



**SJVN LIMITED**  
**Corporate HR DIVISION**  
**SHANAN, SHIMLA-6**

**Our Shared Vision – 5000 MW by 2023-24, 25000 MW by 2030 & 50000 MW by 2040**

SJVN/CC/HR/Pol./15(30/44)/2023-77

**Dated: 10.05.2023**

**CIRCULAR**

**Sub: Employee Pension Scheme - 1995**

In reference to EPFO Circular dated 20.02.2023 and SJVN Circular dated 22.03.2023, the verification of the Joint Option for EPS 95 submitted by employee/pensioner has been initiated by employer i.e. SJVN. During verification/approval and uploading of salary/PF details for joint option by SJVN, certain errors such as - DOE (date of exit) or DOL (Date of Leaving) not entered, mismatch in DOJ (date of joining), verification of DOJ, DOJ and DOE are same, have been highlighted by the system thereby forbidding verification/approval of these joint options by the employer.

EPFO vide its circular dated 03.05.2023 has provided the facility to employees/pensioners for deleting existing form and re-submitting the new joint option. Employees/pensioners whose application for joint option could not be approved on account of aforesaid errors have been informed telephonically/through concerned HR for deleting existing form and re-submitting the new joint option with correct details. The list of such employees/pensioners as on date is again attached for kind information of all concerned.

Such Employees/pensioners are again informed to delete the existing form and re-submit a fresh form after carefully filling the correct details accordingly. It is further informed that DOE (Date of exit) from EPS is to be mandatorily filled by all retired employees and those serving employees who have attained 58 years of age (Date of attaining 58 years of age to be filled), for ex. If DOB is 15.01.1965 then 14.01.2023 is to be filled. The screenshot of joint option form which has resulted in above errors and procedure to rectify is being attached for ready reference (**Appendix**). It is also to be informed that those employees/pensioners who have filled correct details, but EPFO system has still highlighted errors, are not required to act.



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In addition, Ministry of Labour & Employment vide its notifications dated 02.05.2023 & 03.05.2023 and EPFO vide its communications dated 03.05.2023 & 04.05.2023 has notified the following:

**a) Employers' contribution in pension fund (EPS) exceeding salary of Rs. 15000/-:**

Members who have exercised joint option for contributing on actual salary under paragraph 11 of EPS 95 and who are found eligible, the employer contribution shall be 9.49% of salary by increasing 1.16% from existing 8.33%.

The increased contribution shall be applicable to basic wages, dearness allowance & Retaining Allowances to the extent such basic wages, dearness allowance & retaining allowances exceed Rs. 15,000 per month.

This amendment shall be applicable w.e.f. 01.09.2014.

**b) Last Date for filing application for Joint Option regarding pension on higher wages:**

Ministry of Labour & Employment vide its notification dated 02.05.2023 has extended the date of filing application regarding pension on higher wages till 26.06.2023.

Copies of Ministry of Labour & Employment notifications dated 02.05.2023 & 03.05.2023 and EPFO communications dated 03.05.2023 & 04.05.2023 are enclosed as **Annexures.**

This is for kind information of all please.

  
(Shallinder Singh)  
HOD (HR)

**Distribution Through e-mail :**

1. CMD
2. D(P)/D(C)/D(F)/D(E)/CVO
3. All CEOs/HOPs/HODs/Location Incharge(s) - for information of all employees under them.
4. SJVN Intranet/Retired Employee Corner

### List of employees/ex-employees

S.N.	Member ID	Name	Project/Locatoin	UAN	Upload Status
1	20176	Ramesh Kumar Jindal	Bagodara SPP	100304921219	DOE Mismatch
2	20119	Rajesh Kumar Chandel	BHUTAN	100296005692	DOE and DOL are Same
3	20781	Lal Singh	BTTP	100203205118	DOE and DOL are Same
4	10957	Abhinaya Gajendra	BTTP	100072932585	DOE and DOL are Same
5	20819	Ajay Kumar Verma	BTTP	100075345306	DOE and DOL are Same
6	20805	Abhishek Anand	BTTP	100073027681	DOE and DOL are Same
7	20806	Praveen Rauthan	BTTP	100279439503	DOE and DOL are Same
8	20226	Santosh Kumar Dash	BTTP	100336937881	DOE and DOL are Same
9	20041	Manoj Kumar	BTTP	100221597381	DOE and DOL are Same
10	20386	Sarat Mondal	BTTP	100348576128	DOE and DOL are Same
11	171	Arvind Kumar Gupta	BTTP	100091686488	DOE and DOL are Same
12	20227	Nand Lal Prasad	BTTP	100249249096	DOE and DOL are Same
13	20255	Birendra Pratap Singh	BTTP	100115905205	DOE and DOL are Same
14	20204	Manoj Kumar	BTTP	100221597404	DOE not Filled
15	20218	Abhay Shankar Shukla	BTTP	100071155691	DOE and DOL are Same
16	10016	Nathu Lal	BTTP	100252259092	DOE and DOL are Same
17	20045	Supriya Chatterjee	BTTP	100372172454	DOE and DOL are Same
18	151	Ramadhar Rai	BTTP	100304085230	DOE and DOL are Same
19	20079	Deepak Kumar Sinha	BTTP	100132716089	DOE and DOL are Same
20	10074	Uday Kumar Sinha	BTTP	100394096992	DOE and DOL are Same
21	20336	Mahender Prasad	BTTP	100230754959	DOE and DOL are Same
22	165	Sanjay Kumar Rai	BTTP	100333498049	DOE and DOL are Same
23	170	Rajesh Kumar	BTTP	100296004883	DOE and DOL are Same
24	10218	Sandeep Verma	CHQ	100331455730	DOE and DOL are Same
25	20636	Sharda Negi	CHQ	100348658663	DOE and DOL are Same
26	20600	Rajeev Kumar	CHQ	100293994779	DOE and DOL are Same
27	10279	Mukesh Kumar Sharma	CHQ	100237332715	DOE and DOL are Same
28	10281	Pankaj Chaudhary	CHQ	100266353644	DOE and DOL are Same

