



Himachal Pradesh
Public Works Department

0177-2621401

e-mail: pwd-hp@nic.in

No. PW-CTR- 29-2285(EPF Instructions)/2015-6534-633 Dated: 4/6/2016

To

All the Chief Engineers
Working in HP PWD
(Including Chief Engineer, NH)

All the Superintending Engineers (Civil)
(Including National Highways, Electrical & Mechanical)

All the Executive Engineers
Working in HP PWD

Subject: - **Employees Provident Funds and Miscellaneous Provision Act, 1952(Implementation of provision thereof.)**

This is in continuation of this office letter of even file No. 16189-225 dated 14/03/2016 vide which the instructions on the subject cited matter are issued for strict compliance. Now a photocopy of letter No.RO/ HP/ intelligence/ Construction Workers/4690 dated 15/02/2016 & even No. 5656 dated 19/05/2016 received from the Regional P.F Commissioner in which some new guidelines have been conveyed is being sent for strict compliance.

You are, therefore, once again requested to adhere to these instructions strictly and any laxity on its implementation will be viewed seriously.

DA: As above

Engineer-in-Chief,
HP PWD., Shimla-2

Copy of above is forwarded to :

1. The Regional Provident Fund Commissioner, Block No. 34, I & II Floor, SDA Complex Kasumpti, Shimla -9 H.P w.r.t. his letter referred to above for information please.

2. The Nodal Officer (IT) for information and necessary action. He is requested to upload the same on the Departmental website.

Engineer-in-Chief,
HP PWD., Shimla-2

FA
No (IT)
04/06/2016

hl
14/6/16

Sh. J. S. S. S.



कर्मचारी भविष्य निधि संगठन
EMPLOYEES' PROVIDENT FUND ORGANISATION

श्रम एवं रोजगार मंत्रालय, भारत सरकार
Ministry of Labour & Employment, Govt. of India
ब्लॉक नं० 34, एसडीओएच कॉम्प्लेक्स, कसुमोटी, शिमला-171009 (हि०प्र०)
Block No. 34. I & II Floor. SDA Complex. Kasumoti. Shimla-9 (H. P.)

STD Code : 0177
दूरभाष 2623023
Telephone 2624620
फैक्स 2627884
2623187

No. RO/HP/Intelligence/Construction Workers/ 4690

Dated: 15.02.2016

TU

The Engineer-in-Chief,
HPPWD, Nirman Bhawan,
Nigam Vihar, Shimla,
HP-171002

Subject:

Employees Provident Funds and Miscellaneous Provisions Act, 1952
(Implementation of provision thereof)-regarding.

Kindly refer to your office letter No. PW-CTR-29-2274/2015-16189-225 dated
14.03.2016 on the above captioned subject.

In this regard, it is further requested that the compliance of the provisions of
Section 8A of EPF & MP Act, 1952 and Para 30 of EPF Scheme, 1952 may please be ensured.
Section 8A of EPF & MP Act and Para 30 of EPF Scheme, 1952 describe that:-

8-A. Recovery of moneys by employers and contractors- (1) [The amount of contribution (that is to say the employer's contribution as well as the employees' contribution in pursuance of any Scheme and the employer's contribution in pursuance of the Insurance Scheme)] and any charges 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 deduction from any amount payable to the contractor under any contract or from any amount payable by the contractor. (2) A contractor from whom the amounts referred to in sub-section (1) may be recovered in respect of any employee employed by or through him, may recover from such employee the employer's contribution [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.

Para 30. Payment of contributions- (1) The employer shall, in the first instance pay both the contribution payable by himself (in this scheme referred to as the employer's contribution) and also, on behalf of the member employed by him directly or by or through a

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contractor, the contribution payable by such contractor, referred to as the member's contribution).

(2) In respect of employees employed by or through a contractor, the contractor shall recover the contribution payable by such employee (in this Scheme referred to as the member's contribution) and shall pay to the principal employer the amount of member's contribution so deducted together with an equal amount of contribution (in this Scheme referred to as the employer's contribution) and also administrative charges.

(3) It shall be the responsibility of the principal employer to pay both the contribution payable by himself in respect of the employees directly employed by him and also in respect of the employees employed by or through a contractor and also administrative charges.

