

**HIMACHAL PRADESH STATE ELECTRICITY BOARD LIMITED****(A STATE GOVERNMENT UNDERTAKING)**

Registered Office : Vidyut Bhawan, HPSEBL, Shimla-171004
Corporate Identity Number (CIN) : U40109HP2009SGC031255
GST No. : HPSEBL 02 AACCH4894EHZB
Telephone Number : (H.O) 0177-2809346/Fax No.0177-2658984
Email address : cmd@hpsebl.in, directorfa@hpsebl.in
Website address : www.hpsebl.com

NO.HPSEBL (SECTT.)/2-23(HRD)/2019-8862-9012 Dated:- 20-5-19
To

All the Chief Engineers/Managing Director
in HPSEBL/BVPCL.

The Chief Accounts Officer,
F&A Wing, HPSEBL,
Shimla.

All the SEs/Sr. XENs/ RES
in HPSEBL.

**Subject:- Non-adherence of the instructions of policy guide lines
regarding staff deployed in Government departments by
Service providers on outsourcing basis..**

Sir,

Kindly refer to this office letter No.HPSEBL (SECTT.)/2-23 (HRD) /
2017-241-371 dated:-02-04-2018 on the above noted subject vide which
instructions has been issued for non-adherence of policy guide lines related to
deployed of staff in Government departments on outsourcing basis .through
the various Service Providers.

It has come to the notice of the competent authorities that
aforesaid instructions are not being adhere /implemented by the field offices
/Units as well as DDO's in the HPSEBL in its letter and spirit. Thus, the
Management has taken a serious view of these lapses and desired to comply
with the aforesaid orders, failing which the disciplinary action will be initiated
against the erring officers.

It is pointed out that recently the news items appeared in
Punjab Kesri dated 1-12-2018(**Annexure-"A"**) captioned as in the name of
Electricity Board that:-

बिजली बोर्ड में ई. पी. एफ. के नाम पर करोड़ों का घोटाला 55 फीसदी
से ज्यादा कर्मचारियों को नहीं दिया ई. पी. एफ., नंबर कई साल से हो
रहा गबन।

IT Cell HPSEBL V.B. Shimla-4

1 | Page

Sr. EE (IT-I)
Sr. EE/ASE (IT-II)
APR/Stone

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[Handwritten signature]

[Handwritten signature]
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It is also intimated that earlier a complaint alongwith photo copy of the press released note published in the news paper has been received from Shri Santosh Raj Sharma, Enforcement Officer, EPF No.34, SDA Complex, Kasumpti Shimla (**Photo copy enclosed**) and requested to supply the records for verification.

It is therefore, again requested to follow these instructions and implement the Board's decision in its letter and spirit in order to avoid any litigation in future and delay in releasing the payments/dues to outsourced workers deployed in their respective Wings due to non-compliance of these instructions will be the responsibility of the concerned DDOs/field units. Any violation of the above instructions will be viewed seriously and personal responsibility will be fixed of the concerned erring officers in position, at the relevant time.

Apart from above, it is further directed to Chief Engineers/ Managing Director/Chief Accounts Officer and Under Secretary(General) for supply the information/ documents Wing as Whole on subject /point raised by Enforcement Officer, EPF No.34, SDA Complex, Kasumpti Shimla Wing as Whole to this office immediately, please.

Yours faithfully,


(Dr. Ashwani Kumar Sharma)
Executive Director (Pers.),
H.P. State Elect. Board Ltd.
Vidyut Bhawan, Shimla-4
(0177-2809346) *at Trusts*

Copy of above is forwarded for information and necessary action please:-

- ✓ 1) The Superintending (IT) HPSEBL, Shimla for information and requested to get the above instructions uploaded on the website of the HPSEBL.
- 2) The Under Secretary (General) in the Administrative Wing of the Board Secretariat for similarly necessary action in the matter.
- 3) Sh. Santosh Raj Sharma, Enforcement Officer, EPF No.34, SDA Complex, Kasumpti, Shimla


(Dr. Ashwani Kumar Sharma)
Executive Director (Pers.),
H.P. State Elect. Board Ltd.
Vidyut Bhawan, Shimla-4 *at Trusts*

