

इंजीनियरिंग प्रोजेक्ट्स (इंडिया) लिमिटेड

(भारत सरकार का उद्यम)

कॉर्पोरेट कार्यालय - मानव संसाधन विभाग

डीएलआई/एचआर/पीएफ/001

11 June, 2021

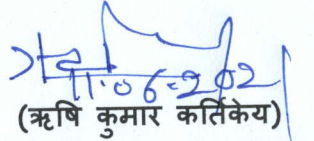
Sub: Allowing members of Employees 'Pension Scheme, 1995 the benefit of the actual Salary in the Pension Fund exceeding wage limit of either Rs. 5000/- or Rs. 6500/- per month from the effective date respectively as per the Hon'ble Supreme Court's Order in SLP No. 33032-3303 of 2015.

Extension of last date for application submission

This has reference to our letter even no. DLI/HRM/PF/001 dated 26.03.2021, 28.04.2021 & 19.05.2021 on the above subject. In this connection, it is informed to all that the last date of submission of application for Employee's Pension scheme, 1995 has been extended as per the details given below, however, other condition etc shall remain same;

Last date of submission of documents (3 nos. of Original Hard Copies) - 25.06.2021

This issues with the approval of the Competent Authority.


(ऋषि कुमार कर्तिकेय)

उप महाप्रबंधक (मा.सा.)

To,

All Concerned

Copy to:-

IT Division: For uploading in the EPI's Website

इंजीनियरिंग प्रोजेक्ट्स (इंडिया) लिमिटेड
(भारत सरकार का उद्यम)

कॉर्पोरेट कार्यालय - मानव संसाधन विभाग

डीएलआई/एचआर/पीएफ/001

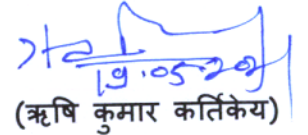
19 मई, 2021

Sub: Allowing members of Employees 'Pension Scheme, 1995 the benefit of the actual Salary in the Pension Fund exceeding wage limit of either Rs. 5000/- or Rs. 6500/- per month from the effective date respectively as per the Hon'ble Supreme Court's Order in SLP No. 33032-3303 of 2015.

This has reference to our letter even no. DLI/HRM/PF/001 dated 26.03.2021 & 28.04.2021 on the above subject. In this connection, it is informed to all that due to pandemic Covid-19, the last date of submission of application for Employee's Pension scheme, 1995 has been extended as per the details given below, however, other condition etc shall remain same;

Last date of submission of documents (3 nos. of Original Hard Copies) - 11.06.2021

This issues with the approval of the Competent Authority.


(ऋषि कुमार कर्तिकेय)

उप-महाप्रबंधक (मा.सा.)

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(भारत सरकार का उद्यम)

कॉर्पोरेट कार्यालय - मानव संसाधन विभाग

डीएलआई/एचआर/पीएफ/001

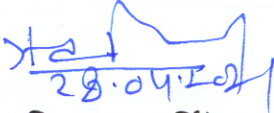
28 अप्रैल, 2021

Sub: Allowing members of Employees 'Pension Scheme, 1995 the benefit of the actual Salary in the Pension Fund exceeding wage limit of either Rs. 5000/- or Rs. 6500/- per month from the effective date respectively as per the Hon'ble Supreme Court's Order in SLP No. 33032-3303 of 2015.

This has reference to our letter no. DLI/HRM/PF/001 dated 26.03.2021 on the above subject (copy enclosed). In this connection, it is informed to all that due to pandemic Covid-19, the last date of submission of application for Employee's Pension scheme, 1995 has been extended as per the details given below, however, other condition etc shall remain same ;

Last date of submission of documents (Hard Copy) - 15.05.2021

This issues with the approval of the Competent Authority.


28.04.2021

(ऋषि कुमार कर्तिकेय)

उप महाप्रबंधक (मा.सा.)

To,

All Concerned

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IT Division : For uploading in the EPI's Website

इंजीनियरिंग प्रोजेक्ट्स (इंडिया) लिमिटेड
(भारत सरकार का उद्यम)
कॉर्पोरेट कार्यालय, मानव संसाधन प्रभाग

DLI/HRM/PF/001

26.03.2021

Sub : Allowing members of Employees' Pension Scheme, 1995 the benefit of the actual Salary in the Pension Fund exceeding wage limit of either Rs. 5000/- or Rs. 6500/- Per month from the effective date respectively as per the Hon'ble Supreme Court's Order in SLP No. 33032-33033 of 2015

Kindly find attached a self-explanatory Circular No. EPS 1995 No. 1 (DLI/FIN (13)/PFT/376 dated 10.03.2021) along with its relevant enclosures for kind consideration of all concerned. If interested then you are requested to kindly fill the required annexures and E-mail the scanned copy of the same at the following E-mail, latest by 20th April, 2021 to enable us to compile and send the same to PF Trust for their further necessary action in this regard.

Duly signed (Hard) copy of the same must also be submitted to the following address through speed post / courier latest by 30th April, 2021:

Ms. Vinita Sharma
Manager Gr-I (HR)
Email ID: vinita.sharma@engineeringprojects.com
Address: Engineering Projects (I) Ltd.
Core 3, SCOPE Complex, 7 Lodhi Road,
New Delhi - 110003

Above is issued with the approval of Competent Authority of PF Trust of EPIL.


