



ज्वाइन्ट प्लान्ट कमिटी

(भारत सरकार द्वारा गठित)

JOINT PLANT COMMITTEE

(Constituted by Govt. of India)

An ISO 9001 : 2015 Certified Organisation

No. JPC/HR&A/23/22-23/ 637

February 7, 2023

CIRCULAR

Sub : Judgement dated 04.11.2022 of Hon'ble Supreme Court on Employees' Pension Scheme, 1995 (EPS-95)

1. This has reference to the Hon'ble Supreme Court's judgement dated 04.11.2022 in the matter of EPFO and Anr. Vs. Sunil Kumar B and Ors., regarding option for contribution on actual salary under EPS-95. The judgement is also applicable to the employees of exempted establishments. Joint Plant Committee (JPC) being an exempted establishment, the said judgement is also applicable to its employees/ex-employees who are eligible as per the Hon'ble Supreme Court judgement dated 04.11.2022.
2. As per the communication of EPFO vide No. Pension/2022/54877/15149 dated 29.12.2022 & corrigendum vide No. Pension/2022/54877/15238 dated 05.01.2023, the following points emerge :
 - i) The employees who had exited EPS prior to 01.09.2014 (i.e. attained age of 58 before 01.09.2014) and had not exercised the option for EPS on actual salary under Para 11(3) of EPS Scheme than the wage ceiling fixed by EPFO, will not be entitled to the benefit under the said judgement.
 - ii) The employees who had exited EPS prior to 01.09.2014 and had exercised the option for EPS on actual salary under para 11(3) of EPS Scheme and their application was rejected by concerned EPFO office, are entitled to the benefit of the said judgement.
 - iii) With regard to the employees who have either exited EPS on/post 01.09.2014 or are still in active service, it is expected that separate circular/guideline will be issued by EPFO for such category of employees.
3. Accordingly, ex-employees (as in para 2 above) who meet the criteria specified in the EPFO circulars, will be required to submit their option along with relevant documents to the undersigned.
4. In the meantime, while information on further formalities / modalities is awaited from EPFO, steps are underway by this office to get the employee's data collated with respect to past pay and other relevant components, which may be sought by EPFO for enhanced pension.

'ISPAT NIKETAN', 52/1A, Ballygunge Circular Road, Kolkata - 700 019

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5. Accordingly, for the employees / ex-employees to be able to take an informed decision regarding the option to avail enhanced Pension, JPC will make available a list of pension contribution already made and contribution computed on actual salary of those, who are eligible to avail / those who opt for the scheme.
6. The list with the details as mentioned above in pt. no. 5 will be made available on Notice Boards on Ground Floor & 1st Floor of JPC Office Premises in Kolkata and through Email / Whatsapp.


(Sayan Sen)

DGM (DB&AS) I/C & I/C (HR&A)

DISTRIBUTION :

- Executive Secretary, JPC ---- for kind information
- DGM (F&A) I/C, JPC ---- for kind information
- DGM (Technical) & I/C (HR&A), ERU ---- for kind information
- Committee Members – EPS, 1995
- Notice Boards.

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