 of 1973, s. 3 (w.e.f. 1-11-1973).
9. Subs. by Act 37 of 1953, s. 9, for certain words.
10. Subs. by Act 94 of 1956, s. 3, for "a factory".
11. Subs. by Act 99 of 1976, s. 27, for "Scheme" (w.e.f. 1-8-1976).
12. Ins. by s. 27, *ibid*. (w.e.f. 1-8-1976).

under sub-section (*2*) of section 15 or any charges payable by him under any other provision of this Act or of any provision of the [1][Scheme or the Insurance Scheme]; or

(b) from the employer in relation to an exempted [2][establishment] in respect of any contribution to [3][the Provident Fund or any Insurance Fund] (in so far it relates to exempted employees), under the rules of [3][the Provident Fund or any Insurance Fund], [4][any contribution payable by him towards the Family Pension Fund under sub-section (*6*) of section 17,] damages recoverable under section 14B or any charges payable by him to the appropriate Government under any provision of this Act or under any of the conditions specified under section 17.

shall, where the liability thereof has accrued before the order of adjudication or winding up is made, be deemed to be included] among the debts which under section 49 of the Presidency-towns Insolvency Act, 1909 (3 of 1909), or under section 61 of the Provincial Insolvency Act, 1920 (5 of 1920), or under [5][section 530 of the Companies Act, 1956 (1 of 1956)], are to be paid in priority to all other debts in the distribution of the property of the insolvent or the assets of the company being wound up, as the case may be.

[6][*Explanation*.—In this sub-section and in section 17, "insurance fund" means any fund established by an employer under any scheme for providing benefits in the nature of life insurance to employees, whether linked to their deposits in provident fund or not, without payment by the employees of any separate contribution or premium in that behalf.]

[7][(*2*) Without prejudice to the provisions of sub-section (*1*), if any amount is due from an employer [8][whether in respect of the employee's contribution (deducted from the wages of the employee) or the employer's contribution], the amount so due shall be deemed to be the first charge on the assets of the establishment, and shall, notwithstanding anything contained in any other law for the time being in force, be paid in priority to all other debts.]

[9][**12. Employer not to reduce wages, etc**.—No employer in relation to [10][an establishment] to which any [11][Scheme or the Insurance Scheme] applies shall, by reason only of his liability for the payment of any contribution to [12][the Fund or the Insurance Fund] or any charges under this Act or the [11][Scheme or the Insurance Scheme], reduce, whether directly or indirectly, the wages of any employee to whom the [11][Scheme or the Insurance Scheme] applies or the total quantum of benefits in the nature of old age pension, gratuity [13][Provident Fund or Life Insurance] to which the employee is entitled under the terms of his employment, express or implied.]

13. Inspectors.—(*1*) The appropriate Government may, by notification in the Official Gazette, appoint such persons as it thinks fit to be Inspectors for the purposes of this Act [14][, the Scheme] [15][, the [16][Pension] Scheme or the Insurance Scheme], and may define their jurisdiction.

1. Subs. by Act 99 of 1976, s. 27, for "Scheme" (w.e.f. 1-8-1976).
2. Subs. by Act 94 of 1956, s. 3, for "Factory"
3. Subs. by Act 99 of 1976, s. 27, for "the provident fund" (w.e.f. 1-8-1976).
4. Ins. by Act 16 of 1971, s. 23 (w.e.f. 23-4-1971).
5. Subs. by Act 40 of 1973, s. 3, for certain words (w.e.f. 1-11-1973).
6. Ins. by Act 99 of 1976, s. 27 (w.e.f. 1-8-1976).
7. Ins. by Act 40 of 1973, s. 3 (w.e.f. 1-11-1973).
8. Subs. by Act 33 of 1988, s. 16, for certain words (w.e.f. 1-8-1988).
9. Subs. by Act 37 of 1953, s. 10, for section 12.
10. Subs. by Act 94 of 1956, s. 3, for "a factory".
11. Subs. by Act 99 of 1976, s. 28, for "Scheme" (w.e.f. 1-8-1976).
12 Subs. by s. 28, *ibid*., for "the Fund" (w.e.f. 1-8-1976).
13. Subs. by s. 28, *ibid*., "or provident Fund" (w.e.f. 1-8-1976).
14. Subs. by Act 16 of 1971, s. 24, for "or of any Scheme" (w.e.f. 23-4-1971).
15. Subs. by Act 90 of 1976, s. 29, for "or the Family Pension Scheme" (w.e.f. 1-8-1976).
16. Subs. by Act 25 of 1996, s. 4, for "Family Pension" (w.e.f. 16-11-1995).

(2) Any Inspector appointed under sub-section (*1*) may, for the purpose of inquiring into the correctness of any information furnished in connection with this Act or with any [1][Scheme or the Insurance Scheme] or for the purpose of ascertaining whether any of the provisions of this Act or of any [1][Scheme or the Insurance Scheme] have been complied with [2][in respect of [3][an establishment] to which any [1][Scheme or the Insurance Scheme] applies or for the purpose of ascertaining whether the provisions of this Act or any [1][Scheme or the Insurance Scheme] are applicable to any [4][establishment] to which the [1][Scheme or the Insurance Scheme] has not been applied or for the purpose of determining whether the conditions subject to which exemption was granted under section 17 are being complied with by the employer in relation to an exempted [4][establishment]]—

(a) require an employer [5][or any contractor from whom any amount is recoverable under section 8A] to furnish such information as he may consider necessary [6]***;

(b) at any reasonable time [7][and with such assistance, if any, as he may think fit, enter and search] any [4][establishment] or any premises connected therewith and require any one found in charge thereof to produce before him for examination any accounts, books, registers and other documents relating to the employment of persons or the payment of wages in the [4][establishment];

(c) examine, with respect to any matter relevant to any of the purposes aforesaid, the employer [5][or any contractor from whom any amount is recoverable under section 8A], his agent or servant or any other person found in charge of the [4][establishment] of any premises connected therewith or whom the Inspector has reasonable cause to believe to be or to have been, an employee in the [4][establishment];

[8][(*d*) make copies of, or take extracts from, any book, register or other document maintained in relation to the establishment and, where he has reason to believe that any offence under this Act has been committed by an employer, seize with such assistance as he may think fit, such book, register or other document or portions thereof as he may consider relevant in respect of that offence;]

(*e*) exercise such other powers as the [1][Scheme or the Insurance Scheme] may provide.

[9][(*2A*) Any Inspector appointed under sub-section (*1*) may, for the purpose of inquiring into the correctness of any information furnished in connection with the [10][Pension] Scheme or for the purpose of ascertaining whether any of the provisions of this Act or of the [10][Pension] Scheme have been complied with in respect of an establishment to which the [10][Pension] Scheme applies, exercise all or any of the powers conferred, on him under clause (*a*), clause (*b*), clause (*c*) or clause (*d*) of sub-section (*2*).]

[5][[11][(*2B*)] The provisions of the Code of Criminal Procedure, 1898 (5 of 1898) shall, so far as may be, apply to any search or seizure under sub-section (*2*), [12][or under sub-section (2A), as the case may be,] as they apply to any search or seizure made under the authority of a warrant issued under section 98 of the said Code (45 of 1960).]

[13]* * * * *

1. Subs. by Act 99 of 1976, s. 29, for "Scheme" (w.e.f. 1-8-1976).
2. Ins. by Act 37 of 1953, s. 11.
3. Subs b Act 94 of 1956, s. 3, for "a factory".
4. Subs. by s. 3, *ibid*., for "factory"
5. Ins. by Act 28 of 1963, s. 9 (w.e.f. 30-11-1963).
6. The words "in relation to the Scheme" omitted by Act 37 of 1953, s. 11.
7. Subs. by Act 28 of 1963, s. 9, for "enter" (w.e.f. 30-11-1963).
8. Subs. by s. 9, *ibid*., for clause (*d*) (w.e.f. 30-11-1963).
9. Ins. by Act 16 of 1971, s. 24.
10. Subs. by Act 25 of 1996, s. 4, for "Family Pension" (w.e.f. 16-11-1995).
11. Sub-section (*2A*) re-numbered as sub-section (*2B*) by s. 24, *ibid*. (w.e.f. 23-4-1971).
12. Ins. by s. 24, *ibid*. (w.e.f. 23-4-1971).
13. Omitted by Act 33 of 1988, s. 17 (w.e.f. 1-8-1988).

14. Penalties.—(*1*) Whoever, for the purpose of avoiding any payment to be made by himself under this Act [1][, the Scheme [2][, the [3][Pension] Scheme or the Insurance Scheme]] or of enabling any other person to avoid such payment, knowingly makes or causes to be made any false statement or false representation shall be punishable with imprisonment for a term which may extend to [4][one year, or with fine of five thousand rupees, or with both.]

[5][(*1A*) An employer who contravenes, or makes default in complying with, the provisions of section 6 or clause (*a*) of sub-section (*3*) of section 17 in so far as it relates to the payment of inspection charges, or paragraph 38 of the Scheme in so far as it relates to the payment of administrative charges, shall be punishable with imprisonment for a term which may extend to [6][three years] but—

(a) which shall not be less than [7][one year and a fine of ten thousand rupees] in case of default in payment of the employees' contribution which has been deducted by the employer from the employees' wages;

[8][(*b*) which shall not be less than six months and a fine of five thousand rupees, in any other case;]

[9]* * * * *

Provided that the court may, for any adequate and special reasons to be recorded in the judgment, impose a sentence of imprisonment for a lesser term [10]***.]

[11][(*1B*) An employer who contravenes, or makes default in complying with, the provisions of section 6C, or clause (*a*) of sub-section (*3A*) of section 17 in so far as it relates to the payment of inspection charges, shall be punishable with imprisonment for a term which may extend to [12][one year] but which shall not be less than [13][six months] and shall also be liable to fine which may extend to [14][five thousand rupees]:

Provided that the court may, for any adequate and special reasons to be recorded in the judgment, impose a sentence of imprisonment for a lesser term [15]***.

(*2*) [16][Subject to the provisions of this Act, the Scheme] [17][, the [3][Pension Scheme or the Insurance Scheme] may provide that any person who contravenes, or makes default in complying with, any of the provisions thereof shall be punishable with imprisonment for a term which may extend [4][one year, or with fine which may extend to four thousand rupees, or with both].

[18][(*2A*) Whoever contravenes or makes default in complying with any provision of this Act or of any condition subject to which exemption was granted under section 17 shall, if no other penalty is elsewhere

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1. Subs. by Act 16 of 1971, s. 25, for "or under any Scheme".
2. Subs. by Act 99 of 1976, s. 30, for "or the Family Pension Scheme" (w.e.f. 7-9-1976).
3. Subs. by Act 25 of 1996, s. 4, for "Family Pension" (w.e.f. 16-11-1995).
4. Subs. by Act 33 of 1988, s. 18, for "six months, or with fine which may extend to one thousand rupees, or with both" (w.e.f. 1-8-1988).
5. Ins. by Act 40 of 1973, s. 4 (w.e.f. 1-11-1973).
6. Subs. by Act 33 of 1988, s. 18, for "six months" (w.e.f. 1-8-1988).
7. Subs. by s. 18, *ibid*., for "three months" (w.e.f. 1-8-1988).
8. Subs. by Act 33 of 1988,s. 18 (w.e.f. 1-8-1988).
9. The words "and shall also be liable to fine which may extend to two thousand rupees" omitted by s. 18, *ibid*. (w.e.f. 1-8-1988).
10. The words "or of fine only in lieu of imprisonment" omitted by s. 18, *ibid*. (w.e.f. 1-8-1988).
11. Ins. by Act 99 of 1976, s. 30 (w.e.f. 7-9-1976).
12. Subs. by Act 33 of 1988, s. 18, for "six months" (w.e.f. 1-8-1988).
13. Subs. by s. 18, *ibid*., for "one month" (w.e.f. 1-8-1988).
14. Subs. by s. 18, *ibid*., for "two thousand rupees" (w.e.f. 1-8-1988).
15. The words "or of fine only in lieu of imprisonment" omitted by s. 18, *ibid*. (w.e.f. 1-8-1988).
16. Subs. by Act 40 of 1973, s. 4, for "the scheme" (w.e.f. 1-11-1973).
17. Subs. by Act 99 of 1976, s. 30, "or the family pension" (w.e.f. 7-9-1976).
18. Ins. by Act 37 of 1953, s. 12.

provided by or under this Act for such contravention or non-compliance, be punishable with imprisonment which may extend to [1][six months, but which shall not be less than one month, and shall also be liable to fine which may extend to five thousand rupees.]

