



ईपीएफओ, मुख्यकार्यालय  
श्रम एवं रोजगार मंत्रालय, भारत सरकार  
भविष्यनिधिभवन, 14, भीकाजीकामाप्लेस, नईदिल्ली 110066  
**EPFO, HEAD OFFICE**  
MINISTRY OF LABOUR & EMPLOYMENT, GOVERNMENT  
OF INDIA  
14, BHIKAIJI CAMA PLACE, NEW DELHI 110066  
www.epfindia.gov.in



File No: Compliance/ContractualEmployees/PolicyMatter/2021/3259

Date: 06/12/2021

06 DEC 2021

To

All ACC(HQ)/ACCs,  
Zonal Offices

**Sub:- Enrollment of all contractual / daily wage employees under the EPF & MP Act, 1952-regarding.**

- Ref:-**
1. Circular No. C-III/110001/4/3(71)MISC./2013/DL12802 dated 08.10.2013.
  2. Circular No. C-III/110001/4/3(71)Misc./2013/DL/Vol.II/21225 dated 05.11.2014.
  3. Circular No. C-III/110001/4/3(71)MISC./2013/DL34862 dated 22.01.2015
  4. Circular No. CAIU/011(33)2015/HQ dated 07.03.2016.
  5. Circular No. CAIU/011(29)2016/Railway Estt./18339 Dated 25.01.2017.
  6. Circular No. CAIU/011(29)2016/Railway Estt./19433 Dated 20.02.2017.
  7. Circular No. CAIU/011(33)2015/HQ/Vol. IV/2040 Dated 24.05.2018.
  8. Circular No. C-I-3(28)2016/&a&14B/300 Dated 01.04.2019.
  9. Letter No. C-I/3(28)2016/7A&14B/PE functionality dated 09.11.2021

**Sir / Madam,**

Vide instructions under reference, Head Office has advised the field offices from time to time for coverage of contract workers under EPF & MP Act, 1952 and to communicate with the Government Departments, Public Sector Undertakings and Autonomous/Statutory Bodies of Central/State Government and apprise them of their responsibilities under the Act in respect of the coverage of contract workers engaged by them directly or through various agencies and contractors.

2. It has also been suggested to ensure that all the agencies and contractors engaged by them or to whom any work is outsourced are covered under the Act and all eligible personnel supplied and/or contract workers engaged by such agencies are extended membership of the Schemes framed under the Act and ensure regular compliance by the contractors.

3. The Central Govt. & State Govt. departments have been given online facility on the Principal employer functionality on EPFO's portal to watch compliance made through ECR by the contractors under their respective EPF code numbers. The Central Provident Fund Commissioner has issued communication dated 09.11.2021(copy attached) to Principal Secretary, Labour Department of all State Governments apprising them of the functionality and soliciting the cooperation of State Govt. in ensuring coverage of persons engaged by or through contractors.

4. In the light of the above, it is once again requested that all Regional Provident Fund Commissioners In-Charge of Regional Offices under your jurisdiction may be suitably advised to take immediate steps for coverage of contract workers engaged by the Government Departments, Public Sector Undertakings and Autonomous/Statutory Bodies etc. so that the objectives of the Act are met in true letter and spirit.

Yours faithfully,

Encl: As above



**(Jag Mohan)**  
**Addl. Central P.F. Commissioner (HQ) (Compliance)**

## ANNEXURE- 3A

ई-मेल/E-mail : acc.compliance@epfindia.gov.in

दूरभास/Telephone : 011-26172672

फैक्स/Fax : 011-26103100

**Web Circulation**

कर्मचारी भविष्य निधि संगठन  
(श्रम मंत्रालय भारत सरकार)

Employees' Provident Fund Organisation  
(Ministry of Labour, Govt. Of India)

मुख्य कार्यालय/Head Office

भविष्य निधि भवन, 14-भीकाजी कामा प्लेस, नई दिल्ली-110066

Bhavishya Nidhi Bhawan, 14- Bhikaji Cama Place, New Delhi - 110066

[www.epfindia.gov.in](http://www.epfindia.gov.in) : [www.epfindia.nic.in](http://www.epfindia.nic.in)

NO.C-III/110001/4/3(71)Misc./2013/DL/

Date : 08.10.2013

To

- 8 OCT 2013

All Regional P.F. Commissioners  
In-Charge of Regional/Sub Regional Offices

**Subject : Compliance under the EPF & MP Act, 1952 in respect of  
the employees engaged by or through contractors.**

Sir,

A number of complaints are received by the organization on non-extension of social security benefits in the form of provident fund, pension and insurance as envisaged under the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 and Schemes framed there under especially to the casual, contractual and outsourced employees working in different establishments, Government Departments, Undertakings and Autonomous bodies, both Central and State. Accordingly, the very purpose of this social legislation is defeated.

2. The word employee has been defined to mean any person who is employed for wages in any kind of work, manual or otherwise, in or in connection with the work of an establishment and who gets his wages directly or indirectly from the employer, and includes any person employed by or through a contractor in or in connection with the work of the establishment. The Act does not differentiate between casual, contractual and regular employees.

3. Various Government Departments, Undertakings and Autonomous bodies, both Central and State, outsource the activities like watch-ward, housekeeping, data-entry etc. to different agencies and contractors and the persons engaged by such agencies and contractors to execute the above activities are not extended due benefits of provident fund, pension and insurance. This increases the number of grievances to the organization.

4. Paragraph 30(3) of the Employees' Provident Funds Scheme, 1952 provides that 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. This is not enforced in true spirit by various Government Departments, Undertakings and Autonomous bodies, both Central and State. Wherever enforced, there is no proper scrutiny at the time of the payment of their bills as to whether the agencies and contractors are depositing contributions due from them under the Act and the Schemes framed thereunder which is commensurate with the wages paid to such out sourced staff.

5. Instances have come to notice that the placement agencies and security agencies, which provide guards and other personnel to Government Departments, Undertakings and Autonomous Bodies often take employer's contribution on full wages from these employers and then bifurcate the wages of the personnel provided by them in to basic wages and various other allowances which do not form part of basic wages to evade the provident fund. This diversion of residual employer's contribution tantamount to pilfering of provident fund money. Thus, Governments Departments, Undertakings and Autonomous Bodies, which settle the periodic bills of agencies and contractors, unwillingly become a party to this pilferage.

6. Time has come to work on such issues of concern and to converse and inform these Government Departments, Undertakings and Autonomous Bodies about their role while engaging the various agencies and contractors and while settling their monthly bills with respect to deployment of such personnel.

7. In this background, all the Regional Provident Fund Commissioners In-Charge of Regional/Sub Regional Offices are advised to start a dialogue with the Government Departments, Undertakings and Autonomous Bodies functioning under your jurisdiction about their duties and responsibilities while engaging personnel for watch-ward, housekeeping, data-entry etc. through various agencies and contractors to check such pilferage of provident fund monies. The Officers-In-Charge are also advised to collect the details of personnel engaged through the various agencies and contractors from these Government Departments, Undertakings and Autonomous Bodies and check with the records available in their own offices about such agencies and contractors. Wherever pilfering of provident fund money is noticed, immediate action shall be initiated against the erring agencies and contractors to check such unhealthy practices harming the interest of the workers.

8. The Regional Provident Fund Commissioners In-Charge of Regional/Sub Regional Offices are advised to issue notices to the Government Departments, Undertakings and Autonomous Bodies functioning under your jurisdiction for arresting such unfair practices, which various

agencies and contractors adopt while supplying personnel. Enforcement Officers may be detailed to educate these Government Departments, Undertakings and Autonomous Bodies about the duties and responsibilities of the principal employers. They shall also be advised to ensure that :

- a) all the agencies and contractors to whom the work is outsourced are covered under the Act;
- b) all the personnel supplied by the agencies and contractors are extended benefits of provident fund etc. ; and
- c) all the personnel engaged get eligible benefits commensurate to the wages they get.

9. The Government Departments, Undertakings and Autonomous Bodies may be advised to watch the compliance status of various agencies and contractors to the provisions of the Act and the Schemes framed thereunder on the '**establishment search option**' on the official website of EPFO [www.epfindia.com](http://www.epfindia.com).

10. The specimens of draft letters to (a) various Government Departments/Undertakings/Autonomous Bodies and (b) Big establishments already covered and deploying more than 500 employees/workers are enclosed herewith for use at your end.

11. A presentation on the role of Principal Employers and Contractors which has been attempted at this end is enclosed herewith for wide publicity for this purpose.

(This issues with the approval of CPFC.)

Enclosures : As above.

Yours faithfully,

  
8/10/23  
(P.K.UDGATA)

**Additional C.P.F.C. (Compliance)**

**DRAFT-I**

**FOR MINISTRIES AND GOVERNMENT DEPARTMENTS NOT COVERABLE  
UNDER THE ACT AND GOVERNMENT UNDERTAKINGS AND  
AUTONOMOUS BODIES COVERED UNDER THE ACT.**

**EMPLOYEES' PROVIDENT FUND ORGANISATION**

.....

.....

No.

Date:

To

.....

.....

.....

**Subject : Compliance under the EPF & MP Act, 1952 In respect of  
the employees engaged by or through contractors.**

Sir,

You may be aware that Employees' Provident Fund Organisation administers the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 and the Schemes framed thereunder which aim to provide social security in the form of Provident Fund, Pension and Insurance to all the employees who are employed for wages in any kind of work, manual or otherwise, in or in connection with the work of an establishment and who get wages directly or indirectly from the employer and which includes any person employed by or through a contractor in or in connection with the work of the establishment and apprentices engaged (other than the apprentice under the Apprentices Act, 1961).

2. I am sure that for all the direct employees of your esteemed Ministry/Department/Undertakings/Autonomous Bodies, such benefits are in place under the relevant Government Rules. However, we understand that activities like watch and ward, house-keeping, data-entry etc. are outsourced to agencies and contractors. At times, the workers engaged by these agencies and contractors are deprived of Provident Fund, Pension and Insurance. Even if they receive such benefits, those do not commensurate with the wages they earn every month. Similarly, various agencies and contractors often receive employer's contribution on full wages from Ministries/Government Departments/Undertakings/Autonomous Bodies but while extending the provident fund benefits etc. to their workers, these agencies bifurcate the wages into basic wages and various other allowances, which are not within the ambit of basic wages, to evade the provident fund. This is nothing but subterfuge of wages. As a result, the poor workers are deprived of their legitimate share of provident fund etc. Further, the residual employer's contribution which these agencies do not pass on to their workers tantamounts to pilfering of provident fund money. Thus, Ministries and Governments Departments which settle the periodic bills of agencies and contractors unknowingly become a party to this pilferage. With your intervention it can be ensured that all such employees do get social security benefits.

3. While awarding various contracts, it may please be ensured that the agencies and contractors shall have Provident Fund Code Number and all the contract employees deployed by them are enrolled as members of Provident Fund. In this regard, your kind attention is drawn to Paragraph 30(3) of the Employees' Provident Fund Scheme, 1952 which provides that it shall be the responsibility of the principal employer to pay both the contributions payable by him in respect of the employees directly employed by him and also in respect of the employees employed by or through a contractor.

4. A provision has been made on the Official Website of EPFO, [www.epfindia.gov.in](http://www.epfindia.gov.in), on the "**establishment search option**" to verify as to whether the agencies and contractors having Provident Fund Code numbers are regularly depositing Provident Fund contributions every month in respect of all the employees deployed by them. The above facility may be utilized to check the compliance position of the agencies and contractors to the provisions of the Act and the Schemes framed thereunder to which the contracts are awarded by your Ministry/Department/Undertaking/Autonomous Body. Wherever the contractors do not have any Provident Fund Code number or if any non-compliance by any agency or contractor is noticed, the details of such establishments may please be informed to this office so that appropriate action can be initiated and poor workers' interest is protected.

5. The Enforcement Officer of this Office shall be visiting your Ministry/Department/Undertakings/Autonomous Bodies to further apprise you of the methodology. The opportunity will also enable to get the status of compliance with regard to contract employees engaged by your contractors.

6. You may appreciate the concern of this organisation in extending social security in the form of Provident Fund, Pension and Insurance to all the workers including contract workers. I am sure that with your support we will be able to serve the workforce in a better way.

Your cooperation in this regard will be highly solicited.

Yours faithfully,

(.....)

Regional PF Commissioner



DRAFT-II

**FOR MAJOR PRIVATE ESTABLISHMENTS (BOTH UN-EXEMPTED & EXEMPTED) COVERED UNDER THE EPF & MP ACT, 1952 AND HAVING MEMBERSHIP OF 500 AND ABOVE.**

**EMPLOYEES' PROVIDENT FUND ORGANISATION**

.....

.....

No.

Date:

To

.....  
 .....  
 .....

