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Title: Shri Mohan Singh called the attention of the Minister of Labour and Employment to the need to re-examine the Employees Provident Fund scheme implemented from 16.11.1995 in the light of recommendations of the 6th Pay Commission.

SHRI MOHAN SINGH (DEORIA): Sir, I call the attention of the Minister of Labour and Employment to the following matter of urgent public importance and request that he may make a statement thereon:

"Need to re-examine the Employees Provident Fund Pension Scheme implemented from 16.11.1995 in the light of recommendations of the 6th Pay Commission. "

THE MINISTER OF STATE OF THE MINISTRY OF LABOUR AND EMPLOYMENT (SHRI OSCAR FERNANDES): Sir, the question of amendment in Employees' Pension Scheme 1995 (EPS '95) in the wake of 6th Central Pay Commission Report does not arise because the two are not related. Central Pay Commission's recommendations apply to Government servants who are not covered under the EPS'95. Hence, revision of pension on recommendations of the Central Pay Commission will require no amendment in the EPS '95.

The Employees' Pension Scheme, 1995, a Scheme under Employees' Provident Funds & Miscellaneous Provisions Act, 1952, has been conceived as a Defined Benefit Social Insurance Scheme formulated following actuarial principles for ensuring long term financial sustenance. It is financed through contribution from the employers at the rate of 8.33 percent of the wages of employees and the Central Government, also contributes 1.1/6% of the wages of the employees. Any increase in the amount of pensionary benefit depends on the financial position of Pension Fund. The quantum of pension to members of EPS, '95 is actuarially calculated in accordance with the provisions of the Scheme. To review the rates of contributions and quantum of the pension and other benefits, paragraph 32 of the Scheme provides for annual valuation of the Pension Fund. The first four valuations had revealed a surplus, which resulted in the grant of four additional reliefs. However, the next four valuations did not reveal any surplus and hence the grant of additional relief had not been possible.

The pension under EPS'95 is directly related to pensionable salary and length of service and superannuation at the age of 58. Low salary and low length of service and option for early pension are the main factors for very low pension amount under EPS'95.

The exercise for valuation of Pension Fund is on and the decision on altering the benefits will be taken based on the results of the valuation.

A Sub-Committee under the Chairmanship of Special Secretary (L&E) comprising of representatives of Employers and Employees has been constituted to review the entire Scheme.

There is a standing Sub-Committee, namely- Pension Implementation Committee under the Central Board of Trustees (EPF) comprising, *inter alia*, two representatives each of employers and employees to review the functioning of Employees' Pension Scheme and to consider the suggestions/proposals for amendment/improvement in the Scheme.[\[R4\]](#)

श्री मोहन सिंह : अध्यक्ष महोदय, मैंने कभी यह आग्रह नहीं किया कि छोटे वेतन आयोग की संस्तुति आ गई, केन्द्र और राज्य सरकार के जो नियमित कर्मचारी हैं, यदि उनके वेतन और पेंशन में वृद्धि हुई तो जो प्रोविडेंट फंड और पेंशन स्कीम के तहत पेंशन पाने वाले कर्मचारी हैं, इनकी पेंशन में उसी नियम के तहत वृद्धि कर दी जाए। मेरा मतलब और मंतव्य केवल इतना था कि इससे एक आधार बनता है कि यदि अन्य कर्मचारियों के वेतन और पेंशन में किसी तरह की वृद्धि होती है तो यह लाखों कर्मचारी, जिन्हें एक दूसरी स्कीम के तहत पेंशन मिलती है, वे सरकार की कृपा दृष्टि के पात्र न बनें, यह उनके साथ अन्याय है। सन् 1995 से एम्प्लाइज़ प्रोविडेंट फंड पेंशन स्कीम केवल इसलिए चालू की गई कि जो निजी क्षेत्र में या अर्द्ध सरकारी क्षेत्र में काम करने वाले कर्मचारी हैं, वे भी किसी तरह की राहत के हकदार हो सकें। इसके लिए एक फंड का प्रावधान किया गया, जिसमें एम्प्लायर की तरफ से उनके वेतन की हिस्सेदारी का 8.33 फीसदी और सरकार की तरफ से 1.1/6 फीसदी अंशदान देने का प्रावधान किया गया और यह किया गया कि हर साल इसका मूल्यांकन करके जैसी हमारी आर्थिक स्थिति होगी, उसके अनुसार इन्हें राहत दी जाएगी। सरकार की स्वयं स्वीकारोक्ति के अनुसार चार बार राहत दी गई, लेकिन चार बार के मूल्यांकन से स्वयं की आर्थिक स्थिति इतनी खराब है कि इन्हें राहत देने की स्थिति नहीं है।