[2]* * * * *

[3][**14A. Offences by companies**.—(*1*) If the person committing an offence under this Act [4][, the Scheme or [5][the [6][Pension] Scheme or the Insurance Scheme]] is a company, every person, who at the time the offence was committed was in charge of, and was responsible to, the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment, if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (*1*), where an offence under this Act [4][, the Scheme or [5][the [6][Pension] Scheme or the Insurance Scheme]] has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to, any neglect on the part of, any director or manager, secretary or other officer of the company, such director, manager, secretary or other officer shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation.—Forthe purposes of this section,—

(a) "company" means any body corporate and includes a firm and other association of individuals; and

(b) "director" in relation to a firm, means a partner in the firm.

[7][**14AA. Enhanced punishment in certain cases after previous conviction**.—Whoever, having been convicted by a Court of an offence punishable under this Act, the Scheme or [5][the [6][Pension] Scheme or the Insurance Scheme], commits the same offence shall be subject for every such subsequent offence to imprisonment for a term which may extend to [8][five years, but which shall not be less than two years, and shall also be liable to a fine of twenty-five thousand rupees].

14AB. Certain offences to be cognizable.—Notwithstanding anything contained in the Code of Criminal Procedure, 1898 (5 of 1898.) an offence relating to default in payment of contribution by the employer punishable under this Act shall be cognizable.

14AC. Cognizance and trial of offences.—(*1*) No court shall take cognizance of any offence punishable under this Act, the Scheme or [5][the [6][Pension] Scheme or the Insurance Scheme] except on a report in writing of the facts constituting such offence made with the previous sanction of the Central Provident Fund Commissioner or such other officer as may be authorised by the Central Government, by notification in the Official Gazette, in this behalf, by an Inspector appointed under section 13.

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1. Subs. by Act 33 of 1988, s. 18, for "six months, or with fine which may extend to one thousand rupees, or with both" (w.e.f. 1-8-1988).
2. Omitted by Act 40 of 1973, s. 4 (w.e.f. 1-11-1973).
3. Ins. by Act 37 of 1953, s. 13.
4. Subs. by Act 16 of 1971, s. 26, for "or the scheme made thereunder".
5. Subs. by Act 99 of 1976, s. 31, for "the family pension scheme" (w.e.f. 7-9-1976).
6. Subs. by Act 25 of 1996, s. 4, for "Family Pension" (w.e.f. 16-11-1995).
7. Ins. by Act 40 of 1973, s. 5.
8. Subs. by Act 33 of 1988, s. 19, for "one year but which shall not be less than three months and shall also be liable to fine which may extend to four thousand rupees" (w.e.f. 1-8-1988).

(*2*) No court inferior to that of a Presidency Magistrate or a Magistrate of the first class shall try any offence under this Act or the Scheme or [1][the [2][Pension] Scheme or the Insurance Scheme].

14B. Power to recover damages.—Where an employer makes default in the payment of any contribution to the Fund [3][, the [2][Pension] Fund or the Insurance Fund] or in the transfer of accumulations required to be transferred by him under sub-section (*2*) of section 15 [4][or sub-section (*5*) of section 17] or in the payment of any charges payable under any other provision of this Act or of [5][any Scheme or Insurance Scheme] or under any of the conditions specified under section 17, [6][the Central Provident Fund Commissioner or such other officer as may be authorised by the Central Government, by notification in the Official Gazette, in this behalf] may recover [7][from the employer by way of penalty such damages, not exceedingthe amount of arrears, as may be specified in the Scheme:]

[8][Provided that before levying and recovering such damages, the employer shall be given a reasonable opportunity of being heard]:

[9][Provided further that the Central Board may reduce or waive the damages levied under this section in relation to an establishment which is a sick industrial company and in respect of which a scheme for rehabilitation has been sanctioned by the Board for Industrial and Financial Reconstruction established under section 4 of the Sick Industrial Companies (Special Provisions) Act, 1985,subject to such terms and conditions as may be specified in the Scheme.]

[10][**14C. Power of court to make orders**.—(*1*) Where an employer is convicted of an offence of making default in the payment of any contribution to the Fund [11][,the [2][Pension]Fund or the Insurance Fund]] or in the transfer of accumulations required to be transferred by him under sub-section (*2*) of section 15 or sub-section (*5*) of section 17, the court may, in addition to awarding any punishment, by order in writing require him within a period specified in the order (which the court may, if it thinks fit and on application in that behalf, from time to time, extend), to pay the amount of contribution or transfer the accumulations, as the case may be, in respect of which the offence was committed.

(*2*) Where an order is made under sub-section (*1*), the employer shall not be liable under this Act in respect of the continuation of the offence during the period or extended period, if any, allowed by the court, but if, on the expiry of such period or extended period, as the case may be, the order of the court has not been fully complied with, the employer shall be deemed to have committed a further offence and shall be punished with imprisonment in respect thereof under section 14 and shall also be liable to pay fine which may extend to one hundred rupees for every day after such expiry on which the order has not been complied with.]

15. Special provisions relating to existing provident funds.—(*1*) [12][Subject to the provisions of section 17, every employee who is a subscriber to any provident fund of [13][an establishment] to which this

1. Subs. by Act 99 of 1976, s. 31, for "the family pension scheme" (w.e.f. 7-9-1976).
2. Subs. by Act 25 of 1996, s. 4, for "Family Pension" (w.e.f. 16-11-1995).
3. Subs. by Act 99 of 1976, s. 32, for "or the family pension fund" (w.e.f. 1-8-1976).
4. Ins. by Act 28 of 1963, s. 10 (w.e.f. 30-11-1963).
5. Subs. by Act 99 of 1976, s. 32, for "any scheme" (w.e.f. 1-8-1976).
6. Subs. by Act 40 of 1973, s. 6, for "the appropriate Government" (w.e.f. 1-11-1973).
7. Subs. by Act 33 of 1988, s. 20, for "from the employer such damages, not exceeding the amount of arrears as it may think fit to impose" (w.e.f. 1-9-1991).
8. Ins. by Act 40 of 1973, s. 6 (w.e.f. 1-11-1973).
9. Ins. by Act 33 of 1988, s. 20 (to be notified).
10. Ins. by Act 40 of 1973, s. 7 (w.e.f. 1-11-1973).
11. Subs. by Act 99 of 1976, s. 33, for "or the Family Pension Fund" (w.e.f. 1-8-1976).
12. Subs. by Act 37 of 1953, s. 14, for certain words.
13. Subs. by Act 94 of 1956, s. 3, for "a factory".

act applies shall, pending the application of a Scheme to] the [1][establishment] in which he is employed, continue to be entitled to the benefits accruing to him under the provident fund, and the provident fund shall continue to be maintained in the same manner and subject to the same conditions as it would have been if this Act had not been passed.

(*2*) [2][On the application of any Scheme to [3][an establishment], the accumulations in any provident fund of the [1][establishment] standing to the credit of the employees who become members of the Fund established under the Scheme] shall, notwithstanding anything to the contrary contained in any law for the time being in force or in any deed or other instrument establishing the provident fund but subject to the provisions, if any, contained in the Scheme, be transferred to the Fund established under the Scheme, and shall be credited to the accounts of the employees entitled thereto in the Fund.

16. Act not to apply to certain establishments.—[4][(*1*) This Act shall not apply—

(a) to any establishment registered under the Co-operative Societies Act, 1912 (2 of 1912), or under any other law for the time being in force in any State relating to co-operative societies, employing less than fifty persons and working without the aid of power; or

[5][(*b*) to any other establishment belonging to or under the control of the Central Government or a State Government and whose employees are entitled to the benefit of contributory provident fund or old age pension in accordance with any scheme or rule framed by the Central Government or the State Government governing such benefits; or

(*c*) to any other establishment set up under any Central, Provincial or State Act and whose employees are entitled to the benefits of contributory provident fund or old age pension in accordance with any scheme or rule framed under that Act governing such benefits; [6]***

[7]* * * * *

[8][(*2*) If the Central Government is of opinion that having regard to the financial position of any class of [9][establishments] or other circumstances of the case, it is necessary or expedient so to do, it may, by notification in the Official Gazette, and subject to such conditions as may be specified in the notification, exempt [10][whether prospectively or retrospectively] that class of [9][establishments] from the operation of this Act for such period as may be specified in the notification.]

[11][**16A. Authorising certain employers to maintain provident fund accounts**.—(*1*) The Central Government may, on an application made to it in this behalf by the employer and the majority of employees in relation to an establishment employing one hundred or more persons, authorise the employer, by an order in writing, to maintain a provident fund account in relation to the establishment, subject to such terms and conditions as may be specified in the Scheme:

Provided that no authorisation shall be made under this sub-section if the employer of such establishment had committed any default in the payment of provident fund contribution or had committed any other offence under this Act during the three years immediately preceding the date of such authorisation.

1. Subs. by Act 94 of 1956, s. 3, for "factory".
2. Subs. by Act 37 of 1953, s. 14, for certain words.
3. Subs. by Act 94 of 1956, s. 3, for "a factory".
4. Subs. by Act 46 of 1960, s. 5, for sub-section (*1*) (w.e.f. 31-12-1960).
5. Subs. by Act 33 of 1988, s. 21, for clause (*b*) (w.e.f. 1-8-1988).
6. The word "or" omitted by Act 10 of 1998, s. 5 (w.e.f. 22-9-1997).
7. Omitted by s. 5, *ibid*. (w.e.f. 22-9-1997).
8. Ins. by Act 37 of 1953, s. 15.
9. Subs. by Act 94 of 1956, s. 3, for "factories".
10. Ins. by Act 33 of 1988, s. 21 (w.e.f. 1-8-1988).
11. Section 16 A shall stand ins (date to be notified) by s. 22, *ibid*.

(2) Where an establishment is authorised to maintain a provident fund account under sub-section (*1*), the employer in relation to such establishment shall maintain such account, submit such return, deposit the contribution in such manner, provide for such facilities for inspection, pay such administrative charges, and abide by such other terms and conditions, as may be specified in the Scheme.

(3) Any authorisation made under this section may be cancelled by the Central Government by order in writing if the employer fails to comply with any of the terms and conditions of the authorisation or where he commits any offence under any provision of this Act:

Provided that before cancelling the authorisation, the Central Government shall give the employer a reasonable opportunity of being heard.]

[1][**17. Power to exempt**.—(*1*) The appropriate Government may, by notification in the Official Gazette and subject to such conditions as may be specified in the notification, [2][exempt, whether prospectively or retrospectively, from the operation] of all or any of the provisions of any Scheme—

(a) any [3][establishment] to which this Act applies if, in the opinion of the appropriate Government, the rules of its provident fund with respect to the rates of contribution are not less favourable than those specified in section 6 and the employees are also in enjoyment of other provident fund benefits which on the whole are not less favourable to the employees than the benefits provided under this Act or any Scheme in relation to the employees in any other [3][establishment] of a similar character; or

(b) and [3][establishment] if the employees of such [3][establishment] are in enjoyment of benefits in the nature of provident fund, pension or gratuity and the appropriate Government is of opinion that such benefits, separately or jointly, are on the whole not less favourable to such employees than the benefits provided under this Act or any Scheme in relation to employees in any other [3][establishment] of a similar character:

[4][Provided that no such exemption shall be made except after consultation with the Central Board which on such consultation shall forward its views on exemption to the appropriate Government within such time limit as may be specified in the Scheme.]

