

India

Exchange rate: US\$1.00 = 50.80 rupees.

Old Age, Disability, and Survivors

Regulatory Framework

First and current laws: 1952 (employees' provident funds), 1972 (payment of gratuity), 1976 (employees' deposit-linked insurance), 1995 (employees' pension scheme), 1995 (national social assistance program), and 2008 (unorganized workers' social security).

Type of program: Provident fund with survivor (deposit-linked) insurance and pension fund; gratuity schemes for industrial workers; and social assistance system.

Coverage

Provident fund and survivor (deposit-linked) insurance:

Employees, including those engaged in casual, part-time, daily wage, and contract work, with monthly earnings of 6,500 rupees or less working in firms with at least 20 workers in one of 186 categories of covered industry (the firm remains covered even if the number of employees falls below 20); employees of other types of firms specified by law, including cooperatives with more than 50 employees.

Employees covered by equivalent occupational private plans may contract out.

Voluntary coverage for employees of covered firms with monthly earnings of more than 6,500 rupees, with the employer's agreement. Voluntary coverage for employees of firms with fewer than 20 workers if the employer and a majority of employees agree to contribute.

Exclusions: Self-employed persons, agricultural workers, and members of cooperatives with fewer than 50 workers.

Pension scheme: Employees who became members of the provident fund on or after November 16, 1995.

Voluntary coverage is available.

Exclusions: Self-employed persons, agricultural workers, and members of cooperatives with fewer than 50 workers.

Gratuity scheme: Employees of factories, mines, oil fields, plantations, ports, railways, and businesses with at least 10 workers.

Exclusions: Self-employed persons, agricultural workers, and members of cooperatives with fewer than 50 workers. There is no coverage in the states of Jammu and Kashmir.

Special systems for coal miners, railway employees, and public-sector employees.

Social assistance: Needy older persons and poor households when the primary breadwinner dies.

Separate informal-sector schemes exist for certain artisans and the rural landless.

Source of Funds

Insured person

Provident fund: 12% of basic wages (10% in specified categories of industry; businesses covered prior to September 22, 1997, with fewer than 20 employees; and some other specific cases).

The maximum monthly earnings used to calculate contributions are 6,500 rupees.

Survivor (deposit-linked) insurance scheme: None.

Pension scheme: None.

Gratuity scheme: None.

Social assistance: None.

Self-employed person

Provident fund: Not applicable.

Survivor (deposit-linked) insurance scheme: Not applicable.

Pension scheme: Not applicable.

Gratuity scheme: Not applicable.

Social assistance: None.

Employer

Provident fund: 3.67% of monthly payroll plus 1.1% of monthly payroll for administrative costs.

Survivor (deposit-linked) insurance scheme: 0.5% of monthly payroll plus 0.01% of monthly payroll for administrative costs.

The maximum monthly earnings used to calculate contributions are 6,500 rupees.

Pension scheme: 8.33% of monthly payroll.

The maximum monthly earnings used to calculate contributions are 6,500 rupees.

Gratuity scheme: An average of 4% of monthly payroll.

Social assistance: None.

Government

Provident fund: None.

Survivor (deposit-linked) insurance scheme: None.

Pension scheme: 1.17% of the insured's basic wages.

The maximum monthly earnings used to calculate contributions are 6,500 rupees.

Gratuity scheme: None.

Social assistance: The total cost.

Qualifying Conditions

Old-age benefits

Provident fund: Age 55 and retired from covered employment; at any age if permanently emigrating, if covered employment ends involuntarily, on the termination of service under a voluntary retirement scheme, on changing employment from an establishment covered by the scheme to one that is not, or after two months of unemployment.

Drawdown payment: Partial drawdown is permitted before retirement for special purposes, including paying for life insurance, purchasing or building a home, loan repayment, a child's education or marriage, care costs for a serious illness, damage from a natural disaster, or costs relating to the onset of a disability.

Under certain circumstances, the full amount can be drawn down before age 55.

Pension scheme: Age 58 with at least 10 years of coverage.

Partial pension: Age 58 with less than 10 years of coverage.

Early pension: Age 50 with at least 10 years of coverage.

Employment must cease.

Gratuity scheme: Must have at least five years of continuous employment.

Old-age pension (social assistance): Needy persons aged 65 or older.

Disability benefits

Provident fund: Must be assessed with a permanent and total incapacity for normal work.

Pension scheme: Must be assessed with a permanent and total disability as the result of an occupational injury. The insured must have at least one month of contributions.

Gratuity scheme: Must be assessed with a disability caused by a disease or an accident.

Social assistance: Aged 16 to 64, needy, and with severe or multiple disabilities.

Survivor benefits

Provident fund: Paid if the provident fund member dies before retirement.

