

# TalEzine - December '21

## Monthly Edition

### Key decisions taken at the 229th meeting of Central Board of Trustees, the apex decision making body of EPFO

As per the Press Note: The 229 meeting of Central Board of Trustees (CBT), apex decision-making body of EPFO, was held today in New Delhi. The following key decisions were taken by Central Board, EPF: -

- The suggestion of the Chairman to constitute four sub-committees, comprising members of the Board from employees, employers' side as well as from representatives of the Government side was welcomed and approved by the Board. Two committees on Establishment related matters and futuristic implementation of Social Security Code will be headed by the Minister of State Labour and Employment. The remaining two committees on Digital capacity building and Pension related issues will be headed by Union Labour and Employment Secretary
- The draft 68 annual report on the functioning of the EPFO for the year 2020-21 was approved, with the recommendation to place it before the Parliament, through Central Government.
- Approval was accorded for development of centralized IT-enabled systems by C-DAC. Post this, the field functionalities will move on a central database in a phased manner enabling smoother operations and enhanced service delivery. The centralized system will facilitate de-duplication & merger of all PF accounts of any member. It will remove the requirement of transfer of account on change of job.
- The Board decided to empower the Finance Investment & Audit Committee (FIAC) to decide upon the investment options, on case-to-case basis, for investment in all such asset classes which are included in the Pattern of Investment as notified by Government of India.
- During the meeting, Chairman, CBT released a booklet titled 'Response to Covid - 2.0.' The booklet is an effort to encapsulate the preparedness of EPFO to innovate and deliver uninterrupted services to its stakeholders during the difficult time of Covid-19 pandemic. The booklet is the second in the series, first version was released in the 228 CBT meeting held in March 2021 at Srinagar.
- Chairman, CBT released another booklet titled 'Nirbadih: seamless service delivery.' This booklet is a compilation of initiatives taken and strategies adopted by EPFO towards successful digital transformation from 'EPFO to e-EPFO' over the last three years. These efforts have enabled EPFO to move towards digitally interacting paperless organization, thereby enhancing ease of living for all its stakeholders.

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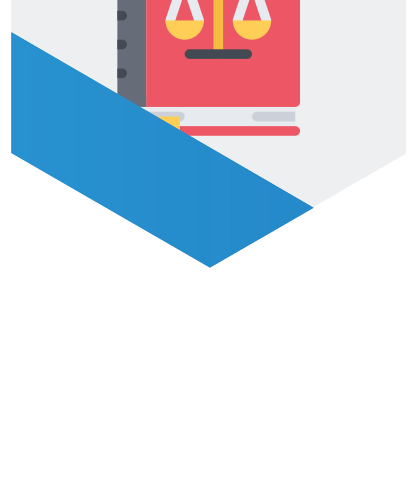


### Declaration Of Rate Of Interest For The Employees Provident Fund Members Account

**Vide Notification No: INV-11/1/2020-INV, R-11018/1/2021 SS-II**

As per the notification, The EPFO and ministry of labour and employment has requested all zonal offices and regional offices to issue instruction for crediting interest to members account in regard to Central Government convey of approval towards credit of interest at the rate 8.50 percent for the year 2020-21. Please refer to the circular for more details.

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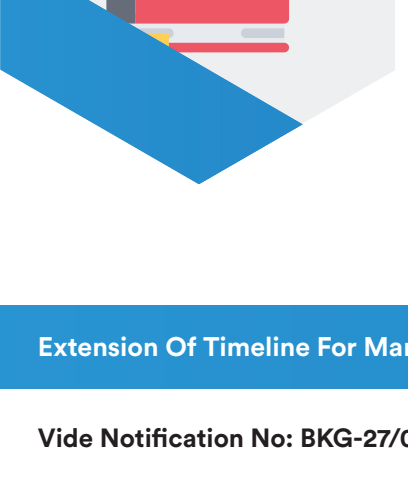


### Honourable Supreme Court Judgement On ESI Contribution To Exclude Conveyance Allowance

**Vide Notification No: T-11/13/56/02/2020 Rev.II**

As per the notification, The ESIC has acknowledged to all regional and sub-regional offices regarding judgement of the Hon'ble Supreme Court of India that payment of conveyance allowance as per present case does not fall under definition of term "wages" which means "all remuneration paid or payable in cash to an employee, if the terms of the contract of employment, express or implied, were fulfilled and includes [any payment to an employee in respect of any period of authorised leave, lock-out, strike which is not illegal or layoff and] other additional remuneration, if any, [paid at intervals not exceeding two months], but does not include (a) any contribution paid by the employer to any pension fund or provident fund, or under this Act ; (b) any travelling allowance or the value of any travelling concession ; (c) any sum paid to the person employed to defray special expenses entailed on him by the nature of his employment ; or (d) any gratuity payable on discharge" . Therefore, concluded that conveyance allowance shall not form part of the wages of the employees and the judgement hold good with effect from 8th March 2021. Please refer to the circular and enclosed judgement for more details.

