

No.S-35012/5/2017-SS-II
Government of India
Ministry of Labour and Employment

Shram Shakti Bhawan, New Delhi
Dated the 30/8, 2019.

Subject: Amendment in the Employees' Provident Funds & Miscellaneous Provisions (EPF and MP) Act, 1952 - regarding.

The Ministry of Labour and Employment proposes to amend the Employees' Provident Funds & Miscellaneous Provisions (EPF and MP) Act, 1952. A copy of the Preliminary Draft of THE EMPLOYEES' PROVIDENT FUNDS AND MISCELLANEOUS PROVISIONS (AMENDMENT) BILL, 2019 **along with** a Brief on the said Bill has been uploaded on the website of the Ministry for inviting suggestions/comments/inputs of all concerned stakeholders/other members of the public thereon for consideration in the Ministry.

2. It is proposed to insert sub-section(4) to Clause 10 of the Bill in the form of 'ADDENDUM' as under:

Clause of the Bill/ Page No.	As uploaded	As suggested
Clause 10, Page No.5 Option For National Pension System	16B. (1) The Central Provident Fund Commissioner or any other officer authorised by him in this behalf may, upon receipt of an application, in such form as may be prescribed, and after conducting such inquiry as may be necessary, allow any employee in the establishment to which this Act applies, to exercise the option to join the National Pension System: Provided that the application under this sub-section shall be deemed to have been allowed from the date of submission of application if no order is passed within a period of sixty days from the date of submission of such application.	16B. (1) The Central Provident Fund Commissioner or any other officer authorised by him in this behalf may, upon receipt of an application, in such form as may be prescribed, and after conducting such inquiry as may be necessary, allow any employee in the establishment to which this Act applies, to exercise the option to join the National Pension System: Provided that the application under this sub-section shall be deemed to have been allowed from the date of submission of application if no order is passed within a period of sixty days from the date of submission of such application.
	(2) The Central Government may, by notification in the Official Gazette, specify conditions including the limit of wages, subject to which option under sub-section (1) may be exercised and the manner in which the contributions of employees exercising such option shall be made to the National Pension System.	(2) The Central Government may, by notification in the Official Gazette, specify conditions including the limit of wages, subject to which option under sub-section (1) may be exercised and the manner in which the contributions of employees exercising such option shall be made to the National Pension System.
	(3) On joining the National Pension System opted under sub-section (1), the employee shall be deemed to have exited from the Pension Scheme on and from the date of his joining referred to in sub-section (1).	(3) On joining the National Pension System opted under sub-section (1), the employee shall be deemed to have exited from the Pension Scheme on and from the date of his joining referred to in sub-section (1).
	No such provision	(4) <i>Where the option under sub-section (1) is exercised by an employee, the Central Provident Fund Commissioner shall transfer to the National Pension System, the contributions received under the Pension Scheme in respect of such employee in the manner as specified by the Central Government by notification.</i>



3. In order to facilitate proper consideration, the comments/suggestions on the draft amendment Bill must be in the following format:

Section/Sub-section/Clause/Proviso of the draft Amendment Bill	Issue/Problem identified in the Section/Sub-section/Clause/Proviso of the draft Amendment Bill	Proposed Change/Correction that is suggested	Reason(s) for the Proposed Change/Correction	Remarks, if any
(1)	(2)	(3)	(4)	(5)

4. It is requested that the suggestions/comments/inputs must be submitted **latest by 22nd September, 2019**, by post to Shri Rahul Bhagat, Director, Ministry of Labour and Employment, Room No.302, Shram Shakti Bhawan, New Delhi or through email at rahul.bhagat@ips.gov.in or samir.kumar70@nic.in.


(S K Das)

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