[5]* * * * *

[6][(*1A*) Where an exemption has been granted to an establishment under clause (*a*) of sub-section (*1*),—

(a) the provisions of sections 6, 7A, 8 and 14B shall, so far as may be, apply to the employer of the exempted establishment in addition to such other conditions as may be specified in the notification granting such exemption, and where such employer contravenes, or makes default in complying with any of the said provisions or conditions or any other provisions of this Act, he shall be punishable under section 14 as if the said establishment had not been exempted under the said clause (*a*);

(b) the employer shall establish a Board of Trustees for the administration of the provident fund consisting of such number of members as may be specified in the Scheme;

(c) the terms and conditions of service of members of the Board of Trustees shall be such as may be specified in the Scheme;

1. Subs. by Act 37 of 1953, s. 16, for section 17.
2. Subs. by Act 33 of 1988, s. 23, for certain words (w.e.f. 1-10-1988).
3. Subs. by Act 94 of 1956, s. 3, for "factory".
4. Added by Act 33 of 1988, s. 23 (w.e.f. 1-10-1988).
5. The *Explanation* omitted by Act 28 of 1963, s. 11 (w.e.f. 30-11-1963).
6. Subs. by Act 33 of 1988, s. 23, for sub-section (*IA*) (w.e.f. 1-10-1988).

(d) the Board of Trustees constituted under clause (*b*) shall—

(i) maintain detailed accounts to show the contributions credited, withdrawals made and interest accrued in respect of each employee;

(ii) submit such returns to the Regional Provident Fund Commissioner or any other officer as the Central Government may direct from time to time;

(iii) invest the provident fund monies in accordance with the directions issued by the Central Government from time to time;

(iv) transfer, where necessary, the provident fund account of any employee; and

(v) perform such other duties as may be specified in the Scheme.

(*1B*) Where the Board of Trustees established under clause (*b*) of sub-section (*1A*) contravenes, or makes default in complying with, any provisions of clause (*d*) of that sub-section, the Trustees of the said Board shall be deemed to have committed an offence under sub-section (*2A*) of section 14 and shall be punishable with the penalties provided in that sub-section.

[1][(*1C*)The appropriate Government may, by notification in the Official Gazette, and subject to the condition on the pattern of investment of pension fund and such other conditions as may be specified therein, exempt any establishment or class of establishments from the operation of the Pension Scheme if the employees of such establishment or class of establishments are either members of any other pension scheme or propose to be members of such pension scheme, where the pensionary benefits are at par or more favourable than the Pension Scheme under this Act.]]

(*2*) Any Scheme may make provision for exemption of any person or class of persons employed in any [2][establishment] to which the Scheme applies from the operation of all or any of the provisions of the Scheme, if such person or class of persons is entitled to benefits in the nature of provident fund, gratuity or old age pension and such benefits, separately or jointly, are on the whole not less favourable than the benefits provided under this Act or the Scheme:

Provided that no such exemption shall be granted in respect of a class of persons unless the appropriate Government is of opinion that the majority of persons constituting such class desire to continue to be entitled to such benefits.

[3][(*2A*) [4][The Central Provident Fund Commissioner may, if requested so to do by the employer, by notification in the Official Gazette, and subject to such conditions as may be specified in the notification, exempt, whether prospectively or retrospectively, any establishment from the operation of all or any of the provisions of the Insurance Scheme, if he is satisfied] that the employees of such establishment are, without making any separate contribution or payment of premium, in enjoyment of benefits in the nature of life insurance, whether linked to their deposits in provident fund or not, and such benefits are more favourable to such employees than the benefits admissible under the Insurance Scheme.

(*2B*) Without prejudice to the provisions of sub-section (*2A*), the Insurance Scheme may provide for the exemption of any person or class of persons employed in any establishment and covered by that Scheme from the operation of all or any of the provisions thereof, if the benefits in the nature of life insurance admissible to such person or class of persons are more favourable than the benefits provided under the Insurance Scheme.]

1. Subs. by Act 25 of 1996, s. 7, for sub-section (*IC*) (w.e.f. 16-11-1996).
2. Subs. by Act 94 of 1956, s. 3, for "factory".
3. Ins. by Act 99 of 1976, s. 34 (w.e.f. 1-8-1976).
4. Subs. by Act 33 of 1988, s. 23, for certain words (w.e.f. 1-10-1988).

[1][(*3*) Where in respect of any person or class of persons employed in an establishment an exemption is granted under this section from the operation of all or any of the provisions of any Scheme (whether such exemption has been granted to the establishment wherein such person or class of persons is employed or to the person or class of persons as such), the employer in relation to such establishment—

(a) shall, in relation to the provident fund, pension and gratuity to which any such person or class of persons is entitled, maintain such accounts, submit such returns, make such investment, provide for such facilities for inspection and pay such inspection charges, as the Central Government may direct;

(b) shall not, at any time after the exemption, without the leave of the Central Government, reduce the total quantum of benefits in the nature of pension, gratuity or provident fund to which any such person or class of persons was entitled at the time of the exemption; and

(c) shall, where any such person leaves his employment and obtains re-employment in another establishment to which this Act applies, transfer within such time as may be specified in this behalf by the Central Government, the amount of accumulations to the credit of that person in the provident fund of the establishment left by him to the credit of that person's account in the provident fund of the establishment in which he is re-employed or, as the case may be, in the Fund established under the Scheme applicable to the establishment.

[2][(*3A*) Where, in respect of any person or class of persons employed in any establishment, an exemption is granted under sub-section (*2A*) or sub-section (*2B*) from the operation of all or any of the provisions of the Insurance Scheme (whether such exemption is granted to the establishment wherein such person or class of persons is employed or to the person or class of persons as such), the employer in relation to such establishment—

(a) shall, in relation to the benefits in the nature of life insurance, to which any such person or class of persons is entitled, or any insurance fund, maintain such accounts, submit such returns, make such investments, provide for such facilities for inspection and pay such inspection charges, as the Central Government may direct;

(b) shall not, at any time after the exemption without the leave of the Central Government, reduce the total quantum of benefits in the nature of life insurance to which any such person or class of persons was entitled immediately before the date of the exemption;[3]***

[4]* * * * *

(4) Any exemption granted under this section may be cancelled by the authority which granted it, by order in writing, if an employer fails to comply,—

(a) in the case of an exemption granted under sub-section (*1*), with any of the conditions imposed under that sub-section [5][or sub-section (*1A*)] or with any of the provisions of sub-section (*3*); [6]***

[7][(*aa*) in the case of an exemption granted under sub-section [8][(*IC*)], with any of the conditions imposed under that sub-section; and]

(b) in the case of an exemption granted under sub-section (*2*), with any of the provisions of sub-section (*3*);

1. Subs. by Act 28 of 1963, s. 11, for sub-section (*3*) (w.e.f. 30-11-1963).
2. Ins. by Act 99 of 1976, s. 34 (w.e.f. 1-8-1976).
3. The word "and" omitted by Act 33 of 1988, s. 23 (w.e.f. 1-10-1988).
4. Omitted by s. 23, *ibid*. (w.e.f. 1-10-1988).
5. Ins. by Act 33 of 1988, s. 23 (w.e.f. 1-10-1988).
6. The word "and" omitted by Act 16 of 1971, s. 27 (w.e.f. 23-4-1971).
7. Ins. by s. 27, *ibid*. (w.e.f. 23-4-1971).
8. Subs. by Act 33 of 1988, s. 23, for "(*IA*)" (w.e.f. 1-10-1985).

[1][(*c*) in the case of an exemption granted under sub-section (*2A*), with any of the conditions imposed under that sub-section or with any of the provisions of sub-section (*3A*);

(d) in the case of an exemption granted under sub-section (*2B*), with any of the provisions of sub-section (*3A*).]

[2][(*5*) Where any exemption granted under sub-section (*1*), sub-section [3][(*IC*)] [4][, sub-section (*2*), sub-section (*2A*) or sub-section (*2B*)] is cancelled, the amount of accumulations to the credit of every employee to whom such exemption applied, in the provident fund [4][the [5][pension] fund or the insurance fund] of the establishment in which he is employed [6][together with any amount forfeited from the employer's share of contribution to the credit of the employee who leaves the employment before the completion of the full period of service] shall be transferred within such time and in such manner as may be specified in the Scheme or the [5][Pension] Scheme [4][or the Insurance Scheme] to the credit of his account in the Fund or the [5][Pension] Fund [4][or the Insurance Fund], as the case may be.

(*6*) Subject to the provisions of sub-section [3][(*IC*)] the employer of an exempted establishment or of an exempted employee of an establishment to which the provisions of the [5][Pension] Scheme apply, shall, notwithstanding any exemption granted under sub-section (*1*) or sub-section (*2*), pay to the [5][Pension] Fund such portion of the employer's contribution [7]*** to its provident fund within such time and in such manner as may be specified in the [5][Pension] Scheme.]]]

[8][**17A. Transfer of accounts**.—(*1*) Where an employee employed in an establishment to which this Act applies leaves his employment and obtains re-employment in another establishment to which this Act does not apply, the amount of accumulations to the credit of such employee in the Fund, or as the case may be, in the provident fund of the establishment left by him shall be transferred, within such time as may be specified by the Central Government in this behalf, to the credit of his account in the provident fund of the establishment in which he is re-employed, if the employee so desires and the rules in relation to that provident fund permit such transfer.

(*2*) Where an employee employed in an establishment to which this Act does not apply leaves his employment and obtains re-employment in another establishment to which this Act applies, the amount of accumulations to the credit of such employee in the provident fund of the establishment left by him may, if the employee so desires and the rules in relation to such provident fund permit, be transferred to the credit of his account in the Fund or as the case may be, in the provident fund of the establishment in which he is re-employed.]

[9][**17AA. Act to have effect notwithstanding anything contained in Act 31 of 1956**.—The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in the Life Insurance Corporation Act, 1956.]

[10][**17B. Liability in case of transfer of establishment**.—Where an employer, in relation to an establishment, transfers that establishment in whole or in part, by sale, gift, lease or licence or in any other manner whatsoever, the employer and the person to whom the establishment is so transferred shall jointly and severally be liable to pay the contribution and other sums due from the employer under any provision

1. Ins. by Act 99 of 1976, s. 34 (w.e.f. 1-8-1976).
2. Subs. by Act 16 of 1971, s. 27, for sub-section (*5*) (w.e.f. 23-4-1971).
3. Subs. by Act 33 of 1988, s. 23, for "(*IA*)" (w.e.f. 1-10-1985).
4. Subs. by Act 99 of 1976, s. 27, for certain words (w.e.f. 1-8-1976).
5. Subs. by Act 25 of 1996, s. 4, for "Family Pension" (w.e.f. 16-11-1995).
6. Ins. by Act 33 of 1988, s. 23 (w.e.f. 1-10-1988).
7. The words "as well as the employees' Contribution" omitted by Act 25 of 1996, s. 7 (w.e.f. 16-11-1995).
8. Ins. by Act 28 of 1963, s. 12 (w.e.f. 30-11-1963).
9. Ins. by Act 99 of 1976, s. 35 (w.e.f. 1-8-1976).
10. Ins. by Act 40 of 1973, s. 8 (w.e.f. 1-11-1973).

of this Act or the Scheme or [1][the [2][Pension] Scheme or the Insurance Scheme], as the case may be, in respect of the period up to the date of such transfer:

Provided that the liability of the transferee shall be limited to the value of the assets obtained by him by such transfer.]

[3][**18. Protection of action taken in good faith**.—No suit, prosecution or other legal proceeding shall lie against the Central Government, a State Government, the Presiding Officer of a Tribunal, any authority referred to in section 7A, an Inspector or any other person for anything which is in good faith done or intended to be done in pursuance of this Act, the Scheme, the [2][Pension] Scheme or the Insurance Scheme.

[4]**[18A. Authorities and inspector to be public servant**.—The authorities referred to in section 7A and every inspector shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code.]]

[5][**19. Delegation of powers**.—The appropriate Government may direct that any power or authority or jurisdiction exercisable by it under this Act [6][, the Scheme [7][, the [2][Pension] Scheme or the Insurance Scheme]] shall, in relation to such matters and subject to such conditions, if any, as may be specified in the direction, be exercisable also—

(a) where the appropriate Government is the Central Government, by such officer or authority subordinate to the Central Government or by the State Government or by such officer or authority subordinate to the State Government, as may be specified in the notification; and

(b) where the appropriate Government is a State Government, by such officer or authority subordinate to the State Government as may be specified in the notification.]