S.N.	Member ID	Name	Project/Locatoin	UAN	Upload Status
29	10763	Prem Lal	CHQ	100280400316	DOE and DOL are Same
30	10695	Jagdeep	CHQ	100170310567	DOE and DOL are Same
31	20746	Raman Kumar	CHQ	100303213251	DOE and DOL are Same
32	20544	Sanjeev Sharma	CHQ	100334791738	DOJ filled wrong by employee
33	10059	Ajay Bhushan Dogra	CHQ	100074829207	DOE and DOL are Same
34	10029	Narendra Singh Thakur	CHQ	100251700108	DOE and DOL are Same
35	10018	Harish Sharma	CHQ	100162355608	DOE and DOL are Same
36	10181	Shashi Prasad	CHQ	100348997762	DOE and DOL are Same
37	10081	Rajesh Patre	CHQ	100296502420	DOE and DOL are Same
38	20209	Hitesh Kapur	CHQ	100165082324	DOE and DOL are Same
39	20038	Rajesh Kumar Gupta	CHQ	100295625078	DOE and DOL are Same
40	10111	Sanjay Kumar	CHQ	100333320844	DOE and DOL are Same
41	159	Dan Singh Rathore	CHQ	100129666887	DOE and DOL are Same
42	20100	Gagan Deep Sharma	CHQ	100149148076	DOE and DOL are Same
43	10046	Raj Kumar Abrol	CHQ	100288146353	DOE not Filled
44	10034	Varuvel Selvaraj	CHQ	100398840020	DOE and DOL are Same
45	20053	Ravinder Pal	CHQ	100311041327	DOE and DOL are Same
46	104	Seema Kumar	CHQ	100343441674	DOE and DOL are Same
47	10004	Anand Singh	CHQ	100082498085	DOE and DOL are Same
48	10121	Chaman Lal	CHQ	100121936277	DOE and DOL are Same
49	10037	Hari Singh Hada	CHQ	100161586354	DOE and DOL are Same
50	168	Prakash Kumar Singh	CHQ	100275892013	DOE and DOL are Same
51	20084	Harish Kumar Sharma	CHQ	100159910729	DOE not Filled
52	10120	Raj Rani	CHQ	100292560061	DOE and DOL are Same
53	10085	Dhirendra Kumar Sahu	CHQ	100140386853	DOE and DOL are Same
54	10008	Ram Kishan	CHQ	100301326803	DOE and DOL are Same
55	10001	Jaspal Kaur	CHQ	100172961733	DOE not Filled
56	20373	Aman Katoch	CHQ	100078609794	Mismatch in DOJ
57	10078	Dalip Kumar Sharma	CHQ	100129425038	DOE and DOL are Same

