

दूरभाष न. 26173877

फैक्स न. 26174207



कर्मचारी भविष्य निधि संगठन
Employees' Provident Fund Organisation

(श्रम एवं रोजगार मंत्रालय, भारत सरकार)

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

(मुख्य कार्यालय) / Headquarters Office

भविष्य निधि भवन, 14 भीकाएजी कामा प्लेस, नई दिल्ली - 110066.

Bhavishya Nidhi Bhawan, 14-Bhikaiji Cama Place,

New Delhi-110066

स्पीड पोस्ट
SPEED POST

No. Coord. 2(27)05/Amend/Scheme(Part)

Dated:

22862

11 6 अक्टूबर 2008
OCT 2008

To

All Members,
Central Board of Trustees,
Employees' Provident Fund Organisation,
New Delhi

Subject: Amendments in the three Schemes framed under the Employees' Provident Funds & Miscellaneous Provisions Act, 1952

Sir,

A copy each of the following Gazette Notifications published in the Gazette of India, Extraordinary, Part II- Section 3 - Sub Section (i), dated September 26, 2008 regarding amendments in the three schemes framed under the Employees' Provident Funds & Miscellaneous Provisions Act, 1952 are enclosed:

- (i) GSR 688(E), dated the 26th September, 2008
- (ii) GSR 689(E), dated the 26th September, 2008
- (iii) GSR 690(E), dated the 26th September, 2008

2. It comes into force on the date of its publication in the Official Gazette.

Yours faithfully,

Enclosures: As above

(P. SUDHAKAR BABU)

Addl. Central P.F. Commissioner (Compliance)

Copy to:

1. FA&CAO & All Zonal Audit Offices
2. CVO and All Zonal Vigilance Directorates
3. All Addl. CPFCs (HO/Zones)
4. NATRSS & All Zonal Training Institutes
5. RPFC, NDC
6. All RPFCs in charge of the Regions/SROs
7. All RPFCs of the Head Office
8. All APFCs of the Head Office
9. All Sections Officers in the Head Office
10. All EOs in the Head Office
11. Secretary General, EPF Officers Association, Head Office
12. Secretary General, EPF Staff Federation
13. General Secretary, EPF Staff Union, Head Office
14. Coal Mines P.F. Commissioner, Dhanbad
15. PS to CPFC
16. General File



भारत का राजपत्र

The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (i)

PART II—Section 3—Sub-section (i)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

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नई दिल्ली, शुक्रवार, सितम्बर 26, 2008/आश्विन 4, 1930

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NEW DELHI, FRIDAY, SEPTEMBER 26, 2008/ASVINA 4, 1930

श्रम और रोजगार मंत्रालय

तालिका

अधिसूचना

नई दिल्ली, 26 सितम्बर, 2008

सा.का.नि. 688(अ).—कर्मचारी भविष्य निधि तथा प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) की धारा 7 की उप-धारा (1) और धारा 14ख के साथ पठित धारा 6क द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्र सरकार कर्मचारी पेंशन योजना, 1995 में आगे संशोधन हेतु एतद्वारा निम्नांकित योजना बनाती है, अर्थात् :—

1. (1) इस योजना को कर्मचारी पेंशन (द्वितीय संशोधन) योजना, 2008 कहा जाएगा।

(2) यह सरकारी राजपत्र में इसके प्रकाशन की तारीख से प्रभावी होगी।

2. कर्मचारी पेंशन योजना, 1995 में पैराग्राफ 5 के उप-पैराग्राफ (1) के लिए, निम्नांकित उप-पैराग्राफ को प्रतिस्थापित किया जाएगा, अर्थात् :—

“(1) यदि नियोक्ता केन्द्रीय पेंशन निधि में किसी अंशदान के भुगतान में या अधिनियम अथवा योजना के किसी उपबन्ध के तहत देय प्रभारों के भुगतान में चूक करता है तो केन्द्रीय भविष्य निधि आयुक्त या केन्द्र सरकार द्वारा इस संबंध में सरकारी राजपत्र में अधिसूचना द्वारा प्राधिकृत अधिकारी, नियोक्ता से दण्ड के रूप में निम्नांकित तालिका में दी गयी दरों से हर्जाने की वसूली करेगा :

क्रम सं.	चूक की अवधि	हर्जाने की दरें (वार्षिक बकाए का प्रतिशत)
(1)	(2)	(3)
(क)	2 माह से कम	पाँच
(ख)	2 माह और इससे अधिक किन्तु 4 माह से कम	दस
(ग)	4 माह और इससे अधिक किन्तु 6 माह से कम	पन्द्रह
(घ)	6 माह और इससे अधिक	पच्चीस”