[8][**20. Power of Central Government to give directions**.—The Central Government may, from time to time, give such directions to the Central Board as it may think fit for the efficient administration of this Act and when any such direction is given, the Central Board shall comply with such direction.

21. Power to make rules.—(*1*) The Central Government may, by notification in the Official Gazette, make rules to carry out the provisions of this Act.

(2) Without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

[9][* * * * *];

(b) the form and the manner in which, and the time within which, an appeal shall be filed before a Tribunal and the fees payable for filing such appeal;

(c) the manner of certifying the copy of the certificate, to be forwarded to the Recovery Officer under sub-section (*2*) of section 8C; and

(d) any other matter, which has to be, or may be, prescribed by rules under this Act.

(3) Every rule made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one

1. Subs. by Act 99 of 1976, s. 31, for "the Family Pension Scheme" (w.e.f. 7-9-1976).
2. Subs. by Act 25 of 1996, s. 4, for "Family Pension" (w.e.f. 16-11-1995).
3. Subs. by Act 33 of 1988, s. 24, for section 18 (w.e.f. 1-8-1988).
4. Subs. by Act 7 of 2017, s. 159, for section 18A (w.e.f. 26-5-2017).
5. Subs. by Act 37 of 1953, s. 17, for section 19.
6. Subs. by Act 16 of 1971, s. 29, for "or any scheme".
7. Subs. by Act 99 of 1976, s. 37, for "or the family scheme".
8. Subs. by Act 33 of 1988, s. 25, for section 19A (w.e.f. 1-7-1997).
9. Clause (*a*) omitted by Act 7 of 2017, s. 159 (w.e.f. 26-5-2017).

session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

22. Power to remove difficulties.—(*1*) If any difficulty arises in giving effect to the provisions of this Act, as amended by the Employees' Provident Funds and Miscellaneous Provisions (Amendment) Act, 1988 (33 of 1988), the Central Government may, by order published in the Official Gazette, make such provisions, not inconsistent with the provisions of this Act as appear to it to be necessary or expedient for the removal of the difficulty:

Provided that no such order shall be made after the expiry of a period of three years from the date on which the said amendment Act receives the assent of the President.

(*2*) Every order made under this section shall, as soon as may be after it is made, be laid before each House of Parliament.]]

SCHEDULE I

[*See* sections 2(*i*) and 4]

Any industry engaged in the manufacture [1]*** of any of the following, namely:—

Cement.

Cigarettes.

Electrical, mechanical or general engineering products.

Iron and steel.

Paper.

Textiles (made wholly or in part of cotton or wool or jute or silk, whether natural or artificial).

[2][1. Matches.

2. Edible oils and fats.

3. Sugar.

4. Rubber and rubber products.

5. Electricity including the generation, transmission and distribution thereof.

6. Tea.

7. Printing [other than printing industry relating to newspaper establishments as defined in the Working Journalists (Conditions of Service) and Miscellaneous Provisions Act, 1955 (45 of 1955), including the process of composing types for printing, printing by letter press, lithography, photogravure or other similar process or book-binding.]

8. Glass.

9. Stone-ware pipes.

10. Sanitary wares.

11. Electrical porcelain insulators of high and low tension.

12. Refractories.

13. Tiles.]

[3][1. Heavy and fine chemicals, including—

(i) Fertilizers,

(ii) Turpentine,

(iii) Rosin,

(iv) Medical and pharmaceutical preparations,

(v) Toilet preparations,

(vi) Soaps,

(vii) Inks,

1. The words "or production" omitted by Act 37 of 1953, s. 18.
2. Added by Notification No. S.R.O. 1566, dated the 4th July, 1956, see Gazette of India, Part II, *sec*. 3 (w.e.f. 31-7-1956).
3. Added by Notification No. S.R.O. 2026, dated the 3rd September, 1956, see Gazette of India, Part II, *sec*. 3 (w.e.f. 30-9-1956).

(viii) Intermediates dyes, colour lakhs and toners,

(ix) Fatty acids, and

[1][(*x*) Oxygen, acetylene, and carbon-dioxide gases industry.]

2. Indigo.

3. Lac including shellac.

4. Non-edible vegetable and animal oils and fats.]

[2][Mineral oil refining industry.]

[3][(*i*) Industrial and Power Alcohol industry; and

(*ii*) Asbestos Cement Sheets industry.]

[4][Biscuit making industry including composite units making biscuits and products such as bread, confectionery and milk and milk powder.]

[5][Mica industry.]

[6][Plywood industry.]

[7][Automobile repairing and servicing industry.]

[8][1. Rice milling.

2. Flour milling.

3. Dal milling.]

[9][Starch industry.]

[10][1. Petroleum or natural gas exploration, prospecting, drilling or production.

2. Petroleum or natural gas refining.]

[11][Leather and leather products industry.]

[12][1. Stone-ware jars.

2. Crockery.]

[13][The fruit and vegetable preservation industry, that is to say, any industry which is engaged in the preparation or production of any of the following articles, namely:—

1. Added by Notification No. S.R.O. 1976, dated the 8th June, 1957, *see*Gazette of India, Part II, sec. 3 (w.e.f. 31-7-1957).
2. Added by Notification No. S.R.O. 218, dated the 12th January, 1957, *see* Gazette of India, Part II, sec. 3 (w.e.f. 31-1-1957).
3. Added by Notification No. S.R.O. 3067, dated the 19th September, 1957, *see* Gazette of India, Part II, sec. 3 (w.e.f. 30-11-1957).
4. Added by Notification No. G.S.R. 170, dated the 12th March, 1958, *see* Gazette of India, Part II, sec. 3 (w.e.f. 30-4-1958).
5. Added by Notification No. G.S.R. 312, dated the 5th March, 1960, *see* Gazette of India, Part II, sec. 3(i) (w.e.f. 31-5-1960).
6. Added by Notification No. G.S.R. 632, dated the 30th May, 1960, *see* Gazette of India, Part II, sec. 3(i) (w.e.f. 30-6-1960).
7. Added by Notification No. G.S.R. 683, dated the 9th May, 1960, *see* Gazette of India, Part II, sec. 3(i) (w.e.f. 30-6-1960).
8. Added by Notification No. G.S.R. 1443, dated the 24th November, 1960, *see* Gazette of India, Part II, sec. 3(i) (w.e.f. 31-12-1960).
9. Added by Notification No. G.S.R. 535, dated the 10th April, 1961, *see* Gazette of India, Part II, sec. 3(i) (w.e.f. 31-5-1961).
10. Added by Notification No. G.S.R. 705, dated the 30th May, 1961, *see* Gazette of India, Part II, sec. 3(i) (w.e.f. 30-6-1961).
11. Added by Notification No. G.S.R. 993, dated the 29th July, 1961, *see* Gazette of India, Part II, sec. 3(i) (w.e.f. 31-8-1961).
12. Added by Notification No. G.S.R. 1382, dated the 4th November, 1961, *see* Gazette of India, Part II, sec. 3(i) (w.e.f. 30-11-1961).
13. Added by Notification No. G.S.R. 786, dated the 6th June, 1962, *see* Gazette of India, Part II, sec. 3(i) (w.e.f. 30-6-1962) as amended by Notification No. G.S.R. 1461, dated the 29th August, 1963.

(i) canned and bottled fruits, juices and pulps,

(ii) canned and bottled vegetables,

(iii) frozen fruits and vegetables,

(iv) jams, jellies and marmalades,

(v) tomato products, ketchups and sauces,

(vi) squashes, crushes, cordials and ready-to-serve beverages or any other beverages containing fruits juice or fruit pulp,

(vii) preserved, candied andcrystallised fruits and peals,

(viii) chutneys,

(ix) any other unspecified item relating to the preservation or canning of fruits and vegetables.]

[1][Cashewnut Industry.]

[2][Confectionery Industry.]

[3][1. Buttons.

2. Brushes.

3. Plastic and Plastic products.

4. Stationery products.]

[4][The aerated water industry, that is to say, any industry engaged in the manufacture of aerated water, soft drinks or carbonated water.]

[5][The distilling and rectifying of spirits (not falling under industrial and power alcohol) and blending of spirits industry.]

[6][The Paint and Varnish Industry.]

[7][Bone Crushing Industry.]

[8][Pickers Industry.]

[9][Milk and milk products Industry.]

[10][Non-ferrous metals and alloys in the form of ingots industry.]

[11][Bread Industry.]

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1. Added by Notification No. G.S.R. 1125, dated the 18th August, 1962, *see* Gazette of India, Part II, sec. 3(i) (w.e.f 30-9-1962).
2. Added by Notification No. G.S.R. 424, dated the 28th February, 1963, *see* Gazette of India, Part II, sec. 3(i) (w.e.f. 31-3-1963).
3. Added by Notification No. G.S.R. 591, dated the 27th March, 1963, *see* Gazette of India, Part II, sec. 3(i) (w.e.f. 30-4-1963).
4. Added by Notification No. G.S.R. 1432, dated the 3rd August, 1963, *see* Gazette of India, Extraordinary Part II, sec. 3(i) (w.e.f. 31-8-1963).
5. Added by Notification No. G.S.R. 1605, dated the 26th September, 1963, *see* Gazette of India, Part II, sec. 3(i) (w.e.f. 31-10-1963).
6. Added by Notification No. G.S.R. 1983, dated the 21st December, 1963, see Gazette of India, Part II, sec. 3(i) (w.e.f. 31-1-1964).
7. Added by Notification No. G.S.R. 67, dated the 31st December, 1963, see Gazette of India, Part II, sec. 3(i) (w.e.f. 31-1-1964).
8. Added by Notification No. G.S.R. 822, dated the 22nd May, 1964, see Gazette of India, Part II, sec. 3(i) (w.e.f. 30-6-1964).
9. Added by Notification No. G.S.R. 1723, dated the 27th November, 1964, see Gazette of India, Part II, sec. 3(i) (w.e.f. 31-12-1964).
10. Added by Notification No. G.S.R. 1795, dated the 9th December, 1964, see Gazette of India, Part II, sec. 3(i) (w.e.f. 30-1-1965).
11. Added by Notification No. G.S.R. 402, dated the 2nd March, 1965, see Gazette of India, Part II, sec. 3(i) (w.e.f. 31-3-1965).

[1][Stemming or redrying of tobacco leaf industry, that is to say, any industry engaged in the stemming, redrying, handling, sorting, grading or packing of tobacco leaf].

[2][Agarbatee (including dhoop and dhoopbatee) industry.]

[3][Coir (excluding the spinning sector) Industry.]

[4][Tobacco industry, that is to say, any industry engaged in the manufacture of Cigars, Zarda, snuff, qivam and guraku from tobacco.]

[5][Paper products Industry.]

[6][Any industry engaged in manufacture of salt for which a licence is necessary and which has land not less than[7][4.05 hectares].

[8][Linoleum Industry and Indoleum Industry.]

[9][Explosive Industry.]

[10][Jute bailing or pressing Industry.]

[11][Fire works and percussion cap works Industry.]

[12][Tent making Industry.]

[13][Ferro-manganese Industry.]

[14][Ice of ice-cream Industry.]

[15][Winding of thread and yarn reeling Industry.]

[16][Cotton Ginning, Bailing and Pressing Industry.]

[17][Katha making Industry.]