S.N.	Member ID	Name	Project/Locatoion	UAN	Upload Status
58	20116	Virender Kumar	CHQ	100409516441	DOE and DOL are Same
59	10309	Bhupinder Kumar Dhiman	CHQ	100113328078	DOE and DOL are Same
60	80	Gopal Kandpal	CHQ	100154773609	DOE and DOL are Same
61	20304	Awadesh Prasad	CHQ	100096791648	DOE not Filled
62	10131	Mridula Srivastava	CHQ	100235331208	DOE not Filled
63	20217	Sudeep Kumar Bhargava	CHQ	100323850710	Mismatch in DOJ
64	20249	Jatinder Kumar Sharma	CHQ	100176583546	DOE and DOL are Same
65	10140	Dhiraj Aggarwal	CHQ	100136812989	Mismatch in DOJ
66	20616	Shashi Kant	CHQ	100349043908	Mismatch in DOJ
67	10461	Alok Dubey	CHQ	100078159854	Mismatch in DOJ
68	10139	Sonia Dogra	LO, DELHI	100360190529	Mismatch in DOJ
69	20224	V. Sankaranarayanan	CHQ	100398169659	DOE and DOL are Same
70	20229	Onkar Dev Chaudhary	DSHEP	100261319489	Mismatch in DOJ
71	20145	Anil Kumar Shrivastava	JTPHEP	100084420437	DOE not Filled
72	20496	Rajinder Sachdeva	LHEP-1	100294334500	DOE not Filled
73	20128	Sunder Lal	LHEP-1	100369702278	DOE not Filled
74	20363	Indira Devi	LHEP-1	100167192839	Mismatch in DOJ
75	156	Gian Singh	LO, DEHRADUN	100153252515	DOE and DOL are Same
76	36	Lekh Raj	LO, DELHI	100205729286	DOE not Filled
77	20232	Virendra Kumar Chandervanshi	LO, DELHI	100398416650	Mismatch in DOJ
78	10268	Thakar Verma	NJHPS	Not Found	Not avallabe in list (given by mistake)
79	20532	Nokhi Ram	NJHPS	100258214783	DOL not entered
80	10513	Ashwani Kumar	NJHPS	100094841823	DOE and DOL are Same
81	20419	Vijay Kumar	NJHPS	100403425672	Mismatch in DOJ
82	20162	Sher Singh	NJHPS	100350202973	DOE and DOL are Same
83	20307	Rakesh Kumar	NJHPS	100299777210	DOE and DOL are Same
84	20102	Anil Kumar Sharma	NJHPS	100084378665	DOE not Filled
85	20278	Rajender Kumar Negi	NJHPS	100297417396	DOE not Filled
86	20295	Rattan Dass	NJHPS	100309590263	Mismatch in DOJ
87	20360	Gurdass .	NJHPS	100157413863	Mismatch in DOJ
88	20091	Rakesh Chandel	NJHPS	100299561543	DOE not Filled
89	20898	Chander Mohan Thakur	NJHPS	100122617300	DOE not Filled
90	20312	Joban Dass	NJHPS	100177548670	DOE and DOL are Same
91	20243	Karam Chand	NJHPS	100189723784	DOE and DOL are Same

S.N.	Member ID	Name	Project/Locatoin	UAN	Upload Status
92	20365	Vishwa Nath Sharma	NJHPS	100410534415	Mismatch in DOJ
93	10171	Surekha .	NJHPS	100372732597	Mismatch in DOJ
94	10165	Ajay Kumar	NJHPS	100075713315	Mismatch in DOJ
95	20242	Rakesh Kumar	NJHPS	100299776293	DOE and DOL are Same
96	20131	Bal Krishan	NJHPS	100105672447	DOE not Filled
97	20257	Madan Lal	NJHPS	100211680399	DOE and DOL are Same
98	143	Lallan Prasad Rai	NMHEP	100203293137	DOE not Filled
99	10190	Kalyan Singh	NMHEP	100186787485	Mismatch in DOJ
100	10015	Prem Lal	NMHEP	100280401256	DOE not Filled
101	20787	Manoj Kumar	RHPS	100221601436	Verification of DOJ
102	20730	Anil Kumar	RHPS	100084072635	DOE and DOL are Same
103	20538	Sanjeev Kumar	RHPS	100334574991	DOE and DOL are Same
104	20452	Prakash Chand	RHPS	100275646008	Mismatch in DOJ
105	20720	Anudeep Kanwar	RHPS	100087589973	DOE and DOL are Same
106	20745	Rajendra Singh Rawat	RHPS	100294982369	Mismatch in DOJ
107	20738	Sushil Kumar	RHPS	100376044897	DOE and DOL are Same
108	10683	Rattan Lal	RHPS	100309592402	DOE not Filled
109	20822	Vivek Bhatnagar	RHPS	100410994942	Mismatch in DOJ
110	20402	Harvinder Kumar	RHPS	100163132761	DOE and DOL are Same
111	10170	Roshan Kumar	RHPS	100315722992	Mismatch in DOJ
112	20236	Kamla Nand	RHPS	100187832782	Mismatch in DOJ
113	20221	Kuldeep Raj	RHPS	100197610050	Mismatch in DOJ
114	20400	Naresh Kumar	RHPS	100251282249	DOE and DOL are Same
115	121	Pratibha Sharma	RHPS	100278861669	DOE not Filled
116	20467	Samar Singh Jaswal	SADPC	100368864323	DOE not Filled
117	20197	Gambhir Singh Pundhir	SAPDC	100148673025	DOE not Filled
118	20049	Pradeep Singh	SAPDC	100274568952	Mismatch in DOJ
119	20132	Punjab Singh	SDHEP	100282399727	DOE not Filled
120	10989	Aditya Mishra	SGEL, BIKANER	100074078066	DOE and DOL are Same
121	10300	Vikram Saxena	SGEL, BIKANER	100406351385	DOE and DOL are Same
122	11017	Rabi Verma	SGEL, BIKANER	100289095078	DOE and DOL are Same
123	20188	Surendra Lal Sharma	SGEL, DELHI	100324028736	DOE not Filled
124	10213	Raj Kumar	SGEL, PUNJAB	100292033589	DOE and DOL are Same
125	20121	Ramesh Chand Sharma	SGEL, PUNJAB	100304501141	DOE and DOL are Same