(ii) पैराग्राफ 12 के उप-पैराग्राफ (7) में, “तीन प्रतिशत” शब्दों के लिए “चार प्रतिशत” शब्द प्रतिस्थापित किए जाएंगे।

(iii) पैराग्राफ 12क और पैराग्राफ 13 का विलोप किया जाएगा।

[फा. सं. एस-65015/01/08/एसएस-II]

एस. के. देव वर्मन, संयुक्त सचिव

टिप्पण:— कर्मचारी पेंशन योजना, 1995 भारत के राजपत्र, भाग II, खण्ड 3, उप-खण्ड (i) में दिनांक 16 नवम्बर, 1995 के संख्या सा.का.नि. 748(अ) द्वारा प्रकाशित किया गया था और योजना में पिछला संशोधन दिनांक 9 जून, 2008 के संख्या सा.का.नि. 438(अ) द्वारा किया गया था।

MINISTRY OF LABOUR AND EMPLOYMENT

NOTIFICATION

New Delhi, the 26th September, 2008

G.S.R. 688(E).—In exercise of the powers conferred by Section 6A read with sub-section (1) of Section 7 and Section 14B of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), the Central Government hereby makes the following Scheme further to amend the Employees' Pension Scheme, 1995, namely :—

1. (1) This Scheme may be called the Employees' Pension (Second Amendment) Scheme, 2008.

(2) It shall come into force on the date of its publication in the Official Gazette.

2. In the Employees' Pension Scheme, 1995,—

(i) for sub-paragraph (1) of paragraph 5, the following sub-paragraph shall be substituted, namely :—

“(1) Where a employer makes default in the payment of any contribution to the Employees' Pension Fund, or in the payment of any charges payable under any other provisions of the Act or the Scheme, the Central Provident Fund Commissioner or such officer as may be authorised by the Central Government by notification in the Official Gazette in this behalf, may recover from the employer by way of penalty, damages at the rates given in the table below :—

TABLE

S. No.	Period of default	Rates of damages (percentage of arrears per annum)
(1)	(2)	(3)
(a)	Less than 2 months	Five
(b)	Two months and above but less than four months	Ten
(c)	Four months and above but less than six months	Fifteen
(d)	Six months and above	Twenty Five.”

(ii) in sub-paragraph (7) of paragraph 12, for the words “three per cent”, the words “four per cent” shall be substituted;

(iii) paragraph 12A and paragraph 13 shall be deleted.

[F. No. S-65015/01/08/SS-II]

S.K. DEV VERMAN, Jt. Secy.

Note:—The Employees' Pension Scheme, 1995 was published in the Gazette of India, Part II, Section 3, Sub-section (i) vide number G.S.R. 748 (E), dated 16th November, 1995 and the Scheme was last amended vide number G.S.R. 438(E), dated the 9th June, 2008.

अधिसूचना

नई दिल्ली, 26 सितम्बर, 2008

सा.का.नि. 689(अ).—कर्मचारी भविष्य निधि तथा प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) की धारा 7 की उप-धारा (1) और धारा 14ख के साथ पठित धारा 5 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्र सरकार कर्मचारी भविष्य निधि योजना, 1952 में आगे संशोधन हेतु एतद्वारा निम्नांकित योजना बनाती है, अर्थात् :—

1. (1) इस योजना को कर्मचारी भविष्य निधि (द्वितीय संशोधन) योजना, 2008 कहा जाएगा।

(2) ये सरकारी राजपत्र में इसके प्रकाशन की तारीख से प्रभावी होगी।

2. कर्मचारी भविष्य निधि योजना, 1952 में पैराग्राफ 32क के उप-पैराग्राफ (1) के लिए, निम्नांकित उप-पैराग्राफ को प्रतिस्थापित किया जाएगा, अर्थात् :—

“(1) यदि नियोक्ता निधि में किसी अंशदान के भुगतान में या अधिनियम की धारा 15 की उप-धारा (2) या धारा 17 की उप-धारा (15) के तहत उसके द्वारा अंतरण के लिए अपेक्षित संचयों के अंतरण में या अधिनियम या योजना के उपबंधों अथवा अधिनियम की धारा 17 के तहत विनिर्दिष्ट किसी शर्त के तहत देय प्रभारों के भुगतान में चूक करता है तो केन्द्रीय भविष्य निधि आयुक्त या केन्द्र सरकार द्वारा इस संबंध में सरकारी राजपत्र में अधिसूचना द्वारा प्राधिकृत अधिकारी, नियोक्ता से दण्ड के रूप में निम्नांकित तालिका में दी गयी दरों से हर्जाने की वसूली करेगा :