अध्यक्ष महोदय, मैं आपके माध्यम से सरकार से केवल आग्रह करना चाहता हूँ कि आज के युग में 260, 300, 350, 400, किसी एक बुजुर्ग सेवानिवृत्त कर्मचारी को पेंशन देना, मैं समझता हूँ कि उसके बुढ़ापे का यह सबसे बड़ा अपमान है। सरकार को इसके बारे में गंभीरता पूर्वक सोचने की आवश्यकता है। मैं माननीय मंत्री जी से आग्रह करना चाहता हूँ कि सरकार अपने अंशदान को 1.1/6 फीसदी से बढ़ा कर पांच फीसदी करे। मेरा दूसरा आग्रह यह होगा कि जो एम्प्लायर का अंशदान है, उसका बहुत बड़े पैमाने पर कलेक्शन नहीं हो पाता। आज जिस तरह की स्थिति है, उसमें एम्प्लायर के अंशदान को सुनिश्चित करने के कानूनी प्रावधान किए जाने चाहिए। तीसरी बात यह है कि नयी अर्थव्यवस्था आने के बाद हमने सारे ट्रेड यूनियन एक्ट्स में परिवर्तन कर दिए और अब कहीं भी किसी फैक्ट्री का वलोज़र कहीं वालंट्री रिटायरमेंट स्कीम, कहीं जबरन सेवानिवृत्ति आम बात हो गई। इस कानून के तहत जब किसी कर्मचारी की 58 वर्ष की उम्र हो जाती है तो वह पेंशन का

हकदार होता है और उसने जीवनभर कितना अर्ज किया है, उसके आधार पर उसकी पेंशन का निर्धारण होता है। लाखों कर्मचारी ऐसे हैं, जिन्हें ढाई-तीन सौ रुपए पेंशन मिलती है, सरकार स्वयं अपनी तरफ से वृद्धावस्था पेंशन स्कीम चलाती है, जिसमें कम से कम चार सौ रुपए देने का प्रावधान है। आप पेंशन स्कीम चलाते हैं, जिसमें ढाई सौ रुपया महीना देते हैं, मैं ऐसा समझता हूँ कि वे जो अविवेकपूर्ण, एक-दूसरे के प्रति पक्षपातपूर्ण भेदभाव है, इसमें कम से कम तुलना लाने की कोशिश करनी चाहिए। इसलिए हम मंत्री जी से आग्रह करना चाहते हैं कि इन कर्मचारियों की न्यूनतम पेंशन की जो रकम हो, वह कम से कम एक हजार होनी चाहिए और अधिकतम पांच हजार तक होनी चाहिए। इसे करने के लिए जो प्रोविडेंट फंड है, उसकी ब्याज दर बढ़ाने, सरकार की तरफ से अंशदान बढ़ाने और जो 58 वर्ष पर ही पेंशन देने का नियम है, यह नियम उन कर्मचारियों पर लागू नहीं होना चाहिए, जिन्हें वालंट्री रिटायरमेंट स्कीम या फोर्सफुल रिटायरमेंट स्कीम अथवा कम्पनी के वलोजर के आधार पर उनकी सेवाओं के मूल्यांकन का जो तरीका है, उसमें परिवर्तन कर किसी भी आधार पर उनकी सेवा तीस वर्ष की मानी जाए, [S5]

अध्यक्ष महोदय, उसके आधार पर उनकी पेंशन का निर्धारण होना चाहिए। मैं अंतिम बात कहना चाहता हूँ कि इस पेंशन को भी मंहगाई के साथ वलब कर, उसी अनुपात में 'मूल्यांकन' की जगह पर 'मंहगाई' शब्द जोड़कर, उनकी पेंशन में वृद्धि का प्रावधान सरकार को करना चाहिए। मेरे सुझाव के अनुसार सरकार क्या कदम उठाना चाहती है, हम माननीय मंत्री जी से जानना चाहते हैं?

PROF. M. RAMADASS (PONDICHERRY): Sir, I would like to associate with him.

MR. SPEAKER: Prof. Ramadass, you cannot associate in a Calling Attention.

...(Interruptions)

MR. SPEAKER: Please listen to me. I have got some names.

...(Interruptions)

PROF. M. RAMADASS : Sir, permit me for two minutes.

MR. SPEAKER: Prof. Ramadass, this is not a matter of right.