Survivor (deposit-linked) insurance scheme: Paid if the provident fund member dies before retirement.

Pension scheme: Paid to a widow(er) and up to two children younger than age 25 (no limit with a total and permanent disability). The deceased must have had at least one month of contributions, regardless of whether the deceased was employed or retired at the time of death.

The widow(er)'s pension ceases on remarriage.

If there is no surviving widow(er) or orphan, the pension is paid to a named survivor or a dependent parent.

Gratuity scheme: Paid if the insured dies as the result of an illness or an accident.

Survivor grant (social assistance): Paid to needy households (under the National Family Benefit Scheme) when the primary breadwinner aged 18 to 64 dies.

Old-Age Benefits

Old-age benefits

Provident fund: A lump sum of total employee and employer contributions plus interest is paid.

Drawdown payment: According to circumstances, the value of the minimum payment varies from one month of wages to total employee and employer contributions plus accrued interest.

Pension scheme: A monthly pension is paid based on a member's pensionable service and earnings.

There is a minimum pension.

Partial pension: A lump sum of total employee and employer contributions plus interest is paid.

Early pension: The basic pension is reduced by 3% for each year that retirement is taken before age 58.

Pension adjustment: The pension is adjusted annually by the central government according to an actuarial evaluation.

Gratuity scheme: Based on the insured's final salary, a lump sum of 15 days of wages for each year of continuous service is paid (a reduced amount is paid for partial years in excess of six months).

The maximum benefit is 350,000 rupees.

For seasonal employees, employers pay the gratuity at the rate of seven days of wages for each season worked.

Old-age pension (social assistance): A basic pension of 200 rupees a month is paid. Additional amounts vary by state.

Permanent Disability Benefits

Disability benefits

Provident fund: A lump sum of total employee and employer contributions plus interest is paid.

Pension scheme: A monthly pension is paid based on the member's pensionable earnings or a lump sum of total employee and employer contributions plus interest.

The minimum earnings used to calculate pensions is 250 rupees.

Pension adjustment: The pension is adjusted annually by the central government according to an actuarial evaluation.

Gratuity scheme: A lump sum of 15 days of the insured's last wage is paid for each year of continuous service before

the disability began (a reduced amount is paid for partial years exceeding six months).

The maximum benefit is 350,000 rupees.

For seasonal employees, employers pay the gratuity at the rate of seven days of wages for each season worked.

Social assistance (disability): A basic pension of 200 rupees a month is paid. Amounts in addition to the basic pension vary by state.

Survivor Benefits

Survivor benefits

Provident fund: A lump sum of total employee and employer contributions plus interest is paid to a named survivor or split equally among all eligible family members.

Death grant: Up to 2,000 rupees is paid.

Survivor (deposit-linked) insurance scheme: A lump sum is paid of the average balance of the deceased's provident fund account during the 12 months before death or during the period of membership, whichever is less.

The maximum benefit is 60,000 rupees. The benefit is paid in addition to the provident fund survivor benefit.

Widow(er)'s pension (pension scheme): 50% of the deceased's pension is paid.

The minimum widow(er)'s pension is 450 rupees a month.

Orphan's pension (pension scheme): 25% of the widow(er)'s pension is paid; 75% for full orphans.

The minimum orphan's pension is 150 rupees a month (250 a month for full orphans).

Other eligible survivors (pension scheme): Up to 75% of the deceased's pension is paid.

Benefit adjustment: The pension is adjusted annually by the central government according to an actuarial evaluation.

Gratuity scheme: A lump sum of 15 days of the deceased's last wage is paid for each year of continuous service (a reduced amount is paid for partial years exceeding six months).

The maximum benefit is 350,000 rupees.

When seasonal employees die, employers pay the gratuity at the rate of seven days of wages for each season worked.

Funeral grant: See Sickness and Maternity.

Survivor grant (social assistance): A lump sum of 10,000 rupees is paid.

Administrative Organization

Ministry of Labour and Employment (<http://www.labour.nic.in>) provides general supervision for most schemes.

Employees' Provident Fund Organisation (<http://www.epfindia.com>) administers the provident fund program

through regional, subregional, inspectorate, and subaccount offices.

Central Board of Trustees of the Employees' Provident Fund, through a tripartite body comprising representatives of government, employers, and employees, administers the funds.

Central and state authorities administer the gratuity scheme.

Ministry of Rural Development (<http://rural.nic.in>) provides general supervision for social assistance schemes.

National Social Assistance Programme administers social assistance old-age pensions and disability schemes.

National Family Benefit Scheme administers survivor grants.

Sickness and Maternity

Regulatory Framework

First and current laws: 1948 (employees' state insurance), 1995 (social assistance), and 2008 (unorganized workers' social security).