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1. Added by Notification No. G.S.R. 768, dated the 18th May, 1965, *see* Gazette of India, Part II, sec. 3(i) (w.e.f. 30-6-1965).
2. Added by Notification No. G.S.R. 910, dated the 23rd June, 1965, *see* Gazette of India, Part II, sec. 3(i) (w.e.f. 31-7-1965).
3. Added by Notification No. G.S.R. 952, dated the 3rd July, 1965, *see* Gazette of India, Part II, sec. 3(i) (w.e.f. 30-9-1965).
4. Added by Notification No. G.S.R. 895, dated the 1st June, 1966, *see* Gazette of India, Part II, sec. 3(i) (w.e.f. 30-6-1966).
5. Added by Notification No. G.S.R. 1119, dated the 11th July, 1966, *see* Gazette of India, Part II, sec. 3(i) (w.e.f. 31-7-1966).
6. Added by Notification No. G.S.R. 1362, dated the 30th August, 1966, *see* Gazette of India, Part II, sec. 3(i) (w.e.f. 30-9-1966).
7. Subs. by Notification No. G.S.R. 1945, dated the 16th December, 1966, *see* Gazette of India, 1967, Part II, sec. 3(i) for "ten acres".
8. Added by Notification No. G.S.R. 437, dated the 27th March, 1967, *see* Gazette of India, 1966, Part II, sec. 3(i) (w.e.f. 30-4-1967).
9. Added by Notification No. G.S.R. 1019, dated the 1st July, 1967, *see* Gazette of India, 1967, Part II, sec. 3(i) (w.e.f. 31-7-1967).
10. Added by Notification No. G.S.R. 1226, dated the 5th August, 1967, *see* Gazette of India, 1967, Part II, sec. 3(i) (w.e.f. 31-8-1967).
11. Added by Notification No. G.S.R. 1530, dated the 5th October, 1967, *see* Gazette of India, Part II, sec. 3(i) (w.e.f. 31-10-1967).
12. Added by Notification No. G.S.R. 1716, dated the 3rd November, 1967, *see* Gazette of India, 1967, Part II, sec. 3(i) (w.e.f. 30-11-1967).
13. Added by Notification No. G.S.R. 1018, dated the 22nd April, 1969, *see* Gazette of India, 1969, Part II, sec. 3(i) (w.e.f. 30-4-1969).
14. Added by Notification No. G.S.R. 1506, dated the 11th June, 1969, *see* Gazette of India, 1969, Part II, sec. 3(i) (w.e.f. 30-6-1969).
15. Added by Notification No. G.S.R. 1988, dated the 22nd November, 1971, *see* Gazette of India, Part II, sec. 3(i) (w.e.f. 30-11-1971).
16. Added by Notification No. G.S.R. 1251, dated the 23rd September, 1972, *see* Gazette of India, 1972 Part II, sec. 3(i) (w.e.f. 30-9-1972).
17. Added by Notification No. G.S.R. 503, dated the 12th May, 1973, *see* Gazette of India, Part II, sec. 3(i) (w.e.f. 31-5-1973).

[1][Beer manufacturing Industry, that is to say, any industry engaged in the manufacture of the product of alcoholic fermentation of a mash in potable water of malted barley and hops, or of hops concentrated with or without the addition on other malted or unmalted cereals or other carbohydrate preparations.]

[2][Beedi industry.]

[3][Ferro Chrome Industry.]

[4][Diamond Cutting Industry.]

[5][Industries engaged in the manufacture of Myrobalan Extract Power, Myrobalan Extracts Solid and Vegetable Tanin Blended Extract.]

[6][Brick Industry.]

[7][Industries based on asbestos as principal raw material.

[8][*Exaplanation*.—In this Schedule, without prejudice to the ordinary meaning of the experssions used therein,—

(a) the expression "Electrical, mechanical or general engineering products" includes—

(1) machinery and equipment for the generation, transmission, distribution or measurement of electrical energy and motors including cables and wires,

(2) telephones, telegraph and wireless communication apparatus,

(3) electric lamps (not including glass bulbs).

(4) electric fans and electrical domestic appliances,

(5) Storage and dry batteries,

(6) radio receivers and sound reproducing instruments,

(7) machinery used in industry (including textile machinery) other than electrical machinery and machine tools,

(8) boilers and prime movers, including internal combustion engines, marine engines and locomotives,

(9) machine tools, that is to say, metal and wood working machinery,

(10) grinding wheels,

1. Added by Notification No. G.S.R. 428, dated the 15th April, 1974, *see* Gazette of India, Part II, sec. 3(i) (w.e.f. 30-4-1974).
2. Added by Notification No. G.S.R. 660, dated the 17th May, 1977, *see* Gazette of India, Part II, sec. 3(i) (w.e.f. 31-5-1977).
3. Added by Notification No. G.S.R. 938, dated the 25th June, 1979, *see* Gazette of India, Part II, sec. 3(i) (w.e.f. 31-7-1979).
4. Added by Notification No. G.S.R. 564, dated the 5th May, 1980, *see* Gazette of India, Part II, sec. 3(i) (w.e.f. 31-5-1980).
5. Added by Notification No. G.S.R. 613(E), dated the 30th October, 1980, *see* Gazette of India, Extraordinary, 1980, Part II, sec. 3(i)(w.e.f. 31-10-1980).
6. Added by Notification No. G.S.R. 662(E), dated the 27th November, 1980, *see* Gazette of India, 1980, Part II, sec. 3(i) (w.e.f. 30-11-1980).
7. Added by Notification No. S.O. 2459, dated the 29th May, 1983, *see* Gazette of India, 1980, Part II, sec. 3(ii) (w.e.f. 1-6-1983).
8. Ins. by Act 37 of 1953, s. 18.

(11) ships,

(12) automobiles and tractors,

(13) bolts, nuts and rivets,

(14) power driven pumps,

(15) bicycles,

(16) hurricane lanterns,

(17) sewing and knitting machines,

(18) mathematical and scientific instruments,

(19) products of metal rolling and re-rolling.

(20) wires, pipes, tubes and fittings,

(21) ferrous and non-ferrous castings,

(22) safes, vaults and furniture made of iron or steel or steel alloys.

(23) cutlery and surgical instruments,

(24) drums and containers,

(25) parts and accessories of products specified in items 1 to 24;

(b) the expression "Iron and Steel" includes pig iron, ingots, blooms, billets and rolled or re-rolled products into basic forms and toll and alloy steel;

(c) the expression "paper" includes pulp, paperboard and strawboard;

(d) the expression "textiles" includes the products of carding, spinning, weaving, finishing and dyeing yarn and fabrics, printing, knitting and embroidering.]

SCHEDULE II

[1][[*See* section 5(*1B*)]]

MATTERS FOR WHICH PROVISION MAY BE MADE IN A SCHEME

1. The employees or class of employees who shall join the Fund, and the conditions under which employees may be exempted from joining the Fund or from making any contribution.

2. The time and manner in which contributions shall be made to the Fund by employers and by, or on behalf of, employees [2][(whether employed by him directly or by or through a contractor)], the contributions which an employee may, if he so desires, make under [3]*** section 6, and the manner in which such contributions may be recovered.

[2][2A. The manner in which employees' contributions may be recovered by contractors from employees employed by or through such contractors.]

3. The payment by the employer of such sums of money as may be necessary to meet the cost of administering the Fund and the rate at which and the manner in which the payment shall be made.

[4][4. The constitution of any committee for assisting any Board of Trustees.

5. The opening of regional and other offices of any Board of Trustees.]

6. The manner in which accounts shall be kept, the investment of moneys belonging to the Fund in accordance with any directions issued or conditions specified by the Central Government, the preparation of the budget, the audit of accounts and the submission of reports to the Central Government or to any specified State Government.

7. The conditions under which withdrawals from the Fund may be permitted and any deduction or forfeiture may be made and the maximum amount of such deduction or forfeiture.

8. The fixation by the Central Government in consultation with the boards of trustees concerned of the rate of interest payable to members.

9. The form in which an employee shall furnish particulars about himself and his family whenever required.

10. The nomination of a person to receive the amount standing to the credit of a member after his death and the cancellation or variation of such nomination.

11. The registers and records to be maintained with respect to employees and the returns to be furnished by employers [5][or contractors].

12. The form or design of any identity card, token or disc for the purpose of identifying any employee, and for the issue, custody and replacement thereof.

13. The fees to be levied for any of the purposes specified in this Schedule.

14. The contraventions of defaults which shall be punishable under sub-section (*2*) of section 14.

15. The further powers, if any, which may be exercised by Inspectors.

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1. Subs. by Act 28 of 1963, s. 13, for "[*see* section 6(*2*)]" (w.e.f. 30-11-1963).
2. Ins. by s. 13, *ibid*. (w.e.f. 30-11-1963).
3. The words, brackets and figure "sub-section (*1*) of" omitted by s. 13, *ibid*. (w.e.f. 30-11-1963).
4. Subs. by s. 13, *ibid*., for items 4 and 5 (w.e.f. 30-11-1963).
5. Ins. by s. 13, *ibid*. (w.e.f. 30-11-1963).

16. The manner in which accumulations in any existing provident fund shall be transferred to the Fund under section 15, and the mode of valuation of any assets which may be transferred by the employers in this behalf.

17. The conditions under which a member may be permitted to pay premia on life insurance, from the Fund.

18. Any other matter [2][which is to be provided for in the Scheme or] which may be necessary or proper for the purpose of implementing the Scheme.

[1][SCHEDULE III

[*See* section 6A(*5*)]

MATTERS FOR WHICH PROVISION MAY BE MADE IN THE PENSION SCHEME

1. The employees or class of employees to whom the Pension Scheme shall apply.

2. The time within which the employees who are not members of the Family Pension Scheme under section 6A as it stood before the commencement of the Employees' Provident Funds and Miscellaneous Provisions (Amendment) Act, 1996 (hereafter in this Schedule referred to as the amending Act) shall opt for the Pension Scheme.

3. The portion of employers' contribution to the Provident Fund which shall be credited to the Pension Fund and the manner in which it is credited.

4. The minimum qualifying service for being eligible for pension and the manner in which the employees may be granted the benefits of their past service under section 6A as it stood before the commencement of the amending Act.

5. The regulation of the manner in which and the period of service for which no contribution is received.

6. The manner in which employees' interest will be protected against default in payment of contribution by the employer.

7. The manner in which the accounts of the Pension Fund shall be kept and investment of moneys belonging to Pension Fund to be made subject to such pattern of investment as may be determined by the Central Government.

8. The form in which an employee shall furnish particulars about himself and the members of his family whenever required.

9. The forms, registers and records to be maintained in respect of employees, required for the administration of the Pension Scheme.

10. The scale of pension and pensionary benefits and the conditions relating to grant of such benefits to the employees.

11. The manner in which the exempted establishments have to pay contribution towards the Pension Scheme and the submission of returns relating thereto.

12. The mode of disbursement of pension and arrangements to be entered into with such disbursing agencies as may be specified for the purpose.

13. The manner in which the expenses for administering the Pension Scheme will be met from the income of the Pension Fund.

14. Any other matter which is to be provided for in the Pension Scheme or which may be necessary or proper for the purpose of implementation of the Pension Scheme.]

1. Subs. by Act 25 of 1996, s. 8, for the Third Schedule(w.e.f. 16-11-1995).

[1][SCHEDULE IV

(*See* section 6C)

MATTERS TO BE PROVIDED FOR IN THE EMPLOYEES' DEPOSIT-LINKED INSURANCE SCHEME

1. The employees or class of employees who shall be covered by the Insurance Scheme.

2. The manner in which the accounts of the Insurance Fund shall be kept and the investment of moneys belonging to the Insurance Fund subject to such pattern of investment as may be determined, by order, by the Central Government.

3. The form in which an employee shall furnish particulars about himself and the members of his family whenever required.

4. The nomination of a person to receive the insurance amount due to the employee after his death and the cancellation or variation of such nomination.

5. The registers and records to be maintained in respect of employees; the form or design of any identity card, token or disc for the purpose of identifying any employee or his nominee or member of his family entitled to receive the insurance amount.

[2][6. The scales of insurance benefits and conditions relating to the grant of such benefits to the employees.]

8. The manner in which the amount due to the nominee or the member of the family of the employee under the scheme is to be paid including a provision that the amount shall not be paid otherwise than in the form of a deposit in a savings bank account, in the name of such nominee or member of family, in any corresponding new bank specified in the First Schedule to the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970 (5 of 1970).

9. Any other matter which is to be provided for in the Employees' Deposit-linked Insurance Scheme or which may be necessary or proper for the purpose of implementing that Scheme.]

1. Ins. by Act 99 of 1976, s. 38 (w.e.f. 1-8-1976).
2. Subs. by Act 33 of 1988, s. 26, for items 6 and 7 (w.e.f. 1-8-1988).

Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (Bare Act PDF + Executive Summary)

Introduction to the Employees Provident Funds Act, 1952 (Bare Act PDF)

The Employees Provident Funds Act, 1952 bare act PDF is one of the most significant social security laws in India. It was introduced with the central objective of providing financial protection to employees after retirement and during unexpected situations such as illness, disability, or loss of employment. Unlike gratuity, which is a one-time settlement at the end of service, the EPF system is built on continuous contributions that create a retirement corpus over time.

This Act marked a turning point in India's labour welfare policies. Before its enactment, retirement benefits for workers in the private sector were largely uncertain, dependent on employer discretion, or limited to select industries. The EPF Act created a uniform, statutory scheme that applied across industries and states, giving employees a right to long-term financial security. It also introduced the concept of shared responsibility between employer and employee, making retirement savings a joint effort.

The importance of this Act in India's social security framework can be seen in its broad application. Today, millions of workers across factories, shops, establishments, and industries rely on the EPF for their retirement savings. The scheme covers not only permanent employees but also contractual and temporary workers, as long as they fall within the definition of "employee" under the Act. By making it mandatory for establishments employing twenty or more persons to comply, the law ensures widespread coverage.

In practice, the working of the EPF can be understood through three simple features:

- **Contributions:** Both employer and employee contribute a fixed percentage of the employee's wages into the provident fund every month.
- **Accumulation:** These contributions earn interest, which accumulates year after year, creating a significant retirement corpus over time.
- **Withdrawals:** Employees can withdraw the accumulated amount upon retirement, resignation, or in certain permitted cases such as marriage, education, medical emergencies, or purchase of a home.

The Act is also supported by various schemes, such as the Employees' Pension Scheme and the Employees' Deposit Linked Insurance Scheme, which add to its role as a comprehensive social security measure. This multi-layered framework means that the EPF Act is not limited to savings alone but extends to pensions and insurance, creating a holistic approach to employee welfare.

For anyone studying or applying the law, the Employees Provident Funds Act, 1952 bare act PDF remains the primary reference. It contains the original statutory provisions as enacted by Parliament, along with subsequent amendments. By reading it alongside executive summaries, compliance guides, and judicial interpretations, employers and employees can fully understand their rights and responsibilities under the law.

Historical Background and Development of the Employees Provident Funds Act, 1952 (Bare Act PDF)

The Employees Provident Funds Act, 1952 bare act PDF was not created in isolation. It grew out of a larger movement to provide workers with financial security in India's rapidly industrialising economy. Before independence, retirement savings for employees in the private sector were minimal and scattered. Some progressive employers offered provident fund schemes voluntarily, but there was no uniform law to protect all workers.

The earliest step came with the Provident Fund Act of 1925, which applied to limited groups of workers in certain industries. While it was a beginning, it did not provide comprehensive coverage and left most employees without protection. The demand for a nationwide social security framework grew stronger in the 1940s, particularly after the International Labour Organization began emphasising retirement benefits as part of global labour standards.

Recognising this need, the Government of India introduced the Employees Provident Funds Ordinance in 1951, which was soon replaced by the Employees Provident Funds Act, 1952. This marked the first time that retirement savings were made compulsory for a large number of establishments in India. By requiring contributions from both employers and employees, the law ensured that the financial responsibility was shared, making the scheme sustainable and secure.

Key Milestones Highlighted in the EPF Act, 1952 Executive Summary PDF

The Employees Provident Funds Act 1952 executive summary PDF outlines the major stages in the law's development:

- **1925:** First Provident Fund Act applied only to certain establishments.
- **1951:** Introduction of the Employees Provident Funds Ordinance.
- **1952:** Enactment of the EPF Act, covering factories and establishments with 20 or more workers.
- **1971:** Introduction of the Family Pension Scheme, later replaced by the Employees' Pension Scheme, 1995.
- **1976:** Creation of the Employees' Deposit Linked Insurance Scheme, adding an insurance element.
- **1995 onwards:** Expansion of coverage and strengthening of compliance, making EPF one of the largest social security schemes in the world.

Historical Growth Explained in the Employees Provident Fund Act PDF Corrida Legal

The Employees Provident Fund Act PDF Corrida Legal explains how the Act expanded its scope over time. Initially, it was limited to a small set of industries. Over the decades, the Central Government used its powers under the Act to notify more industries, eventually covering almost all sectors of the economy. Amendments raised contribution rates, extended coverage to contract and casual workers, and strengthened penalties for defaulting employers.

This gradual evolution shows how the EPF Act has adapted to the changing labour market in India. What began as a law for industrial workers in large factories is today a law that protects employees in information technology firms, educational institutions, and service industries.

Growth of EPF Explained in the Gratuity Rules in India PDF Download

The gratuity rules in India PDF download, when compared with EPF, highlight how the two laws developed alongside each other. Gratuity provided a one-time payment at the end of service, while EPF created a lifelong savings mechanism. Together, they ensured that workers leaving service had both a lump-sum settlement and a retirement corpus. This dual framework became central to India's social security policy.

Lessons for Employers from the EPF Compliance Guide PDF

The Employees Provident Fund compliance guide PDF stresses that history has shaped compliance expectations. Early resistance from employers, who saw contributions as an added burden, gave way to acceptance as the law became firmly embedded in India's employment system. Today, non-compliance is seen not only as a legal violation but as a breach of corporate responsibility. Employers who understand the historical background appreciate why strict timelines, inspections, and penalties are in place, they exist to protect employees from past abuses and uncertainties.

Why the Historical Perspective Matters in the EPF Act 1952 Key Provisions Summary

The EPF Act 1952 key provisions summary highlights that understanding the history of the law is essential for applying it correctly today. Knowing that the Act was created to meet international labour standards, provide security to workers, and distribute responsibility between employers and employees helps stakeholders see it as more than just a statutory obligation. It is part of a larger story of India's commitment to social justice and worker protection.

Applicability and Coverage under the Employees Provident Funds Act, 1952 (Bare Act PDF)

The Employees Provident Funds Act, 1952 bare act PDF is designed to apply widely across industries to ensure that workers in different sectors enjoy a minimum level of retirement security. The central principle is that establishments employing a certain number of workers must compulsorily register and contribute to the provident fund. This ensures uniformity and prevents selective coverage based on employer discretion.

At the core, the Act applies to factories and other establishments where 20 or more persons are employed. The law also empowers the Central Government to extend its coverage to other classes of establishments by notification. Importantly, once an establishment is brought under the Act, it continues to be governed by it even if the number of employees later falls below the threshold. This prevents employers from evading liability by reducing workforce numbers temporarily.

Coverage Explained in the EPF Act, 1952 Executive Summary PDF

The Employees Provident Funds Act 1952 executive summary PDF notes that coverage is not limited to traditional factories but extends to shops, commercial establishments, and service providers. This wide applicability reflects the changing nature of India's workforce. Coverage includes:

- Factories engaged in any industry specified in Schedule I.
- Establishments employing twenty or more persons in any industry notified by the Central Government.
- Voluntary coverage if both employer and majority of employees agree, even if the workforce is below twenty.
- Contract labour and temporary workers, where the principal employer remains liable for contributions.

Applicability Clarified in the Employees Provident Fund Act PDF Corrida Legal

The Employees Provident Fund Act PDF Corrida Legal highlights practical aspects of applicability. Many employers mistakenly believe that contract workers engaged through an agency are excluded, but courts have consistently held that principal employers are responsible for ensuring contributions. Educational institutions, hospitals, and IT companies are also covered when they meet the employee threshold.

In practice, coverage rules mean that almost all medium and large establishments in India are now part of the EPF system. Even smaller employers often choose voluntary coverage to provide benefits to their staff and build trust.

Coverage Points from the EPF Rules in India PDF Download

The EPF rules in India PDF download sets out clear compliance points for applicability:

- Establishments employing 20 or more persons must register within one month of coming under coverage.
- Once covered, the establishment remains bound by the Act permanently.
- Separate branches of the same company are treated as one establishment for coverage purposes.
- The Act extends across India, including the Union Territories.

These rules close loopholes and ensure that employers cannot split establishments or manipulate workforce size to avoid obligations.

Compliance Duties under the EPF Compliance Guide PDF

The Employees Provident Fund compliance guide PDF provides employers with a roadmap on how to handle applicability. It recommends that employers:

- Assess headcount carefully to determine coverage at the earliest.
- Register with the Employees Provident Fund Organisation (EPFO) without delay.
- Include all eligible employees, whether permanent, temporary, or contractual.
- Keep payroll and employment records updated for inspections.

These steps ensure that compliance is proactive rather than reactive, reducing the risk of penalties.

Importance of Applicability in the EPF Act 1952 Key Provisions Summary

The EPF Act 1952 key provisions summary makes it clear that applicability rules are central to the functioning of the Act. By extending coverage beyond industrial workers to service and knowledge sectors, the law reflects modern employment realities. For employees, it provides assurance that their retirement savings are protected regardless of the type of establishment they work in. For employers, it signals that compliance is not optional but a continuing statutory duty.

Key Definitions and Concepts in the Employees Provident Funds Act, 1952 (Bare Act PDF)

The Employees Provident Funds Act, 1952 bare act PDF begins with a set of definitions that shape how the law is applied in practice. These definitions are not technicalities but determine who is entitled to provident fund benefits, what counts as wages, and who bears responsibility for compliance. For HR professionals, employers, and employees, clarity on these terms is critical because disputes often arise when they are misunderstood or misapplied.

At the heart of the Act are a few key definitions which frame its operation. The definition of “employee” is deliberately wide, covering not just those on permanent payroll but also contract and temporary workers. The term “employer” includes principal employers and heads of establishments, ensuring accountability cannot be avoided by outsourcing. “Wages” is another important term, as it forms the base for calculating contributions. Together, these concepts define the scope of rights and obligations under the EPF system.

Employee and Employer Defined in the EPF Act, 1952 Executive Summary PDF

The Employees Provident Funds Act 1952 executive summary PDF explains that:

- **Employee** means any person employed for wages in any kind of work, manual or clerical, skilled or unskilled, in connection with the work of an establishment. The definition includes those employed through contractors.
- **Employer** refers to the person with ultimate control over the affairs of the establishment. In a company, this is typically the managing director; in a factory, it is the occupier. For contract labour, the principal employer is responsible for contributions.

These wide definitions ensure that most categories of workers and all responsible authorities fall within the scope of the Act.

Wages and Allowances in the Employees Provident Fund Act PDF Corrida Legal

The Employees Provident Fund Act PDF Corrida Legal gives special importance to the definition of "basic wages." Basic wages include all emoluments earned by an employee while on duty or leave, but exclude specific items such as house rent allowance, overtime allowance, bonus, and commission. This definition has been the subject of much litigation, as employers often try to structure salaries to reduce provident fund liability. Courts have repeatedly held that allowances that are universally and ordinarily paid to employees should be included in wages for EPF purposes.

This interpretation ensures that contributions are calculated on a fair and realistic wage base rather than an artificially reduced figure.

Key Concepts from the EPF Rules in India PDF Download

The EPF rules in India PDF download provides practical guidance on how definitions operate in compliance:

- An employee remains covered until his or her wages exceed the statutory wage ceiling, though once covered, they may continue under the scheme.
- Apprentices engaged under the Apprentices Act, 1961, are excluded.
- Casual or daily wage employees are covered if they meet the definition of employee.
- "Exempted establishments" are those permitted to manage their own provident funds, subject to strict regulatory approval.

These rules help HR departments apply definitions correctly when onboarding employees or managing payroll.

Compliance Guidance in the EPF Compliance Guide PDF

The Employees Provident Fund compliance guide PDF stresses that definitions are the foundation of compliance. Employers must:

- Ensure all categories of employees are enrolled from day one.
- Calculate contributions on wages correctly, including all allowances that qualify under court rulings.
- Recognise that principal employers are responsible for contract workers' compliance.
- Maintain updated records to avoid penalties during inspections.

Misunderstanding these definitions is one of the most common causes of EPF disputes and penalties.