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### ESIC Seeding Of UAN Number For Insurance Module

**Vide Notification No: D/22/SRO/ROHINI/CO-ORD/VIVIDH/2021-22**

As per the notification, The ESIC has requested to register EPF UAN as per the insurance module. Therefore, employer can do login through www.esic.in till December 2021. Please refer to the notification for more details.

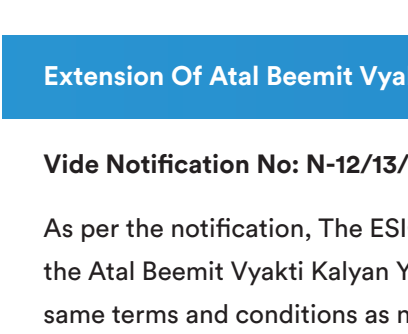
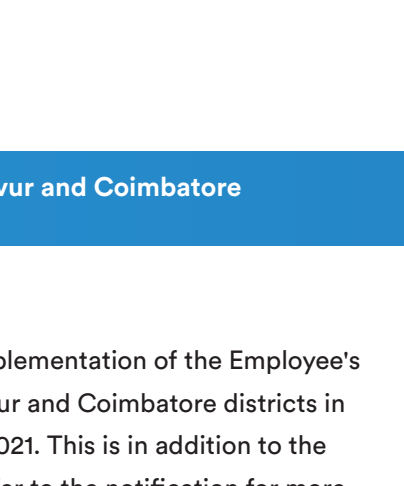
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### Extension Of Timeline For Mandatory Seeding Of Aadhar Number For Filing Of ECR

**Vide Notification No: BKG-27/07/2020-BKG-Part (1)/E-40100/173**

As per the notification, The Employees' Provident Fund Organization has amended the filing of ECR for UAN to seed with Aadhaar has been extended till 30th November 2021. The concerned field officers shall advise employers for implementation after the period of deferment. Please refer to the circulars for more details.

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### Enforcement Of Provisions Towards ESIC In Thanjavur and Coimbatore Districts of Tamil Nadu

**Vide Notification No: S.N-15011/1/2021**

As per the notification, The ESIC has extended the implementation of the Employee's State Insurance Act, 1948 in the entire area of Thanjavur and Coimbatore districts in the state of Tamil Nadu effective from 1st November 2021. This is in addition to the already implemented area of these districts. Please refer to the notification for more details

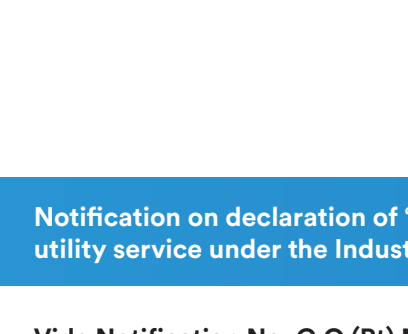
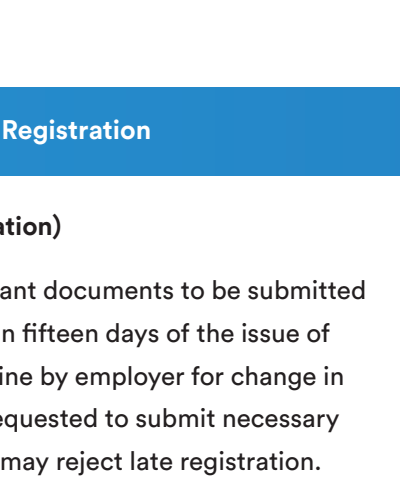
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### Extension Of Atal Beemit Vyakti Kalyan Yojana Scheme

