



GOVERNMENT OF KERALA

Abstract

Local Self Government Department – Compliance - Provision contained in the Employees provident funds and miscellaneous provision Act - Directions issued

LOCAL SELF GOVERNMENT (EÜ) DEPARTMENT

GO(Rt)No. 529/2013/LSGD.

Dated, Thiruvananthapuram 01/03/2013

Read;- 1. Notification No.S.O.30(E) dated 08/01/2011 of the Ministry of Labour and Employment, New Delhi

2. Letter No.G1/16950/2011 dated 16/11/2011 from Director of Urban Affairs, Thiruvananthapuram

ORDER

As per Government of India Notification No.S.O.30 (E) dated 8.1.2011 all Municipal Councils and Municipal Corporations employing twenty or more persons are brought under the purview of Employee Provident Fund Act 1952. The Employees Provident Funds and Miscellaneous Provision Act, 1952, defines "employee" as follows:

"employee" means any person who is employed for wages in any kind of work, manual or otherwise, in or in connection with the work of an establishment, and who gets his wages directly or indirectly from the employer and includes any person-

I. employed by or through a contractor in or in connection with the work of the establishment.

II. Engaged as an apprentice, not being an apprentice engaged under the Apprentices Act or under the standing orders of the establishment.

Even though daily waged employees are not specifically defined in the definition, they automatically come within the purview of this Act. Further, the Assistant PF Commissioner in his letter No. KR/RO/TVM/Enf.I(7) F.No. 84/2012 13528 dated 15.2.2012 has made it clear that the act covers all categories of employees including daily waged provided that they are not entitled to benefits of contributory PF or old age pension in accordance with any scheme or rule framed by State Government governing such benefits.

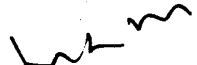
As Municipal Councils and Municipal Corporations are constituted under sub-clauses (b) and (c) of clause (1) of article 243 Q of Constitution of India, they are responsible for compliance of the directions contained in the Extra Ordinary Notification read as 1st paper.

In the circumstances Government are pleased to instruct all Urban Local Bodies in the State to comply with the provision contained in the Employees Provident Funds and Miscellaneous Provision Act scrupulously. Council decision for each municipalities/Corporation is required in the matter. Also the Municipal Councils/ Corporations may follow the present procedure for adopting resolution in this case also.

By Order of the Governor,
S.JALEEL,
SPECIAL SECRETARY

To All Urban local bodies (Through Director of Urban Affairs, Thiruvananthapuram)
The Accountant General (A&E/Audit), Thiruvananthapuram
The Director of Urban Affairs, Thiruvananthapuram
The Local fund Audit Director, Thiruvananthapuram
The Director, Information Kerala Mission, Thiruvananthapuram
Stock file/Office Copy.

Forwarded/By Order,


Section Officer