

Employees' Provident Funds (Second Amendment) Scheme, 2012 –

Amendment in paragraphs 27, 27A, 27AA, 36, 36A, 38, 42, 43, 72, 82 and 83

NOTIFICATION NO. G.S.R. 336(E), DATED 4-5-2012

In exercise of the powers conferred by section 5, read with sub-section (1) of section 7 of the [Employee's Provident Funds and Miscellaneous Provisions Act, 1952 \(19 of 1952\)](#), the Central Government hereby makes the following Scheme further to amend the Employees' Provident Funds Scheme, 1952, namely :-

1. (1) This Scheme may be called the Employees' Provident Funds (Second Amendment) Scheme, 2012.

(2) It shall come into force on the date of its publication in the Official Gazette.

2. In the [Employees' Provident Funds Scheme, 1952](#) (hereinafter referred to as the said Scheme), in paragraph 27, after sub-paragraph (2), the following proviso shall be inserted, namely :-

"Provided that above mentioned returns shall be submitted by the employer in electronic format also, in such form and manner as may be specified by the Commissioner."

3. In paragraph 27A of the said Scheme, after sub-paragraph (2), the following proviso shall be inserted, namely :-

"Provided that above mentioned returns shall be submitted by the employer in electronic format also, in such form and manner as may be specified by the Commissioner."

4. In paragraph 27AA of the said Scheme, after condition (16) of the Appendix 'A', the following proviso shall be inserted, namely :-

"Provided that above mentioned returns shall be filed by the employer in electronic format also, in such form and manner as may be specified by the Commissioner."

5. In paragraph 36 of the said Scheme, -

(i) in sub-paragraph (2), after the proviso, the following proviso shall be inserted, namely :-

"(c) Provided further that a copy of the forms as mentioned in clauses (a) and (b) above shall be provided by the employer to concerned employees immediately after joining the service or at the time of leaving the service, as the case may be.";

(ii) after sub-paragraph (6), the following sub-paragraph shall be inserted, namely :-

"(7) Every employer shall send to the Commissioner such returns in electronic format also, in such form and manner as may be specified by the Commissioner."

6. In paragraph 36A of the said Scheme, after the proviso, the following proviso shall be inserted, namely:-

"Provided further that above mentioned details shall be furnished by the employer in the electronic format also, in such form and manner as may be specified by the Commissioner."

7. In paragraph 38 of the said Scheme, after sub-paragraph (3), the following proviso shall be inserted, namely :-

"Provided that the employer shall send to the Commissioner returns or details as required under sub-paragraphs (2) and (3) above, in electronic format also, in such form and manner as may be specified by the Commissioner."

8. In paragraph 42 of the said Scheme, after the proviso, the following proviso shall be inserted, namely:-

"Provided further that above mentioned contribution card in respect of each employee shall be prepared by the employer in electronic format also, in such form and manner as may be specified by the Commissioner."

9. In paragraph 43 of the said Scheme, after the second proviso, the following proviso shall be inserted, namely :-

"Provided also that above mentioned contribution card in respect of each employee together with statement in Form 6 shall be sent by the employer in electronic format also, in such form and manner as may be specified by the Commissioner."

10. In paragraph 72 of the said Scheme, after clause (e) of sub-paragraph (5), the following clause shall be inserted, namely:-

"(f) Every employer shall, at the time when an employee joins the service, be required to get the application for transfer of provident fund in cases specified in sub-paragraphs (1) and (2) of paragraph 57 duly filled in and attested, and, to forward the said application within five days of its receipt to the Commissioner or any other officer authorised by him in this behalf."

11. In the paragraph 82 of the said Scheme, in sub-paragraph 2, in clause (4), after the existing entries, the following proviso shall be inserted, namely:-

"Provided that the particulars of disabled employees shall be sent by employer in electronic format also, in such form and manner as may be specified by the Commissioner."

12. In the paragraph 83 of the said Scheme, under the heading "36 Duties of employer", in sub-paragraph (2), after the existing proviso, the following proviso shall be inserted, namely:-

"Provided further that a copy of the forms as mentioned in clauses (a) and (b) above shall be provided by the employer to concerned employees immediately after joining the service or at the time of leaving the service, as the case may be."