**Vide Notification No: N-12/13/1/2019 P&D**

As per the notification, The ESIC has extended the relaxation in eligibility conditions in the Atal Beemit Vyakti Kalyan Yojana for period 01.07.2021 to 30.06.2022 with the same terms and conditions as notified on with enhanced rate of relief and relaxed eligibility conditions as notified in the Gazette of India, (Extraordinary), Part III - Section - 4 (Sl. No. 436) dated 16.10.2020. and Sl. No. 15 dated 11.01.2021. Please refer to the notification for more details

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### ESIC Circular On Submission Of Document For Late Registration

**Vide Notification No: 72.U.11.2020.Misc.(Late Registration)**

As per the notification, The ESIC has notified that relevant documents to be submitted to the concerned RO/SRO in prescribed proforma within fifteen days of the issue of show cause notice in case of request made through online by employer for change in date of registration. Therefore, all employers are also requested to submit necessary documents within stipulated time and failing to submit may reject late registration. Please refer to the notification for more details.

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### Notification on declaration of "Automobile Manufacturing Industry" as Public utility service under the Industrial Disputes Act, 1947

**Vide Notification No: G.O (Rt) No.370**

As per the notification, The Government of Tamil Nadu hereby declared in exercise of the powers conferred by sub-clause (vi) of clause (n) of section 2 of the said Act, 1947 the "Automobile Manufacturing Industry" to be a public utility service for the purposes of the said Act for a period of six months with effect on and from the date of publication of the Notification in the Tamil Nadu Government Gazette, refer attachment for further details.

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### The Delhi Shops And Establishments (Amendment) Rules, 2021

**Vide Notification No: 15(52)/Lab/2021/4506**

As per the notification, The Government of Delhi has amended the rules towards form of submitting a statement, the fees and other particulars, manner of registering establishments and form of registration certificate, forms of notifying a change and fees, schedules under Delhi Shops and Establishments Rules, 1954. As per the amendment, (1) The online system is implemented for filing application and granting of registration certificate, making amendment in application, (2) The schedules I and II which prescribe details of fees has been removed (3) The Form G is amended to include register of wages, deductions, overtime, Advances and therefore, removed Form H and Form I. Please refer to the notification for more details.

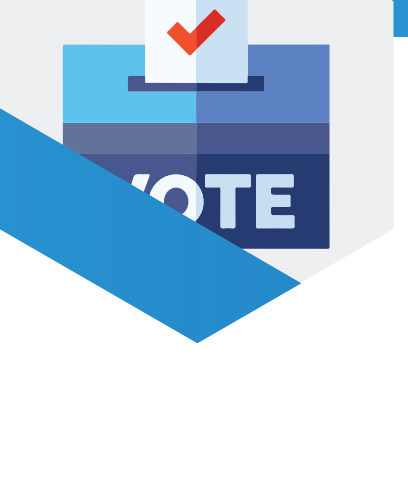
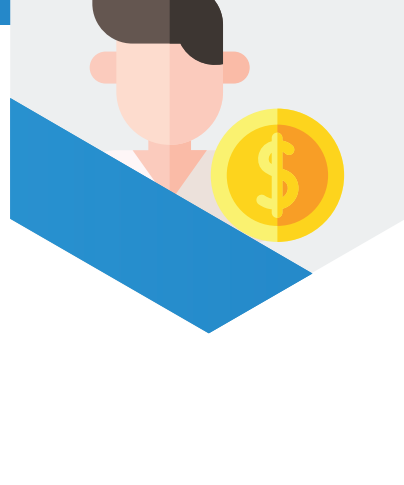
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### The Haryana State Employment of Local Candidates Act, 2020

**Vide Notification No: Lab/25467/25478/2021**

As per the notification, The Government of Haryana has specified the date as on 15th day January 2022 for implementing The Haryana State Employment of Local Candidates Act, 2020. It also notified that limit towards monthly salary is thirty thousand rupees instead of fifty thousand rupees as gross monthly salary or wages for registration. Please refer to the notification for more details.

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### Assam Government Declares Bye Election On 15th December 2021

**Vide Notification No: GAG(A).139/205/258**

As per the notification, The Government of Assam has declared 15th December 2021 as a public holiday on account of Gaon Panchayat-bye election at Goalpara district for government bodies/ non-government bodies, all bodies and organisation under the state government including urban local bodies and PRI, educational institutions and business establishments including banks, tea garden and industries etc within the jurisdictions. Please refer to the notification for more details.