PROF. M. RAMADASS : Sir, I am only making a request to you.

MR. SPEAKER: It is all right. Please let me tell you as to what is the position. You have not given any notice. The hon. Member, Shri Mohan Singh, gave a notice. He has been given an opportunity although it is the last day. I have allowed it because the matter is important. The question is that a maximum of five names can be allowed. That is the rule. That depends on my discretion and it is not a matter of right. I have got six more names and I will call four more hon. Members, if they assure me that they will only put the questions. There should not be any preface. If all of you are agreeable then I will do it.

Shri Basu Deb Acharia. If you are keeping quiet, then you are agreeing to my proposal.

SHRI BASU DEB ACHARIA (BANKURA): Sir, I always agree with your proposal.

MR. SPEAKER: Shri Acharia, please put only question.

SHRI BASU DEB ACHARIA : I would like to know from the hon. Minister that in view of the increase in the prices of almost all the essential commodities and the revision of pension that was done long back only for once, and in view of increase in the wages of the Central Government employees, the Central Government pensioners as well as the State Government pensioners, whether the hon. Minister will consider of not going through the valuation process because it will take time, and whether the Government will take a decision to revise the rate of pension which is now being paid to the retired employees under Employees Pension Scheme, 1995 so that they may survive. It is because they are getting a very small amount. I would like to know whether he will consider revising or raising the pension which is now being paid under the scheme.

MR. SPEAKER: Prof. Rasa Singh Rawat, only one question please.

प्रो. रासा सिंह रावत (अजमेर): माननीय अध्यक्ष महोदय, आप मजदूरों के कॉज के लिए हमेशा लड़ते रहे हैं और पूरे जीवन संघर्ष करते रहे हैं। इसलिए मैं आपका संरक्षण चाहूंगा। मैं एक मिनट में अपनी बात कहकर पूरा पूछूंगा।

अध्यक्ष महोदय : ठीक है। I am very aggressive about Rajasthan.

प्रो. रासा सिंह रावत : अध्यक्ष महोदय, भारत सरकार के श्रम मंत्रालय द्वारा विभिन्न कारखानों, लघु उद्योग, खान मजदूर, ऊन और बीड़ी मजदूरों के हित में दिनांक 1-04-1994 से पेंशन योजना को लागू किया गया था।

MR. SPEAKER: How many pages do you have?

प्रो. यसा सिंह रावत : महोदय, जीवनभर कठोर परिश्रम करने वाले मजदूरों का जीवनयापन अब कठिन हो गया है। इसलिए मैं आपके माध्यम से सरकार से कहना चाहूंगा कि जब केन्द्र सरकार और राज्य सरकारें छठा वेतन आयोग लागू कर चुकी हैं और जिसका लाभ सारे कर्मचारियों और पेंशनरों को भी मिल रहा है, फिर भविष्यनिधि संगठन के जो सदस्य 1995 की स्कीम से लाभान्वित हो रहे हैं, उन्हें इससे क्यों वंचित किया जा रहा है? इसलिए आज की परिस्थिति को देखते हुए, उनके जीवनयापन की कठोर परिस्थितियों को देखते हुए और महंगाई को देखते हुए, मैं आपके माध्यम से सरकार से जानना चाहूंगा कि क्या सरकार भविष्यनिधि से पेंशन प्राप्त करने वालों की पेंशन बढ़ाएगी, कम से कम 1000 रुपए कर के उन्हें लाभान्वित करेगी और अपने कल्याणकारी होने का परिचय देगी?[\[r6\]](#)

MR. SPEAKER: Please put only one question.

DR. K.S. MANOJ (ALLEPPEY): Sir, those who have opted for the EPF pension have not received any increment. As the hon. Minister has rightly said, they have been given only four reliefs. In answer to my question, the hon. Minister said that the amount of accumulated pension in the EPF Fund is Rs.80,776.22 crore. Up to 2006, only Rs.14,578.58 crore were disbursed. The rest is remaining with the EPF Fund. Still, the actuarial evaluation shows that there is deficit in the EPF Fund. I think there is some discrepancy in the actuarial evaluation. On the basis of the actuarial evaluation of the EPF Fund, they are not given benefits.

Next, commutation of the EPF Pension was given. After 100 months, they were not given the initial amount. So, I would like to know from the hon. Minister one thing. Will those, who have opted for the EPF Fund, be given the initial amount?...*(Interruptions)*

MR. SPEAKER: Shri Gurudas Dasgupta. You gave your notice at 11.07 hours only.