तालिका

क्रम सं.	चूक की अवधि	हर्जाने की दरें (वार्षिक बकाए का प्रतिशत)
(1)	(2)	(3)
(क)	2 माह से कम	पाँच
(ख)	2 माह और इससे अधिक किन्तु 4 माह से कम	दस
(ग)	4 माह और इससे अधिक किन्तु 6 माह से कम	पन्द्रह
(घ)	6 माह और इससे अधिक	पच्चीस”

[फा. सं. एस-35012/01/07/एसएस-II]

एस. के. देव वर्मन, संयुक्त सचिव

टिप्पण:—कर्मचारी भविष्य निधि योजना, 1952 भारत के राजपत्र, भाग II, खण्ड 3, उप-खण्ड (i) में दिनांक 2 सितम्बर, 1952 के संख्या का.नि.आ. 1506 द्वारा प्रकाशित किया गया था और योजना में पिछला संशोधन दिनांक 31 मार्च, 2008 के संख्या सा.का.नि. 253(अ) द्वारा किया गया था।

NOTIFICATION

New Delhi, the 26th September, 2008

G.S.R. 689(E).—In exercise of the powers conferred by Section 5 read with sub-section (1) of Section 7 and Section 14B of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), the Central Government hereby makes the following Scheme further to amend the Employees' Provident Funds Scheme, 1952, namely :—

1. (1) This Scheme may be called the Employees' Provident Funds (Second Amendment) Scheme, 2008.

(2) It shall come into force on the date of its publication in the Official Gazette.

2. In the Employees' Provident Funds Scheme, 1952, for sub-paragraph (1) of paragraph 32A, the following sub-paragraph shall be substituted, namely :—

“(1) Where a employer makes default in the payment of any contribution to the Fund, or in the transfer of accumulations required to be transferred by him under sub-section (2) of Section 15 or sub-section (15) of Section 17 of the Act or in the payment of any charges payable under any other provisions of the Act or the Scheme or under any of the conditions specified under Section 17 of the Act, the Central Provident Fund Commissioner or such officer as may be authorised by the Central Government by notification in the Official Gazette in this behalf, may recover from the employer by way of penalty, damages at the rates given in the table below :—

TABLE

S.No.	Period of default	Rates of damages (percentage of arrears per annum)
(1)	(2)	(3)
(a)	Less than 2 months	Five
(b)	Two months and above but less than four months	Ten
(c)	Four months and above but less than six months	Fifteen
(d)	Six months and above	Twenty Five.”

[F. No. S-35012/01/07/SS-II]

S.K. DEV VERMAN, Jt. Secy.

Note :—The Employees' Provident Funds Scheme, 1952 was published in the Gazette of India, Part II, Section 3, Sub-section (i) vide number S.R.O. 1506 dated 2nd September, 1952 and the Scheme was last amended vide number G.S.R. 253(E), dated the 31st March, 2008.

अधिसूचना

नई दिल्ली, 26 सितम्बर, 2008

सा.का.नि. 690(अ).—कर्मचारी भविष्य निधि तथा प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) की धारा 7 की उप-धारा (1) और धारा 14ख के साथ पठित धारा 6ग द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्र सरकार कर्मचारी जमा संबद्ध बीमा योजना, 1976 में आगे संशोधन हेतु एतद्वारा निम्नांकित योजना बनाती है, अर्थात् :—

1. (1) इस योजना को कर्मचारी जमा संबद्ध बीमा (संशोधन) योजना, 2008 कहा जाएगा।

(2) ये सरकारी राजपत्र में इसके प्रकाशन की तारीख से प्रभावी होगी।

2. कर्मचारी जमा संबद्ध बीमा योजना, 1976 में पैराग्राफ 8क के उप-पैराग्राफ (1) के लिए, निम्नांकित उप-पैराग्राफ को प्रतिस्थापित किया जाएगा, अर्थात् :—

“(1) यदि नियोक्ता बीमा निधि में किसी अंशदान के भुगतान में या अधिनियम अथवा योजना के किसी उपबंध के तहत देय प्रभारों के भुगतान में चूक करता है तो केन्द्रीय भविष्य निधि आयुक्त या केन्द्र सरकार द्वारा इस संबंध में सरकारी राजपत्र में अधिसूचना द्वारा प्राधिकृत अधिकारी, नियोक्ता से दण्ड के रूप में निम्नांकित तालिका में दी गयी दरों से हर्जाने की वसूली करेगा :