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### MCA flags DINs of Directors found to be disqualified under the Companies Act, 2013

As per the notice, The Ministry of Corporate Affairs had flagged the DINs of Directors found to be disqualified under sub-section 2(a) of section 164 of the Companies Act, 2013 w.e.f. 1st November 2016 for a period of five years. This is for the information of all the concerned that DINs eligible to be de-flagged on expiry of the period of disqualification are in the process of verification. Necessary action shall be taken shortly. Please refer to the notice for more details

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### Central Board of Indirect Taxes & Customs (CBIC) has issued clarification related to refund of excess balance in electronic cash ledger under GST

**Vide Circular No. 166/22/2021-GST, F.No. CBIC-20021/4/2021-GST**

As per the Circular, The CBIC has issued clarification on refund of excess amount under GST. In order to ensure uniformity in the implementation of the provisions of the law across field formations, the Board, in exercise of its powers conferred by section 168(1) of the Central Goods and Services Tax Act, 2017 (hereinafter referred to as "CGST Act"). Please refer to the circular for more details.

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### The Aadhaar (Authentication and Offline Verification) Regulations, 2021

**Vide Notification No: No. K-11020/240/2021/Auth/UIDAI (No. 2 of 2021)**

As per the notification, The Unique Identification Authority of India has superseded the Aadhaar (Authentication and Offline Verification) Regulations, 2016. Through this amendment, the authority has provided two types of authentication facilities, namely yes/no authentication facility and e-KYC authentication facility and other types of offline verification facility has been introduced. Please refer to the notice for more details.

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### The Goa Minimum Wage Notification (Oct 2021)

**Vide Notification No: CLE/PA/MWA-VDA/(10)/2016/7013**

As per the notice, The Ministry of Corporate Affairs had flagged the DINs of Directors found to be disqualified under sub-section 2(a) of section 164 of the Companies Act, 2013 w.e.f. 1st November 2016 for a period of five years. This is for the information of all the concerned that DINs eligible to be de-flagged on expiry of the period of disqualification are in the process of verification. Necessary action shall be taken shortly. Please refer to the notice for more details

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### The Kerala Minimum Wages Notification (Sep 2021)

**Vide Notification No: DES/859/2021-P3(1)**

As per the notification, The Government of Kerala, Labour and Skills (E) Department has revised the variable dearness allowance for employment in Shops and Commercial Establishment and employment in Computer Software Sector. As per the Notification, the Consumer Price Index (Cost of Living Index) Numbers applicable to employees in employment under the Minimum Wages Act (Central Act XI of 1948) for the month of September 2021 ascertained by the Director General of Economics & Statistics under clause (C) of Section 2 of the Act. Please refer to the notification for more details.

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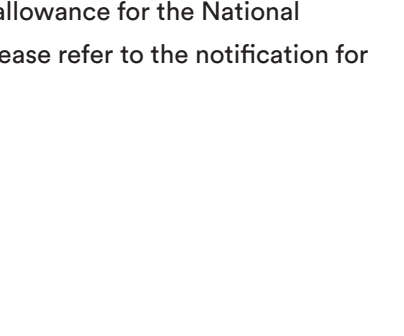


### The Delhi Minimum Wages Notification (Oct 2021)

**Vide Notification No: F.No.12 (142)/02/MW/VIII/Part file/4456**

As per the notification, The Government of National Capital Territory of Delhi has released minimum wages including variable dearness allowance for the National Capital Territory of Delhi effective 1st October 2021. Please refer to the notification for more details.

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## Minimum Wages Notification

| Minimum Wages 2020-2021 |                |               |               |                |               |                  |
|-------------------------|----------------|---------------|---------------|----------------|---------------|------------------|
| State                   | Class          | Minimum Wages |               |                |               | With Effect From |
|                         |                | Zone I (INR)  | Zone II (INR) | Zone III (INR) | Zone IV (INR) |                  |
| Delhi                   | Highly Skilled | 21184         |               |                |               | 01-Oct-21        |
|                         | Skilled        | 19473         |               |                |               | 01-Oct-21        |
|                         | Semi Skilled   | 17693         |               |                |               | 01-Oct-21        |
|                         | Unskilled      | 16064         |               |                |               | 01-Oct-21        |
| Goa                     | Skilled        | 12870         | 12714         |                |               | 01-Oct-21        |
|                         | Semi Skilled   | 11440         | 11310         |                |               | 01-Oct-21        |
|                         | Unskilled      | 9932          | 9854          |                |               | 01-Oct-21        |

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