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बिजली बोर्ड में ई.पी.एफ. के नाम पर करोड़ों का घोटाला

55 फीसदी से ज्यादा कर्मचारियों को नहीं दिया ई.पी.एफ. नंबर, कई साल से हो रहा गबन

सिमला, 30 नवम्बर (देवेंद्र हेरा)। राज्य बिजली बोर्ड में आऊटसोर्स कर्मियों के ई.पी.एफ. में कसेदों रुपए का गबन हो चुका है। बीते लगभग एक दशक से आऊटसोर्स कर्मचारियों को ई.पी.एफ. तो नियमित रूप से मिल रहा है लेकिन 55 फीसदी से ज्यादा कर्मचारियों को अब तक ई.पी.एफ. नंबर नहीं दिए गए हैं। भ्रष्टाचारियों का आलम यह है कि वे कर्मचारियों के भविष्य के लिए ई.पी.एफ. में भी बिजली बोर्ड में भ्रष्टाचारियों को ई.पी.एफ. नंबर देने को तैयार नहीं है। बिजली बोर्ड में भ्रष्टाचारियों को डराया-धमकाया जा रहा है। राज्य बिजली बोर्ड में बीते लगभग एक दशक से लगभग 2,600 आऊटसोर्स कर्मचारी सेवाएं दे रहे हैं। बिजली बोर्ड से कई साल से सेवाएं दे रहे कर्मचारियों का लाखों में नंबर नहीं मिल रहा है। मौजूदा समय में बिजली बोर्ड में लगभग 2,600 आऊटसोर्स कर्मियों का ई.पी.एफ. नंबर दे रखा है। एप्रोप्रीट के मुताबिक यह बिजली बोर्ड को सुनिश्चित करना है कि आऊटसोर्स कर्मियों को समय पर मानदेय मिले और ई.पी.एफ. उनके खातों में जमा हो लेकिन बिजली बोर्ड प्रबंधन इसमें नाकाम रहा है।

पालमपुर सर्कल में 3 महीने से नहीं मिला मानदेय

प्रदेश के कुछ क्षेत्रों में आऊटसोर्स कर्मियों को बीते 2 माह से मानदेय

नहीं मिला पाया है। पालमपुर सर्कल में 3 महीने से मानदेय नहीं मिला पाया है।

डाटा एंटी ऑप्रेटर को 11,360 पर कंपनी दे रही 6,521 रुपए

बिजली बोर्ड में डाटा अप्रिटर, कंप्यूटर अप्रिटर, मैटेनैन्स मैन, ड्राइवर, तकनीकी कर्मचारी और अन्य श्रणी कर्मचारी आऊटसोर्स पर सेला दे रहे हैं।

बिजली बोर्ड और सेवा प्रदाता कंपनी के बीच हुए एप्रोप्रीट के मुताबिक बोर्ड एक डाटा एंटी अप्रिटर को 11,360 रुपए दे रहा है, जबकि कंपनी डाटा एंटी अप्रिटर को मात्र 6,521 रुपए प्रतिमाह दिए जा रहे हैं। कंपनी के 4,839 रुपए का कोई हिसाब नहीं है। इस पर बोर्ड प्रबंधन का भी नजर नहीं है।

बिजली बोर्ड ने आऊटसोर्स पर सेवाएं देने वाली कंपनियों पर शिकंजा कसने के मुक़ाबले से फिर से टेंडर आमंत्रित किए हैं। इस बार किसी भी कंपनी को लूट की छूट नहीं हो जाएगा। जो कंपनियां टेंडर की शर्तों को पूरा करेंगी और सभी कर्मचारियों को समय पर मानदेय तथा ई.पी.एफ. देंगी, उन्हें ही भविष्य में टेंडर दिए जाएंगे।