Type of program: Social insurance and social assistance system.

Note: Under a 1961 law (Maternity Benefit Act), implemented in 1963, employers provide maternity benefits to employees in factories and establishments not covered by the Employees' State Insurance Act of 1948.

Coverage

Social insurance: Employees earning 100 rupees a day to 15,000 rupees a month and working in certain businesses with at least 20 workers (10 workers in manufacturing).

Employees working for government-run businesses that are covered by equivalent private plans may contract out.

Coverage is being extended gradually, with 790 industrial centers currently covered. (The scheme has not been implemented in the states of Manipur, Sikkim, Arunachal Pradesh, or Mizoram.)

Exclusions: Self-employed persons, seasonal workers (less than seven months a year), agricultural workers, and workers in certain other sectors.

Voluntary coverage for medical benefits is available to previously insured retired persons.

Social assistance: Needy pregnant women.

A national health insurance scheme covers qualified hospitalization and transport costs for needy individuals in most states.

Separate informal-sector schemes exist for certain artisans.

Source of Funds

Insured person

Social insurance: 1.75% of earnings.

The insured person's contributions also finance work injury benefits and the unemployment allowance.

Voluntarily insured persons pay a flat-rate of 10 rupees a month for medical benefits.

Social assistance: None.

Self-employed person

Social insurance: Not applicable.

Social assistance: None.

Employer

Social insurance: 4.75% of payroll.

The employer's contributions also finance work injury benefits and the unemployment allowance.

Social assistance: None.

Government

Social insurance: State governments pay 12.5% of the cost of medical benefits.

State government contributions also finance work injury medical benefits and the cost of necessary medical care for unemployment allowance beneficiaries and their dependents.

Social assistance: The total cost.

Qualifying Conditions

Cash sickness benefits (social insurance): Must have been in insured employment for at least 78 days during a six-month period.

Cash maternity benefits (social insurance): Must have been in insured employment for at least 70 days during two designated and consecutive six-month periods.

Cash maternity grant (social assistance): Paid to needy pregnant women aged 19 or older for the first two live births.

Funeral grant (social insurance): Paid when the insured dies.

Medical benefits: Must be currently in insured employment or qualify for cash sickness benefits.

Sickness and Maternity Benefits

Sickness benefit: 70% of the average daily wage is paid after a two-day waiting period for up to 91 days in any two consecutive designated six-month periods.

Family planning (sterilization): Cash sickness benefit is paid at a double rate for seven days (men) or 14 days (women); may be extended if there are complications.

Maternity benefit: 100% of average earnings, according to wage class, is paid for up to 12 weeks (including up to six weeks before the expected date of childbirth); six weeks in the case of a miscarriage. The benefit may be extended by four weeks for medical reasons.

The minimum daily benefit is 25 rupees.

Cash maternity grant (social assistance): A lump sum of 2,500 rupees is paid.

Funeral grant (social insurance): A lump sum of the funeral cost, up to 10,000 rupees, is paid to the oldest member of the family or to the person who paid for the funeral.

Workers' Medical Benefits

State governments arrange for the provision of medical care for the Employees' State Insurance Corporation, except in the National Capital Territory of Delhi and model hospitals where the Corporation administers medical care directly. Services are provided in different states through social insurance dispensaries and hospitals, state government services, or private doctors under contract. Benefits include outpatient treatment, specialist consultations, hospitalization, surgery and obstetric care, imaging and laboratory services, and transportation. Drugs, dressings, artificial limbs, aids, and appliances are provided free-of-charge.

Benefits are provided for three months to one year, according to the insured's contribution record.

Dependents' Medical Benefits

Medical benefits for dependents are the same as those for the insured. Eligible dependents include the spouse, children up to age 18 (age 21 if a student, no limit if disabled or an unmarried daughter), a widowed mother, and dependent parents.

Administrative Organization

Ministry of Labour and Employment (<http://www.labour.nic.in>) provides general supervision.

Employees' State Insurance Corporation (<http://www.esic.nic.in>), managed by a tripartite board and a Director General, administers the social insurance program through regional and local offices.

State governments oversee the provision of medical benefits through agreement with and reimbursement by the Employees' State Insurance Corporation.

Employees' State Insurance Corporation oversees the provision of medical benefits in some cases.

National Rural Health Mission (<http://mohfw.nic.in/NRHM.htm>) in the Ministry of Health and Family Welfare administers the social assistance scheme.

Work Injury

Regulatory Framework

First law: 1923 (workmen's compensation).

Current law: 1948 (employees' state insurance).

Type of program: Social insurance system.