S.N.	Member ID	Name	Project/Locatoin	UAN	Upload Status
126	10098	Amit Kumar Mukherjee	Retiree	100070718673	DOE Mismatch
127	20471	Randhir Singh	Retiree	100307111202	DOE Mismatch
128	10333	Bahadur Singh	Retiree	100105313769	DOE not Filled
129	10238	Ravinder Singh Rana	Retiree	100288644847	DOE Mismatch
130	186	S.K.Bhatnagar	Retiree	100370660237	DOE and DOL are Same
131	20086	Het Ram Thakur	Retiree	100164363069	DOE Mismatch
132	20036	Vijay Kumar	Retiree	100403906861	DOE Mismatch
133	20080	Adabala Pundreekasham	Retiree	100071040227	DOE Mismatch
134	20468	Tara Chand Thakur	Retiree	100389407000	DOE Mismatch
135	10283	S.K.Sharma	Retiree	100341257498	DOE Mismatch
136	10342	Ashok Kumar Singla	Retiree	100094000505	DOE and DOL are Same
137	10246	Dinesh Sapru	Retiree	100139466098	Mismatch in DOJ
138	20456	D.Wadehra	Retiree	100130652834	DOE Mismatch
139	20501	Rajiv Kumar Soni	Retiree	100297621456	DOE Mismatch
140	20518	Amit Kumar Bhatnagar	Retiree	100080012813	DOE Mismatch
141	10083	Dr.Anil Gupta	Retiree	100083791796	Mismatch in DOJ
142	20493	Parveen Gupta	Retiree	100269100694	DOE Mismatch
143	10280	M.M.Verma	Retiree	100217029133	DOE Mismatch
144	20353	Narinder Kumar	Retiree	100250638132	DOE not Filled
145	20006	D.P.Kaushal	Retiree	100128781722	DOE Mismatch
146	10243	Parveen Kumar Verma	Retiree	100269107627	Mismatch in DOJ
147	20009	Anand Upadhyay	Retiree	100082546164	DOE Mismatch
148	10271	Sanjay Uppal	Retiree	100334197627	DOE and DOL are Same
149	56	Kali Ram	Retiree	100186161341	DOE Mismatch
150	20012	S.K.Bandopadhyaya	Retiree	100323850396	Mismatch in DOJ
151	10510	R.N.Misra	Retiree	100288389957	Mismatch in DOJ

**DOJ means- Date of Joining**  
**DOE means- Date of Exit**

**FPS- Family Pension Scheme**  
**Only fill if Date of joining in SJVN/CPSE is before 16.11.1995**  
**DOJ FPS:** Date of joining in SJVN or CPSE  
**DOE FPS:** Date of exit from FPS **(15.11.1995 to be filled)**

**EPS- Employee Pension Scheme**  
**All to fill details including those whose Date of joining in SJVN/CPSE is before or after 16.11.1995**  
**DOJ EPS:** 16.11.1995 or Date of joining in SJVN or CPSE, whichever is later.  
**DOE EPS:** Date of exit from SJVN (to be mandatorily filled by all retired employees and those serving employees who have attained 58 years of age (Date of attaining 58 years of age to be filled). For ex. If DOB is 15.01.1965 then 14.01.2023 is to be filled.

**Service Details**

Member ID *	DOJ FPS	DOE FPS	DOJ EPS	DOE EPS
HPSML0018116000001129	DD/MM/YYYY	DD/MM/YYYY	DD/MM/YYYY	DD/MM/YYYY

For Previous Employer Details (If any) **Add Row**

**Member Details**

Email Id *	Enter Email Id		
Aadhaar Linked Bank Account Number *	Bank Account Number	IFSC Code *	IFSC Code

**Note:**  
 Details of previous employer including DOJ FPS, DOE FPS, DOJ EPS & DOE EPS is to be separately added by clicking on ADD ROW button.

**For example**  
 Employee was working with X PSU since 01.10.1992 and left X PSU on 31.12.2001. Subsequently he/she joined SJVN on 01.01.2002 and employee will retire on 31.03.2024 and will exit EPS on attaining 58 years of age. In such case the detail shall be filled as under:-

1. Member ID will come by default / DOJ EPS (01.01.2002) & DOE EPS -Date of attaining 58 years of age - **in SJVN**
2. Add Row - Fill member ID as per details to be provided by the previous employer / DOJ FPS (01.10.1992), DOE FPS (15.11.1995), DOJ EPS (16.11.1995), DOE EPS -31.12.2001 – **in X PSU**



Ministry of Labour &amp; Employment



## EPFO extends date for filing Applications regarding pension on Higher Wages

Posted On: 02 MAY 2023 9:09PM by PIB Delhi

EPFO has made arrangements for obtaining Applications for Validation of Option / Joint Option from pensioners / members as per the Hon'ble Supreme Court order dated 04.11.2022. To facilitate this process, online facility has been made available. More than 12 lakh applications have been received till date. The online facility was to remain available only till 03.05.2023.

In the meantime, many representations have been received from various quarters seeking extension of time. The issue has been considered and it has been decided that in order to provide a larger window of opportunity and in order to enable all eligible persons to file their applications, the timeline for filing applications would now be till 26<sup>th</sup> June, 2023.

The timeline is being extended to facilitate and provide ample opportunity to the pensioners / members so as to ease out any difficulty being faced by them. This has been decided after sympathetically considering the various demands received from employees, employers and their associations.