-जे.पी. काल्टा, एम.डी., बिजली बोर्ड

बोर्ड के कुछ अधिकारी लगा रहे सरकार को चून

विद्युत बोर्ड कर्मचारी यूनियन के प्रदेशाध्यक्ष ने लगाए आरोप

नांदीन, 30 नवम्बर (जैन)। प्रदेश राज्य विद्युत बोर्ड कर्मचारी यूनियन के प्रदेशाध्यक्ष कुलदीप सिंह खरवाड़ा ने बताया कि विद्युत बोर्ड लि. के कुछ अधिकारी बेक्रीफ़ होकर बिजली बोर्ड को चुन लगा देने में लगे हुए हैं। बिजली बोर्ड में आज तक किसी भी अधिकारी ने किसी भी किस्म का कोई कारनामा किया हो, किसी के नाम कोई कारवाई नहीं हुई है। इसी तरह बोर्ड द्वारा खरीद गए सादे 3 करोड़ के थ्री-फेज फोर-वायर ट्रांसफ़ॉर्मर मोटर रखे-रखे कबाड़ से बदल गए फिर भी किसी अधिकारी को कोई जवाबदारी सुनिश्चित नहीं हो पाई है। उन्होंने बताया कि बिजली बोर्ड के अंदर घोटाले में घोटाले सामान और बढ़िया कर्मचारियों को भी चुन लगा रहे हैं।

सामान 4 दिन तक खड़ा रहने के लिए नहीं बिकता। खरवाड़ा ने बताया कि बिजली बोर्ड का प्रबंधक वर्ग ऐसे मामलों को तो जरूर कारवाही है लेकिन वह किसी अधिकारी को सजा देने के लिए नहीं बिकता। उन्होंने बताया कि बिजली बोर्ड में आज तक किसी भी अधिकारी किसी भी अधिकारी के नाम कोई कारवाई नहीं हुई है। इसी तरह बोर्ड द्वारा खरीद गए सादे 3 करोड़ के थ्री-फेज फोर-वायर ट्रांसफ़ॉर्मर मोटर रखे-रखे कबाड़ से बदल गए फिर भी किसी अधिकारी को कोई जवाबदारी सुनिश्चित नहीं हो पाई है। उन्होंने बताया कि बिजली बोर्ड के अंदर घोटाले में घोटाले सामान और बढ़िया कर्मचारियों को भी चुन लगा रहे हैं।



नांदीन, हिमाचल प्रदेश राज्य विद्युत बोर्ड कर्मचारी यूनियन के प्रदेशाध्यक्ष कुलदीप सिंह खरवाड़ा।

पंजाब - केसरी, 1 दिसंबर, 2018, शनिवार

Diary No. 02
1-4-19

Santosh Raj Sharma
G

M/S HP State Electricity
Board, Vidhyan Bhawan
Kumari House Shikha.

Dated 28-3-2019

Visit Note

In Compliance to SLRSM Suidha Inspection received on my e-mail ID, I visited your office to verify the record. I met to EO (Personnel). It is advised to produce the following records for verification:

- (i) Detail of Workers/employees engaged through Contractors/out source agencies.
- (ii) Salary/wages/attendance registered maintained in s/o out source workers/employees engaged by your office.
- (iii) Copies of agreement made between HP State Electricity Board Ltd and different Contractors/out source agencies concerning payment/salary/wages paid to workers/employees engaged through these agencies.
- (iv) Detail of P.F Paid Challan/ECR retained by your dept in s/o all workers/employees engaged through Contractors/out source agencies being principal employees under para 30 of EPF act and scheme framed there under.
- (v) Detail of Contractors/out source agency, their P.F No, No of employees/workers engaged, date from which engaged be furnished.

An memo has been published in the Punjab Kesri dated 1-12-2018 (copy enclosed) regarding non-disposition of P.F of workers/employees engaged through outsource agency. It is therefore advised to provide the above mentioned paper/document within three days duly signed by the authority responsible to under signed so that the report can be prepared and submitted to higher authority.

visited
for record
28/3/19

Sr. (HR)

Supdt (S)

Photo copy forwarded to 4/2
V2 for N. a. P. name
P.T.O. — 28/3/19

संतोष राज शर्मा
Santosh Raj Sharma
प्रवर्तन अधिकारी
Enforcement Officer
EPF - Block No 34
SDA Complex, Katwari
94185 87552

HRD Section

Diary No. 8
Dated. 1-4-2019

5



HIMACHAL PRADESH STATE ELECTRICITY BOARD LTD.
(A State Government Undertaking)