तालिका

क्रम सं.	चूक की अवधि	हर्जाने की दरें (वार्षिक बकाए का प्रतिशत)
(1)	(2)	(3)
(क)	2 माह से कम	पाँच
(ख)	2 माह और इससे अधिक किन्तु 4 माह से कम	दस
(ग)	4 माह और इससे अधिक किन्तु 6 माह से कम	पन्द्रह
(घ)	6 माह और इससे अधिक	पच्चीस”

[फा. सं. एस-35012/1/07/एसएस-II]

एस. के. देव वर्मन, संयुक्त सचिव

नोट :—कर्मचारी जमा संबद्ध बीमा योजना, 1976 को भारत के राजपत्र, भाग II, खण्ड 3, उप-खण्ड (i) में दिनांक 28 जुलाई, 1976 के संख्या सा.का.नि. 488(अ) द्वारा प्रकाशित किया गया था और योजना में पिछला संशोधन दिनांक 30 मई, 2001 के संख्या सा.का.नि. 398(अ) द्वारा किया गया था।

NOTIFICATION

New Delhi, the 26th September, 2008

G.S.R. 690(E).—In exercise of the powers conferred by Section 6C, read with sub-section (1) of Section 7 and Section 14B of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), the Central Government hereby makes the following Scheme further to amend the Employees' Deposit Link Insurance, 1976, namely :—

1. (1) This Scheme may be called the Employees' Deposit Link Insurance (Amendment) Scheme, 2008.

(2) It shall come into force on the date of its publication in the Official Gazette.

2. In the Employees' Deposit Link Insurance Scheme, 1976, for sub-paragraph (1) of paragraph 8A, the following sub-paragraph shall be substituted, namely :—

“(1) Where a employer makes default in the payment of any contribution to the Insurance Fund, or in the payment of any charges payable under any other provisions of the Act or the Scheme, the Central Provident Fund Commissioner or such officer as may be authorised by the Central Government by notification in the Official Gazette in this behalf, may

recover from the employer by way of penalty, damages at the rates given in the table below :—

TABLE

S.No.	Period of default	Rates of damages (percentage of arrears per annum)
(1)	(2)	(3)
(a)	Less than 2 months	Five
(b)	Two months and above but less than four months	Ten
(c)	Four months and above but less than six months	Fifteen
(d)	Six months and above	Twenty Five.”

[F. No. S-35012/01/07/SS-II]

S.K. DEV VERMAN, Jt. Secy.

Note :—The Employees' Deposit Link Insurance Scheme, 1976 was published in the Gazette of India, Part II, Section 3, Sub-section (i) *vide* number G.S.R. 488(E), dated 28th July, 1976 and the Scheme was last amended *vide* number G.S.R. 398(E), dated the 30th May, 2001.



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-भौकाजी कामा प्लेस, नई दिल्ली-110 066.

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

No. C-III/4(85)11/HQ

6359

Dated:

19 6 मई 2011
MAY 2011

To

All Addl. Central P.F. Commissioners (Political States),
All RPFCs - I (In-charge of the Regions),
All RPFCs - II (In-charge of SROs)

Sub: - Accounting of contribution towards PF on amount of arrear and levying damages/interest under section 14B/7Q

Sir,

An hon'ble member of CBT has raised the question of compliance in cases where wage agreement are made enhancing wages from back dates and the arrears are paid to them on a particular date. It has been brought to notice that some of the Offices have been taking a view that PF contribution should have been paid on the amounts from the date they were due. For example an agreement was made with the workers or the staff in Jan, 2010 to pay them enhanced wages from January, 2009 and as per the terms of agreement the arrears are paid in Sept, 2010, the PF contribution should be deducted and deposited as if the wages were paid in Sept, 2010. The view that PF contribution should have been paid on these amounts from the date they were due (i.e. Jan, 2009 in the given example) and taking action for calculating the PF dues accordingly and levying damages/interest under Section 14B/7Q of the EPF & MP Act, 1952 is not correct.

Accordingly, in case of arrear payments, the practice of calculating PF dues from the dates they were due and levying damages/interest is irregular. In case the practice is in vogue in any field Office it should be stopped.