Importance of Definitions in the EPF Act 1952 Key Provisions Summary

The EPF Act 1952 key provisions summary underlines that definitions are not abstract legal terms but the starting point for enforcing rights and duties. Employees gain security when definitions are applied correctly, and employers avoid disputes when they follow the statutory meaning. By defining employee, employer, and wages in broad but clear terms, the Act ensures inclusivity and accountability in India's largest retirement savings system.

Schemes under the Employees Provident Funds Act, 1952 (Bare Act PDF)

The Employees Provident Funds Act, 1952 bare act PDF is not limited to creating a single provident fund. Instead, it establishes a broader framework of schemes that together form India's most important social security mechanism for employees. These schemes cover retirement savings, pension benefits, and life insurance, making the Act a comprehensive instrument of financial protection.

The Act empowers the Central Government to frame schemes for provident funds, pensions, and insurance. Over time, three major schemes have been introduced, each serving a different purpose. Together, they ensure that an employee not only saves for retirement but also receives a pension for life and an insurance cover for unforeseen death during service.

Provident Fund Scheme in the EPF Act, 1952 Executive Summary PDF

The Employees Provident Funds Act 1952 executive summary PDF explains the first and most central scheme: the Employees' Provident Fund Scheme, 1952. Under this scheme:

- Both employer and employee contribute a prescribed percentage of wages to the provident fund every month.
- Contributions earn interest, which is credited annually to employees' accounts.
- The accumulated balance, including interest, is payable at retirement, resignation, or death.
- Partial withdrawals are allowed for specific purposes such as marriage, education, medical treatment, and purchase of a house.

This scheme creates a secure retirement corpus for employees, which is one of the primary objectives of the Act.

Pension Scheme Explained in the Employees Provident Fund Act PDF Corrida Legal

The Employees Provident Fund Act PDF Corrida Legal highlights the Employees' Pension Scheme (EPS), introduced in 1995 to replace the earlier Family Pension Scheme. The pension scheme ensures that employees not only receive a lump-sum provident fund but also a lifelong pension.

Key features include:

- A portion of the employer's contribution is diverted to the pension fund.
- Employees completing ten years of eligible service are entitled to a pension on retirement.
- Widows, children, and nominees receive pension benefits in case of the employee's death.
- Early pension is available from the age of 50 with reduced benefits, while full pension starts at 58.

This scheme addresses the need for regular post-retirement income.

Insurance Scheme in the EPF Rules in India PDF Download

The EPF rules in India PDF download also explains the Employees' Deposit Linked Insurance Scheme (EDLI), introduced in 1976. This scheme provides life insurance benefits linked to the employee's service under the EPF.

Salient features of EDLI are:

- Provides an insurance cover to nominees or legal heirs in case of death of a member during service.
- No separate premium is payable by employees; contributions are made by employers.
- The insurance amount is linked to the average balance in the provident fund account, subject to prescribed ceilings.
- This ensures financial protection to families during the most difficult times.

Compliance with Schemes in the EPF Compliance Guide PDF

The Employees Provident Fund compliance guide PDF stresses that employers must ensure compliance with all three schemes:

- Deduct and deposit contributions promptly.
- File electronic returns and maintain individual account details.
- Keep nomination forms updated for provident fund, pension, and insurance benefits.
- Educate employees about the benefits and procedures for withdrawals or claims.

Failure to comply with even one scheme can result in penalties, recovery proceedings, and loss of benefits to employees.

Importance of Schemes in the EPF Act 1952 Key Provisions Summary

The EPF Act 1952 key provisions summary makes it clear that the three schemes together create a balanced system of security. The provident fund ensures long-term savings, the pension scheme provides monthly income in retirement, and the insurance scheme protects dependents against loss of life. By integrating these schemes, the Act covers the full cycle of employment and post-employment financial security.

Compliance Duties of Employers under the Employees Provident Funds Act, 1952 (Bare Act PDF)

The Employees Provident Funds Act, 1952 bare act PDF places significant compliance responsibilities on employers. Since the scheme is contributory in nature, the law ensures that employers not only deduct and deposit contributions but also maintain records, file returns, and cooperate with inspections. These duties are essential for safeguarding employees' rights and ensuring the smooth operation of India's largest social security framework.

The compliance burden is intentionally strict because past experience showed that voluntary schemes often failed due to poor record-keeping and non-payment by employers. By making compliance mandatory, the Act ensures that employees' savings are not left to the discretion of management but are secured by law.

Registration and Enrolment in the EPF Act, 1952 Executive Summary PDF

The Employees Provident Funds Act 1952 executive summary PDF explains that the first compliance duty of an employer is to register the establishment with the Employees' Provident Fund Organisation (EPFO). Once registered, employers must enrol all eligible employees from the first day of employment.

Employer obligations at this stage include:

- Submitting details of establishment and employees to the EPFO.
- Generating Universal Account Numbers (UAN) for employees.
- Ensuring that contract and temporary workers are also enrolled.
- Displaying notices regarding provident fund benefits at the workplace.

Contribution and Deposits in the Employees Provident Fund Act PDF Corrida Legal

The Employees Provident Fund Act PDF Corrida Legal details that employers must deduct employee contributions from wages and match them with equal employer contributions. These must be deposited with the EPFO within prescribed timelines, usually by the 15th of every month.

Compliance points include:

- Calculating contributions on basic wages, dearness allowance, and retaining allowance.
- Splitting employer contributions between provident fund, pension fund, and insurance.
- Avoiding artificial salary structuring to reduce contribution liability.
- Ensuring prompt deposits, as delays attract interest and damages.

Filing Returns and Records in the EPF Rules in India PDF Download

The EPF rules in India PDF download requires employers to maintain accurate records of wages, contributions, and membership details. They must also file electronic returns through the EPFO portal.

Key compliance requirements are:

- Monthly filing of Electronic Challan-cum-Return (ECR).
- Maintaining inspection registers and employee-wise contribution records.
- Submitting annual returns where required.
- Ensuring accuracy of data, as errors may delay employee benefits.

Inspections and Enforcement in the EPF Compliance Guide PDF

The Employees Provident Fund compliance guide PDF stresses that employers must cooperate fully with inspections and audits by EPFO officers. Inspectors have powers to demand records, verify accounts, and question management. Non-compliance may lead to penalties and even prosecution.

Employers are advised to:

- Keep payroll and wage registers up-to-date.
- Reconcile contribution records with bank deposits.
- Rectify errors promptly when pointed out by authorities.

- Treat inspections as part of routine compliance rather than an exceptional burden.

Why Employer Compliance Matters in the EPF Act 1952 Key Provisions Summary

The EPF Act 1952 key provisions summary highlights that compliance duties are not merely bureaucratic requirements but the foundation of employee welfare. Contributions, records, and returns ensure that employees receive their provident fund, pension, and insurance benefits without delay or dispute. Employers who treat compliance seriously not only avoid penalties but also build trust and goodwill among their workforce.

Enforcement, Penalties, and Dispute Resolution under the Employees Provident Funds Act, 1952 (Bare Act PDF)

The Employees Provident Funds Act, 1952 bare act PDF not only creates rights for employees but also establishes strict enforcement mechanisms to ensure compliance. The responsibility to enforce the Act rests primarily with the Employees' Provident Fund Organisation (EPFO), which has the authority to inspect establishments, recover dues, and penalise defaulters. These enforcement provisions are necessary because provident fund contributions represent employees' long-term savings, and any default can cause significant financial loss.

Employers who fail to comply face interest charges, damages, and even criminal prosecution in serious cases. At the same time, the Act provides avenues for resolving disputes through quasi-judicial bodies, so that both employers and employees can seek fair determination of issues without unnecessary litigation.

Enforcement Powers in the EPF Act, 1952 Executive Summary PDF

The Employees Provident Funds Act 1952 executive summary PDF highlights the enforcement powers of the EPFO:

- Inspectors can demand production of records, verify wage registers, and question management.
- Recovery officers have powers similar to those under the Income Tax Act to recover arrears, including attachment of bank accounts or property.
- Defaulting employers can be prosecuted in criminal courts for wilful non-payment.

These provisions underline the seriousness with which the law treats provident fund contributions.

Penalties Explained in the Employees Provident Fund Act PDF Corrida Legal

The Employees Provident Fund Act PDF Corrida Legal sets out specific penalties for different violations:

- **Late payment of contributions:** Attracts statutory interest.
- **Default in remittance:** Leads to additional damages ranging from 5% to 25% depending on the period of delay.
- **Failure to maintain records or submit returns:** Punishable with fines and prosecution.
- **Wilful default:** Can result in imprisonment of up to three years.

By prescribing both financial and criminal consequences, the Act ensures that compliance is taken seriously.

Recovery Procedures in the EPF Rules in India PDF Download

The EPF rules in India PDF download explains the recovery procedures in case of defaults:

- Dues may be recovered by attachment and sale of employer's movable or immovable property.
- Bank accounts can be frozen and balances appropriated towards dues.
- Recovery can also be made from third parties owing money to the defaulting employer.
- Disputes over the quantum of dues are decided by the EPF authorities, subject to appeal.

These recovery tools make the Act self-enforcing and reduce dependence on prolonged litigation.

Dispute Resolution in the EPF Compliance Guide PDF

The Employees Provident Fund compliance guide PDF notes that disputes often arise over applicability, calculation of wages, or exemption claims. To resolve such disputes, the Act provides for quasi-judicial determination by officers such as the Regional Provident Fund Commissioner. Appeals lie to the Employees' Provident Fund Appellate Tribunal, and further to the High Court on substantial questions of law.

Employers and employees benefit from this structured mechanism because:

- It provides specialised forums familiar with provident fund issues.
- It ensures quicker resolution compared to ordinary civil courts.
- It reduces uncertainty by offering authoritative rulings.

Importance of Enforcement in the EPF Act 1952 Key Provisions Summary

The EPF Act 1952 key provisions summary emphasises that enforcement is the backbone of the law. Without strict penalties and recovery mechanisms, the scheme would risk non-compliance, leaving employees vulnerable. By combining proactive inspections, financial penalties, and judicial forums, the Act ensures that provident fund contributions remain secure. For employers, it is a reminder that compliance is not optional; for employees, it is an assurance that their savings are protected by law.

Judicial Pronouncements on the Employees Provident Funds Act, 1952 (Bare Act PDF)

The Employees Provident Funds Act, 1952 bare act PDF has been the subject of frequent interpretation by the judiciary. While the statute provides the framework, many of its provisions have been clarified through judgments of the Supreme Court and High Courts. Courts have consistently upheld the pro-employee spirit of the Act, reinforcing that provident fund contributions are not a matter of contract but a statutory obligation that employers cannot evade.

Judicial decisions have shaped key aspects such as the definition of wages, liability of principal employers, coverage of contract workers, and the consequences of default. These rulings ensure that the Act is applied fairly while preventing employers from exploiting loopholes.

Landmark Rulings in the EPF Act, 1952 Executive Summary PDF

The Employees Provident Funds Act 1952 executive summary PDF highlights that the Supreme Court has repeatedly emphasised the welfare character of the Act. Important rulings include:

- *Bridge and Roof Co. v. Union of India* — Confirmed that the Act is a beneficial legislation and must be interpreted in favour of employees.
- *Daily Partap v. Regional Provident Fund Commissioner* — Held that contract and temporary workers are also covered under the definition of employee.

- *Regional Provident Fund Commissioner v. Hooghly Mills Co.* — Reiterated that principal employers are responsible for ensuring compliance for contract labour.

These rulings underline the judiciary's commitment to protecting workers' retirement savings.

Wages Dispute Clarified in the Employees Provident Fund Act PDF Corrida Legal

The Employees Provident Fund Act PDF Corrida Legal discusses the landmark case of *Manipal Academy of Higher Education v. Provident Fund Commissioner*. The Supreme Court held that allowances that are universally, necessarily, and ordinarily paid to employees must be included in the definition of basic wages. This judgment expanded the contribution base and prevented employers from artificially reducing their liability by excluding allowances.

Other rulings, such as *Surya Roshni Ltd. v. EPFO*, have reinforced this principle, leading to stricter scrutiny of salary structures by authorities.