**Subject : Compliance under the EPF & MP Act, 1952 in respect of employees engaged by or through the Contractors.**

Sir,

You may be aware that Employees' Provident Fund Organisation administers the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 and the Schemes framed thereunder which aim to provide social security in the form of Provident Fund, Pension and Insurance to all the employees who are employed for wages in any kind of work, manual or otherwise, in or in connection with the work of an establishment and who get wages directly or indirectly from the employer and which includes any person employed by or through a contractor in or in connection with the work of the establishment and apprentices engaged therein (other than the apprentice under the Apprentice Act, 1961).

2. You have been regularly complying with the provisions of the Act in respect of your direct employees under EPF Code no. \_\_\_\_\_ . However, activities like watch and ward, house-keeping, data-entry etc. you must have outsourced to agencies and contractors. At times, the workers engaged by these agencies and contractors are deprived of Provident Fund, Pension and Insurance. Even if they receive such benefits, those do not commensurate with the wages they earn every month. Similarly, various agencies and contractors often receive employer's contribution on full wages from you but while extending the provident fund benefits etc. to their workers, these agencies bifurcate the wages into basic wages and various other allowances, which are not within the ambit of basic wages, to evade the provident fund. This is nothing but subterfuge of wages. As a result, the poor workers are deprived of their legitimate share of provident fund etc. Further, the residual employer's contribution which these agencies do not pass on to their workers tantamounts to pilfering of provident fund money. Thus, while settling the periodic bills of agencies and contractors which you engage, you become a party to this pilferage unknowingly. Your intervention in this regard will ensure that all such employees do get social security benefits.

3. While awarding various contracts, it may please be ensured that the agencies and contractors shall have Provident Fund Code Number and all the contract employees deployed by them are enrolled as members of Provident Fund. In this regard, your kind attention is drawn to Paragraph 30(3) of the Employees' Provident Fund Scheme, 1952 which provides that it shall be the responsibility of the principal employer to pay both the contributions payable by him in respect of the employees directly employed by him and also in respect of the employees employed by or through a contractor.

4. A provision has been made on the Official Website of EPFO, [www.epfindia.gov.in](http://www.epfindia.gov.in), on the "**establishment search option**" to verify as to whether the agencies and contractors having Provident Fund Code numbers are regularly depositing Provident Fund contributions every month in respect of all the employees deployed by them. The above facility may be utilized to check the compliance position of the agencies and contractors to the provisions of the Act and the Schemes framed thereunder to whom the contracts are awarded by you. Wherever the contractors do not have any Provident Fund Code number or if any non-compliance by any agency or contractor is noticed, the details of such establishments may please be informed to this office so that appropriate action can be initiated and poor workers' interest is protected.

5. The Enforcement Officer of this Office shall be visiting your establishment to ascertain the status of compliance in respect of the contract employees. You are requested to handover the details of the outsourced work together with the name and address of the contractor in the following format for verification so as to ensure compliance.

Sl. No.	Name of Contractor outsourced Agency, Address	Work Order(s) no. and Date and duration of work	Nature Of work	No of employees	Wages paid	PF Code No. If any	Name of PF Office where PF and allied dues are deposited by contractor.

6. I am sure that your esteemed organisation is interested in compliance of laws of land and therefore, you will give full support to the Enforcement Officer of the department. You will give us no occasion to resort to other statutory provisions existing in Employees' Provident Funds and Miscellaneous Provisions Act, 1952 and Schemes framed thereunder. Our joint venture is that contract/outsourced employees get the social security benefits to which they are entitled to and to which your organisation is committed.

Yours faithfully

(.....)  
Regional PF Commissioner

1/29/2015

## **COMPLIANCE OF CONTRACTOR ESTABLISHMENTS**

**EMPLOYEES' PROVIDENT  
FUNDS & MISCELLANEOUS.  
PROVISIONS ACT 1952**

### **WHO IS A CONTRACTOR**

- × EPF Act does not define, either the “principal employer” or “contractor”.**
- × However, EPF Scheme makes the principal employer**
  - i. responsible for statutory compliance of all employees, whether regular or contractual &**
  - ii. liable for punitive action in case of default.**

1/22/2015

## **WHO IS A CONTRACTOR**

- ✓ **Even though “contractor” is not defined in the EPF Act, the term is clearly understood by the employers.**
- ✓ **They provide secondary and tertiary support to the primary business activities**
- ✓ **Some illustrative but not exhaustive examples can be:-**
- ✓ **Facilities managers, canteen workers, loaders, transport managers, security staff etc.**

## **SECURING COMPLIANCE**

- × **The EPF Scheme mandates that principal employer shall be responsible for ensuring compliance of all contractual employees.**
- × **Principal establishments may check the compliance position of their contractors on the following url:-**
- × **[http://search.epfoservices.in/estt\\_search/est\\_search.php](http://search.epfoservices.in/estt_search/est_search.php)**
  
- × **On providing the requisite details, following url displaying result of the query shall open**
- × **[http://search.epfoservices.in/estt\\_search/est\\_search\\_display\\_result.php#](http://search.epfoservices.in/estt_search/est_search_display_result.php#)**

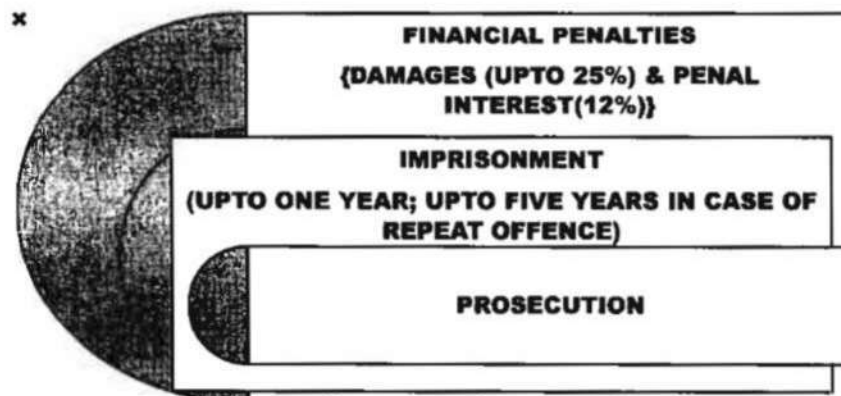
1/21/2015

## **SECURING COMPLIANCE**

- × On the display result , the last column icon is "Payment".
- × On clicking the icon, details of compliance by the establishment shall open.
- × In the next display, clicking on No. of employees provides the names of employees in respect of whom establishment has reported compliance.
- × Principal employers should regularly check this link to ascertain whether the contractor establishment is regularly complying or not.
- × Principal employers may also furnish the details of contractors engaged by them to EPFO to facilitate compliance by such establishments.

## **SECURING COMPLIANCE**

- × ANY DELINQUENCY BY THE CONTRACTOR ESTABLISHMENT RENDERS THE PRINCIPAL EMPLOYER LIABLE FOR:-



1/23/2015

### **ADVISORIES**

- \* **A MODEL EMPLOYER SHOULD INSIST ON EPF ENROLMENT OF ALL CONTRACTUAL EMPLOYEES.**
- \* **CHECK THE COMPLIANCE POSITION OF CONTRACTOR ESTABLISHMENT ON EPF INDIA WEBSITE.**
- \* **ENCOURAGE CONTRACTOR ESTABLISHMENTS TO REGISTER WITH THE EPF, IF IT IS NOT REGISTERED.**
- \* **MONITORING OF CONTRACTOR COMPLIANCE SHOULD BE HANDLED BY A SENIOR FUNCTIONARY/COMMITTEE, AS PENAL CONSEQUENCES OF SLIPPAGES, EVEN THOUGH UNINTENTIONAL ARE SEVERE.**

### **ADVISORIES**

- \* **KEEP A READY LIST OF CONTRACTORS PRESENTLY ENGAGED AND THEIR PERIOD OF CONTRACT.**
- \* **GENERATE A SUMMARISED STATEMENT OF EPF REMITTANCES AND NUMBER OF EMPLOYEES OF ALL CONTRACTOR ESTABLISHMENTS BY 5<sup>th</sup> OF EVERY MONTH.**
- \* **CHECK THE COMPLIANCE STATUS OF ALL SUCH CONTRACTOR ESTABLISHMENTS EVERY MONTH ON OR AROUND 20<sup>th</sup> ON EPF INDIA WEBSITE.**
- \* **FURNISH THE LIST OF ALL CONTRACTOR ESTABLISHMENTS TO EPFO ALONG WITH THEIR PERIOD OF CONTRACT AND DEMAND THEIR COMPLIANCE STATUS THROUGH EMPLOYERS' PORTAL.**

ANNEXURE- 3A

ई-मेल/E-mail : acc.compliance@epfindia.gov.in

दूरभास/Telephone : 011-26172672

फैक्स/Fax : 011-26103100

**Web Circulation**

कर्मचारीभविष्य निधि संगठन  
(श्रम मंत्रालय भारत सरकार)

Employees' Provident Fund Organisation  
(Ministry of Labour, Govt. Of India)

मुख्य कार्यालय / Head Office

भविष्य निधि भवन, 14-भीकाजी कामाप्लेस, नई दिल्ली-110066  
BhavishyaNidhiBhawan, 14- Bhikaji Cama Place, New Delhi - 110066  
[www.epfindia.gov.in](http://www.epfindia.gov.in); [www.epfindia.nic.in](http://www.epfindia.nic.in)

NO.C-III/4/3(157)SC(Construction Workers)/2014/HQ/ 21 226

Date : 05.11.2014

To

All Regional P.F. Commissioners ,  
In-Charge of Regional/Sub Regional Offices.

**Subject : Enrollment of eligible construction workers under the ambit of  
Employees' Provident Funds and Miscellaneous Provisions Act, 1952.**

Sir,

The Issue of coverage and enrolment of workers engaged in the construction industry has been deliberated frequently in different forums. The Parliamentary Standing Committee on Labour raised its concern on this issue also.

2. Earlier the employers were taking excuse that the contract workers are reluctant to contribute towards provident fund as their wages are very low and as they are not sure about getting back their accumulations deducted from their wages. The employers were also not enrolling the construction workers as the EPFO has not allotted Permanent Account Number to such workers.

3. Now, EPFO has already started allotting Universal Account Number (UAN) to all the EPF members so as to provide the facility of portability of the account/s of the workers with a view to deliver service uninterruptedly on change of job or location. The excuses taken by the employers have already been answered to.

4. The total number of construction workers form a greater portion of the total work-force who are to be given social security benefits in the form of Provident Fund, Pension and Insurance. It is, thus, imperative for EPFO to cover all eligible workers working in the construction industry and extend social security benefits.


5. Various Government Departments, Public Sector Undertakings, Autonomous Bodies and big Construction Agencies carry out a number of construction activities and deploy sizeable number of workers. To start with, immediate survey be carried out to ensure as to whether all eligible workers working in the Government Departments, Public Sector Undertakings, Autonomous Bodies and big Construction Agencies are covered under the Act and extended with social security benefits.

6. In this context it has been decided to launch a campaign from 15<sup>th</sup> November, 2014 to 15<sup>th</sup> January, 2015 to verify the compliance position in respect of construction workers deployed by the above authorities and agencies. Accordingly, you are directed to contact above authorities and agencies to verify the status of compliance in respect of construction workers. A report in this regard may please be furnished to Head Office in the following proforma:

Sl. No.	Category of establishments contacted	No. of units visited	No. of construction workers enrolled before the visit	No. of construction workers enrolled after the visit
1.	Government Departments			
2.	Public Sector Undertakings			
3.	Autonomous Bodies			
4.	Big Construction Agencies			
	<b>TOTAL</b>			

7. The first monthly report shall reach Head Office by 31<sup>st</sup> December, 2014 and the second monthly report by 31<sup>st</sup> January, 2015.

Yours faithfully,

  
 5/11/2014  
 (P.K.UDGATA)

Additional C.P.F.C.-I (Compliance)

Copy to:

Additional CPFCs (Zones) for information and with a request to supervise the work of the regions under their charge.

  
 5/11/2014  
 (P.K.UDGATA)

Additional C.P.F.C.-I (Compliance)



**ANNEXURE- 5B**

ई-मेल/E-mail : acc.compliance@epfindia.gov.in

दूरभास/Telephone : 011-26172672

फैक्स/Fax : 011-26103100

**Web Circulation**

**कर्मचारी भविष्य निधि संगठन**  
**(श्रम मंत्रालय भारत सरकार)**  
**Employees' Provident Fund Organisation**  
**(Ministry of Labour, Govt. Of India)**  
**मुख्य कार्यालय / Head Office**  
**भविष्य निधि भवन, 14-भीकाजी कामाप्लेस, नई दिल्ली-110066**  
**BhavishyaNidhiBhawan, 14- Bhikaji Cama Place, New Delhi - 110066**  
**[www.epfindia.gov.in](http://www.epfindia.gov.in): [www.epfindia.nic.in](http://www.epfindia.nic.in)**

NO.C-III/110001/4/3(71)Misc./2013/DL/Vol.II/ 21225

Date : 05.11.2014

To

**All Regional P.F. Commissioners ,**  
**In-Charge of Regional/Sub Regional Offices.**

**Subject**                    **Compliance under the Employees' Provident Funds and**  
**Miscellaneous Provisions Act, 1952 in respect of the employees**  
**engaged by or through contractors.**

Sir,

Instructions were issued vide Head Office circular letter No. No.C-III/110001/ 4/3(71)Misc./ 2013/DL/ 12802 dated 08.10.2013 (placed at Sl. No. 428 of Office Orders/Circulars Segment for the year 2013-2014 of the Official website) wherein you were advised to issue notices to Government Departments, Undertakings and Autonomous bodies and big establishments having employees strength of 500 and above covered under the Act and functioning under your jurisdiction for ensuring compliance from the contractors deployed by them with regard to the contract workers.