SHRI GURUDAS DASGUPTA (PANSKURA): I am highly obliged to you, Sir.

MR. SPEAKER: Obligated for giving notice late? All right, in view of the importance of the matter and your commitment, only one question is allowed.

SHRI GURUDAS DASGUPTA : I will put my question. In just one minute, I will preface it.

I am seriously contesting the statement of the hon Minister that the Fund does not permit increase in the pension of the entitled people. I am seriously contesting it because the actuarial evaluation is different. It is not only that. He was speaking of the *aam admi*. Why can it not be supplemented by having additional allocation from the Government Budget? Mr. Minister, you are speaking of the *aam admi*. Keeping this in view, my question is: Will you take up the matter with the Government, with the Finance Ministry for having additional allocation to supplement the Scheme so that the corpus is increased to give increased pension particularly to those who are getting pension in the name only. This is the first question....*(Interruptions)*

MR. SPEAKER: No more question is allowed. I am sorry. It is enough. You have put your question.

...*(Interruptions)*

MR. SPEAKER: I have no pension and nothing much. I have to survive!

...*(Interruptions)*

SHRI P.C. THOMAS (MUVATTUPUZHA): I have also given a notice.

MR. SPEAKER: Why I mention about the time is this. I want your conscience to be troubled. It was given at 11.45

...*(Interruptions)*

MR. SPEAKER: You gave it at 12.14 hours. You want to take an undue advantage because you have given a notice. I have been requested by him. I like him very much. He said: "Sir, be liberal today."

...*(Interruptions)*

MR. SPEAKER: Prof. M. Ramadass.

...*(Interruptions)*

MR. SPEAKER: He has not even given any notice. Do not do this in the next House if you are elected.

PROF. M. RAMADASS (PONDICHERRY): Sir, wish me that I come back again.

MR. SPEAKER: I wish you all the best.

PROF. M. RAMADASS : Thank you, Sir.

In view of the fact that the rate of pension fixed in 1995 has not been periodically revised as in the case of workers in the organized sectors like the Government sector and the consequent economic sufferings to the working class, will the hon. Minister immediately order for the revision of pension and save the seven crore uncared for workers in the country? I would like to know whether the pension rate and the quantum of pension will be linked to the inflationary pressures in the economy instead of taking the valuation process.

MR. SPEAKER: Although he did not listen to me that day when he was here, I have allowed him.

SHRI P.C. THOMAS : In view of the difficulties which have been mentioned, I would submit that some interim relief must be immediately declared because they are in real difficulties. Our elders and senior citizens are only getting a very paltry amount. The figures have been mentioned by you with regard to the Fund. Though there is enormous fund, they are not getting it. My question is this. I would like to know whether you would declare any interim relief as well as hike in pension, the minimum pension and the pension as already submitted by the concerned.[\[R7\]](#)

MR. SPEAKER: I will allow two more Members. The first is Shri Suravaram Sudhakar Reddy. His leader has put a very elaborate question.

SHRI SURAVARAM SUDHAKAR REDDY (NALGONDA): Mr. Speaker, Sir, the Employees Provident Fund Pension Scheme is an excellent scheme where more than 3.56 crore workers or their family survivors are getting pension. The ESI and EPFO were having the same income parameters earlier. Now, the ESI has increased it to Rs. 10,000 whereas the EPFO has not increased and still the old scheme is continuing.

MR. SPEAKER: Just put the question please. This is not the way to do it.

SHRI SURAVARAM SUDHAKAR REDDY : It has been proposed to increase it to Rs. 15,000 by the trade unions and also by the Standing Committee. So, I would like to know from the Minister whether any such proposal is there to increase the income parameter for the EPFO pensioners.

श्री जी. वेंकटस्वामी (पेढापल्ली) : महोदय, कांग्रेस की तरफ से एक का भी नाम नहीं हुआ।

अध्यक्ष महोदय : आपने हाथ नहीं उठाया।

श्री जी. वेंकटस्वामी : मैंने हाथ उठाया था।

अध्यक्ष महोदय : साइलेंटली, तब आपको मौका मिलेगा।

Calling Attention rules are very clear. I do not know whether it is justified or not, but I am allowing all breach of rules today. Therefore, I have called you today. Now I am going to call him also.

SHRI BRAJA KISHORE TRIPATHY (PURI): Thank you, hon. Speaker, Sir. Employees Provident Fund, Gratuity and Pension are considered to be deferred wages. It has been interpreted by the Apex Court also that these are considered deferred wages. Considering these as deferred wages and also since this scheme had been implemented 14 years back, I would like to know whether the Government will consider to revise the EPF, Gratuity and other amenities that are available to the employees.