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### MJPS

(Release ID: 1921500) Visitor Counter : 73465

Read this release in: Urdu , Hindi , Punjabi , Telugu





कर्मचारी भविष्य निधि संगठन  
**EMPLOYEES' PROVIDENT FUND ORGANISATION**  
श्रम एवं रोजगार मंत्रालय, भारत सरकार  
MINISTRY OF LABOUR & EMPLOYMENT, GOVERNMENT OF INDIA  
मुख्य कार्यालय/Head Office  
भविष्य निधि भवन, 14, भिकाजी कामा प्लेस, नई दिल्ली-110066  
Bhavishya Nidhi Bhawan, 14, Bhikaiji Cama Place, New Delhi-110066  
Website: [www.epfindia.gov.in](http://www.epfindia.gov.in), [www.epfindia.nic.in](http://www.epfindia.nic.in)



No. Pensiion/PoHW/2023/69114 / 1615

Date: - 03.05.2023

To,

03 MAY 2023

All Addl. CPFCs, Zonal Offices.  
All RPFCs / OICs, Regional Offices.

**Sub: Deleting and Re-submitting Application for Validation of Option / Joint Option – reg.**

Madam/ Sir,

Many representations have been received from pensioners / members with request to provide online facility to correct errors in their Applications for Validation of Option / Joint Option and to file uploads.

2. Accordingly, in the online functionality, a button for '**Delete Application**' has been provided to the employees. The employee after deleting application can, thereafter, if he/she so desires, file a fresh Application for Validation of Option / Joint Option with correct details / uploads.

3. However, this button can be used only if the employer has not acted on the Application for Validation of Option / Joint Option submitted by the employee.

4. Where employer has already acted on the Application for Validation of Option / Joint Option, the employee won't be able to use the Delete Button. However, even in such cases, employee will be provided opportunity to rectify the errors after the scrutiny of Application for Validation of Option / Joint Option by the Field Offices as per the HO circular dated 23.04.2023 (Sr. No. 18 of 2023-24).

This is for information and necessary actions please.

**[This issues with the approval of CPFC]**

Yours faithfully,

(Aprajita Jaggi)

Regional P.F. Commissioner-I (Pension)

**Copy to:-**

1. PS to CPFC
2. FA & CAO, CVO, Director (PDNASS), All ZTIs, All ACC (HQ)s and ACCs at H.O
3. ACC-HQ (IS), ACC-IS: To display the following message on EPFO website:

*"A delete button has been provided to the employees to delete Application for Validation of Option / Joint Option so that if they so desire, they may file afresh after correcting errors. This functionality is available provided employer has not acted upon the Application for Validation of Option / Joint Option so far"*

4. Rajbhasha Section : For providing Version in Hindi.



Ministry of Labour &amp; Employment



## M/o Labour & Employment issues notifications in compliance of judgement dated 4.11.22 of Hon'ble Supreme Court in the case pertaining to Pension on Higher Wages

Posted On: 03 MAY 2023 11:15PM by PIB Delhi

The Hon'ble Supreme Court, in its judgment dated 04.11.2022 in Civil Appeal No. 8143-8144 of 2022 titled the Employees Provident Fund Organisation & Anr. etc. Vs. Sunil Kumar B. and Ors. etc., while upholding the validity of the amendments made to the Employees' Pension Scheme, 1995 (EPS, 1995) vide G.S.R 609 (E) dated 22.08.2014 (effective from 01.09.2014) had also given certain directions along with deadlines for complying with the same. Ministry of Labour & Employment has promptly taken all actions within the stipulated deadlines to comply with the directions of the Hon'ble Supreme Court in the said order.

First direction of the Hon'ble Supreme Court of the said judgement was in respect of giving opportunity to pensioners who had retired before 1.9.2014 after exercising joint options under paragraph 11(3) of the EPS, 1995 but the joint options were rejected by the Employees' Provident Fund Organisation (EPFO) (on account of cut-off date). This was to be done within eight weeks. In compliance of this direction, the EPFO issued circular on 29.12.2022 for filing online applications for validation of joint options by the above pensioners. The last date for submission of applications was 03.03.2023. However, last date was extended up to 03.05.2023 which has been further extended up to 26.06.23.

Further, the Hon'ble Supreme Court held that all members who were in service prior to 01.09.2014 and continued to be in service on or after 01.09.2014 and who did not exercise joint option due to interpretation on cut-off date, but were entitled to do so ought to be given a further chance to exercise their option and the time for giving options was to be extended by a further period of four months. To comply with these directions, EPFO issued instructions on 20.02.2023 for online joint options to be filed by the above employees/pensioners. Joint options were to be filed on or before 03.05.2023. However, the date has been extended to 26.06.2023.

Further, Hon'ble Supreme Court held the requirement of the members to contribute at the rate of 1.16% of their salary to the extent such salary exceed Rs.15000/- per month as an additional contribution under the amended scheme to be *ultra vires* of the provisions of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (EPF & MP Act). The Hon'ble Court directed the authorities to make necessary adjustments in the Scheme within a period of six months.

