

**GOVERNMENT OF INDIA
LABOUR AND EMPLOYMENT
LOK SABHA**

UNSTARRED QUESTION NO:5376
ANSWERED ON:13.12.2010
ANOMALIES IN PF REGULATION
Chitthan Shri N.S.V.

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

- (a) whether it has come to the notice of the Government that thousands of workers engaged in cashew, plantation and coir industry are denied provident fund/pension on grounds of break of service and discrepancy in age;
- (b) if so, the details thereof;
- (c) whether Government/PF authorities have issued any new regulation in order to reckon break of service so as to avail P.F. pension;
- (d) if so, the details thereof; and
- (e) the steps taken by the Government to rectify the anomalies so that poor workers can avail the benefit of P.F. pension without paying huge amount as arrears due to break of service?

Answer

MINISTER OF STATE FOR LABOUR AND EMPLOYMENT(SHRI HARISH RAWAT)

- (a) & (b): The eligibility for provident fund/pension is determined in accordance with the provisions of the Employees' Family Pension Scheme, 1971/Employees' Pension Scheme, 1995. If eligible, workers are not denied provident fund/pension on grounds of break-of-service and discrepancy in age.
- (c) & (d): As per the provisions of the Employees' Pension Scheme, 1995 grant of Monthly Member Pension, the minimum eligible service i.e. past service under the erstwhile Employees' Family Pension Scheme, 1971 added to actual service under the Employees' Pension Scheme, 1995 is 10 years. If a member is not having the minimum required eligible service of 10 years due to breaks in reckonable service, the breaks in service prior to 15.11.1995, if any, can also be regularized provided the contributions thereof have been received in the Employees' Pension Fund. Break-of-service does not result in cessation of membership and the member remains eligible for benefits admissible under the scheme.
- (e): Does not arise in view of reply given in part (c) & (d).