Registered Office : Vidyut Bhawan, Kumar House, Shimla-171004
Corporate Identity No.(CIN) : U40109HP2009SGC031255
GST No. : HPSEBL 02 AACCH4894EHZB
Telephone No. : 0177-2803600, 2801675(Office), 2658984(Fax)
Email Address : cmd@hpseb.in & directorfa@hpseb.in
Website Address : www.hpseb.com

NO.HPSEBL/Dir(F&A/Pers.)/News cutting/2018-19-11
To

Dated: 30.05.2018

✓ The Executive Director(Personnel),
HPSEB Ltd., Vidyut Bhawan,
Shimla-171004.

Sub : News cutting dated 30.05.2018.2018 - Regarding non-disbursement of wages to Data Entry Operators working in HPSEBL.

Your attention is invited towards News items that appeared in Himachal Dastak dated 30.05.2018 captioned as “डाटा ऑपरेटर्स को दो माह से वेतन नहीं” (Photo copy enclosed).

You are, therefore, requested to look into the matter and take further necessary action in the matter accordingly.

D/A: As above.



US (HRD) 3/01/06
SO (HRD)

Director (F&A/Pers.),
HPSEB Ltd., Vidyut Bhawan,
Shimla-171004.

[Signature]
01/06/2018

HRD Section
Diary No. 311
Dated. 02/06/2018

डाटा ऑपरेटर्स को दो माह से वेतन नहीं

बिजली बोर्ड कर्मी यूनियन ने शीघ्र भुगतान की उठाई मांग

हिमाचल दस्तक ब्यूरो। शिमला

बिजली बोर्ड में ठेकेदारों के माध्यम से कार्यरत प्रदेश भर के 800 से अधिक डाटा एंटी ऑपरेटर्स को दो माह से वेतन नहीं मिला है। नतीजन इन कर्मियों को भारी परेशानी का सामना करना पड़ रहा है। वेतन न मिलने से कर्मी अपने जरूरतें पूरी नहीं कर पा रहे हैं वहीं बिजली बोर्ड प्रबंधन भी इस ओर कोई ध्यान नहीं दे रहा है। कर्मचारियों के साथ हो रहे इस अन्याय को लेकर बिजली बोर्ड कर्मचारी यूनियन सामने आई है। बिजली बोर्ड कर्मचारी यूनियन प्रदेशाध्यक्ष कुलदीप सिंह खरवाड़ा

प्रदेश में 800 से अधिक डाटा एंटी ऑपरेटर्स

ने बोर्ड प्रबंधन से मांग की है कि ठेकेदारों के माध्यम से बिजली बोर्ड में सेवा दे रहे डाटा एंटी ऑपरेटर्स कर्मचारियों के वेतन का भुगतान शीघ्र करवाया जाए। उन्होंने बताया कि बिजली बोर्ड के प्रदेशभर के कार्यालयों में इस तरह के कार्यरत 800 से अधिक कर्मियों को पिछले दो महीने से वेतन नहीं मिल पाया है जबकि बोर्ड द्वारा नियमित कर्मचारियों के अभाव के चलते अधिकतर बोर्ड कार्यों का निपटारा इन्हीं कर्मियों के माध्यम से करवाया

जा रहा है। बोर्ड द्वारा ठेकेदार के माध्यम से रखे गये इन आउटसोर्स कर्मचारियों की सेवाओं का अनुबंध 31 मार्च तक किया था और इसके बाद इन कर्मचारियों की सेवाओं की विस्तार का अस्वास्न देते हुए फिल्ट्र कार्यालयों में काम लेते रहे लेकिन इनके ठेकेदारों को सेवा विस्तार न मिलने के कारण मार्च के बाद का वेतन ठेकेदार नहीं दे पा रहे है। यूनियन ने प्रबंधन वर्ग से मांग की है इन आउटसोर्स कर्मचारियों का पिछले दो माह के वेतन का भुगतान शीघ्र करने की दिशा में की जा रही औपचारिकताओं को शीघ्र पूरा किया जाए।