For implementing the above direction, all aspects of the matter including legal and administrative were examined in detail. It was decided that since the Code on Social Security,2020 (the Code ) has already been notified , it would be appropriate to bring relevant provisions of the Code into effect. Earlier also section 142 of the Code was operationalised as a singular provision. The Code also provides for repeal of EPF & MP Act. Accordingly, certain provisions of the EPF & MP Act get repealed while giving effect to the relevant provisions of the Code. The spirit of the EPF & MP Act as well as the Code do not envisage contribution from the employees into the pension fund. Accordingly, keeping in mind the letter and spirit of the EPF & MP Act and the Code , it has been decided to draw 1.16 % additional contribution from within the overall 12% of the contribution of the employers into the provident fund. This provision is retrospective in nature in line with the directions given by the Hon'ble Supreme Court. Accordingly, the Ministry of Labour & Employment has issued notifications today i.e. 3 May,2023 implementing the above.

With the issue of above notifications, all the directions of the Hon'ble Supreme Court contained in judgment dated 04.11.2022 have been complied with.

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**MJPS**

(Release ID: 1921830) Visitor Counter : 4003

Read this release in: Urdu , Hindi , Punjabi



कर्मचारी भविष्य निधि संगठन  
**EMPLOYEES' PROVIDENT FUND ORGANISATION**  
श्रम एवं रोजगार मंत्रालय, भारत सरकार  
MINISTRY OF LABOUR & EMPLOYMENT, GOVERNMENT OF INDIA  
मुख्य कार्यालय/Head Office  
भविष्य निधि भवन, 14, भीकाएजी कामा प्लेस, नई दिल्ली-110066  
Bhavishya Nidhi Bhawan, 14, Bhikaiji Cama Place, New Delhi-110066  
Website: [www.epfindia.gov.in](http://www.epfindia.gov.in), [www.epfindia.nic.in](http://www.epfindia.nic.in)



No. Pension/SupremeCourt/judgement/HPM/2022/Pt

Date: 04.05.2023

To,

All Addl. CPFCs, Zonal Offices.  
All RPFCs / OICs, Regional Offices.

**Sub: Effecting certain provisions of the Code on Social Security, 2020 in respect of Employees' Provident Funds & Miscellaneous Provisions Act 1952 and EPS' 1995– reg.**

Madam/ Sir,

Please refer to the G.O.I Gazette Notification No. S.O. 2060(E) dated 3<sup>rd</sup> May 2023 (copy attached).

2. Vide above Gazette Notification, following provisions of the Code on Social Security, 2020 in respect of Employees' Provident Funds & Miscellaneous Provisions Act 1952 and EPS' 1995 have been notified:

(i) sub-section (3) of section 15, in so far as it relates to the Employees' Pension Scheme, 1995;

(ii) clause (a) of sub-section (1) of section 16, in so far as it relates to the Employees' Pension Scheme, 1995;

(iii) clause (b) of sub-section (1) of section 16;

(iv) sub-section (2) of section 16, in so far as it relates to the Employees' Pension Scheme, 1995;

(v) section 143, in so far as it applies in giving effect to the provisions of sub-clause (ii) of clause (b) of sub-section (1) of section 16 in relation to the Employees' Pension Scheme, 1995;

(vi) sub-section (1) of section 164 to repeal the corresponding provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) specified in item 3 thereof; and

(vii) clause (b) of sub-section (2) of section 164 in so far as it relates to the Employees' Pension Scheme, 1995.

3. The above provisions of the said Code shall come into force on the 03<sup>rd</sup> day of May, 2023.

**[This issues with the approval of ACC-HQ (Pension)]**

Yours faithfully,

**(Aprajita Jaggi)**  
**Regional P.F. Commissioner-I (Pension)**

CC:-

1. PS to CPFC.
2. FA & CAO, CVO, Director PDNASS, All ZTIs
3. All ACC (HQ)s and ACCs at H.O.
4. Rajbhasha Section for providing Version in Hindi.



# भारत का राजपत्र The Gazette of India

सी.जी.-डी.एल.-अ.-03052023-245642  
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असाधारण  
EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (ii)  
PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित  
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नई दिल्ली, बुधवार, मई 3, 2023/वैशाख 13, 1945  
NEW DELHI, WEDNESDAY, MAY 3, 2023/ VAISAKHA 13, 1945

श्रम और रोजगार मंत्रालय

अधिसूचना

नई दिल्ली, 3 मई, 2023

का.आ. 2060(अ).—केंद्रीय सरकार, साधारण खंड अधिनियम, 1897 (1897 का 10) की धारा 14 के साथ पठित सामाजिक सुरक्षा संहिता, 2020 (2020 का 36) की धारा 1 की उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, 3 मई, 2023 को उस तारीख के रूप में नियत करती है, जिसको उक्त संहिता के निम्नलिखित उपबंध प्रवृत्त होंगे, अर्थात्:--