2. It has also been instructed to detail the Enforcement Officers to educate the Government Departments, Undertakings and Autonomous bodies and big establishments having employees strength of 500 and above about their duties and responsibilities as principal employers.

3. It is expected that by now the above authorities and establishments must have been educated about their duties and responsibilities and started compliance to the provisions of the Act in respect of contract employees.

4. Now it has been decided to start a campaign to verify the enrolment of contract employees deployed by the above authorities and establishments. The campaign will start from 15<sup>th</sup> November, 2014 to 15<sup>th</sup> January, 2015.

5. Accordingly, you are directed to contact above authorities and establishments and verify the status of compliance in respect of contract workers. A report in this regard may please be furnished to Head Office in the following proforma:

Sl. No.	Category of establishments	Total contract workers enrolled during 2013-14		Number of contract workers enrolled during 2014-15 (upto September 2014)	
		No. of establishments	No. of workers	No. of establishments	No. of workers
1.	Government Departments				
2.	Public Sector Undertakings				
3.	Autonomous Bodies				
4.	Big Establishments having employee strength of 500 and above				
	<b>TOTAL</b>				

6. The first monthly report shall reach Head Office by 31<sup>st</sup> December 2014 and the second monthly report by 31<sup>st</sup> January 2015.

Yours faithfully,

  
5/11/2014  
(P.K.UDGATA)

Additional C.P.F.C.-I (Compliance)

Copy to:

Additional CPFCs (Zones) for information and with a request to supervise the work of the Regions under their charge.

  
5/11/2014  
(P.K.UDGATA)

Additional C.P.F.C.-I (Compliance)

**WEB CIRCULATION**



**कर्मचारी भविष्य निधि संगठन**  
**(श्रम मंत्रालय भारत सरकार)**  
**Employees' Provident Fund Organisation**  
**(Ministry of Labour, Govt. Of India)**  
**मुख्य कार्यालय / Head Office**  
**भविष्य निधि भवन, 14-भीकाजी कामाप्लेस, नई दिल्ली-110066**  
**BhavishyaNidhiBhawan, 14- Bhikaji Cama Place, New Delhi - 110066**  
[www.epfindia.gov.in](http://www.epfindia.gov.in); [www.epfindia.nic.in](http://www.epfindia.nic.in)

No. C-III/110001/4/3(71)MISC./2013/DL/

54862

**CIRCULAR**

Dated: 22.01.2015

22 JAN 2015

To

All Regional PF Commissioners,  
In-charge of Regional/Sub Regional Offices.

**Subject : Coverage of construction and contract workers under the ambit of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 - Regarding.**

The issue of coverage of construction and contract workers under the ambit of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 has been a matter of concern for Employees' Provident Fund Organisation (EPFO). A number of instructions were issued in past on the subject.

2. It has been the presumption of field offices of EPFO that the workers engaged by the establishments carrying out business in 'Building & Construction Industry' are construction workers and workers engaged by establishments rendering "Expert Services" are contract workers. EPFO has been struggling to cover all eligible workers engaged in these two classes of establishments. It may so happen that establishments covered under other schedule heads and class of establishments might be deploying construction and contract workers for various purposes. Somehow, all eligible workers are not enrolled as PF members.

3. In this regard, your attention is drawn to this office circular No. C-III/110001/4/3(71)MISC./2013/DL/12882 dated 08.10.2013 (attached as **Annexure-3A**) wherein you were advised to start a dialogue with the Government Departments, Undertakings and Autonomous Bodies and apprise their responsibilities as Principal Employers while engaging personnel for watch-ward, house-keeping, data entry etc. through various agencies and contractors. You were also advised to ask other establishments deploying more than 500 workers to enroll all eligible workers deployed by or through contractors engaged by them. You were also advised to see that :

- 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.; and
- All the personnel engaged get eligible benefits commensurate to the wage they get.

5. During the meeting of the Parliamentary Standing Committee on Labour held on 28.10.2014, Hon'ble Members raised their concern on the gaps in the coverage of construction and contract workers under the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 and accordingly, instructions were issued vide this office letters dated 05.11.2014 (attached herewith as **Annexure - 5A** and **Annexure - 5B**) to launch a campaign from 15.11.2014 to 15.01.2015 to enroll all eligible construction and contract workers.

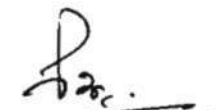
6. The Parliamentary Standing Committee on Labour in their last meeting held on 01.01.2015 at Tirupati desired that EPFO should work hard on coverage of construction and contract workers.

7. In that backdrop, the Central PF Commissioner has issued following instructions through e-mail on 08.01.2015 to all of you :

- a) Meetings of Railways and other Central Government authorities/departments be held by you regarding coverage of contract and construction workers. Proceedings of the same be drawn up and action taken on the same.
- b) A meeting of all the State PSUs and State Departments be also called wherever it is felt that the workers are taken on outsource. They should also be apprised of the EPF & MP Act, 1952. The proceedings of the same may also be drawn up and action taken on the same.
- c) As earlier ordered vide circular No.C-III/110001/4/3(71)Misc./2013/DL/12802 dated 8<sup>th</sup> October, 2013, all the establishments which are having 500 plus employees shall be visited and the date-wise information regarding visit to the same may be sent.
- d) The meetings be called of all the establishments which have 100 plus employees, may be in batches, and all companies should be asked to comply with the provisions. Meetings of all the builders and developers in the area should be called and proceedings of the same be drawn and action taken.
- e) At least 5 to 10 meetings be conducted in the areas where labourers are predominantly residing (involving Labour Unions also). The details of these should also be brought to the notice of the Headquarters.


8. In view of above, all the Regional PF Commissioners, In-Charge of Regional and Sub-Regional Offices are directed to ensure that all eligible workers working in all the establishments engaged in Building & Construction industry and the workers working with different establishments by or through contractors are enrolled. The information on such enrolment of construction and contract workers may be sent to Head Office in the format already prescribed.

Enclosure: As Above

  
22/1/2015  
(P.K.Udgata)

**Additional Central P.F. Commissioner-I (Compliance)**

**Copy to: Additional CPFC (Zones) for information with a request to conduct meetings with State Government, Big Establishments with 500 + members, Labour Unions etc. at their level and monitor the activities of the Regional Offices under their control on the above subject.**

  
22/1/2015  
(P.K.Udgata)

**Additional Central P.F. Commissioner-I (Compliance)**

ई-मेल/E-mail : acc.compliance@epfindia.gov.in

दूरभास/Telephone : 011-26172672

फैक्स/Fax : 011-26103100

**Web Circulation**



कर्मचारी भविष्य निधि संगठन  
(श्रम मंत्रालय भारत सरकार)

Employees' Provident Fund Organisation  
(Ministry of Labour, Govt. Of India)

मुख्य कार्यालय/Head Office

भविष्य निधि भवन, 14-भीकाजी कामा प्लेस, नई दिल्ली-110066

Bhavishya Nidhi Bhawan, 14- Bhikaji Cama Place, New Delhi - 110066

[www.epfindia.gov.in](http://www.epfindia.gov.in) : [www.epfindia.nic.in](http://www.epfindia.nic.in)

NO.C-III/110001/4/3(71)Misc./2013/DL/

Date : 08.10.2013

To

- 8 OCT 2013

All Regional P.F. Commissioners  
In-Charge of Regional/Sub Regional Offices

**Subject : Compliance under the EPF & MP Act, 1952 in respect of  
the employees engaged by or through contractors.**

Sir,

A number of complaints are received by the organization on non-extension of social security benefits in the form of provident fund, pension and insurance as envisaged under the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 and Schemes framed there under especially to the casual, contractual and outsourced employees working in different establishments, Government Departments, Undertakings and Autonomous bodies, both Central and State. Accordingly, the very purpose of this social legislation is defeated.

2. The word employee has been defined to mean any person who is employed for wages in any kind of work, manual or otherwise, in or in connection with the work of an establishment and who gets his wages directly or indirectly from the employer, and includes any person employed by or through a contractor in or in connection with the work of the establishment. The Act does not differentiate between casual, contractual and regular employees.

3. Various Government Departments, Undertakings and Autonomous bodies, both Central and State, outsource the activities like watch-ward, housekeeping, data-entry etc. to different agencies and contractors and the persons engaged by such agencies and contractors to execute the above activities are not extended due benefits of provident fund, pension and insurance. This increases the number of grievances to the organization.

4. Paragraph 30(3) of the Employees' Provident Funds Scheme, 1952 provides that 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. This is not enforced in true spirit by various Government Departments, Undertakings and Autonomous bodies, both Central and State. Wherever enforced, there is no proper scrutiny at the time of the payment of their bills as to whether the agencies and contractors are depositing contributions due from them under the Act and the Schemes framed thereunder which is commensurate with the wages paid to such out sourced staff.

5. Instances have come to notice that the placement agencies and security agencies, which provide guards and other personnel to Government Departments, Undertakings and Autonomous Bodies often take employer's contribution on full wages from these employers and then bifurcate the wages of the personnel provided by them in to basic wages and various other allowances which do not form part of basic wages to evade the provident fund. This diversion of residual employer's contribution tantamount to pilfering of provident fund money. Thus, Governments Departments, Undertakings and Autonomous Bodies, which settle the periodic bills of agencies and contractors, unwillingly become a party to this pilferage.

6. Time has come to work on such issues of concern and to converse and inform these Government Departments, Undertakings and Autonomous Bodies about their role while engaging the various agencies and contractors and while settling their monthly bills with respect to deployment of such personnel.

7. In this background, all the Regional Provident Fund Commissioners In-Charge of Regional/Sub Regional Offices are advised to start a dialogue with the Government Departments, Undertakings and Autonomous Bodies functioning under your jurisdiction about their duties and responsibilities while engaging personnel for watch-ward, housekeeping, data-entry etc. through various agencies and contractors to check such pilferage of provident fund monies. The Officers-In-Charge are also advised to collect the details of personnel engaged through the various agencies and contractors from these Government Departments, Undertakings and Autonomous Bodies and check with the records available in their own offices about such agencies and contractors. Wherever pilfering of provident fund money is noticed, immediate action shall be initiated against the erring agencies and contractors to check such unhealthy practices harming the interest of the workers.

8. The Regional Provident Fund Commissioners In-Charge of Regional/Sub Regional Offices are advised to issue notices to the Government Departments, Undertakings and Autonomous Bodies functioning under your jurisdiction for arresting such unfair practices, which various

agencies and contractors adopt while supplying personnel. Enforcement Officers may be detailed to educate these Government Departments, Undertakings and Autonomous Bodies about the duties and responsibilities of the principal employers. They shall also be advised to ensure that :

- a) all the agencies and contractors to whom the work is outsourced are covered under the Act;
- b) all the personnel supplied by the agencies and contractors are extended benefits of provident fund etc. ; and
- c) all the personnel engaged get eligible benefits commensurate to the wages they get.

9. The Government Departments, Undertakings and Autonomous Bodies may be advised to watch the compliance status of various agencies and contractors to the provisions of the Act and the Schemes framed thereunder on the '**establishment search option**' on the official website of EPFO [www.epfindia.com](http://www.epfindia.com).

10. The specimens of draft letters to (a) various Government Departments/Undertakings/Autonomous Bodies and (b) Big establishments already covered and deploying more than 500 employees/workers are enclosed herewith for use at your end.

11. A presentation on the role of Principal Employers and Contractors which has been attempted at this end is enclosed herewith for wide publicity for this purpose.

(This issues with the approval of CPFC.)

Enclosures : As above.

Yours faithfully,



8/10/13

(P.K.UDGATA)  
Additional C.P.F.C. (Compliance)

**DRAFT-I**

**FOR MINISTRIES AND GOVERNMENT DEPARTMENTS NOT COVERABLE  
UNDER THE ACT AND GOVERNMENT UNDERTAKINGS AND  
AUTONOMOUS BODIES COVERED UNDER THE ACT.**

**EMPLOYEES' PROVIDENT FUND ORGANISATION**

.....

.....

No.

Date:

To

.....

.....

.....