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आति
नियु

Santosh Raj Sharma
CS

M/S HP State Electricity
Board Ltd Kullu
Shimla
dated 9-5-2019

Visit Note

This is in continuation of my earlier
visit dated 28-3-2019 and letter No CO/Sm/1/HP
11894A/234-235 dated 11-04-2019 with regard
to Cessation record/information was sought
in respect of ~~the~~ workers/employees engaged
through different outsource agency/contractor.
The copy of letter dated 28-3-2019 enclosed
in this regard it is suggested that neither
the required records have received nor
any communication received from you
and therefore due to non-availability of
required information/records in report
could not be submitted. Further a letter
dated 14-3-2019 has been written to M/S HP
State Electricity Board Ltd to obtain P.F
No and up to the detail of Contractor
outsource agency and the principal employees
posted of EPFO that the EPF compliance
of all workers/employees engaged through
Contractor/outsource agency can be watched.
You are once again requested to
furnish the report/information as
desired vide undersigned letter dated
28-3-2019 within three days so that
the report can be submitted to higher
authority.

This may be treated as recent work

Encl- Letter dt 28-3-2019

" " " 11-4-2019

" " " 14-3-2019

1134

9-5-19

S-1

So (MAD) 12/7/19

12/7/19

Santosh Raj Sharma
प्रवर्तन
आधिकारी
Enforcement Officer

Santosh Raj Sharma
G

M/S HP State Electricity
Board, Vidhyut Bhawan
Kumar House Shikhar.

Dated 28-3-2019

Visit Note

In Compliance to SLRSM Suidha Inspection received on my e-mail ID, I visited your office to verify the record. I met to EO (Personnel). It is advised to produce the following records for verification.

- (i) Detail of workers/employees engaged through contractors/out source agencies.
- (ii) Salary/wages/attendance register maintained in s/o outsource worker/employees engaged by your office.
- (iii) Copies of agreement made between HP State Electricity Board Ltd and different contractors/out source agencies concerning payment/salary/wages paid to workers/employees engaged through these agencies.
- (iv) Detail of P.F Paid Challan/ECR retained by your Dept for s/o all workers/employees engaged through contractors/outsource agencies being principal employees under para 30 of EPF act and scheme framed there under.
- (v) Detail of contractors/outsource agency, their P.F No, No of employees/workers engaged, date from which engaged be furnished.

An memo has been published in the Punjab Kesari dated 1-12-2018 (copy enclosed) regarding non-deposition of P.F of workers/employees engaged through outsource agency. It is therefore advised to provide the above mentioned paper/document within three days duly signed by the authorized signatory to undersigned so that the report can be prepared and submitted to higher authority.

At Trusts
O.P. Trusts
9418323644

Santosh Raj Sharma
Santosh Raj Sharma
प्रवर्तन अधिकारी
Enforcement Officer
EPF - Block 40/34
CMA (Enforcement) 12/1/2019



क्षेत्रीय कार्यालय/Regional Office

कर्मचारी भविष्य निधि संगठन

Employees' Provident Fund Organization

श्रम एवं रोजगार मंत्रालय, भारत सरकार

Ministry of Labour and Employment, Government of India,

ब्लॉक नं. 34, प्रथम एवं द्वितीय तल, एस.डी.ए. कॉम्प्लेक्स, कसुम्पटी, शिमला-171009 (हि.प्र.)

Block No. 34, I & II Floor, SDA Complex, Kasumpti, Shimla-171009 (HP)

ई-मेल/E-mail: ro.shimla@epfindia.gov.in

दूरभाष/Tel: 0177-2623023

0177-2624620

फैक्स/FAX: 0177-2623197

EO/Sml/HP/ 1189 फा / 234-235

Date: - 11-04-2019

To

The Executive Director (Personal)

HP State Electricity Board Ltd

Vidhyut Bhawan, Kumar House

Shimla

Sub: - Verification of records in r/o workers engaged through contractors/outsources agency regd.

Sir,

This is in reference to undersigned visit note issued to M/S HP State Electricity Board Ltd on 28-03-2019 during my visit. In this regard it is submitted that relevant record relating to workers/employees engaged through contractor/outsources agency was asked to produce for verification. But the same has not been received so far. Further it is informed that this is a complaint case published in the newspaper and its report had to be submitted/uploaded 72 hours on Shram Suvidha Portal of EPFO.

