GOVERNMENT OF INDIA
LABOUR AND EMPLOYMENT
LOK SABHA

UNSTARRED QUESTION NO:2412
ANSWERED ON:31.07.2017
Contract Workers in ECHS
Kachhadia Shri Naranbhai

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

(a)whether the EPF and MP Act, 1952 is applicable to all staff working on contract basis in the ECHS and if so, the details thereof;
(b)the details of documents required for the settlement of claims in case any pensioner does not have Aadhaar Number;
(c)whether the registration campaign 2017 was launched by the Employee Provident Fund Organisation (EPFO) from 1st January, 2017 to 31st March, 2017 to cover the remaining employees and if so, the details thereof; and
(d)whether the said campaign was completed within the said period and if so, the details thereof and if not, the reasons therefor?

Answer

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

(a): The Employees' Provident Funds and Miscellaneous Provisions Act, 1952 is applicable to every establishment which is a factory engaged in any industry specified in Schedule I and in which 20 or more persons are employed and to any other establishment employing 20 or more persons or class of such establishments which the Central Government specifies by notification in the Official Gazette.
As per section 2(f) of the said Act, employee means any person who is employed for wages in any kind of work, manual or otherwise, in or in connection with the work of an establishment and who gets his wages directly or indirectly from employer and includes any person employed by or through contractor in or in connection with the work of the establishment.
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As such the contract employees working with ECHS covered/coverable establishments are eligible for benefits under said Act and the Schemes framed thereunder.
(b): As per the Ministry of Labour and Employment's Notification bearing S.O. 26(E) dated 04.01.2017, a member or a pensioner of the Employees' Pension Scheme desirous of continuing the benefit of the said Scheme, who is not yet enrolled for Aadhaar shall be required to make an application for Aadhaar enrolment by 31st January, 2017, in case he is entitled to obtain Aadhaar as per the provisions of section 3 of the Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services) Act, 2016 and such members and pensioners may visit any Aadhaar enrolment center (list available at www.uidai.gov.in) to get enrolled for Aadhaar. However, till the time Aadhaar is assigned to the said member, the Central Government's contribution and subsidy under the aforesaid Employees' Pension Scheme shall be given based on the alternate and viable means of identification as notified by the Employees' Provident Fund Organisation (EPFO) subject to the production of certain documents.
EPFO has also issued instructions on the subject which, inter-alia, provides that a member must furnish the Aadhaar Number while submitting claim Form under Employees' Pension Scheme (EPS), 1995 w.e.f. 01.02.2017. In case, a member has not been allotted Aadhaar Number a copy of his/her Aadhaar Enrolment ID slip may be submitted along with the claim form for settlement of claim under EPS, 1995.
Further, if a member has neither got Aadhaar number nor enrolled for Aadhaar number, the field offices should provide facilities within office premises itself for enrolment of Aadhaar number and the copy of his/her enrolment slip must be submitted in the Claim Form. However, for the State of Assam and North East States, the condition of submission of Aadhaar Number has been relaxed upto 30.09.2017.
(c) & (d): The enrolment campaign started with effect from 01.01.2017 and ended on 30.06.2017. Under this campaign, an employer, whether already covered or yet to be covered, could enroll 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.

As on 30.06.2017, approximately one crore members had been enrolled including those under declaration.

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