**Subject : Compliance under the EPF & MP Act, 1952 in respect of  
the employees engaged by or through contractors.**

Sir,

You may be aware that Employees' Provident Fund Organisation administers the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 and the Schemes framed thereunder which aim to provide social security in the form of Provident Fund, Pension and Insurance to all the employees who are employed for wages in any kind of work, manual or otherwise, in or in connection with the work of an establishment and who get wages directly or indirectly from the employer and which includes any person employed by or through a contractor in or in connection with the work of the establishment and apprentices engaged (other than the apprentice under the Apprentices Act, 1961).



2. I am sure that for all the direct employees of your esteemed Ministry/Department/Undertakings/Autonomous Bodies, such benefits are in place under the relevant Government Rules. However, we understand that activities like watch and ward, house-keeping, data-entry etc. are outsourced to agencies and contractors. At times, the workers engaged by these agencies and contractors are deprived of Provident Fund, Pension and Insurance. Even if they receive such benefits, those do not commensurate with the wages they earn every month. Similarly, various agencies and contractors often receive employer's contribution on full wages from Ministries/Government Departments/Undertakings/Autonomous Bodies but while extending the provident fund benefits etc. to their workers, these agencies bifurcate the wages into basic wages and various other allowances, which are not within the ambit of basic wages, to evade the provident fund. This is nothing but subterfuge of wages. As a result, the poor workers are deprived of their legitimate share of provident fund etc. Further, the residual employer's contribution which these agencies do not pass on to their workers tantamounts to pilfering of provident fund money. Thus, Ministries and Governments Departments which settle the periodic bills of agencies and contractors unknowingly become a party to this pilferage. With your Intervention it can be ensured that all such employees do get social security benefits.

3. While awarding various contracts, it may please be ensured that the agencies and contractors shall have Provident Fund Code Number and all the contract employees deployed by them are enrolled as members of Provident Fund. In this regard, your kind attention is drawn to Paragraph 30(3) of the Employees' Provident Fund Scheme, 1952 which provides that it shall be the responsibility of the principal employer to pay both the contributions payable by him in respect of the employees directly employed by him and also in respect of the employees employed by or through a contractor.

4. A provision has been made on the Official Website of EPFO, [www.epfindia.gov.in](http://www.epfindia.gov.in), on the "**establishment search option**" to verify as to whether the agencies and contractors having Provident Fund Code numbers are regularly depositing Provident Fund contributions every month in respect of all the employees deployed by them. The above facility may be utilized to check the compliance position of the agencies and contractors to the provisions of the Act and the Schemes framed thereunder to which the contracts are awarded by your Ministry/Department/Undertaking/Autonomous Body. Wherever the contractors do not have any Provident Fund Code number or if any non-compliance by any agency or contractor is noticed, the details of such establishments may please be informed to this office so that appropriate action can be initiated and poor workers' interest is protected.

5. The Enforcement Officer of this Office shall be visiting your Ministry/Department/Undertakings/Autonomous Bodies to further apprise you of the methodology. The opportunity will also enable to get the status of compliance with regard to contract employees engaged by your contractors.

6. You may appreciate the concern of this organisation in extending social security in the form of Provident Fund, Pension and Insurance to all the workers including contract workers. I am sure that with your support we will be able to serve the workforce in a better way.

Your cooperation in this regard will be highly solicited.

Yours faithfully,

(.....)

Regional PF Commissioner

**DRAFT-II**

**FOR MAJOR PRIVATE ESTABLISHMENTS (BOTH UN-EXEMPTED & EXEMPTED) COVERED UNDER THE EPF & MP ACT, 1952 AND HAVING MEMBERSHIP OF 500 AND ABOVE.**

**EMPLOYEES' PROVIDENT FUND ORGANISATION**

.....  
.....

No.

Date:

To

.....  
.....  
.....

**Subject : Compliance under the EPF & MP Act, 1952 in respect of employees engaged by or through the Contractors.**

Sir,

You may be aware that Employees' Provident Fund Organisation administers the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 and the Schemes framed thereunder which aim to provide social security in the form of Provident Fund, Pension and Insurance to all the employees who are employed for wages in any kind of work, manual or otherwise, in or in connection with the work of an establishment and who get wages directly or indirectly from the employer and which includes any person employed by or through a contractor in or in connection with the work of the establishment and apprentices engaged therein (other than the apprentice under the Apprentice Act, 1961).

2. You have been regularly complying with the provisions of the Act in respect of your direct employees under EPF Code no. \_\_\_\_\_ . However, activities like watch and ward, house-keeping, data-entry etc. you must have outsourced to agencies and contractors. At times, the workers engaged by these agencies and contractors are deprived of Provident Fund, Pension and Insurance. Even if they receive such benefits, those do not commensurate with the wages they earn every month. Similarly, various agencies and contractors often receive employer's contribution on full wages from you but while extending the provident fund benefits etc. to their workers, these agencies bifurcate the wages into basic wages and various other allowances, which are not within the ambit of basic wages, to evade the provident fund. This is nothing but subterfuge of wages. As a result, the poor workers are deprived of their legitimate share of provident fund etc. Further, the residual employer's contribution which these agencies do not pass on to their workers tantamounts to pilfering of provident fund money. Thus, while settling the periodic bills of agencies and contractors which you engage, you become a party to this pilferage unknowingly. Your intervention in this regard will ensure that all such employees do get social security benefits.

3. While awarding various contracts, it may please be ensured that the agencies and contractors shall have Provident Fund Code Number and all the contract employees deployed by them are enrolled as members of Provident Fund. In this regard, your kind attention is drawn to Paragraph 30(3) of the Employees' Provident Fund Scheme, 1952 which provides that it shall be the responsibility of the principal employer to pay both the contributions payable by him in respect of the employees directly employed by him and also in respect of the employees employed by or through a contractor.

4. A provision has been made on the Official Website of EPFO, [www.epfindia.gov.in](http://www.epfindia.gov.in), on the "establishment search option" to verify as to whether the agencies and contractors having Provident Fund Code numbers are regularly depositing Provident Fund contributions every month in respect of all the employees deployed by them. The above facility may be utilized to check the compliance position of the agencies and contractors to the provisions of the Act and the Schemes framed thereunder to whom the contracts are awarded by you. Wherever the contractors do not have any Provident Fund Code number or if any non-compliance by any agency or contractor is noticed, the details of such establishments may please be informed to this office so that appropriate action can be initiated and poor workers' interest is protected.

5. The Enforcement Officer of this Office shall be visiting your establishment to ascertain the status of compliance in respect of the contract employees. You are requested to handover the details of the outsourced work together with the name and address of the contractor in the following format for verification so as to ensure compliance.

Sl. No.	Name of Contractor outsourced Agency, Address	Work Order(s) no. and Date and duration of work	Nature Of work	No of employees	Wages paid	PF Code No. If any	Name of PF Office where PF and allied dues are deposited by contractor.

6. I am sure that your esteemed organisation is interested in compliance of laws of land and therefore, you will give full support to the Enforcement Officer of the department. You will give us no occasion to resort to other statutory provisions existing in Employees' Provident Funds and Miscellaneous Provisions Act, 1952 and Schemes framed thereunder. Our joint venture is that contract/outsourced employees get the social security benefits to which they are entitled to and to which your organisation is committed.

Yours faithfully

(.....)  
Regional PF Commissioner

## **COMPLIANCE OF CONTRACTOR ESTABLISHMENTS**

**EMPLOYEES' PROVIDENT  
FUNDS & MISCELLANEOUS.  
PROVISIONS ACT 1952**

### **WHO IS A CONTRACTOR**

- × EPF Act does not define, either the “principal employer” or “contractor”.**
- × However, EPF Scheme makes the principal employer**
  - i. responsible for statutory compliance of all employees, whether regular or contractual &**
  - ii. liable for punitive action in case of default.**

## **WHO IS A CONTRACTOR**

- ✓ **Even though “contractor” is not defined in the EPF Act, the term is clearly understood by the employers.**
- ✓ **They provide secondary and tertiary support to the primary business activities**
- ✓ **Some illustrative but not exhaustive examples can be:-**
- ✓ **Facilities managers, canteen workers, loaders, transport managers, security staff etc.**

## **SECURING COMPLIANCE**

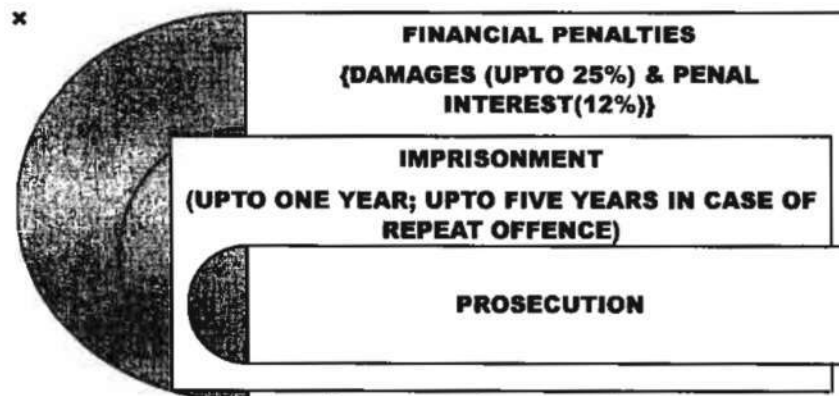
- × **The EPF Scheme mandates that principal employer shall be responsible for ensuring compliance of all contractual employees.**
- × **Principal establishments may check the compliance position of their contractors on the following url:-**
- × **[http://search.epfoservices.in/estt\\_search/est\\_search.php](http://search.epfoservices.in/estt_search/est_search.php)**
  
- × **On providing the requisite details, following url displaying result of the query shall open**
- × **[http://search.epfoservices.in/estt\\_search/est\\_search\\_display\\_result.php#](http://search.epfoservices.in/estt_search/est_search_display_result.php#)**

## **SECURING COMPLIANCE**

- × On the display result , the last column icon is "Payment".
- × On clicking the icon, details of compliance by the establishment shall open.
- × In the next display, clicking on No. of employees provides the names of employees in respect of whom establishment has reported compliance.
- × Principal employers should regularly check this link to ascertain whether the contractor establishment is regularly complying or not.
- × Principal employers may also furnish the details of contractors engaged by them to EPFO to facilitate compliance by such establishments.

## **SECURING COMPLIANCE**

- × ANY DELINQUENCY BY THE CONTRACTOR ESTABLISHMENT RENDERS THE PRINCIPAL EMPLOYER LIABLE FOR:-



## **ADVISORIES**

- \* **A MODEL EMPLOYER SHOULD INSIST ON EPF ENROLMENT OF ALL CONTRACTUAL EMPLOYEES.**
- \* **CHECK THE COMPLIANCE POSITION OF CONTRACTOR ESTABLISHMENT ON EPF INDIA WEBSITE.**
- \* **ENCOURAGE CONTRACTOR ESTABLISHMENTS TO REGISTER WITH THE EPF, IF IT IS NOT REGISTERED.**
- \* **MONITORING OF CONTRACTOR COMPLIANCE SHOULD BE HANDLED BY A SENIOR FUNCTIONARY/COMMITTEE, AS PENAL CONSEQUENCES OF SLIPPAGES, EVEN THOUGH UNINTENTIONAL ARE SEVERE.**

## **ADVISORIES**

- \* **KEEP A READY LIST OF CONTRACTORS PRESENTLY ENGAGED AND THEIR PERIOD OF CONTRACT.**
- \* **GENERATE A SUMMARISED STATEMENT OF EPF REMITTANCES AND NUMBER OF EMPLOYEES OF ALL CONTRACTOR ESTABLISHMENTS BY 5<sup>th</sup> OF EVERY MONTH.**
- \* **CHECK THE COMPLIANCE STATUS OF ALL SUCH CONTRACTOR ESTABLISHMENTS EVERY MONTH ON OR AROUND 20<sup>th</sup> ON EPF INDIA WEBSITE.**
- \* **FURNISH THE LIST OF ALL CONTRACTOR ESTABLISHMENTS TO EPFO ALONG WITH THEIR PERIOD OF CONTRACT AND DEMAND THEIR COMPLIANCE STATUS THROUGH EMPLOYERS' PORTAL.**



ई-मेल/E-mail : acc.compliance@epfindia.gov.in

दूरभास/Telephone : 011-26172672

फैक्स/Fax : 011-26103100

**Web Circulation**



**कर्मचारीभविष्य निधि संगठन  
(श्रम मंत्रालय भारत सरकार)**

**Employees' Provident Fund Organisation  
(Ministry of Labour, Govt. Of India)**

**मुख्य कार्यालय / Head Office**

**भविष्य निधि भवन, 14-भीकाजी कामाप्लेस, नई दिल्ली-110066**

**BhavishyaNidhiBhawan, 14- Bhikaji Cama Place, New Delhi - 110066**

**www.epfindia.gov.in: www.epfindia.nic.in**

**NO.C-III/4/3(157)SC(Construction Workers)/2014/HQ/ 21 226**

**Date : 05.11.2014**

**To**

**All Regional P.F. Commissioners ,  
In-Charge of Regional/Sub Regional Offices.**

**Subject : Enrollment of eligible construction workers under the ambit of  
Employees' Provident Funds and Miscellaneous Provisions Act, 1952.**

Sir,

The Issue of coverage and enrolment of workers engaged in the construction industry has been deliberated frequently in different forums. The Parliamentary Standing Committee on Labour raised its concern on this issue also.

