

## CHAPTER X : MINISTRY OF LABOUR

### Employees' Provident Fund Organisation

#### Regional Provident Fund Commissioner, Kolkata

#### 10.1 Shortcomings in the Computerised Employees' Pension System resulted in incorrect payment of pensionary benefits.

- The Employees' Provident Fund Organization, in 1995, introduced countrywide Computerised Employees' Pension System for computation of pensionary benefits under the Employees' Pension Scheme.
- Analysis of data revealed that due to deficiency in design, the computations made by the application were in contradiction with the Scheme provisions. This led to short payment of commuted value of pension to the extent of Rs. 34.51 lakh in 910 cases and overpayment of Rs. 51.78 lakh in 1462 cases.
- The Return of Capital (ROC) was also calculated short by Rs. 95.46 lakh in 968 cases and excess by Rs 1.41 crore in 1581 cases.
- There was short payment of pension amounting to Rs. 3.93 lakh per month in 4645 cases and overpayment of pension amounting to Rs. 5.36 lakh per month in 5893 cases (as of January 2005).
- The application accepted wrong beneficiaries for the ROC scheme in 235 cases involving an amount of Rs. 1.25 crore.

#### 10.1.1 Introduction

The Employees' Provident Fund Organisation (EPFO) came into being following the enactment of the Employees' Provident Funds & Miscellaneous Provisions Act, 1952. In 1995, EPFO introduced countrywide Computerised Employees' Pension System (CEPS), an application developed by the National Informatics Centre for computation of pensionary benefits under the Employees' Pension Scheme<sup>1</sup>, 1995 (Scheme) and generation of Pension Payment Orders. The operating system for the application is SCO-UNIX open server 5.0.5 and the software works on SCO-FOXBASE package.

Audit of the application was conducted using sample data pertaining to Office of the Regional Provident Fund Commissioner, Salt Lake, Kolkata. Out of a total of 24,534 records 17,900 records relating to the period 3 April 2000 to 14 January 2005, was selected for audit. This data was analysed using MS Excel for assessing its reliability and consistency and compliance of the information

<sup>1</sup> This Scheme replaced the Employees' Family Pension Scheme, 1971 w.e.f. 16 November 1995.

processing function with the rules governing the scheme. The audit findings are elaborated in succeeding paragraphs.

### **10.1.2 System Design Deficiency**

Audit observed that there were a number of deficiencies in the system design of the application software leading to nonconformity with the provisions of the scheme. It was also found lacking in essential validation checks which help in keeping the data within the prescribed ranges. The observations are as follows:

#### **(a) Incorrect computation of pensionary benefits**

According to the Employees Pension Scheme 1995, the pension is payable to employees depending on whether they were members of the Family Pension Scheme 1971, which ceased in November 1995 or of the new Scheme. Further, for the employees joining before 16 November 1995, pension also depended on their age i.e. (i) less than 48 years; (ii) 48 years but less than 53 years; and (iii) 53 years or more, as on 16 November 1995.

Test check of the pension files and analysis of data revealed a number of deviations from the provisions of the Scheme, in computation of the pensionary benefits. The CEPS application did not correctly categorise the members of the Employees' Family Pension Scheme, 1971 according to the age groups prescribed in the Scheme. Further, the provision of the Scheme required proportionate reduction of the pension for employees with less than 24 years eligible service on the date of superannuation (58 yrs). However, the application did not contain this feature. Further, for employees opting for both commutation and Return of Capital (ROC)<sup>2</sup>, the ROC should be worked out on the amount remaining after deducting the sum commuted from payable pension. However, the software application deducted 10/12.5 *per cent* of the original pension payable and not the entire commuted amount.

These deficiencies and consequent incorrect computations by the CEPS application resulted in short payment of commuted value of pension to the extent of Rs. 34.51 lakh in 910 cases and overpayment of Rs. 51.78 lakh in 1462 cases during the period from April 2000 to January 2005. The Return of Capital (ROC) was also calculated short by Rs. 95.46 lakh in 968 cases and calculated in excess by Rs. 1.41 crore in 1581 cases during the same period. It also led to short payment of pension amounting to Rs.3.93 lakh per month in 4645 cases and overpayment of pension amounting to Rs.5.36 lakh per month in 5893 cases (as on January 2005).

The Regional Office noted the observations and stated (March 2005) that the matter was required to be taken up with the EPFO Head Office, New Delhi.