Coverage

Employees earning 100 rupees a day to 15,000 rupees a month and working in certain firms with at least 20 workers (10 workers in manufacturing and in 17 states).

Employees working for government-run firms that are covered by equivalent private plans may contract out.

Coverage is being extended gradually, with 790 industrial centers currently covered. (The scheme has not been implemented in the states of Manipur, Sikkim, Arunachal Pradesh, and Mizoram.)

Exclusions: Self-employed persons, seasonal workers (less than seven months a year), agricultural workers, and workers in certain other sectors.

Source of Funds

Insured person: See source of funds under Sickness and Maternity.

Self-employed person: Not applicable.

Employer: See source of funds under Sickness and Maternity.

Government: See source of funds under Sickness and Maternity.

Qualifying Conditions

Work injury benefits: There is no minimum qualifying period.

Temporary Disability Benefits

90% of the average daily wage is paid for the entire duration of the disability (must last at least three days).

Permanent Disability Benefits

Permanent disability pension: The pension is paid according to the assessed loss of earning capacity.

The maximum daily rate is the temporary disability benefit rate per day (90% of the average daily wage).

If the daily value of the pension is 5 rupees or less, the benefit may be paid as a lump sum if the total value of the benefit does not exceed 30,000 rupees.

Separate medical boards assess the loss of earning capacity resulting from a work injury or an occupational disease.

Partial disability: A percentage of the full pension is paid according to the assessed loss of earning capacity.

Benefit adjustment: Benefits are reviewed periodically by the Employees' State Insurance Corporation and adjusted for inflation.

Workers' Medical Benefits

Services are provided in different states through social insurance dispensaries and hospitals, state government services, or private doctors under contract. Benefits include outpatient treatment; specialist consultations; hospitalization; surgery; obstetric care; imaging and laboratory services; transportation; and free medicine, dressings, artificial limbs, aids, and appliances. The scale of services provided varies among the states.

Survivor Benefits

Survivor benefit: 60% of the total disability pension the deceased would have been eligible to receive (the average pension is 90% of the deceased's earnings) is paid to the widow(er). If there is more than one widow, the benefit is split equally.

Orphan's benefit: 40% of the total disability pension the deceased would have been eligible to receive (the average pension is 90% of the deceased's earnings) is paid for an orphan younger than age 25 (no limit if disabled or an unmarried daughter).

All survivor benefits combined must not exceed 100% of the pension the deceased would have been eligible to receive.

Other eligible survivors: If there is no widow or orphan, up to 40% of the total disability pension the deceased would have been eligible to receive is paid to other eligible survivors including the deceased's parents, grandparents, widowed mother, and other dependents younger than age 18 (no limit if an unmarried female).

The minimum monthly benefit is 1,200 rupees per family.

Funeral grant: A lump sum of the funeral cost, up to 10,000 rupees, is paid to the oldest member of the family or to the person who pays for the funeral.

Administrative Organization

Ministry of Labour and Employment (<http://www.labour.nic.in>) provides general supervision.

Employees' State Insurance Corporation (<http://www.esic.nic.in>), managed by a tripartite board and a Director General, administers the program through regional and local offices.

State governments oversee the provision of medical benefits through agreement with and reimbursement by the Employees' State Insurance Corporation.

India

Employees' State Insurance Corporation oversees the provision of medical benefits in some cases.

Unemployment

Regulatory Framework

First and current laws: 1948 (state insurance) and 2005 (rural employment guarantee).

Type of program: Social insurance and social assistance system.

Coverage

Social insurance: Employees earning 15,000 rupees or less a month and working in certain firms with at least 20 workers (10 workers in manufacturing and in 17 states).

Exclusions: Self-employed persons.

Social assistance: Households in qualified rural areas.

Source of Funds

Insured person: See source of funds under Sickness and Maternity.

Self-employed person: Not applicable.

Employer: See source of funds under Sickness and Maternity.

Government: See source of funds under Sickness and Maternity. State governments fund the rural employment guarantee (social assistance).

Qualifying Conditions

Unemployment allowance: Must have at least three years of contributions and be involuntarily unemployed as the result of retrenchment or a nonwork-related permanent disability.

Social assistance: A member of the household must volunteer to do unskilled manual work in qualified rural areas.

Unemployment Benefits

Unemployment allowance: 50% of the insured's average earnings is paid for up to one year.

Free medical care is also provided to beneficiaries and their dependents.

Social assistance: At least 100 days of unskilled manual work at minimum wage are guaranteed.

Administrative Organization

Employees' State Insurance Corporation (<http://www.esic.nic.in>), managed by a tripartite board and a Director General, administers the program through regional and local offices.

Ministry of Rural Development administers the National Rural Employment Guarantee (<http://www.nrega.nic.in>).