2. Earlier the employers were taking excuse that the contract workers are reluctant to contribute towards provident fund as their wages are very low and as they are not sure about getting back their accumulations deducted from their wages. The employers were also not enrolling the construction workers as the EPFO has not allotted Permanent Account Number to such workers.

3. Now, EPFO has already started allotting Universal Account Number (UAN) to all the EPF members so as to provide the facility of portability of the account/s of the workers with a view to deliver service uninterruptedly on change of job or location. The excuses taken by the employers have already been answered to.

4. The total number of construction workers form a greater portion of the total work-force who are to be given social security benefits in the form of Provident Fund, Pension and Insurance. It is, thus, imperative for EPFO to cover all eligible workers working in the construction industry and extend social security benefits.


5. Various Government Departments, Public Sector Undertakings, Autonomous Bodies and big Construction Agencies carry out a number of construction activities and deploy sizeable number of workers. To start with, immediate survey be carried out to ensure as to whether all eligible workers working in the Government Departments, Public Sector Undertakings, Autonomous Bodies and big Construction Agencies are covered under the Act and extended with social security benefits.

6. In this context it has been decided to launch a campaign from 15<sup>th</sup> November, 2014 to 15<sup>th</sup> January, 2015 to verify the compliance position in respect of construction workers deployed by the above authorities and agencies. Accordingly, you are directed to contact above authorities and agencies to verify the status of compliance in respect of construction workers. A report in this regard may please be furnished to Head Office in the following proforma:

Sl. No.	Category of establishments contacted	No. of units visited	No. of construction workers enrolled before the visit	No. of construction workers enrolled after the visit
1.	Government Departments			
2.	Public Sector Undertakings			
3.	Autonomous Bodies			
4.	Big Construction Agencies			
	<b>TOTAL</b>			

7. The first monthly report shall reach Head Office by 31<sup>st</sup> December, 2014 and the second monthly report by 31<sup>st</sup> January, 2015.

Yours faithfully,

  
 5/11/2014  
 (P.K.UDGATA)

Additional C.P.F.C.-I (Compliance)

Copy to:

Additional CPFCs (Zones) for information and with a request to supervise the work of the regions under their charge.

  
 5/11/2014  
 (P.K.UDGATA)

Additional C.P.F.C.-I (Compliance)

ई-मेल/E-mail : acc.compliance@epfindia.gov.in

दूरभास/Telephone : 011-26172672

फैक्स/Fax : 011-26103100

**Web Circulation**



**कर्मचारी भविष्य निधि संगठन  
(श्रम मंत्रालय भारत सरकार)  
Employees' Provident Fund Organisation  
(Ministry of Labour, Govt. Of India)  
मुख्य कार्यालय / Head Office  
भविष्य निधि भवन, 14-भीकाजी कामाप्लेस, नई दिल्ली-110066  
BhavishyaNidhiBhawan, 14- BhikajiCama Place, New Delhi - 110066  
[www.epfindia.gov.in](http://www.epfindia.gov.in): [www.epfindia.nic.in](http://www.epfindia.nic.in)**

**NO.C-III/110001/4/3(71)Misc./2013/DL/Vol.II/ 21225**

**Date : 05.11.2014**

**To**

**All Regional P.F. Commissioners ,  
In-Charge of Regional/Sub Regional Offices.**

**Subject Compliance under the Employees' Provident Funds and  
Miscellaneous Provisions Act, 1952 in respect of the employees  
engaged by or through contractors.**

Sir,

Instructions were issued vide Head Office circular letter No. No.C-III/110001/ 4/3(71)Misc./ 2013/DL/ 12802 dated 08.10.2013 (placed at Sl. No. 428 of Office Orders/Circulars Segment for the year 2013-2014 of the Official website) wherein you were advised to issue notices to Government Departments, Undertakings and Autonomous bodies and big establishments having employees strength of 500 and above covered under the Act and functioning under your jurisdiction for ensuring compliance from the contractors deployed by them with regard to the contract workers.

2. It has also been instructed to detail the Enforcement Officers to educate the Government Departments, Undertakings and Autonomous bodies and big establishments having employees strength of 500 and above about their duties and responsibilities as principal employers.

3. It is expected that by now the above authorities and establishments must have been educated about their duties and responsibilities and started compliance to the provisions of the Act in respect of contract employees.

4. Now it has been decided to start a campaign to verify the enrolment of contract employees deployed by the above authorities and establishments. The campaign will start from 15<sup>th</sup> November, 2014 to 15<sup>th</sup> January, 2015.

5. Accordingly, you are directed to contact above authorities and establishments and verify the status of compliance in respect of contract workers. A report in this regard may please be furnished to Head Office in the following proforma:

Sl. No.	Category of establishments	Total contract workers enrolled during 2013-14		Number of contract workers enrolled during 2014-15 (upto September 2014)	
		No. of establishments	No. of workers	No. of establishments	No. of workers
1.	Government Departments				
2.	Public Sector Undertakings				
3.	Autonomous Bodies				
4.	Big Establishments having employee strength of 500 and above				
	<b>TOTAL</b>				

6. The first monthly report shall reach Head Office by 31<sup>st</sup> December 2014 and the second monthly report by 31<sup>st</sup> January 2015.

Yours faithfully,

  
5/11/2014  
(P.K.UDGATA)

Additional C.P.F.C.-I (Compliance)

Copy to:

Additional CPFCs (Zones) for information and with a request to supervise the work of the Regions under their charge.

  
5/11/2014  
(P.K.UDGATA)

Additional C.P.F.C.-I (Compliance)



कर्मचारी भविष्य निधि संगठन

(श्रम एवं रोजगार मंत्रालय, भारत सरकार)

**EMPLOYEES' PROVIDENT FUND ORGANISATION**

(Ministry of Labour & Employment, Govt. of India)

मुख्य कार्यालय / Head Office

भविष्य निधि भवन, 14-भोकाजी कामा प्लेस, नई दिल्ली-110 066.

Bhavishya Nidhi Bhawan, 14, Bhikaiji Cama Place, New Delhi - 110 066.

**Central Analysis & Intelligence Unit**

No: CAIU/011(33)2015/HQ

Date:

To

24115  
Addl. Central PF Commissioners (Zones),  
In-charge of Regional Office/Sub-Regional Offices,

07 MAR 2016

**Sub: - Coverage of contact workers under EPF & MP Act, 1952 – reg.**

Madam/Sir,

The issue of coverage of contract workers has been flagged as an area of top most concern and priority by the Government of India. Number of instructions have been issued by EPFO Head Office in recent past to ensure that all eligible workers are brought under the ambit of EPF & MP Act, 1952. The action plan has hitherto been to ensure that

- 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; and
- 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, the data collection from different sources itself requires serious and constant efforts. In this endeavor to collect the intelligent and actionable information, to facilitate the work of field offices, 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 contractor and work order, which will be segregated PIN code wise and will go to the respective portal of SRO/RO and can be viewed online, as and when updated.

When this information is uploaded in the system, CAIU, HO shall have the option to view it while this shall originally be reflected in the login of the RO/SRO. The RO/SRO can verify with the respective database of covered establishments whether the particular contractor establishments is already registered and its compliance position. There after RO/SRO can decide/shall have option

- To allocate inspection to particular inspector
- Define time limits for inspection

- (c) Option for uploading of reports in particular format
- (d) Reason for late uploading of reports
- (e) Reason for Pendency in uploading of reports
- (f) Coverage status of establishment (Already Covered, New Coverage)
- (g) No. of new employees covered if any
- (h) Remarks/Comments by APFC/RPFC-II to indicate the satisfaction level of report.
- (i) In case the satisfaction level is below certain limit, inspection has to redone and reports to be uploaded again by EO.

At this instant the Head Office is not making any intervention/giving remarks or observations after the work order is uploaded by the principal employer. The field offices need to check compliance under the EPF & MP Act, 1952 vis-à-vis the individual work orders in the back drop of office records available and decide if inspection is required. In case inspection is deemed required, separate permission may be sought from CAIU giving details as per the instructions already invogue for seeking permission for inspection.

CAIU, HO shall monitor the performance of RO/SRO and have the option to provide its own remarks/directions subsequently.

CPFC has already written DO letters to major Principal employers to avail this facility and it is possible that some of them might contact you in this regard.

In view of the above, all the Regional PF commissioners, Incharge of Regional & Sub Regional Offices are advised to ensure that this facility is properly utilized and to ensure that all eligible workers working through contractors are enrolled. The 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/Principal\\_Employer.php](http://www.epfindia.com/site/en/Principal_Employer.php). The individual login id for respective offices shall be mailed shortly.

For any technical clarification, Shri Dinesh Dharni, Deputy Director (IS) and Shri Randhir Kumar, APFC (CAIU), may be contacted at Telephone No. 011/26163245 [dk.dharni@epfindia.gov.in](mailto:dk.dharni@epfindia.gov.in) and 011/26714171 email id [randhir.kumar@epfindia.gov.in](mailto:randhir.kumar@epfindia.gov.in) respectively .

Yours faithfully,

*M. Narayanappa*  
4/3/16

**(M. Narayanappa)**  
**Addl. Central PF Commissioner-I (CAIU)**



कर्मचारी मविधि संगठन  
(श्रम मंत्रालय भारत सरकार)  
**Employees' Provident Fund Organisation**  
(Ministry of Labour, Govt. Of India)  
मुख्य कार्यालय / Head Office  
मविधि निधि भवन, 14-भीकाजी कामा प्लेस, नई दिल्ली-110066  
Bhavishya Nidhi Bhawan, 14- Bhikaiji Cama Place, New Delhi - 110066  
[www.epfindia.gov.in](http://www.epfindia.gov.in)/[www.epfindia.nic.in](http://www.epfindia.nic.in)

(CENTRAL ANALYSIS & INTELLIGENCE UNIT)

No.CAIU/011(29)2016/Railway Estt.

Date: 19.01.2017

To

18339

25 JAN 2017

**All Additional Central P.F. Commissioners (Zones).**  
**All Regional P.F. Commissioners (Officer-in-Charge).**

**Sub:- Coverage of Contract Workers on Indian Railways under the EPF & MP Act, 1952.**

Sir,

Please find enclosed herewith a letter No. E(LL)2015/PNM/AIRF/1 dated 20.10.2015 alongwith a letter No.2012/CE-I/CT0/22 dated 14.12.2012 and E(NG)/II/2005/RC4/SC/2 dated 21.06.2013 issued to the General Manager (P) All Zonal Railways & Production Units.

2. Vide letter dated 20.10.2015 strict instructions was issued in respect of Contract Labour Laws and advised to take all necessary steps to deduct Provident Fund from the payment made to the contract labour and ensure the same is credited to their Provident Fund account.

3. In view of the above and ongoing Employees' Enrollment Campaign, 2017, it is advised to take necessary steps to ensure coverage and compliance of contractors of Indian Railways.

Yours faithfully,

Encl: as above.

*S.C. Goyal*

(S.C. Goyal)  
Addl. Central P.F. Commissioner-II (CAIU)

S. No. 5 (R)

GOVERNMENT OF INDIA  
MINISTRY OF RAILWAYS  
(RAILWAY BOARD)

No. E(LL) 2015/PNM/AIRF/1

New Delhi, dated 20-10-2015

The General Manager (P)  
All Zonal Railways &  
Production Units.

Sub.: Provisions in respect of the Contract Workers on IR.

With reference to the various provisions of the Contract Labour (R&A) Act, 1970, it is mentioned that the Zonal Railways and Production Units should strictly adhere to the Contract Labour Laws and inter-alia, ensure the following in particular :-

- (i) The payment to the contract labourers should be made through bank/cheque.
- (ii) Identity Card should be issued to all contract workers.
- (iii) Necessary steps should be taken to deduct Provident Fund from the payment made to the contract labour and ensure that the same is credited to their Provident Fund account.
- (iv) Medical facilities from ESI, if applicable.

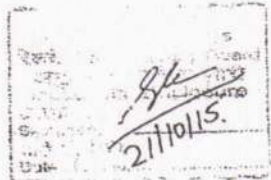
All necessary steps as Principal Employer should be taken to ensure that the above provisions are strictly complied with.

*Plg put up  
we need to  
work to  
state of  
at in*

*[Signature]*  
(D.V. Rao)  
Director Estt. (LL)  
Railway Board.

