

AS INTRODUCED IN THE RAJYA SABHA ON  
THE 23RD NOVEMBER, 2012

**Bill No. L of 2012**

THE EMPLOYEES' PROVIDENT FUNDS AND MISCELLANEOUS PROVISIONS  
(AMENDMENT) BILL, 2012

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**BILL**

*further to amend the Employees' Provident Funds and  
Miscellaneous Provisions Act, 1952*

BE it enacted by Parliament in the Sixty-third Year of the Republic of India as follows:—

**1.** (1) This Act may be called the Employees' Provident Funds and Miscellaneous Provisions (Amendment) Act, 2012.

Short title and  
commencement.

5 (2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

**2.** In sub-section (3) of Section 1 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952,—

Amendment of  
section 1 of Act  
19 of 1952.

(i) In clause (a), for the word "twenty" the word "five" shall be substituted.

10 (ii) In clause (b), for the word "twenty" the word "five" shall be substituted.

(iii) In the proviso for the word "twenty" the word "five" shall be substituted.

#### STATEMENT OF OBJECTS AND REASONS

The sub-section (3) of Section 1 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 provides its applicability to all the establishments having engaged twenty or more persons.

In India millions of employees work in such establishments where less than twenty persons are engaged and such persons are deprived of various social security benefits such as pension, gratuity and provident fund. They should also be entitled to such benefits under the Act for its proper implementation.

The Bill proposing amendments to Section 1 of the Act seeks to achieve the aforesaid objectives.

Hence, this Bill.

RAMA CHANDRA KHUNTIA

## ANNEXURE

### EXTRACTS FROM THE EMPLOYEES' PROVIDENT FUNDS AND MISCELLANEOUS PROVISIONS ACT, 1952

(ACT NO. 19 OF 1952)

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1. [(1) This Act may be called the Employees' Provident Funds and Miscellaneous Provisions Act, 1952.]

Short title, extent and application.

(2) It extends to the whole of India except the State of Jammu and Kashmir.

[3) Subject to the provisions contained in section 16, it applies—

(a) to any other establishment employing [twenty] or more persons or class of such establishments which the Central Government may, by notification in the Official Gazette, specify in this behalf; and

(b) to every establishment which is a factory engaged in any industry specified in Schedule and in which [twenty] or more persons are employed.

PROVIDED that the Central Government may, after giving not less than two months' notice of its intention so to do by notification in the Official Gazette, apply the provisions of this Act to any establishment employing such number of persons less than [twenty] as may be specified in the notification.]

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RAJYA SABHA

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(*Shri Rama Chandra Khuntia, M.P.*)