Case Law in the EPF Rules in India PDF Download

The EPF rules in India PDF download refers to judicial pronouncements clarifying recovery and enforcement:

- Courts have upheld the power of EPFO officers to determine dues under Section 7A of the Act.
- High Courts have stressed that recovery proceedings cannot be stalled by filing writ petitions unless there is a clear case of violation of natural justice.
- The judiciary has emphasised that employees' savings cannot be compromised by procedural delays or employer defaults.

Judicial Insights in the EPF Compliance Guide PDF

The Employees Provident Fund compliance guide PDF explains that employers must align their practices with judicial rulings. Compliance lessons include:

- Structuring wages transparently to avoid disputes.
- Recognising contract workers as covered employees.
- Avoiding prolonged litigation, as courts generally rule in favour of employees in EPF matters.
- Treating provident fund contributions as a priority financial obligation.

Importance of Judicial Pronouncements in the EPF Act 1952 Key Provisions Summary

The EPF Act 1952 key provisions summary shows that judicial pronouncements are not just clarifications but essential components of the law. By resolving ambiguities, courts ensure that the Act evolves with changing employment patterns. For employees, these rulings strengthen protection; for employers, they provide authoritative guidance on compliance.

EPF Act vs Other Social Security Laws in India (Bare Act PDF)

The Employees Provident Funds Act, 1952 bare act PDF is part of a larger framework of labour welfare and social security laws in India. While the EPF Act focuses on creating long-term retirement savings through monthly contributions, other social security laws address different but complementary aspects such as gratuity, medical benefits, or insurance coverage. Understanding these distinctions helps employers maintain compliance across multiple statutes and allows employees to appreciate how different benefits work together to provide financial security.

Comparison with Gratuity in the EPF Act, 1952 Executive Summary PDF

The Employees Provident Funds Act 1952 executive summary PDF often compares EPF with the Payment of Gratuity Act, 1972.

- **EPF**: A contributory scheme where both employer and employee contribute regularly, creating a retirement corpus.
- **Gratuity**: A one-time lump sum paid by the employer at the end of service, requiring no employee contribution.
- **Complementary nature**: Together, they ensure employees receive both periodic savings and a final reward for service.

This shows how provident fund and gratuity operate as two pillars of India's social security system.

Contrast with ESI in the Employees Provident Fund Act PDF Corrida Legal

The Employees Provident Fund Act PDF Corrida Legal notes that the Employees' State Insurance Act, 1948 (ESI Act) has a different purpose.

- **EPF**: Focuses on retirement security and post-employment benefits.
- **ESI**: Provides medical benefits, sickness benefits, and maternity benefits during service.
- **Coverage**: EPF applies to establishments with 20 or more employees, while ESI generally covers employees earning wages up to a notified ceiling.

Both laws complement each other, EPF secures the future while ESI protects present health and welfare needs.

Integration with Labour Codes in the EPF Rules in India PDF Download

The EPF rules in India PDF download also discusses the future of EPF under the Code on Social Security, 2020. The Code seeks to consolidate multiple labour welfare laws, including the EPF Act, Gratuity Act, and ESI Act. The objective is to create a unified framework that simplifies compliance while continuing to protect workers' rights.

Key expected outcomes are:

- Single registration for multiple social security schemes.
- Coverage extended to gig workers and fixed-term employees.
- Streamlined enforcement and digital compliance systems.

Employer Perspective in the EPF Compliance Guide PDF

The Employees Provident Fund compliance guide PDF reminds employers that compliance with EPF does not reduce obligations under other laws. Employers must separately comply with gratuity, ESI, and bonus obligations. Together, these statutes create a holistic employee welfare framework, and failure under one cannot be offset by compliance with another.

Employers are advised to:

- Maintain integrated HR and payroll systems.

- Conduct joint audits for all labour law compliances.
- Communicate clearly to employees about different benefits available to them.

Broader Context in the EPF Act 1952 Key Provisions Summary

The EPF Act 1952 key provisions summary highlights that provident fund is only one part of India's evolving social security system. Employees rely on a combination of provident fund, gratuity, insurance, and health benefits to achieve financial stability. By comparing EPF with other social security laws, it becomes clear that no single law is sufficient on its own — they must be viewed together as a network of protections designed to safeguard the workforce.

Download Resources for the Employees Provident Funds Act, 1952 (Bare Act PDF)

The Employees Provident Funds Act, 1952 bare act PDF is most useful when supported by well-structured resources that simplify its practical application. For students, employers, HR professionals, and compliance officers, access to reliable downloads saves time and ensures accuracy. Corrida Legal makes these resources available in multiple formats so that users can move beyond statutory text and apply the law effectively in their workplace or studies.

Employees Provident Funds Act, 1952 Executive Summary PDF

The Employees Provident Funds Act 1952 executive summary PDF condenses the statutory framework into a practical overview. It highlights eligibility, contribution rules, employee rights, and employer obligations.

This resource is especially helpful for:

- Students preparing for legal or professional exams.
- HR managers setting up provident fund systems.
- Employees who want to quickly understand their entitlements.
- Employers needing a quick compliance reference.

Accessing the Employees Provident Fund Act PDF Corrida Legal

The Employees Provident Fund Act PDF Corrida Legal is more than just the statutory text. It provides additional commentary, examples of wage calculations, and references to case law. This makes it an essential tool for professionals who need both the bare provisions and their practical interpretation.

It is typically used for:

- Drafting internal policies aligned with EPF law.
- Guiding payroll teams in applying contribution rules.
- Preparing for inspections and audits.
- Educating employees about their provident fund rights.

EPF Rules in India PDF Download

The EPF rules in India PDF download compiles the procedural details required for day-to-day compliance. It sets out forms, returns, inspection powers, and recovery mechanisms.

Employers often rely on this resource for:

- Filing monthly Electronic Challan-cum-Return (ECR).
- Maintaining registers and inspection records.
- Understanding penalties and damages for defaults.
- Ensuring correct application of withdrawal and transfer rules.

Employer Tools in the EPF Compliance Guide PDF

The Employees Provident Fund compliance guide PDF offers ready-to-use tools such as checklists, calculation tables, and compliance timelines. By using these tools, employers can reduce errors and ensure their obligations are met on time.

This guide supports:

- Conducting self-audits of EPF compliance.
- Forecasting financial liabilities for contributions.
- Training HR and payroll staff.
- Reducing litigation risk by following best practices.

Summary of Downloadable Resources in the EPF Act 1952 Key Provisions Summary

The EPF Act 1952 key provisions summary explains that downloadable resources together create a complete package:

- Bare act for statutory reference.
- Executive summary for simplified understanding.
- Corrida Legal PDF for commentary and guidance.
- Rules PDF for procedural compliance.
- Compliance guide for practical tools.

This layered approach ensures that both employers and employees have access to the information they need at the right level of detail.

FAQs on the Employees Provident Funds Act, 1952 (Bare Act PDF)

The Employees Provident Funds Act, 1952 bare act PDF often raises questions for employees, employers, and HR professionals. While the statutory provisions are clear, practical doubts arise during implementation. Below are answers to some of the most frequently asked questions, explained in simple language but with statutory accuracy.

Who is covered under the Employees Provident Funds Act, 1952 Executive Summary PDF?

The Employees Provident Funds Act 1952 executive summary PDF clarifies that:

- All establishments employing 20 or more persons are mandatorily covered.

- Employees earning wages up to the statutory ceiling are automatically enrolled.
- Voluntary coverage is possible even for smaller establishments if both employer and majority of employees agree.
- Contract and temporary workers are also covered, with the principal employer responsible for contributions.

What is the current contribution rate under the Employees Provident Fund Act PDF Corrida Legal?

The Employees Provident Fund Act PDF Corrida Legal sets the standard contribution rate at 12% of an employee's wages, payable both by the employee and the employer. In some cases, such as small establishments with fewer than 20 employees, the rate may be reduced to 10%.

Breakdown of contributions:

- Employer's share: split between provident fund, pension scheme, and insurance scheme.
- Employee's share: entirely towards the provident fund.
- Both contributions together build the retirement corpus.

Can employees withdraw money from the EPF rules in India PDF download before retirement?

Yes, the EPF rules in India PDF download allow withdrawals under specific conditions:

- Marriage or education of self, children, or siblings.
- Medical emergencies for self or family.
- Purchase or construction of a house.
- Repayment of housing loans.
- Retirement after 58 years or permanent disablement.

However, full withdrawal is generally allowed only at retirement or after two months of unemployment.

What happens if an employer defaults, as explained in the EPF compliance guide PDF?

The Employees Provident Fund compliance guide PDF makes it clear that employer default is treated very seriously:

- Interest is charged on late payments.
- Damages up to 25% may be levied based on the period of default.
- Recovery proceedings can include attachment of bank accounts and property.
- Criminal prosecution may follow in cases of wilful non-payment.

Employees are protected because the EPFO has strong recovery powers to secure their savings.

Are contract workers eligible for benefits under the EPF Act 1952 key provisions summary?

The EPF Act 1952 key provisions summary confirms that contract workers are also treated as employees under the Act. The responsibility for compliance lies with the principal employer, even if wages are paid through a contractor. This ensures that all workers, regardless of mode of employment, have access to provident fund benefits.

Is EPF taxable under the Employees Provident Funds Act, 1952 bare act PDF?

While the Act itself does not deal with taxation, income tax rules apply:

- Employee contributions qualify for deduction under Section 80C of the Income Tax Act.
- Employer's contributions are not taxed at the time of deposit.
- Withdrawals are tax-free if made after five years of continuous service.
- Early withdrawals may attract tax on the employee's contribution and interest.

This makes EPF not only a social security measure but also a tax-saving investment.

Conclusion on the Employees Provident Funds Act, 1952 (Bare Act PDF)

The Employees Provident Funds Act, 1952 bare act PDF is not just a statute; it is a cornerstone of India's social security framework. By creating a contributory system of retirement savings, it ensures that millions of employees across industries have a reliable financial cushion for their post-employment years. Over the decades, the Act has evolved through amendments, rules, and judicial pronouncements, but its central purpose has remained the same, to provide dignity, stability, and protection to workers.

For employees, the EPF system is more than a deduction from monthly wages. It represents a secure, interest-bearing investment that grows silently over the years, ensuring a sizeable corpus at retirement or in times of need. For employers, it is a statutory duty that must be carried out with diligence, transparency, and consistency. Non-compliance not only attracts penalties but also erodes employee trust and damages organisational credibility.

Key Takeaways from the EPF Act, 1952 Executive Summary PDF

The Employees Provident Funds Act 1952 executive summary PDF highlights a few core lessons:

- Coverage applies to most establishments employing 20 or more workers.
- Both employer and employee must contribute regularly.
- Benefits extend beyond provident fund to include pension and insurance schemes.
- Compliance requires registration, timely deposits, and accurate record-keeping.
- Penalties for default are significant and strictly enforced.

Practical Role of the Employees Provident Fund Act PDF Corrida Legal

The Employees Provident Fund Act PDF Corrida Legal provides the bridge between law and practice. For employers, it acts as a compliance roadmap; for employees, it offers clarity on entitlements. Corrida Legal's structured resources ensure that neither side is left confused about rights or responsibilities.

Compliance Lessons from the EPF Rules in India PDF Download

The EPF rules in India PDF download underline that compliance is non-negotiable. Employers must:

- Deduct and deposit contributions promptly.
- File monthly returns without delay.
- Keep updated records of wages and employees.

- Train HR and payroll staff on EPF procedures.

These steps ensure smooth functioning and prevent legal disputes.

Guidance in the EPF Compliance Guide PDF

The Employees Provident Fund compliance guide PDF reminds employers to treat provident fund obligations as a priority financial responsibility, not as a burden. Proactive compliance builds a positive workplace environment, reduces litigation risk, and strengthens employee loyalty.

Broader Impact in the EPF Act 1952 Key Provisions Summary

The EPF Act 1952 key provisions summary makes it clear that the Act is more than a savings scheme. It represents India's commitment to social justice, equality, and worker protection. Alongside gratuity, ESI, and other labour welfare laws, it creates a comprehensive framework of benefits that safeguard employees throughout their careers and beyond.