*o/c*

*[Signature]*  
25/10/15



*Qmp*

*Please put up in Rail  
Est. file.*

*so(ES)*

*15-12-16*

*[Signature]*

*Ac (Legal)*

*for work*

*[Signature]*





भारत सरकार Government Of India  
रेल मंत्रालय Ministry Of Railways  
(रेलवे बोर्ड) (Railway Board)

No. 2012/CE-I/CT/O/22

New Delhi, Dated 14.12.2012

Addressed To :  
(As per Mailing List 'A' Attached).

**Sub :** Application of the provisions of "Employees Provident Fund & Miscellaneous Provisions Act, 1952"; "Employees' Pension Scheme, 1995" and "Employees Deposit Linked Insurance Scheme, 1976" to Railways' contracts.

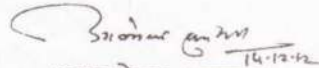
1. Employees' Provident Fund & Miscellaneous Provisions Act, 1952 (hereinafter called the 'Act') was enacted as a measure of social welfare legislation.
2. The Contractors engaged in various contracts deploying workers across Indian Railways come under the purview of the Act. As per Section 1(3), read with Section 16 of the Act, being the principal employer, even though Indian Railways are not covered under the Act, the Contractors working with Indian Railways are covered under the provisions of the Act. The relevant provisions of the EPF Act and its Scheme on liabilities and duties of the principal employer are enclosed as Annexure-II.
3. With a view for enabling Railways in implementation of the provisions of the Act, Ministry of Railways have decided that the following contents shall be added as Clause 55-B to the General Conditions of Contract, as per Addendum & Corrigendum Slip (ACS) enclosed as Annexure-I :

**"Clause 55-B to GCC : Provisions of Employees Provident Fund and Miscellaneous Provisions Act, 1952 :**

The Contractor shall comply with the provisions of Para 30 and 36-B of the Employees Provident Fund Scheme, 1952; Para 3 and 4 of Employees' Pension Scheme, 1995; and Para 7 and 8 of Employees Deposit Linked Insurance Scheme, 1976; as modified from time to time, wherever applicable and shall also indemnify the Railway from and against any claims under the aforesaid Act and the Rules".

4. This issues with the concurrence of the Finance Directorate of Ministry of Railways.  
Please acknowledge receipt.

संलग्नक/उपरोक्तानुसार

  
(आलोक कुमार)  
14.12.12

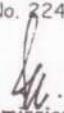
कार्यकारी निदेशक/सिविल इंजीनियरिंग(जी)/रेलवे बोर्ड

No. 2012/CE-I/CT/O/22

New Delhi, Dated 14.12.2012

Copy forwarded for information to :

1. The FA&CAOs, All Indian Railways.
2. The Deputy Comptroller & Audit General of India (Railways), Room No. 224, Rail Bhawan, New Delhi.

  
For Financial Commissioner/ Railways



भारत सरकार Government Of India  
रेल मंत्रालय Ministry Of Railways  
(रेलवे बोर्ड) (Railway Board)

**Addendum & Corrigendum Slip (ACS) to General Conditions of Contract**

{Ref : Railway Board's letter no. 2012/CE-I/CT/O/22, dated 14.12.2012}

**"Clause 55-B to GCC : Provisions of Employees Provident Fund and Miscellaneous Provisions Act, 1952 :**

The Contractor shall comply with the provisions of Para 30 & 36-B of the Employees Provident Fund Scheme, 1952; Para 3 & 4 of Employees' Pension Scheme, 1995; and Para 7 & 8 of Employees Deposit Linked Insurance Scheme, 1976; as modified from time to time through enactment of "Employees Provident Fund & Miscellaneous Provisions Act, 1952, wherever applicable and shall also indemnify the Railway from and against any claims under the aforesaid Act and the Rules".

Employees' Provident Fund Scheme, 1952 :

**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 contractor, the contribution payable by such member (in this Scheme 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.

(Explanation : For the purposes of this paragraph, the expression "administrative charges" means such percentage of the pay (basic wages, dearness allowance, retaining allowance, if any, and cash value of food concessions admissible thereon) for the time being payable to the employees other than an excluded employee, and in respect of which Provident Fund Contribution are payable as the Central Government may, in consultation with the Central Board and having regard to the resources of the Fund for meeting its normal administrative expenses fix.)

**36-B. Duties of Contractors :**

Every contractor shall, within seven days of the close of every month, submit to the principal employer a statement showing the recoveries of contributions in respect of employees employed by or through him and shall also furnish to him such information as the principal employer is required to furnish under the provisions of the Scheme to the Commissioner.

Employees' Pension Scheme, 1995 :

**Para 3(1)** : From and out of the contributions payable by the employer in each month under Section 6 of the "Act" or under the rules of the Provident Fund of the establishment which is exempted either under clauses (a) and (b) of sub-section (1) of Section 17 of the Act or whose employees are exempted under either paragraph 27 or paragraph 27-A of the Employees' Provident Fund Scheme, 1952, a part of contribution representing 8.33 per cent of the Employee's pay shall be remitted by the employer to the Employees' Pension fund within 15 days of the close of every month by a separate bank draft or cheque on account of the Employees' Pension Fund contribution in such manner as may be specified in this behalf by the Commissioner. The cost of the remittance, if any, shall be borne by the employer.

**Para 3(2) :** The Central Government shall also contribute at the rate of 1.16 per cent of the pay of the members of the Employees' Pension Scheme and credit the contribution to the Employees' Pension Fund :

Provided that where the pay of the member exceeds Rs. 6,500 (Rupees Six thousand and five hundred) per month, the contribution payable by the employer and the Central Government be limited to the amount payable on his pay of Rs. 6,500 (Rupees Six thousand and five hundred) only.

**Para 4 : Payment of Contribution :**

- (1) The employer shall pay the contribution payable to the Employees' Pension Fund in respect of each member employed by him directly or by or through a contractor.
- (2) It shall be the responsibility of the principal employer to pay the contributions payable to the Employees' Pension Fund by himself in respect of the employees directly employed by him and also in respect of the employees employed by or through a contractor.

**Employees' Deposit Linked Insurance Scheme, 1976 :**

**Para 7 : Contribution :**

- (1) The contribution payable by the employer and the Central Government under sub-section (2) and sub-section (3) of Section 6-C of the Act, shall be calculated on the basis of the basic wages, dearness allowance (including the cash value of any food concession) and retaining allowance, if any, actually drawn during the whole month whether paid on daily, weekly, fortnightly or monthly basis.

Provided that where the monthly pay of an employee exceeds six thousand five hundred rupees, the contribution payable in respect of him by the employer and the Central Government shall be limited to the amounts payable on a monthly pay of six thousand five hundred rupees including dearness allowance, retaining allowance (if any) and cash value of food concession.

**Para 8 : Mode of Payment of Contribution :**

- (1) The contribution by the employer shall be remitted by him together with administrative charges at such rate as the Central Government may fix from time to time under sub-section 4 of Section 6-C of the Act, to the Insurance Fund within fifteen days of the close of every month by a separate bank draft or cheque or by remittance in cash in such manner as may be specified in this behalf by the Commissioner. The cost of remittance, if any, shall be borne by the employer.
- (2) It shall be the responsibility of the employer to pay 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.

\*\*\*\*\*

LIST "A"

1. General Managers, All Indian Railways & Production Units.
- 1a. General Manager (Con), N.F. Railway, Guwahati.
2. Principal Chief Engineers, All Indian Railways.
3. Chief Administrative Officers (Con), All Indian Railways. (Except N.F. Railway)
4. Chief Vigilance Officers, All Indian Railways.

Copy to:(A)

1. CAO/CAO(R), COFMOW, Tilak Bridge, New Delhi-110002.
2. CAO/CAO(R), Diesel Locomotive Works, Patiala(Punjab).
3. CAO, Rail Coach Factory/Rae Bareilly Project, Kishanganj, Delhi- 7

(B)

1. Director General, RDSO, Manak Nagar, Lucknow-226011.
2. Principal, Railway Staff College, Vadodara-390004
3. Chief Commissioner of Railway Safety, Ashoka Road, Lucknow-226001.

(C)

1. Director, IRICEN, Rail Path, Pune. Pin-411001 (Maharashtra).
2. Director, IRIEEN, P.B.No.-233, Nasik Road-422101 (Maharashtra).
3. Director, IRISSET, Taa Naka Road, Lalla Guda, Secunderabad-500017
4. Director, IRIMEE, Jamalpur Distt., Jamalpur - 811214. (Bihar)
5. Director, IRITM, Saraswati Residential Estate, IRITM Campus, Manak Nagar Lucknow.

(D)

1. MD, DMRC, Metro Bhawan, 13, Fire Bridge Lane, Barakhamba Road, New Delhi-110 001.
2. MD, CONCOR, Concor Bhawan, C-3, Mathura Road, Opp. Apollo Hospital, New Delhi- 110076.
3. IRCON International Limited, C-4, District Centre, Saket, New Delhi- 110017
4. MD, RITES Ltd., RITES Bhawan, Plot No.1, Sector-29, Gurgaon, Haryana-122001
5. MD, RVNL, August Kranti Bhawan, Plot No.25, 1<sup>st</sup> Floor, Bhikaji Cama Place, New Delhi-110066
6. MD, MRVC Ltd., Churchgate Station Bldg, Mumbai- 400020
7. MD, KONKAN Railway Corporation Ltd, Rail Bhawan, New Delhi-110001.
8. MD, DFCCIL, 5<sup>th</sup> Floor, Pragati Maidan Metro Station Building Complex, New Delhi-110001
9. MD, RLDA, Near Safdarjung Railway Station, Moti Bagh, Phase-I, New Delhi- 110021
10. RCF, Rae Bareilly, Kishan Ganj, Delhi.
11. CME, IROFAP, 12<sup>th</sup> Floor, Core-1, Scope Minar, Distt. Centre, Laxmi Nagar, Delhi- 110092
12. CAO, Indian Railways (Workshop Projects), Chamber Bhawan, Judge's Court Road, Anta Ghat, Patna-800001, Bihar.

(E)

1. General Secretary, IRCA, DRM Office, New Delhi.
2. General Secretary, AIRF, Rail Bhawan, New Delhi.
3. General Secretary, NFIR, Rail Bhawan, New Delhi.
4. General Secretary, IRPOF, Rail Bhawan, New Delhi.
5. General Secretary, FROA, Rail Bhawan, New Delhi.
6. General Secretary, AIRPA, Rail Bhawan, New Delhi.
7. General Secretary, AISC&STREA, Room no. 7, Rail Bhawan, New Delhi.
8. The Secretary, RBSS, Group (A) Officers Association, Rail Bhawan.
9. The Secretary, RBSS, Group (B) Officers Association, Rail Bhawan.
10. The Secretary, RBMSA, Rail Bhawan.
11. The Secretary, Railway Board, Group (D) Employees Association, Rail Bhawan.

Copy to:

CRB, FC, ME, ML, MS, MM, MT, Secy., AM(CE), AM(WORKS), AM(PLG.) AM(STAFF), AM(Mech.), AM(Elec.), AM(PU), AM(Tele), AM(Sig.), AM(Traffic), AM(F), AM(B), Adv.(Projects), Adv.(L&A), Adv.(Vig.), Adv.(Rates), AM(Stores), AM(IT), AM(T&C), AM(Comml.) DG(RHS), DG(RPF), EDTK(M), EDTK(MC), EDTK(P), EDW(Plg.), EDME(Track), EDCE(B&S), EDCE(RC&F), EDF(X)-I, EDF(X)II, DF(X)-II, ED(W), EDCE(P), ED(PROJECT), ED(L&A)-I, ED(L&A)-II, EDVE, ED/DM, ED(Safety), ED(Sig.), ED(Tele), EDRS(G), ED(E&R)EDEE(Dev.), EDEE(G), EDEE(RS), EDRE(P), EDRE(S&T), EDE, EDE(N), EDE(Res.), EDFE, EDPC, ED(Accounts), ED(T&MPP), EDE(GC), EDME(CHG), EDME(F), EDME(Dev.), EDME(W), ED(Plg.), ED(CHG), EDRS(P), EDRS(S), EDF(S), ED(FC), EDPM, EDPG, EDTC(R), EDTT(F), EDTT(M), EDTT(S), EDV(S), EDV(T), DCE(B&S), DCE(P), Dir(L&A), JS(Conf.), JS(G), JS(P), LA, Eco.(Adv.) F(X)I, II, Vig.III, Vig.(Conf.), L&A, Track I & II, Telecom, Signal, RS(G), & Electrical Branches of Rly. Board.



कर्मचारी भविष्य निधि संगठन  
(श्रम मंत्रालय भारत सरकार)

**Employees' Provident Fund Organisation  
(Ministry of Labour, Govt. Of India)**

मुख्य कार्यालय / Head Office

भविष्य निधि भवन, 14-भीकाजी कामा प्लेस, नई दिल्ली-110066

**Bhavishya Nidhi Bhawan, 14- Bhikaiji Cama Place, New Delhi - 110066**

[www.epfindia.gov.in/www.epfindia.nic.in](http://www.epfindia.gov.in/www.epfindia.nic.in)

(CENTRAL ANALYSIS & INTELLIGENCE UNIT)

No. CAIU/011(29)2016/Railway estts.