It is therefore requested that the information required vide my visit note dated 28-03-2019 may be provided within three days so that its report can be prepared and submitted to higher authority.

This may be treated as most urgent.

Copy To: -

1) RPF, Ro Shimla, (Compliance)

Yours Faithfully,

Santosh Raj Sharma

संतोष राज शर्मा

Santosh Raj Sharma

प्रवर्तन अधिकारी

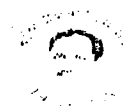
Enforcement Officer



Employees' Provident Fund Organization

श्रम एवं रोजगार विभाग, भारत सरकार

Ministry of Labour and Employment, Government of India

ब्लॉक नं. 34, प्रथम एवं द्वितीय तल पर ए.डी.एस. कॉम्प्लेक्स, कसुम्पटी, शिमला-171009 (हि.प्र.)
Block No. 34, 1st & 2nd Floor, SDA Complex, Kasumpti, Shimla-171009 (HP)

No. 28 (16) RO/HP/Intelligence/Contract Workers/5416

Dated:
14 MAR 2019

To,

The Managing Director
HP State Electricity Board Limited (HPSEB),
Shimla-4

Subject: Coverage of Contract Workers under EPF & MP Act, 1952 regarding

Sir,

As your good self is aware that Employees' Provident Fund & Miscellaneous Provisions Act, 1952 (the Act) is a social welfare legislation and its purpose is to cater to the social security needs of the workers. The Act has been mandated to provide social security in the form of Provident Fund, Pension and Insurance to all EPF members and their dependents.

2. Various Central/State Government departments, PSUs, autonomous/statutory/attached bodies and the like are outsourcing the employees for various activities such as data entry, housekeeping, security etc. through different agencies and contractors. The issue of coverage of such contract workers has been flagged as an area of top most concern and priority by the Government of India. Consequentially, Hon Union Labour Minister, Resp. Cabinet Secretary, Union Labour Secretary and Central Provident Fund Commissioner have issued DO letters to State Govt. Authorities for providing social security benefits to outsourced staff by ensuring coverage of contractual staff under EPF&MP Act, 1952 and adherence of all provisions of this act in respect of them. Details of these DO letters is mentioned below for ready reference.

Sl. No	Letter No	From	To	Remarks
1	DO No C-III/011/2 (82) 2015/HQ	Hon'ble Union Minister for Labour & Employment	State Government	Letters attached as Annexure-I
2	DO No. 391/1/1/2015-CA.V	Respectable Cabinet Secretary	All Secretaries to the Government of India	Letters attached as Annexure-II
3	DO No CAIU/011/(33) 2015/HQ/4029/ dated 27/05/2016	Central PF Commissioner	1) Chief Secretary Govt of HP	Letters attached as Annexure-III

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Sl. No	Letter No	From	To	Remarks
4	No. Shram (A)4-1/2015(EPF)dated 04/06/2016	Under Secretary (L& E) to the Govt of HP	All Administrative Secretaries to the Govt of HP, All Heads of the Department in Himachal Pradesh	Letters attached as <u>Annexure-IV</u>
5	DO No ACC/PB&HP/NIS-CAIU/Vol-II/1436-1454 dated 13/07/2016	Sh. Beerbal Meena (Additional Central PF Commissioner PB & HP)	1) Sh. RD Dhiman, Principal Secretary, Govt of Himachal Pradesh 2) Sh. Deepak Sanan, Additional Chief Secretary, Dept of Forests, Govt of HP 3) Shri Vineet Chawdhary, Additional Chief Secretary, Health & Family welfare, Govt of HP 4) Smt. Upma Chawdhary, Additional Chief Secretary, Agriculture, Fisheries & Animal Husbandry, HP Govt Secretariat 5) Shri Tarun Shridhar, Additional Chief Secretary, Govt of HP 6) Shri Narinder Chauhan, Additional Chief Secretary, Govt of HP 7) Ms. Anuradha Thakur, Secretary, Govt of HP 8) Shri Onkar Chand Sharma, Secretary, Govt of HP 9) Shri Mohan Chauhan, Secretary, Govt of HP 10) Ms. Purinma Chauhan, Secretary, Govt of HP 11) Shri Rajiv Kumar Shankar, Secretary, Govt of HP	Letters attached as <u>Annexure-V</u>

To achieve the target of 100% coverage of contract workers under the ambit of the Act, EPFO has targeted that:-

- (a) All the agencies and contractors to whom the work is outsourced are covered under the Act.
- (b) All the personnel supplied by the agencies and contractors are extended benefits of provident fund etc.
- (c) All the personnel engaged get eligible benefits commensurate to the wage they get.