- (i) धारा 15 की उपधारा (3), जहां तक यह कर्मचारी पेंशन स्कीम, 1995 से संबंधित है ;
- (ii) धारा 16 की उपधारा (1) का खंड (क), जहां तक यह कर्मचारी पेंशन स्कीम, 1995 से संबंधित है ;
- (iii) धारा 16 की उपधारा (1) का खंड (ख) ;
- (iv) धारा 16 की उपधारा (2), जहां तक यह कर्मचारी पेंशन स्कीम, 1995 से संबंधित है ;
- (v) धारा 143, जहां तक यह कर्मचारी पेंशन स्कीम, 1995 की धारा 16 की उपधारा (1) के खंड (ख) के उपखंड (ii) के उपबंधों को प्रभावी करने के लिए लागू होती है ;

- (vi) इसके मद 3 में विनिर्दिष्ट, कर्मचारी भविष्य-निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के तत्स्थानी उपबंधों के निरसन के लिए धारा 164 की उपधारा (1) ; और
- (vii) धारा 164 की उपधारा (2) का खंड (ख), जहां तक यह कर्मचारी पेंशन स्कीम, 1995 से संबंधित है।

[फा. सं. आर-15011/02/2023-एसएस-II]

विभा भल्ला, संयुक्त सचिव

## MINISTRY OF LABOUR AND EMPLOYMENT

### NOTIFICATION

New Delhi, the 3rd May, 2023

**S.O. 2060(E).**—In exercise of the powers conferred by sub-section (3) of section 1 of the Code on Social Security, 2020 (36 of 2020) read with section 14 of the General Clauses Act, 1897 (10 of 1897), the Central Government hereby appoints the 3<sup>rd</sup> day of May, 2023, as the date on which the following provisions of the said Code shall come into force, namely:—

- (i) sub-section (3) of section 15, in so far as it relates to the Employees' Pension Scheme, 1995;
- (ii) clause (a) of sub-section (1) of section 16, in so far as it relates to the Employees' Pension Scheme, 1995;
- (iii) clause (b) of sub-section (1) of section 16;
- (iv) sub-section (2) of section 16, in so far as it relates to the Employees' Pension Scheme, 1995;
- (v) section 143, in so far as it applies in giving effect to the provisions of sub-clause (ii) of clause (b) of sub-section (1) of section 16 in relation to the Employees' Pension Scheme, 1995;
- (vi) sub-section (1) of section 164 to repeal the corresponding provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) specified in item 3 thereof; and
- (vii) clause (b) of sub-section (2) of section 164 in so far as it relates to the Employees' Pension Scheme, 1995.

[F. No. R-15011/02/2023-SS-II]

VIBHA BHALLA, Jt. Secy.



कर्मचारी भविष्य निधि संगठन  
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No. Pension/SupremeCourt/judgement/HPM/2022/Pt

Date: 04.05.2023

To,

All Addl. CPFCs, Zonal Offices.  
All RPFCs / OICs, Regional Offices.

**Subject- 1.16% increased contribution from employer's share into the Pension Fund on salary exceeding Rs. 15,000/- Reg.**

Madam/ Sir,

Please refer to the G.O.I Gazette Notification No. S.O. 2061(E) dated 3<sup>rd</sup> May 2023 (copy attached).

2. Vide above Gazette Notification issued in exercise of the powers conferred by sub-clause (i) of clause (b) of sub-section (1) of section 16 of the Code on Social Security, 2020 (36 of 2020), following have been notified:

(i) In respect of members who have exercised joint option for contributing under the provisions of paragraph 11 of the Employees' Pension Scheme, 1995 and who are found eligible, the employer's contribution shall be nine and forty-ninth per cent. (9.49%) of the basic wages, dearness allowance and retaining allowance of each member by increasing one and sixteenth per cent. (1.16%) from the extant eight and one-third per cent. (8.33%); and

(ii) The increased contribution shall be applicable to basic wages, dearness allowance and retaining allowance to the extent such basic wages, dearness allowance and retaining allowance exceed fifteen thousand rupees per month

3. The above shall be deemed to have come into force on the 1st day of September, 2014.

**[This issues with the approval of ACC-HQ (Pension)]**

Yours faithfully,

(Aprajita Jaggi)

**Regional P.F. Commissioner-I (Pension)**

**CC:-**

1. PS to CPFC.
2. FA & CAO, CVO, Director PDNASS, All ZTIs
3. ACC (HQ) (IS) for information & necessary action.
4. All ACC (HQ)s and ACCs at H.O.
5. Rajbhasha Section for providing Version in Hindi.