Date: 20 FEB 2017

To

All Additional Central P.F. Commissioners  
(Zones).

Sub:- Coverage of contract workers engaged by Indian Railways under EPF & MP Act, 1952 - reg.

Sir,

Please find enclosed herewith a copy of letter No.2017/E(LL)/AT/CNR/5 dated 03.02.2017 received from Director Estt. (LL), Railway Board, Government of India, Ministry of Railways (Railway Board), New Delhi addressed to the General Managers (P), All Zonal Railways & PUs and copy endorsed to EPFO, Head Office on the subject cited above.

It is intimated that Director Estt. (LL), Railway Board issued instructions to their field functionaries for strict compliance. ACC (Zones) are advised to contact General Managers of the concerned Zonal Railways and arrange to collect the list of the Contractors working in the concerned Zones.

It is requested to take steps to collect details of contractors as above and to cover all eligible workers engaged by contractors working for Railways and ensure Social Security benefits to these employees as envisaged under the EPF & MP Act, 1952.

Kindly consider it urgent and important.

Yours faithfully,

*S. C. Goyal*

(S.C. Goyal)

**Addl Central P.F. Commissioner-II (CAIU)**

Encl: as above.

S.No-7(R)38  
S.No. 7

भारत सरकार Government of India  
रेल मंत्रालय Ministry of Railways  
(रेलवे बोर्ड) (Railway Board)

No. 2017/E(LL)/AT/CNR/5.

New Delhi, dt. 3.02.2017

The General Managers (P),  
All Zonal Railways & PUs.

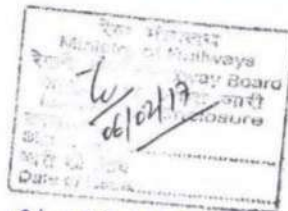
Sub: Coverage of unenrolled Contract employees of Indian Railways under the "Employees' Enrollment Campaign - 2017" launched by EPFO under EPF & MP Act, 1952.

During a recent meeting held with top officials of "Employees Provident Fund Organisation" (EPFO), the issue of extending various social security benefits to the contract labourers on the Indian Railways was intensively discussed. In this connection, EPFO has requested for a list of contractors through whom 'Contract Employees' are being engaged. A copy of Employees' Enrollment Campaign, 2017 provided by EPFO is enclosed. In this regard, Zonal Railways, etc. are directed to extend necessary assistance to the local office of EPFO for providing the list of registered contractors to EPFO on priority.

अ.के.प.नि. आयुक्त (मुख्यालय)  
Addl. C.P.F.C. (HQ)  
सं./Dy. No. 35745  
दिनांक/Date 16-2-17

अ.के.प.नि. आयुक्त-II (अनुपालन)  
Addl. C.P.F.C.-II (Compliance)  
दायरी सं./Diary No. 2153  
दिनांक/Date 16-2-17

11. JSSM  
G  
13.2.17



9c  
(D.V. Rao)  
Director Estt.(I.L.)  
Railway Board  
Fax No.011-23384771

Copy to: Shri M. NARAYANAPPA  
Additional Central PF Commissioner (HQ)  
Employee Provident Fund Organization  
Bhavishya Nidhi Bhawan, 14 - Bhikaji Cama  
Place - New Delhi - 110066

ACC CA10

17/2/17

Rel (10)

16/2/17

le. put up initially.

17/2/17

### Employees' Enrolment Campaign, 2017

Employees' Enrolment Campaign is being launched during the period 01.01.2017 to 31.03.2017, in order to extend social security benefits to all the eligible workers in the country. During the Campaign, various financial incentives are being offered to establishments to enrol their workers.

An employer, whether already covered or yet to be covered, can enrol employees who remained un-enrolled for any reason between 01.04.2009 and 31.12.2016 by making a declaration of such employees during the campaign period. However, the declaration can be made only in respect of employees who are alive.

For the declaration made under this campaign, the employer shall be responsible to remit the employer's contribution, interest under section 7Q of the Act and damages. As an incentive, the following shall apply to the declarations made under the campaign:-

- (i) The employee's share of contribution if declared by the employer to not have been deducted shall stand waived.
- (ii) The damages to be paid by the employer in respect of the employees for whom declaration has been made under this campaign shall be at the rate of Rupee 1(one) per annum.
- (iii) No administrative charges shall be collected from the employer in respect of the contribution made under the declaration.

If the employer fails to pay within 15 days of making the declaration, the dues, interest and damages payable by him in respect of the declaration made under this campaign, such declaration shall be deemed to have not been made under this campaign.

The Employees' Enrolment Campaign is an important step towards extending benefits to workers who have hitherto remained deprived of Social Security benefits.

### Pradhan Mantri Rozgar Protsahan Yojna (PMRPY)

The Government has launched Pradhan Mantri Rozgar Protsahan Yojna (PMRPY), a scheme designed to incentivise employers for generation of new employment while ensuring that the workers have access to social security benefits. Under this scheme, for employees who get employment after 31.03.2016, in establishments registered with EPFO and who draw wages not more than Rs. 15000/- per month, out of the contribution of the employer which is 12% of the wages, the Government pays an amount equal to 8.33% of the wages. The scheme is being implemented by EPFO.



34

Pradhan Mantri Paridhaan Rozgar Protsahan Yojna (PMRPY)

In an effort to further boost employment generation in the textiles sector, the Ministry of Textiles has also approved a scheme namely Pradhan Mantri Paridhaan Rozgar Protsahan Yojna (PMRPY) to provide the remaining 3.67% of the employer's share of contribution under the EPF & MP Act, 1952 apart from the 8.33% to be provided under the PMRPY for all new employment generated after 31.03.2016 by the employers in the textile sector.

Conclusion

Given the incentives under the Campaign, no eligible employee shall remain un-enrolled who has joined on or after 01.04.2016 where employers are eligible for reimbursement of employer's contribution partly/fully under PMRPY and PMRPY.



कर्मचारी भविष्य निधि संगठन  
(श्रम मंत्रालय भारत सरकार)

**Employees' Provident Fund Organisation**  
(Ministry of Labour, Govt. Of India)

मुख्य कार्यालय / Head Office

भविष्य निधि भवन, 14-भीकाजी कामा प्लेस, नई दिल्ली-110066

**Bhavishya Nidhi Bhawan, 14- Bhikaiji Cama Place, New Delhi - 110066**

[www.epfindia.gov.in/www.epfindia.nic.in](http://www.epfindia.gov.in/www.epfindia.nic.in)

(CENTRAL ANALYSIS & INTELLIGENCE UNIT)

No.CAIU/011(33)2015/HQ/Vol.IV/

Date: 24.05.2018

To

All Addl. Central P.F. Commissioner (Zones)  
All RPFCS/ OICs of Regional Offices.

24 MAY 2018

Sub: Coverage of non-enrolled contract/casual employees in respect of Indian Railways- Reg.

Sir/Madam,

In the last meeting with representatives of the Railways held on 09.05.2018 in Head Office, it has been decided that in order to effectively monitor the progress in uploading contract details by various user and Sub-user offices of the Railways for the purpose of coverage of contract employees engaged, Zonal ACCs should have monthly interaction with Divisional Railway Managers of the DRM Offices located in the same city. If the DRM Office is not located there, RC/OIC of the Regional Office concerned will have monthly meetings with the DRM Office located in their respective areas.

Zonal ACCs/RC/OICs should maintain good liaison with the DRMs and make every effort to impress upon them to ensure social security to all contract/casual employees working with them.

Zonal ACCs/RCs/OICs will prepare the reports of the monthly meetings and forward a copy to CAIU, Head Office routinely.

Further, all Zonal ACCs and RCs/OICs will not only have to monitor the progress in uploading of contract details by the Railways in the Principal Employer Portal but also have to ensure verification of such uploaded details in respect of their offices and subsequent action taken wherever necessary for enrolment of all eligible employees promptly & routinely.

Yours faithfully,

(S.K. Thakur)

**Addl. Central P.F. Commissioner-HQ (CAIU)**



कर्मचारी भविष्य निधि संगठन  
**Employees' Provident Fund Organisation**  
 श्रम एवं रोजगार मंत्रालय, भारत सरकार  
 Ministry of Labour & Employment, Government of India  
 भविष्य निधि भवन / Bhavishya Nidhi Bhawan  
 14, मीकाजी कामा प्लेस, नई दिल्ली 110066  
 Bhikaji Cama Place, New Delhi 110066  
[www.epfindia.gov.in](http://www.epfindia.gov.in)

No. C-13(28)2016/7A&14B / 300

Dated: 28.03.2019  
 01.04.2019

To,  
 The Additional Central P.F. Commissioner, Bihar  
 All RPFC-I/OICs of Bihar State

Subject:- Directions of Division Bench of Hon'ble Patna High Court in CWJ 17332 of 2017 (Shambhu Sharan Singh Vs. State of Bihar and Ors)

Sir/Madam,

Hon'ble Patna High Court in the aforementioned Public Interest Litigation had issued directions to the authorities under the EPF Act to take action in respect of respondents therein for extending the benefits under the Act to the employees working with the establishments within the State of Bihar. Most of the establishments arrayed as respondent are departments of Government of Bihar, Public Sector Undertakings, Railway establishments etc. within the state of Bihar.

In this connection, Head Office had already communicated directions vide letter no. CAIU/011(33)2015/HQ/Vol.III /26400 dated 16.02.2018(enclosed) to all Zonal ACCs and RPFCs to initiate action as directed by the Hon'ble High Court.

The Chief Secretary, Govt. of Bihar, has also issued directions vide communication dated 21.02.2017 to all Govt. Departments to extend the provident fund benefits to eligible employees under the EPF Act.

In reiteration of the orders already issued it is hereby directed that applicability of EPF & MP Act to the establishments indicated below(including any branches, subordinate organisations etc.) may be examined as per provisions of the EPF and MP Act, 1952 for the purpose of ascertaining coverage and subsequent compliance under the provisions of the Act.

S.No.	Establishment	Specific focus group
1	All Universities in Bihar	Contractual/outsourced employees, temporary teaching staff in universities and affiliated colleges.
2	Department of Education	Contractual/outsourced employees, Mid-day meal scheme workers.
3	Department of Health	Contractual/outsourced employees, workers engaged in National Rural Health Mission and District health societies, Bihar State AIDS control society, Integrated Child Development Scheme

4	Department of Home Affairs	Contractual/outsourced employees , Home Guards, Bihar Fire Service, Bihar Jails etc.
5	Rural Development Department	Contractual/outsourced employees working in MNREGA, DRDA etc.
6	Forest & Environment Department	Contractual/outsourced employees, forest guards
7	Energy Department	Contractual/outsourced employees engaged with Bihar State Power holding Company, South Bihar Power Distribution Company Ltd., North Bihar Power Distribution Company Ltd., Power Transmission Company Limited.
8	Agriculture Department	Contractual/outsourced employees
9	Urban Development Department	Contractual/outsourced employees engaged with Municipal Corporations/Councils etc.
10	Railways	Contractual/outsourced employees
11	Banks	Contractual/outsourced employees, security guards etc.

Further, similar action may also be initiated in respect of other establishments of similar nature, not specifically mentioned. The action must be completed within a period of two months.

Action taken report by Zonal Office, Bihar may be sent fortnightly.

Yours faithfully,



(Jag Mohan)

Addl. Central P.F. Commissioner (HQ) (Compliance)



Telephone: 011- 26163246  
Fax : 011- 26175913

कर्मचारी भविष्य निधि संगठन  
(श्रम मंत्रालय भारत सरकार)  
**Employees' Provident Fund Organisation**  
(Ministry of Labour, Govt. Of India)  
मुख्य कार्यालय / Head Office  
भविष्य निधि भवन, 14-भीकाजी कामा प्लेस, नई दिल्ली-110066  
**Bhavishya Nidhi Bhawan, 14- Bhikaiji Cama Place, New Delhi - 110066**  
[www.epfindia.gov.in](http://www.epfindia.gov.in) [www.epfindia.nic.in](http://www.epfindia.nic.in)  
(CENTRAL ANALYSIS & INTELLIGENCE UNIT)

No.CAIU/011(33)2015/HQ/Vol.III

Date: 16.02.2018

To

26400  
All Addl. Central Provident Fund Commissioners (Zones),  
All Addl. Central Provident Fund Commissioners (HO),  
Addl. Central Provident Fund Commissioners (NATRSS),  
All Regional Provident Fund Commissioners (In-charge of ROs).

