

[TO BE PUBLISHED IN THE GAZETTE OF INDIA, EXTRAORDINARY, PART II,
SECTION 3, SUB SECTION (i)]
GOVERNMENT OF INDIA
MINISTRY OF LABOUR AND EMPLOYMENT

New Delhi, the 31st March, 2008.

NOTIFICATION

G.S.R.-253 (E) In exercise of the powers conferred by section 5, read with sub-section (1) of section 7 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 Fund (Amendment) Scheme, 2008.

(2) It shall come into force on the 1st day of April, 2008.

2 In the Employees' Provident Funds Scheme, 1952, after paragraph 81, the following paragraph shall be inserted, namely:-

'82. Special provisions in respect of certain employees. –

The Scheme shall, in its application to an employee who is a person with disability under the Persons with Disabilities (Equal Opportunities, Protection of Right and Full Participation) Act, 1995(1 of 1996) and under the National Trust for Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities Act, 1999 (44 of 1999) respectively, be subject to the following modifications, namely:-

(1) **For clause (f) of paragraph 2, the following clause shall be substituted, namely:-**

'(f) "excluded employee" means-

- (i) a person with disability, who having been a member of the Fund has withdrawn the full amount of his accumulations in the Fund under clause (a) or clause (c) of sub-paragraph (1) of paragraph 69;
- (ii) a person with disability, whose pay at the time he is otherwise entitled to become a member of the Fund, exceeds twenty-five thousand rupees per month.
- (iii) an apprentice".

(2) **In paragraph 30, after sub-paragraph (3), the following proviso shall be inserted, namely:-**

“Provided that the Central Government shall contribute the employer’s share of contribution upto a maximum period of three years from the date of commencement of membership of the Fund, in respect of an employee who is a person with disability, employed directly by the principal employer or through a contractor’.

(3) In paragraph 34, after the first proviso, the following proviso shall be inserted, namely:-

“Provided further that in the case of any such employee who is a person with disability, the aforesaid Declaration Form shall further contain such particulars as are necessary for such employees.”

(4) In paragraph 36, after sub-paragraph (1), the following sub-paragraph shall be inserted, namely:-

“(1A) Every employer shall send to the Commissioner, within fifteen days of every month commencing from the 1st day of April, 2008, in such form as the Commissioner may specify, the particulars as are necessary, of an employee who is a person with disability and is a member on or entitled to become a member after the 1st day of April, 2008”.

(5) In paragraph 38, in sub-paragraph (1), after the second proviso, the following proviso shall be inserted, namely:-

“Provided also that the Central Government shall pay the employer’s share of contribution in respect of an employee who is a person with disability, upto a maximum period of three years from the date of commencement of membership of the Fund.”

[F.No. S-35012/1/08-SS.II]

Sd/-

(S.K Srivastava)

JOINT SECRETARY TO THE GOVT. OF INDIA

To

The Manager,
Govt. of India Press,
Mayapuri, Ring Road,
New Delhi.

Note: The Employees’ Provident Fund Scheme, 1952 was published in the Gazette of India, Para-II, Section 3, Sub-section(i), dated the 2nd September, 1952 vide SRO number 1506 and the Scheme was last amended vide GSR number 228(E), dated the 22nd March, 2007.

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SECTION 3, SUB SECTION (i)]

GOVERNMENT OF INDIA
MINISTRY OF LABOUR AND EMPLOYMENT

NOTIFICATION

New Delhi, dated the 31st March, 2008.

G.S.R.-252 (E).....In exercise of the powers conferred by section 6A read with sub-section (1) of section 7 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 (Amendment) Scheme, 2008.
(2) It shall come into force on the 1st day of April, 2008.

2. (1) In the Employees' Pension Scheme, 1995, in paragraph 4, after sub-paragraph (2), the following proviso shall be inserted, namely:-

“Provided that the Central Government shall pay the contribution payable to the Employees' Pension Fund in respect of an employee who is a person with disability under the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995(1 of 1996) and under the National Trust for Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities Act, 1999 (44 of 1999) respectively, upto a maximum period of three years from the date of commencement of membership of the Fund”.

(2) In paragraph 24, the following proviso shall be inserted, namely:-

“Provided that if such person is a person with disability, the aforesaid Form shall further contain such particulars as are necessary for such person”.

[F. No. S-35012/1/08-SS.II]

Sd/-

(S.K Srivastava)

JOINT SECRETARY TO THE GOVT. OF INDIA

To
The Manager,
Govt. of India Press,
Mayapuri, Ring Road,
New Delhi.

Note: The Employees' Pension Scheme, 1995 was published in the Gazette of India, Para-II, Section 3, Sub-section(i), *vide* GSR number 748(E) dated 16th November, 1995 and the Scheme was last amended *vide* GSR number 431(E), dated the 15th June, 2007.