

**EMPLOYEES' PROVIDENT FUNDS ORGANISATION,
HEAD OFFICE, NEW DELHI**

Pradhan Mantri Garib Kalyan Yojana

A Scheme to implement the PMGKY package for credit of employee's & employer's share of EPF & EPS contributions (24% of wages) for three months by Govt. of India

SCHEME GUIDELINES

1. Introduction:

The Govt. of India on 26.03.2020 announced Rs.1.70 Lakh Crore relief package under Pradhan Mantri Garib Kalyan Yojana (PMGKY) for the poor to help them fight the battle against Corona Virus Pandemic. As part of the said package, the Central Govt. proposes to pay 24 percent of the monthly wages into EPF accounts for next three months of Wage-earners below Rupees fifteen thousand per month, who are employed in establishments having up to one hundred employees, with 90% or more of such employees earning monthly wages less than Rs.15000/-.

To implement the aforesaid package, the Ministry of Labour, Govt. of India, hereby notifies a Scheme with guidelines herein below:

2. Scheme Objectives:

To prevent disruption in the employment of low wage earning employees and support establishments employing up to one hundred employees, the entire employees EPF contributions (12% of wages) and employers' EPF & EPS contribution (12% of wages), totalling 24% of the monthly wages for the next three months shall be directly paid by the Central Govt. in the EPF accounts (UAN) of employees, who are already members of EPF Scheme, 1952, drawing wages less than Rs.15000/- per month and employed in establishments, already covered under the EPF & MP Act, 1952, employing up to one hundred employees, with 90% or more of such employees earning less than Rs.15,000/- monthly wages.

3. Validity of Scheme:

The Scheme will be in operation for the wage months- March, 2020, April, 2020 and May 2020.

4. Definitions for the Scheme:

The definitions mentioned in various sub-sections of section 2 of The Employees' Provident Fund & Misc. Provisions Act, 1952 and Para 2 of the Employees' Provident Funds Scheme, 1952, would be applicable mutatis mutandis to this scheme as well.

The following definitions would also be relevant:

(a) Electronic Challan cum Return (ECR) are the monthly challans/returns submitted online to the EPFO by the employers/establishments.

(b) Universal Account Number (UAN) are the unique account number of the members and for the purpose of this Scheme, the UANs need to be Aadhaar seeded.

(c) Ownership returns in Form 5A prescribed under Para 36-A of EPF Scheme, 1952

5. Eligibility for Scheme benefits:

A. For Establishments: To be eligible for benefits, following conditions should be fulfilled:

(i) The establishment or factory should already be covered and registered under the Employees' Provident Funds & Misc. Provisions Act, 1952.

(ii) The total number of employees employed in the establishment should be up to 100 (one hundred), with 90% or more of such employees should be drawing monthly wages less than Rs.15000/-.

B. For Employees:

(i) Employee should be employed in any eligible establishment earning monthly wages of less than Rs.15000/-. The UAN of the employee should be seeded with his/her Aadhaar.

(ii) Employee should be a member of EPF Scheme, 1952 & Employees' Pension Scheme, 1995 whose contributions are received for any period during last six months (September 2019 to February 2020) in the ECR filed by any eligible establishment against his/her UAN.

Such contributions in ECR should have been received on monthly wage of less than Rs.15000/-

(iii) It is clarified that if any employee is already a registered beneficiary and his/her employer is availing benefits of payment of employer's share by Central Govt. under

PMRPY/PMPRPY 2016, no such benefit in r/o such employee shall be available under this Scheme of PMGKY.

6. Instructions for availing benefits under the Scheme:

(i) The employer in relation to any eligible establishment, shall disburse wages for the month to all employees of the establishment and file Electronic Challan cum Return (ECR) Online to avail the benefit under the Scheme.

(ii) Since the Central Govt. is paying the employee's share of EPF contributions for employees eligible under this Scheme, for the wage months March, 2020, April, 2020, and May, 2020, the employer shall not make any deduction of employee's share of EPF contributions from the monthly wages of any eligible employee drawn for the wage months- March 2020, April 2020 and May 2020.