श्री जी. वेंकटस्वामी : अध्यक्ष महोदय, पेंशन स्कीम को जिस तरह से लाया गया था कि रिटायर होने के बाद, वह भीख न मांगे। रिटायर होने के बाद वह कम से कम अपनी जिंदगी गुजार सके। इसलिए आर्गनाइज्ड और अनआर्गनाइज्ड क्लास के लिए, वर्किंग क्लास के लिए, पेंशन स्कीम लायी गयी थी। जब मैं लेबर मिनिस्टर था, तब मैंने इस स्कीम को लागू किया था। अब जब इसका इंप्लीमेंटेशन हो रहा है, तो मुझे बहुत दुख हो रहा है। आपटर रिटायरमेंट मजदूर अगर मर गया, तो उसकी बीबी के लिए हमने प्रोवीजन रखा था। मैं मंत्री जी से जानना चाहता हूँ कि कितने वर्किंग क्लास के लोगों के मरने के बाद, कितनी औरतों को, बीबियों के लिए यह इंप्लीमेंट हुआ? उनके चिल्ड्रेंस को भी हमने इसमें रखा था, वह भी प्रोपर्टी इंप्लीमेंट नहीं हो रहा है। महोदय, जो स्कीम हमने शुरू की थी, वह ऐज इट इज इंप्लीमेंट नहीं हो रही है और उसका हमें बड़ा दुख है।

SHRI OSCAR FERNANDES: Mr. Speaker, Sir, in the first place I would like to thank Shri Mohan Singh who has initiated this discussion and all the other hon. Members for raising a very important issue which concerns the workers of our country,

especially the low-paid workers in the country. I appreciate the concern expressed by the Members.

Sir, as I have already stated in my statement, we are reviewing the scheme. We have asked the members of the Committee to give their suggestions as to how we can increase the corpus. This is number one. As it is we have lost a lot of money amounting to about Rs. 40,000 crore and one of the reasons for this is that commutation is permitted.

The employees are having Provident Fund, Gratuity and also when it comes to the commutation of pension, a major portion is lost. I would like to submit that one of the reasons why workers are getting low pension is that they commute the pension benefit when they retire and ultimately there is nothing left. Finally, the charge is that they are getting a less amount as pension. So, we have now decided, though there is a difference of opinion – the workers have a different opinion and the management is having a different opinion – to stop commutation so that when they are getting Provident Fund and Gratuity, at least they will have a higher level of pension to be paid in their old age. [R8] This is one measure that we have taken.

The second thing is that we have asked our own members, if we have to increase the pension, the Government's contribution has to be increased. If we have to increase the pension, the employers' contribution has to be increased. Shri Mohan Singh has made a valuable suggestion that you increase the contribution. This discussion is on.

SHRI GURUDAS DASGUPTA (PANSKURA): What about Government allocation?

SHRI OSCAR FERNANDES: My senior is very much here who had brought in the scheme and he has even talked about giving pension to the family members which is happening. There may be lapses. But the family members are getting the pension, their children are getting the pension. There may be cases where there are lapses, I am not saying that. But the scheme as it is there.

One of the reasons why again the member is getting less is that after the death of the member his family members are getting and after his wife dies, again the children are getting. But that much resource is not there in our Fund to give it down the line to the second generation also or the third person. So, it is given to the husband, rather the employee, then his wife and then to the children. This is a very long thing that is happening and there is a shortage in the Fund.

But the dialogue is on. We have formed a committee under the chairmanship of Special Secretary to find ways and means as to how to find a solution to this problem. We are also talking to the employers whether they can increase their share of the contribution in which case, the Government's part could also be discussed and we can come to a conclusion.

SHRI GURUDAS DASGUPTA : I thank the hon. Minister for this.

श्री. यसा सिंह रावत : आप कुछ आश्वस्त कीजिए, ... (व्यवधान) आप कुछ तो बढ़ाएंगे, ... (व्यवधान)

SHRI OSCAR FERNANDES: I will not say anything at this stage. Two committees are going into this matter and after we get their recommendations, we will be able to take a decision. I thank the hon. Members for sharing their concern in this House.

(Placed in Library, See No. LT- 10831/09)

श्री पी.एस. गढ़वी (कच्छ): महोदय, क्या प्रोविडेंट फंड में तेलंगाना राज्य वाला ईशू नहीं आएगा?... (व्यवधान)

(Mr. Deputy-Speaker in the Chair)