

HR Law Hotline

May 13, 2019

PF JUDGMENT : 5 IMPORTANT LESSONS

This article was originally published in the May 2019 edition of



In the recent provident fund (PF) judgment, the Hon. Supreme Court (SC) upheld the test of 'universality'. However, that did not seem to create any new jurisprudence - it basically and correctly reiterated the position taken in some of the previous case laws on this issue, including as far back as 1963.

Hopefully, the PF judgment, which was keenly awaited, should lay to rest the prevailing confusion and ambiguity in the industry while interpreting basic wages. It should now be abundantly clear as to salary components on which employers need to contribute PF. Unfortunately, there were higher expectations, given the potential impact an adverse decision would have had on all industry sectors covering a majority of India's working population.

Analyzing the PF judgment has in a way helped all of us learn several important lessons, some of which are indicated below:

For the complete article, please click [here](#).

– Vikram Shroff

You can direct your queries or comments to the authors

DISCLAIMER

The contents of this hotline should not be construed as legal opinion. View detailed disclaimer.

This Hotline provides general information existing at the time of preparation. The Hotline is intended as a news update and Nishith Desai Associates neither assumes nor accepts any responsibility for any loss arising to any person acting or refraining from acting as a result of any material contained in this Hotline. It is recommended that professional advice be taken based on the specific facts and circumstances. This Hotline does not substitute the need to refer to the original pronouncements.

This is not a Spam mail. You have received this mail because you have either requested for it or someone must have suggested your name. Since India has no anti-spamming law, we refer to the US directive, which states that a mail cannot be considered Spam if it contains the sender's contact information, which this mail does. In case this mail doesn't concern you, please unsubscribe from mailing list.

Proud Moments

Legal500 Asia-Pacific: Tier 1 for Tax, Investment Funds, Labour & Employment and TMT
2020, 2019, 2018, 2017, 2016, 2015, 2014, 2013, 2012

Chambers and Partners Asia Pacific: Band 1 for Employment, Lifesciences, Tax and TMT
2020, 2019, 2018, 2017, 2016, 2015

IFLR1000: Tier 1 for Private Equity and Project Development: Telecommunications Networks.
2020, 2019, 2018, 2017, 2014

AsiaLaw Asia-Pacific Guide 2020: Tier 1 (Outstanding) for TMT, Labour & Employment, Private Equity, Regulatory and Tax

FT Innovative Lawyers Asia Pacific 2019 Awards: NDA ranked 2nd in the Most Innovative Law Firm category (Asia-Pacific Headquartered)

RSG-Financial Times: India's Most Innovative Law Firm
2019, 2017, 2016, 2015, 2014

Benchmark Litigation Asia-Pacific: Tier 1 for Government & Regulatory and Tax
2019, 2018

Research Papers

3D Printing: Ctrl + P the Future
April 02, 2020

Dispute Resolution in India: An Introduction
April 02, 2020

Impact of Covid-19 on Contracts
March 31, 2020

Research Articles

Chambers Global Practice Guide: Gaming Laws
December 19, 2019

The Tips and Traps to Avoid When Investing in India
December 31, 2018

Evolving HR Law: Giving GCs Sleepless Nights?

Audio

Seminar: Possible Last Window for the Start-Up Community's Say on Proposed Privacy Law

February 19, 2020

Webinar: India Budget 2020: Implications for the International Community

February 05, 2020

Webinar: A New Dawn for Privacy in India: the Personal Data Protection Bill, 2019

December 17, 2019

NDA Connect

Connect with us at events, conferences and seminars.

NDA Hotline

[Click here to view Hotline archives.](#)

Video

NDA cCep - Program Video

CNBC TV18 Startup Street

Webinar: Re-thinking Indian Private Equity Exits