16 FEB 2018

**Sub: - Judgement regarding PIL for enrolment of all contractual/daily wages employees under the EPF & MP Act, 1952 - regarding.**

Madam/Sir,

Please find enclosed herewith a copy of the Judgement in a public interest petition passed by Hon' ble High Court of Judicature at Patna in Civil Writ Jurisdiction Case No.17372 of 2017 between Shri Shambhu Sharan Singh, petitioner Vs. State of Bihar and others on the above subject.

2. The Hon'ble High Court, Patna has made observation in the light of request of the petitioner to issue direction upon the respondent to ensure compliance of the provisions of the EPF & MP Act, 1952 with regard to contractual and daily wages employees in the respondent Organisation and any other Govt./semi Govt. Organisation.

3. While disposing the case of PIL the Hon'ble High Court, Patna has made the following observations:

"Having heard learned counsel for the petitioner, we are of the considered view that the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 is statutory and complete code in itself authorizing, vesting them with statutory powers to deal with such issues and therefore when a statutory provision with all the procedural requirements and statutory authority is already in place, it is not appropriate to make any indulgence into the matter in public interest, instead, the petitioner, if advised, should take up the issue with the statutory authority under the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 and it would be for the statutory authority to take action, as may be permissible under law."

In view of the above directions of the Hon'ble High Court, Patna, it is requested to use this judgement for compliance in respect of all contractual/daily wages employees working in various State Government Department/Corporation/Bodies/Society under the EPF & MP Act, 1952.

[This issues with the approval of Addl. CPFC-HQ (CAIU)].

Encl: as above.

Yours faithfully

(A.K. Mandal)

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

*Civil Writ Jurisdiction Case No.17372 of 2017*

**Shambhu Sharan Singh**, son of Late Mahima Sharan Singh, resident of 9/5, Kastura Path, North S.K. Puri, P.S. - S.K. Puri District- Patna, presently Practicing as an Advocate in Patna High Court.

Petitioner

Versus

1. The State of Bihar.
2. The Chancellor, Universities of Bihar, Raj Bhawan, Patna.
3. The Chief Secretary, Govt. of Bihar, Patna.
4. The Principal Secretary, Department of Finance, Govt. of Bihar, Patna.
5. The Principal Secretary, Labour Resources Department, Govt. of Bihar, Patna.
6. The Principal Secretary, Education Department, Govt. of Bihar, Patna.
7. The Principal Secretary, Health Department, Govt. of Bihar, Patna.
8. The Principal Secretary, Industries Department, Govt. of Bihar, Patna.
9. The Principal Secretary, Agriculture Department, Govt. of Bihar, Patna.
10. The Principal Secretary, Home Department, Govt. of Bihar, Patna.
11. The Director General of Police, Bihar, Patna.
12. The Director General, Home Guards, Bihar, Patna.
13. The Principal Secretary, Environment and Forest Department, Govt. of Bihar, Patna.
14. The Principal Secretary, Energy Department, Govt. of Bihar, Patna.
15. The Chairman, Bihar State Power Holding company, Patna.
16. The Managing Director, South Bihar Power Distribution Company Ltd., Patna.
17. The Managing Director, North Bihar Power Distribution Company Ltd., Patna.
18. The Managing Director, Power Transmission Company Ltd., Patna.
19. The Principal Secretary, Urban Development Department, Govt. of Bihar, Patna.
20. The Principal Secretary, Rural Development Department, Govt. of Bihar, Patna.
21. The Director, Integrated Child Development Scheme, Bihar, Patna.
22. The Executive Director, State Health Society, Bihar, Patna.
23. The Director, Aids Control Society, Bihar, Patna.
24. The Chairman, Railway Board, Rail Bhawan, New Delhi.
25. The General Manager, East Central Railway, Hajipur.
26. The Chairman, State Bank of India, Corporate Office-Mumbai.
27. The Chief General Manager, State Bank of India, Local Head Office, Patna.
28. The Chairman, Punjab National Bank, New Delhi.
29. The Chairman, Central Bank of India, Mumbai.
30. The Zonal Manager, Central Bank of India, Patna.
31. The Chairman, Bank of India, Mumbai.
32. The Zonal Manager, Bank of India, Patna.
33. The Chairman, Bank of Baroda, Vadodara, Gujarat.
34. The Chairman, United Bank of India, Kolkata.
35. The Chairman, Allahabad Bank, Kolkata.
36. The Zonal Manager, Allahabad Bank, Patna.
37. The Chairman, Indian Overseas Bank, Chennai.
38. The Chief Regional Manager, Indian Overseas Bank, Patna.
39. The Chairman, UCO Bank, Kolkata.
40. The Zonal Manager, UCO Bank, Patna.

Patna High Court (WJC No-42372 of 2017 dt.11-05-2018)

24

41. The Chairman, Indian Bank, Chennai
42. The Zonal Manager, Indian Bank, Patna.
43. The Chairman, Syndicate Bank, Manipal (Karnataka).
44. The Chairman, Dera Bank, Mumbai.
45. The Chairman, Canara Bank, Bengaluru (Karnataka).
46. The Central Provident Fund Commissioner, Employees Provident Fund Organization, EPFO Head Office, New Delhi.
47. The Additional Central Provident Fund Commissioner, Employees Provident Fund Organization, Bihar & Jharkhand, Patna.
48. The Regional Provident Fund Commissioner, Employees Provident Fund Organization, Bihar, Patna

Respondents

<b>Appearance :</b>	
For the Petitioner	: Mr. Shambhu Sharan Singh ( In Person )
For the EPFO	: Mr. Rajiv Kumar Verma, Senior Advocate Mr. Prashant Sinha, Advocate
For the State	: Mr. Lalit Kishore, Advocate General
For Respondents 31, 32, 37 and 38	: Mr. Sanjay Singh Thakur, Advocate
For the Respondent Allahabad Bank	: Mr. Ajay Kumar Sinha, Advocate
For United Bank of India	: Mr. Dr. Dawa Bilari Sinha, Advocate
For the State	: Mr. Alok Kumar Choudhary, Advocate
For P.N. B.	: Mr. Arvind Kumar, Advocate
For Chairman Bank of Baroda (Resp. No.33)	: Mr. Ravi Verma, Advocate
For Resp. Nos.26 & 27: State Bank of India	: Mr. Alok Kumar Choudhary, Advocate
For Resp. Nos.39 & 40: UCO Bank	: Mr. Ranjeet Kumar Pandey, Advocate
For the Respondent Corporation Bank	: Mr. K.K. Sinha, Advocate
For the Respondent Syndicate Bank	: Mr. Subhash Prasad Singh, Advocate
For Resp. Nos.15 to 18:	: Mr. Vijay Kumar Verma, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE

Patna High Court CWJC No.17372 of 2017 dt.11-01-2018

34

and  
**HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY**  
ORAL JUDGMENT  
(Per: HONOURABLE THE CHIEF JUSTICE)  
Date: 11-01-2018

Inter alia contending that in the State of Bihar there is serious non-compliance with the statutory provisions of the Employees Provident Fund & Miscellaneous Provisions Act, 1952, particularly in the matter of enforcement of the aforesaid Act to contractual and daily wage employees, this petition in public interest has been filed and reference is made to a communication of the Chief Secretary, Bihar, Annexure-1 and another by the Railway Department, Annexure-2 also in this regard indicating that the same are not being complied with.

Having heard learned counsel for the petitioner, we are of the considered view that the Employees Provident Fund & Miscellaneous Provisions Act, 1952 is a statutory and complete Code in itself authorizing authorities, vesting them with statutory powers to deal with such issues and, therefore, when a statutory provision with all the procedural requirements and statutory authority is already in place, it is not appropriate to make any indulgence into the matter in public interest. Instead, the petitioner, if advised, should take up the issue with the statutory authority under the Employees Provident Fund & Miscellaneous Provisions Act, 1952 and it would



Patta High Court CWC No. 17172 of 2017 dt. 11-01-2018

44

be for the statutory authority to take action, as may be permissible under law.

With the aforesaid observation and liberty to the petitioner, we dispose of the matter.

(Rajendra Menon, C.J)

(Anil Kumar Upadhyay, J)

K.C./ha/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	13.1.2018
Transmission Date	



कर्मचारी भविष्य निधि संगठन  
(श्रम एवं रोजगार मंत्रालय, भारत सरकार)  
**EMPLOYEES' PROVIDENT FUND ORGANISATION**  
(Ministry of Labour & Employment, Govt. of India)  
मुख्य कार्यालय / Head Office  
भविष्य निधि भवन, 14-भिकाजी कामा प्लेस, नई दिल्ली-110 066.  
Bhavishya Nidhi Bhawan, 14, Bhikaiji Cama Place, New Delhi - 110 066.

File No. C-1/3(28)2016/7A&14B/PE functionality

Date: 09.11.2021

To,  
The Principal Secretary,  
Department of Labour & Employment,  
All State Governments (As per list)

**Sub: Soliciting cooperation from the State Govt. to utilize the electronic facility on EPFO's Unified Portal for Principal Employers to view EPF compliance of contract employees.**

Sir,

I am to bring to your kind notice that the Employees' Provident Funds and Misc. Provisions Act 1952 (the Act for brevity) provides for social security benefits in the nature of Provident Funds; Pension to the Retired, Permanently Disabled Employees, Widow/ Widower/Children/Orphan/ dependents of deceased employees and Life Insurance coverage to the employees of the covered establishment.

2. It is understood that the State Govt. departments & their subordinate offices, as principal employer, are engaging workers through contractors for various office work including watch & ward, housekeeping / cleaning & maintenance etc. In all such instances, principal employer's liability due under the Act which is around 13% of wages of contract employees is being paid by the principal employer to the contractor concerned and the contractors are required to report EPF compliance in r/o Universal Account number (UAN) of their workers through ECR.
3. Till now the Principal Employers had to depend on the physical copies of ECR from contractors to ascertain whether compliance as per law is made by their contractors.
4. From 04.03.2021, electronic facility is deployed on EPFO's Unified Portal: <https://unifiedportal-emp.epfindia.gov.in/epfo/> for Principal Employers to view EPF compliance of their Contractors & contract workers registered with EPFO. Even the principal employers like Govt. departments & undertakings which are not statutorily covered with EPFO can register on above Portal with their Income Tax TAN to use the facility and add their contractors & UANs of contract workers. This facilitates the principal employer to view UAN-wise remittance made by contractors through ECR through their Login .
5. A brief on the procedure of registration as principal employer, adding contractor and employee details, view compliance through dashboard is attached.
6. It is requested to impress upon all the departments, subordinate / attached offices and undertakings /corporations of the State Govt. to register on Principal Employer Portal of EPFO and make use of it for ensuring compliance by their contractors in respect of all contract workers.

Yours faithfully,

Encl: As above.

स. भटिया  
9/11/21  
(Mukhmeet S. Bhatia)  
Central Provident Fund Commissioner

## EMPLOYEES PROVIDENT FUND ORGANISATION

### Brief on use of "Principal Employers functionality" to view compliance of Contractors

#### Legislative mandate under the EPF & MP Act, 1952 (the Act):

Principal employers (PE) have the ultimate responsibility u/s 8A of the Act for compliance in r/o employees engaged through contractors.

Contract employees are covered under the definition of employees u/s 2 (f) of the Act.

When any Principal Employer engages workers through any contractor, the employer's liability 12% of wages as Employer's contributions + 0.5% of wages as EDLI contributions and 0.5% of wages as EPF administrative charges) is payable by the Principal employers.

The contractors are registered independently as establishment with EPFO & report EPF compliance through Electronic Challan cum Returns (ECR) under their code number.

Contractor is required under Para 36B of the EPF Scheme, 1952 to transmit to PE a copy of the monthly returns filed in r/o contract workers.

**Existing mechanism:** Principal Employers verify compliances through physical copy of ECR provided by Contractor.

**Principal Employers Functionality provides online mechanism to Principal Employers.**

#### Registration as PE

PE of establishments registered with EPFO can register on PE Functionality as the link for both Principal Employer and Contractor is available in their Login.

PE not registered with EPFO can also register on Unified Portal through their Income Tax TAN:

<https://unifiedportal-emp.epfindia.gov.in/epfo/>>> Important links>>Uncovered Principal Employer Registration >>

On registration as PE, user id is same as TAN and password is same as used for registration

#### Use of Principal Employers Functionality:

After registering, PE can add the **EPF code number** & certain information of contractor:

#### Adding a Contractor

Use the Menu **Establishment>>Contractor>>**'Add New Contractor' Link>>Enter 'Establishment ID' of Contractor>>Enter 'Contract start date, end date'>>click on the 'Submit'

#### Adding contract employees' details

On adding contractor, PE can add UANs of employees provided by the contractor:  
'Upload Monthly Details of Contract Employee' link>>'Contractor' from list>>'Wage month'>>'File'>> Press 'Update Member Summary',

The details will be shown in grid 'Uploaded Member Summaries'.

#### View the Contractor's ECR by the PE

On adding contractors and contract employees as above, 'Compliance Dashboard' is available for PE to check payment status of contract employees' month wise.