3. In addition, a policy has also been framed by the Govt. of Himachal Pradesh which was circulated vide letter No. Fin(C)-B(15)-8/2013 dated 01.07.2017 (copy enclosed as Annexure-VI) regarding staff deployed in Government departments on outsourced basis. In the said policy, directions have been issued to departments to ensure that benefits of EPF are being given to the

employees/workers by due date. Moreover, the directions have also been issued for taking action against the service provider in case of non-payment of wages and benefits.

4. Further, it has also come into notice from newspaper sources that Chief Minister of Himachal Pradesh informed in the august state Assembly that there are 5,048 outsourced employees working in various departments of state government, 2,893 outsourced employees in State Boards and 790 outsourced employees in State Corporations in the Himachal Pradesh. Newspaper clippings in this regard are attached in Annexure -VII).

5. The compliance under EPF & MP Act, 1952 is compulsory and it is an offence under this act if contractual employees are not getting Social Security benefits under EPF & MP Act, 1952 and Scheme framed thereunder. Your kind attention is also invited towards Para 30 (3) of Employees' Provident Fund Scheme, 1952 which casts onus of compliance of the act on the principal employer. This provision is set out below for ready reference.

"It is the responsibility of the Principal Employer to pay both the contribution payable by himself in respect of the employees directly employed by him and also in respect of the employees employed by or through a contractor and also administrative charges"

6. Non Compliance of the Provisions of EPF & MP Act 1952 and Schemes framed thereunder also attracts Penal Provisions under Section 14 of the Act against the defaulter employers. In this regard Section 14AB of the Employees Provident Fund and Miscellaneous Act, 1952, which makes non deposition of dues as cognizable offence, is also attached to this letter. (Attached as Annexure-VIII).

7. Thus, to summarize, it is the responsibility of Principal Employer to provide Social Security benefits to all the eligible employees engaged through contractors/ outsourced basis. Further, if the EPF dues of these contractual employees engaged by any department are being deposited through contractor, even then being a principal employer, the responsibility of ensuring EPF compliance of these contractual employees lies with Principal Employer.

8. In view of the above, it is requested to issue necessary directions/guidelines to all field authorities under your department to ensure the extension of Social Security benefits under the Act to all the outsourced/contractual employees engaged by your department either directly or through contractor.

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Further, the directions may also be given to all the authorities to upload the detail of contractors and their work orders engaged by your department on Principal Employer Portal of EPFO so that the compliance status of the contractors declared by Principal Employers could be checked and necessary actions/inspections may be carried out to ensure 100% coverage of all contractual employees under EPF & MP Act, 1952. The weblink/URL of Principal Employer portal on EPFO Central Website is https://www.epfindia.gov.in/site_en/Principal_Employer.php

9. Finally, with a view to comply with the directions of the Additional Chief Secretary (L&E), Govt. of Himachal Pradesh cum Chairman, Regional Committee, EPF, you are also requested to provide the details of all outsourced staff engaged directly/indirectly/through contractors by your department in the following format to this office so that further action can be initiated.

Sl. No	Name of the contractor with EPF Code.	No. of employees engaged directly /indirectly/through contractor.	No. of employees for whom EPF is being deducted & deposited	Duration of Contract

10. Besides above, the detail of salient features of EPF & MP Act, 1952 and schemes framed there under along with new initiative of EPFO are enclosed herewith as Annexure-IX for your kind reference

Enclosure: Annexure-I to IX

Yours faithfully,


14/03/19

(Sudarshan Kumar)

Regional PF Commissioner-I (Himachal Pradesh)

Regional Office - Shimla

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