

# Implementation of Supreme Court verdict in EPF

Posted On: 04 DEC 2023 5:28PM by PIB Delhi

As per directions contained in paragraph 44(ix) read with paragraph 44(v) and 44(vi) of the Hon'ble Supreme Court judgment dated 04.11.2022, online applications were called by Employees' Provident Fund Organisation (EPFO) on 29.12.2022, followed by corrigendum dated 05.01.2023, from pensioners who had retired before 01.09.2014 and had exercised joint option for contributing in pension fund on salary exceeding wage ceiling before their retirement but whose joint options were rejected by the EPFO (on account of cut-off date). Joint options were to be filed on or before 03.03.2023. The date upto which online joint options were to be filed was extended upto 03.05.2023, thereafter upto 26.06.2023 and thereafter up to 11.07.2023.

As per directions contained in paragraph 44(iii) & paragraph 44 (iv) read with paragraph 44(v) of the judgment of Hon'ble Supreme Court dated 04.11.2022, instructions were issued by EPFO on 20.02.2023 for online joint options to be filed by the employees who were in service prior to 01.09.2014 and continued to be in service on or after 01.09.2014 but could not exercise joint option under erstwhile proviso to paragraph 11(3) of Employees' Pension Scheme (EPS), 1995. Joint option form was to be filled on or before 03.05.2023. The date upto which joint options were to be filled was extended upto 26.06.2023 and thereafter up to 11.07.2023.

In order to implement the directions contained in paragraph 44(vii) of the judgment, the Government has issued two notifications viz. S.O. 2060(E) and S.O. 2061(E) dated 3 May, 2023.

In case of pensioners/members found eligible for pension on higher wages, in compliance of Hon'ble Supreme Court judgement dated 04.11.2022, demand notices are being issued to the pensioners/members. The amount of pension payable on higher salary will vary from case to case.

The pension fund under the EPS, 1995 is a pooled fund. In the pension fund, individual accounts are not maintained. Members of EPS, 1995 are eligible for Withdrawal Benefit or Pension depending on their eligibility based on the number of years of Service. As per actuarial evaluation of the fund as on 31.03.2019, the pension fund is in deficit.

This information was given by Union Minister of State for Labour and Employment Shri. Rameshwar Teli in a written reply in the Lok Sabha today.

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**MJPS/NSK**

(Release ID: 1982412)