(K.C. Pandey)
Addl. Central P.F. Commissioner (Compliance)

Copy to: -

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4. RPFCs (ZTIs) / RPFC (ZVDs)
5. All RPFCs / APFCs (Head Office)
6. DD (OL) for Hindi translation.
7. RPFC (NDC) - to upload the circular on the website


(P.K. Agarwal)
Regional P.F. Commissioner - I (Compliance)

OFFICE OF THE CENTRAL PROVIDENT FUND COMMISSIONER
9TH FLOOR, MAYUR BHAWAN, CONNAUGHT CIRCLE, NEW DELHI-110-001

No.P.O.Cell/3(3) 86 Dam.

29.5.1990

To,

By name to: All Regional Provident Fund Commissioner,
Sub: Employees' Provident Funds & Misc. Provisions
Act, 1952-Specifying the rates of damages under Section 14-B of the EPF
& MP Act, 1952.

Sir,

You are aware that at present damages are being levied at a flat rate of 25% per annum in all cases of default subject to the condition that the total amount of damages does not exceed the amount of arrears. Imposition of damages at a flat rate of 25% per annum, was considered to be some what exorbitant in relation to occasional defaulters who delay the payments for shorter periods while it is not deterrent enough in the case of chronic and habitual defaulter. The Public Accounts Committee of Parliament in its report has also observed that "There have been numerous instances where damages once levied were subsequently reduced on review. This shows that the existing provision in the section confers too wide a discretion on the Regional Provident Fund Commissioners in the matter and extent of damages that can be levied. The Committee feels that the discretion should be limited by prescribing in the statute itself or in executive norms for exercise of this discretion".

- 1 Moreover, now that in the recent amendment to the Act, we have already provided for the payment of simple interest at 12% per annum (Section 7Q) payable from the date the amount has become due till the date it is actually paid, it had become necessary to revise the rates of damages and to specify the same in the scheme. Thus, a proposal to revise the rates of damages was accordingly placed before the Central Board of Trustees and the Board in its 119th meeting held on 4th April, 1989 approved the following revised rates of damages with the condition that the position with regard to the incidence of default following the revision of the rates of damages would be analyzed after six months from the date the new rates come into force:-

Annexure A1

	Period of Delay	Revised rates of Damages	Interest chargeable under Section 7Q	Total Existing rate of damages % per annum	
				(TOTAL)	
(i)	2 months or less	5	12	17	25
(ii)	Over 2 months but less than months	10	12	22	25
(iii)	Over 4 months but less than 6 months	15	12	27	25
(iv)	Over 6 months	25	12	37	25

4 The levy of damages at the above rates may be subject to the following conditions:-

- a) The grace period of 5 days allowed by the Central Board of Trustee for payment of the dues shall continue to apply. However, any payment made by the employee after the expiry of the due date (which includes the grace period) for whatsoever reason including a bank holiday shall attract the damages.
- b) The Regional PF Commissioner will have to consider judiciously all the relevant facts and circumstances of such case of default and pass a formal speaking order for levy of damages, keeping order for levy of damages, keeping in view the rates of damages specified in the scheme. However, where they decide to impose damages at a lower rate, they will have to give in the speaking order itself detailed reasons for imposing damages at a lower rate.

The above rate are being incorporated in the EPF Scheme itself to give authenticity to these rates.

- 5 You are advised to regulate the levy of damages at the revised rates in respect of all defaults arising on and after 1.6.90 that is defaults arising in the payment of the dues for the month May, 90 (payable in June, 90) onwards subject to the conditions specified in the preceding paragraph. All other procedures on the subject enunciated in our earlier circular letters particularly those relating to affording a reasonable opportunity to the employer of being heard before final orders are passed, restricting the number of adjournments to not more than 3, avoiding long adjournments, passing a reasoned speaking order, and delivering

the order on the day on which the hearing is concluded remain unchanged and these instructions should be scrupulously followed by every Regional P.F. Commissioner.

6 The quarterly report on the progress made during each quarters in the matter of levy of damages may positively be furnished within 10 days of close of each quarter to this office to enable us to apprise the Board of the progress.

7 Kindly acknowledge receipt

(This is issued with the approval of the CPFC)

Yours faithfully,

Sd/-

(B.RAJA)

REGIONAL PF COMMISSIONER (HQRS)
FOR CENTRAL PF COMMISSIONER

MINISTRY OF LABOUR AND EMPLOYMENT

NOTIFICATION

New Delhi, the 26th September, 2008

G.S.R. 688(E).—In exercise of the powers conferred by Section 6A read with sub-section (1) of Section 7 and Section 14B of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), the Central Government hereby makes the following Scheme further to amend the Employees' Pension Scheme, 1995, namely:—

1. (1) This Scheme may be called the Employees' Pension (Second Amendment) Scheme, 2008.