---

<sup>2</sup> ROC is a lump sum amount payable if a member opts to draw reduced pension in lieu of the pension normally admissible.

**(b) Wrong beneficiary for ROC**

According to Para 13(1) of the Scheme three alternatives are available to a member to avail of the benefits of the ROC. Under alternative two, an amount equal to 90 times the original monthly pension is payable to the nominee of the deceased member on the remarriage/death of the widow (spouse). In such cases, the beneficiary of the ROC should be a person (nominee) other than the widow/spouse.

However, analysis of data in respect of 555 cases, where the second alternative of ROC was exercised, revealed that in 235 cases involving an amount of Rs. 1.25 crore, the spouse (wife/husband) had been shown as beneficiary of the ROC, in complete contravention of the Scheme. As a consequence, in two cases the ROC was actually shown as credited to the widow.

While accepting the observation, the Regional Office stated (March 2005) that the cases of the deceased members would be settled with the approval of the EPFO Head Office, New Delhi.

**10.1.3 Absence of validation checks**

Audit noted that validation checks were not incorporated, to keep the data within acceptable range for important parameters such as pensionable salary and date of exit. Further, the field of the date of opting for pension before attaining the age of 58 years was left blank in certain cases. Details are given in **Annexure-A**.

**10.1.4 System Implementation**

Audit found that the pace of capture of data in electronic form was slow and a few manual processes were still in place as the application software was not capable of processing the same. The observations are given below:

**Poor progress of electronic data capture**

The Manual of Accounting Procedure (Part-III) of EPFO provided for creation of an Employees' Master File in the application software, containing particulars in respect of each member of the Scheme so that the period of non-contributory service as well as the period out of employment between two spells of employment could be ascertained at the time of issue of worksheet and Pension Payment Order (PPO).

Audit scrutiny revealed that out of a total of 6,91,781 members of the Scheme, data in respect of only 2,21,549 members (representing 32 *per cent*) had been entered in the Employees' Master till January 2005. The Regional Office stated (February 2005) that steps were being taken to capture the full data in the members' database file and on completion of the same automatic generation of the worksheet showing pension computation would be possible.

### 10.1.5 Conclusion and recommendations

Due to deficiency in system design, the computations in many cases made by the application were found to be in contradiction with the provisions of the scheme leading to short/overpayment of pensionary benefits. Moreover, the application also lacked essential validation checks. Thus, the application failed to stabilise even after ten years of its implementation.

The organisation should review the CEPS application and incorporate necessary changes wherever there is deviation from the Scheme and appropriate validation controls should be incorporated.

The matter was referred to the Ministry in March 2005; their reply was awaited as of December 2005.

### ~~10.2 Irregular expenditure on gold medallions~~

~~The EPFO in contravention of Government of India's economy instructions and the Fundamental Rules, spent Rs. 9.32 crore on distribution of gold medallion to its staff.~~

~~The Employees' Provident Fund Organisation (EPFO) was established in 1952. To commemorate its Golden Jubilee Year (2002), the Central Board of Trustees, Employees' Provident Fund (Board), in its Special Meeting (December 2002) decided to allow each employee a lump sum financial benefit equal to the amount of one increment for a year. The total estimated expenditure involved was Rs. 4.05 crore. However, when the decision of the Board was placed before the Chairman, he desired that the possibility of giving a permanent token of like value in gold or silver may be explored which would be uniform for all employees. Accordingly, the Board in its 160<sup>th</sup> Meeting, held on 28 March 2003, decided to give a gold medallion of 8 grams to each employee on its rolls during 2002-2003 and also to the members of Board of Trustees, as on 31 March 2003. A supply order was placed on MMTC Ltd. on 26 June 2003 and 19461 gold medallions were purchased at a cost of Rs. 9.32 crore which were distributed through the EPFO's regional offices and Headquarters. The expenditure was booked under the head 'Publicity/advertisement charges'.~~

~~Audit noted (July 2004) that the decision of the EPFO to grant an advance increment or its equivalent in value to its employees was ab initio against the Fundamental Rule 27 (5) which, *inter alia*, states that advance increments cannot be granted as reward for meritorious work or in lieu of certain perquisites allowed. Also, the action of the EPFO in spending Rs. 9.32 crore on procuring and distributing gold medallions to its staff and members of Board of Trustees was in violation of the Ministry of Finance, Department of Expenditure's instructions of October 1992 reiterated in March 2002 for effecting economy in government expenditure. Further, the decision of the~~