You are also requested to set a mechanism for checking of proper compliance of the provisions of EPF Act by checking wages registers/muster roll with the ECR deposit (can be seen at the EPFO website link: http://search.epfoservices.in/est_search.php) as the issue of coverage of contract workers has been flagged as an area of top most concern and priority by the Government of India.

Further, a software has been developed through which a login has been provided to both the category of establishments-Principal employers-those which are registered with EPFO and those which are not registered with EPFO like the Government Departments. After authentication through One Time Password (OTP), the principal employer can enter details of contractors and work order, which will be segregated PIN code wise and will go to the respective portal of RO/SRO and can be viewed online, as and when updated. This facility is available through official website of EPFO <http://www.epfindia.gov.in>-For Employers-For Principal Employers or at <http://www.epfindia.com/site/en/PrincipalEmployer.php>.

It may also be ensured that each and every worker working in the area of construction activity must be enrolled under the EPF Act and Universal Account Number (UAN) have been allotted to all the concerned and their activation so that the updates can be reached to the beneficiary.

Keeping in view the above it is requested to issue necessary guidelines to all the concerned officers/officials of your department to ensure proper compliance.

Yours faithfully,



(Uma Mandal)

Regional PF Commissioner -I



कर्मचारी भाविष्य निधि संगठन
EMPLOYEES' PROVIDENT FUND ORGANISATION

श्रम एवं रोजगार मंत्रालय, भारत सरकार
Ministry of Labour & Employment, Govt. of India
ब्लॉक नं० 34, एसडीओएफ कम्प्लेक्स, कसुमोटी, शिमला-171009 (हिमाचल प्रदेश)
Block No. 34, I & II Floor, SDA Complex, Kasumoti, Shimla-9 (H. P.)

STD Code : 0177
दूरभाष 2623023
Telephone 2624629
फैक्स 2627684
एव 2623197

No.RO/HP/Intelligence/Contract Workers/ 5656

Dated:

Regd. Post

To

Head of Department/Office-in-Charge
PWD Department
Nirman Bhawan, Nigam Vihar,
Shimla-2

Subject:

Coverage of Contract Workers under EPF & MP Act, 1952-regarding.

Sir/Madam,

The issue of coverage of contract workers has been flagged as an area of top most concern and priority by the Government of India. EPFO has decided following action plan to cover the contract workers under the Act:-

- All the agencies and contractors to whom the work is outsourced are covered under the Act.
- All the personnel supplied by the agencies and contractors are extended benefits of provident fund etc.
- All the personnel engaged get eligible benefits commensurate to the wage they get.

Considering that our aim is to reach out to the last employee, and for that a software has been developed through which a login has been provided to both the category of establishments- Principal employers- those which are registered with EPFO and those which are not registered with EPFO like the Government Departments. After authentication through One Time Password (OTP), the principal employer can enter details of contractors and work order, which will be segregated PIN code wise and will go to the respective portal of RO/SRO and can be viewed online, as and when updated. This facility is available through official website of EPFO <http://www.epfindia.gov.in> - For Employers - For Principal Employers or at <http://www.epfindia.com/site/en/PrincipalEmployer.php>.

Further, the principal employers is liable to ensure compliance in respect of construction/other contractual workers deployed by them through contractor/sub contractors. It is also impressed upon the principal employer that merely giving code numbers of contractors will not be suffice. To ensure compliance of construction workers engaged through contractor/sub contractors, they should not only ensure separate ECRs containing PF account numbers of their workers but also copies of wages/salary register and attendance register. Remittances of PF and ECRs should be verified by Principal employers from EPFO's website before releasing the bills to avoid manipulations/misappropriation of PF dues by their contractors/sub contractors..

Principal employers are also required to mention PF account number and UAN number on I-card of each worker. UAN numbers of all workers be got activated so that the workers can get their E-pass books and even know about deposit of PF by contractors last month alongwith PF balance just by giving a missed call from registered mobile..

Keeping in view your goodself is requested to enter details of all contractors and work orders engaged by your department as detailed above and ensure extension of Social Security benefit to every worker engaged by your department through contractor or sub-contractor.

Yours faithfully,

(Uma Mandal)

Regional P F Commissioner-I