(iii) The employer of establishment claiming benefits under this Scheme have to file only one valid ECR for each of the months- March, 2020, April, 2020 and May, 2020.

(iv) That Form 5A (Ownership return) filed electronically should contain the details of all branches/departments and EPF Code numbers, if any, allotted separately to such branches/departments.

(v) Once ECR is uploaded by an employer eligible for relief, then the challan will separately show such amounts of employees' and employers' contributions as Central Govt. relief due under this Scheme in respect of eligible employees and the remaining amount payable by the employer-contributions towards EDLI Scheme, 1976 and EPF administrative charges in respect of all employees as well as EPF & EPS contributions due in respect of ineligible employees.

(vi) After the employer remits the payment due from him as reflected in challan as noted at (v) above, the EPF & EPS contributions in respect of eligible employees will be credited directly in their respective UAN by the Central Govt. There is no need to seek reimbursement of relief.

(vii) At the time of submission of the ECR, the employer shall be required to certify correctness of information furnished electronically in ECR and in Form 5A with an undertaking that the employer is liable for penal and coercive consequence for submitting any incorrect or false information/declaration to avail the relief. The form of Certificate/declaration of employer is appended below:

CERTIFICATE/ DECLARATION OF EMPLOYER

"I hereby certify that the information relating to the names of employees who are members of the EPF Scheme, 1952 and/or EPS' 1995, UANs seeded with Aadhaar of

employees, EPF/EPS wages already disbursed to employees, number of excluded employees in the ECR for wage month of March/April/May, 2020 are true and correct.

That I have disclosed names & UANs seeded with Aadhaar of every employee employed in all units/branches/departments as well as number of excluded employees of my establishment in the ECR for wage month of March/April/May, 2020, the total number of employees being ____ (EPF members and excluded employees), out of which ____ employees earned EPF/EPS wages less than Rs.15000/- qualifying for Central Govt. relief. I further certify that the Form 5A contains the details of all branches/departments and EPF Code numbers allotted separately to these.

I also certify that monthly wages due to all employees for the month of March/April/May, 2020 has been disbursed and also certify that no deductions towards either employees' EPF contributions or employers' EPF/EPS contributions have been made from wages of eligible employees for the month of March/April/May, 2020.

That I have neither suppressed any material information nor omitted any particulars and submitted correct information to avail the relief of employer's and employees' share of contributions in r/o eligible employees from the Central Govt. for the month of March/April/May, 2020.

I understand that the employer is liable to refund the relief amount and is also liable for any penal and coercive consequence for submitting any incorrect or false information/declaration to avail the Central Govt. relief."

(viii) The employer and establishment, seeking benefits of this Scheme, shall be fully responsible for the information furnished electronically in ECR or Form 5A or otherwise. If it is found that employer or any person has filed a false information or statement or made a false declaration, the employer shall be treated as defaulter and liable for penal consequences for such contravention as per the provisions of the EPF & MP Act, 1952 and EPF Scheme, 1952 and the relief paid by the Central Govt. shall be liable for recovery along with interest and penalty.

7. Modalities for implementation of the Scheme

(i) EPFO shall develop a software for implementing this Scheme and also develop a procedure which is transparent and accountable at their own end.

(ii) EPFO shall credit the funds in the Aadhaar seeded accounts of members of EPF in electronic manner.

8. Monitoring Mechanism

(i) EPFO shall put in place a robust mechanism to monitor the implementation of the Scheme on a daily basis.

(ii) EPFO shall provide weekly reports to the Ministry of Labour & Employment (Directorate General of Employment), Govt. of India for effective monitoring of the Scheme.

9. Third Party evaluation

(i) EPFO shall undertake Third Party Evaluation of the Scheme within a period of three months from the closure of the Scheme and send a report to the Ministry of labour & Employment, Govt. of India.

(ii) The expenditure incurred towards evaluation of the Scheme shall be borne by the EPFO out of its own resources.