(2) It shall come into force on the date of its publication in the Official Gazette.

2. In the Employees' Pension Scheme, 1995:—

(i) for sub-paragraph (1) of paragraph 5, the following sub-paragraph shall be substituted, namely:—

"(1) Where a employer makes default in the payment of any contribution to the Employees' Pension Fund, or in the payment of any charges payable under any other provisions of the Act or the Scheme, the Central Provident Fund Commissioner or such officer as may be authorised by the Central Government by notification in the Official Gazette in this behalf, may recover, from the employer by way of penalty, damages at the rates given in the table below:—

TABLE

S. No.	Period of default	Rates of damages (percentage of arrears per annum)
(1)	(2)	(3)
(a)	Less than 2 months	Five
(b)	Two months and above but less than four months	Ten
(c)	Four months and above but less than six months	Fifteen
(d)	Six months and above	Twenty Five."

(ii) in sub-paragraph (7) of paragraph 12, for the words "three per cent", the words "four per cent" shall be substituted;

(iii) paragraph 12A and paragraph 13 shall be deleted.

[F No. S-65015/01/08/SS-II]

S.K. DEV VERMAN, Jt. Secy

Note:—The Employees' Pension Scheme, 1995 was published in the Gazette of India, Part II, Section 3, Sub-section (i) vide number G.S.R. 748 (E), dated 16th November, 1995 and the Scheme was last amended vide number G.S.R. 458(E), dated the 9th June, 2008.

अधिसूचना

नई दिल्ली, 26 सितम्बर, 2008

सा.का.नि. 688(अ).—कर्मचारी भविष्य निधि तथा प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) की धारा 7 की उप-धारा (1) और धारा 14ख के साथ पठित धारा 5 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्र सरकार कर्मचारी भविष्य निधि योजना, 1952 में आगे संशोधन हेतु एतद्वारा निम्नलिखित योजना बनाती है, अर्थात्:—

1. (1) इस योजना को कर्मचारी भविष्य निधि (द्वितीय संशोधन) योजना, 2008 कहा जाएगा।

(2) ये सरकारी राजपत्र में इसके प्रकाशन की तारीख से प्रभावी होगी।

2. कर्मचारी भविष्य निधि योजना, 1952 में पैराग्राफ 32क के उप-पैराग्राफ (1) के लिए, निम्नलिखित उप-पैराग्राफ को प्रतिस्थापित किया जाएगा, अर्थात्:—

"(1) यदि नियोजक निधि में किसी अंशदाता के भुगतान में या अधिनियम की धारा 15 की उप-धारा (2) या धारा 17 की उप-धारा (15) के तहत उसके द्वारा अंतरण के लिए अपेक्षित संवर्धों के अंतरण में या अधिनियम या योजना के उपबंधों अथवा अधिनियम की धारा 17 के तहत विनिर्दिष्ट किसी शर्त के तहत देय प्रभारों के भुगतान में चूक करता है तो केन्द्रीय भविष्य निधि आयुक्त या केन्द्र सरकार द्वारा इस संबंध में सरकारी राजपत्र में अधिसूचना द्वारा प्राधिकृत अधिकारी, नियोजक से दण्ड के रूप में निम्नलिखित तालिका में दी गयी दरों से हजाने की वसूली करेगा:

तालिका

क्रम सं.	चूक की अवधि	हजाने की दर (वार्षिक वसूली का प्रतिशत)
(1)	(2)	(3)
(क)	2 माह से कम	पाँच
(ख)	2 माह और इससे अधिक किन्तु 4 माह से कम	दस
(ग)	4 माह और इससे अधिक किन्तु 6 माह से कम	पन्द्रह
(घ)	6 माह और इससे अधिक	पच्चीस"

[का.स.एस-35012/01/07/एसएस-II]

एस. के. देव वर्मान, संयुक्त सचिव

टिप्पण:—कर्मचारी भविष्य निधि योजना, 1952 भारत के राजपत्र, भाग II, खण्ड 3, उप-खण्ड (1) में दिनांक 2 सितम्बर, 1952 के संख्या सा.का.नि.आ. 1506 द्वारा प्रकाशित किया गया था और योजना में पिछला संशोधन दिनांक 31 मार्च, 2008 के संख्या सा.का.नि. 2534(अ) द्वारा किया गया था।