# भारत का राजपत्र The Gazette of India

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असाधारण  
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PART II—Section 3—Sub-section (ii)

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NEW DELHI, WEDNESDAY, MAY 3, 2023/ VAISAKHA 13, 1945

श्रम और रोजगार मंत्रालय

अधिसूचना

नई दिल्ली, 3 मई, 2023

का.आ. 2061(अ).—माननीय उच्चतम न्यायालय ने कर्मचारी भविष्य निधि संगठन और अन्य बनाम सुनील कुमार बी. और अन्य के साथ टैग किए गए अन्य मामलों में वर्ष 2022 की सिविल अपील संख्या 8143-8144 [2019 की एसएलपी(सि) सं. 8658-8659] में तारीख 4 नवंबर, 2022 के अपने निर्णय में यह अभिनिर्धारित किया कि कर्मचारी पेंशन स्कीम, 1995 के पैरा 11 के उप पैरा 4 के उपबंधों के अधीन अतिरिक्त अभिदाय के रूप में सदस्यों की उनके वेतन के 1.16 प्रतिशत की दर से अभिदाय करने की अपेक्षा उस परिमाण तक, जहां ऐसा वेतन प्रतिमास पन्द्रह हजार रुपए से अधिक हो जाता है, कर्मचारी भविष्य-निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंधों के अधिकारातीत है ;

और माननीय उच्चतम न्यायालय ने उक्त निर्णय के पूर्वोक्त उल्लिखित भाग के प्रचालन को छह मास की अवधि के लिए निलंबित कर दिया है तथा प्राधिकारियों को उक्त स्कीम में समायोजन करने का निदेश दिया है ;

और तदनुसार, माननीय उच्चतम न्यायालय के उक्त निदेशों का अनुपालन करने के लिए तथा चूंकि कर्मचारी भविष्य-निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) को सामाजिक सुरक्षा संहिता, 2020 (2020 का 36) में सम्मिलित कर लिया गया है, केंद्रीय सरकार ने उक्त संहिता के सुसंगत उपबंधों को प्रवृत्त करने का विनिश्चय किया है ;

अतः, अब, केंद्रीय सरकार, सामाजिक सुरक्षा संहिता, 2020 (2020 का 36) की धारा 16 की उपधारा (1) के खंड (ख) के उपखंड (i) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, निम्नलिखित को अधिसूचित करती है, अर्थात् :--

- (i) उन सदस्यों के संबंध में, जिन्होंने कर्मचारी पेंशन स्कीम, 1995 के पैरा 11 के उपबंधों के अधीन अभिदाय करने के संयुक्त विकल्प का प्रयोग किया है और जिन्हें पात्र पाया गया है, नियोक्ता का अभिदाय, प्रत्येक सदस्य की आधारभूत मजदूरी, महंगाई भत्ते और प्रतिधारण भत्ते का विद्यमान 8.33 प्रतिशत, 1.16 प्रतिशत से बढ़ाकर 9.49 प्रतिशत हो जाएगा ; और
- (ii) बढ़ा हुआ अभिदाय आधारभूत मजदूरी, महंगाई भत्ता तथा प्रतिधारण भत्ते को उस परिमाण तक, जिस तक आधारभूत मजदूरी, महंगाई भत्ता और प्रतिधारण भत्ता पन्द्रह हजार रुपए प्रतिमास से अधिक हो जाता है, के संबंध में लागू होगा ।

2. यह अधिसूचना 1 सितंबर, 2014 को प्रवृत्त हुई समझी जाएगी ।

[फा. सं. आर-15011/02/2023-एसएस -II]

विभा भल्ला, संयुक्त सचिव

**MINISTRY OF LABOUR AND EMPLOYMENT  
NOTIFICATION**

New Delhi, the 3rd May, 2023

**S.O. 2061(E).**—Whereas the Hon'ble Supreme Court had *vide* its Judgment, dated the 4<sup>th</sup> November, 2022, in Civil Appeal No. 8143-8144 of 2022 [SLP(C) Nos. 8658-8659 of 2019] in the matter of the Employees' Provident Fund Organisation and others *versus* Sunil Kumar B. and others, along with other tagged matters, held the requirement of the members to contribute at the rate of 1.16 per cent. of their salary to the extent such salary exceeds fifteen thousand rupees per month as an additional contribution under the provisions of sub-paragraph (4) of paragraph 11 of the Employees' Pension Scheme, 1995 to be *ultra vires* the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952);

And whereas, the Hon'ble Supreme Court suspended the operation of the aforementioned part of the said Judgment for a period of six months and directed the authorities to make adjustments in the said Scheme;

And whereas, accordingly, to comply with the said directions of the Hon'ble Supreme Court and since the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) has been subsumed in the Code on Social Security, 2020 (36 of 2020), the Central Government has decided to bring into force the relevant provisions of the said Code;

Now, therefore, in exercise of the powers conferred by sub-clause (i) of clause (b) of sub-section (1) of section 16 of the Code on Social Security, 2020 (36 of 2020), the Central Government hereby notifies the following, namely:-

- (i) in respect of members who have exercised joint option for contributing under the provisions of paragraph 11 of the Employees' Pension Scheme, 1995 and who are found eligible, the employer's contribution shall be nine and forty-ninth per cent. **(9.49%)** of the basic wages, dearness allowance and retaining allowance of each member by increasing one and sixteenth per cent. **(1.16%)** from the extant eight and one-third per cent. **(8.33%)**; and
- (ii) the increased contribution shall be applicable to basic wages, dearness allowance and retaining allowance to the extent such basic wages, dearness allowance and retaining allowance exceed fifteen thousand rupees per month.

2. This notification shall be deemed to have come into force on the 1<sup>st</sup> day of September, 2014.

[F. No. R-15011/02/2023-SS-II]

VIBHA BHALLA, Jt. Secy.