(Rishi Kumar Kartikeya)

Dy. General Manager (HR)

All Concerned

ऋषि कुमार कर्तिकेय / Rishi Kumar Kartikeya
उप महाप्रबन्धक (न.सं.) / Dy. General Manager (HR)
इंजीनियरिंग प्रोजेक्ट्स (इंडिया) लि.
ENGINEERING PROJECTS (INDIA) LTD.
(भारत सरकार का उद्यम / A Govt. of India Enterprise)
कोर-3 स्कोप कॉम्प्लेक्स, 7, लोधी रोड, नई दिल्ली-110003
Core-3, Scope Complex, 7, Lodhi Road, New Delhi-110003

ईपीआईकर्मचारीभविष्यनिधिन्यास
EPI EMPLOYEES PROVIDENT FUND TRUST

DLI/FIN (13)/PFT/376

10th March, 2021

CIRCULAR EPS 1995 No. 1

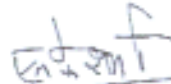
Sub: Allowing members of Employees' Pension Scheme, 1995 the benefit of the actual Salary in the Pension Fund exceeding wage limit of either Rs. 5000/- or Rs. 6500/- Per month from the effective date respectively as per the Hon'ble Supreme Court's Order in SLP No. 33032-33033 of 2015.

1. EPFO, New Delhi, vide letter No.-1/12/EPS Amendment/96/Vol. dated 23 March 2017 (copy enclosed) had issued instruction, vide which members of the Employees' Pension Scheme, 1995 who had contributed on higher wages exceeding the statutory wage ceiling of Rs. 6500/- in the Provident Fund have been allowed to divert 8.33% of the salary exceeding Rs. 6500/- to the Pension Fund with up to date interest as declared under EPF Scheme 1952 from time to time to get the benefit of pension on higher salary on receipt of joint option of the Employer and Employee.
2. It has been observed that EPI has contributed on higher wages exceeding the statutory wage ceiling of Rs. 6500/- in the Provident Fund for its employees which makes it eligible for diversion of 8.33% of the salary exceeding Rs. 6500/- to the Pension Fund.
3. Subsequently EPFO New Delhi vide letter No. Pension-1/12/3/EPS Amendment/96,II dated 31.05.2017 has been clarified that the instructions issued vide EPFO, New Delhi Office vide letter dated 23.03.2017 is not applicable to exempted establishment as the Provident Fund and Pension Fund are managed by separate legal entities. The communication dated 31.05.2017 coupled with EPFO Notification No. GSR.609 dated 22.08.2014 amending Employee's Pension Scheme, 1995 has been challenged in Writ petition filed before various Courts by EPS 1995 members from various Establishment including Unions.
4. Hon'ble High Court of Kerla vide Order dated 12.10.2018 in W.P. (C) No. 13120/2015 and connected cases had set aside the Notification No. 609 (E) dated 20.08.2014 amending Employees pension Scheme 1995 and the SLP filed by EPFO against the Judgment of Hon'ble Supreme Court vide Order dated 01.04.2019.

5. Meanwhile, Hon'ble High Court of Madras vide Order dated 24.04.2019 and 27.03.2019 and Hon'ble High Court of Delhi vide Order dated 22.05.2019 while quashing the EPFO Communication dated 31.05.2017 held that "exempted establishments" are entitled to benefit of enhanced pension on the basis of their contribution with reference to actual salary received by them to their Provident Fund accounts, with specific directions to the Company & EPFO to complete the process within the stipulated period.
6. Hence, considering the time bound directions upon all Administrative Authorities may initiate the process of joint option for the benefit of pension on higher salary in consultation with the EPFO Office as per Annexure-I, II & II(A)
7. The option shall be obtained from employees in Triplicate. The HR Division of the Company will verify and send the option form duly complete along with necessary documents to the EPI'S Employees Provident Fund Trust (EPI EPF Trust) for onward submission to RPF.
8. The EPI EPF Trust on receipt of the joint option form along with salary particulars (format enclosed-Annexure-II) shall prepare details of monthly contribution in the 7 PS form in EPI format on receipt of the said individual w.e.f. 16.11.1995 to the date of exit along with calculation sheet of differential EPS contribution along with upto date interest. EPI EPF Trust shall also verify the documents and submit it to the respective RPF, Office or forward it to HQRS or return it to the concerned office, if documents are incomplete
9. One copy of the option form shall be kept in personnel file of the concerned employees by HRM Division as well as in the EPI EPF Trust as the case may be. Option duly accepted by RPF will be maintained in the EPI EPF and HR Division. The HR Division will coordinate with salary section for preparation of salary particulars during the service of member employees.
10. On acceptance of options of the employees by the concerned Regional Provident Fund Commissioner, 8.33% share of employer's on such higher salary will be remitted by the EPI EPF Trust to the Pension Fund on receipt of the member contribution for from the superannuated employees whose PF and Pension has already been settled and paid

11. The joint option form shall be subject to acceptance by EPFO as per Rules.
12. Instructions / modalities in pursuance of this Circular Instructions will be issued by the EPI EPF Trust in consultation with EPFO from time to time keeping in view of the Court Orders on the subject matter.
13. HR Division is requested to give wide publicity of above instructions and ensure action is taken accordingly.
14. It emerges that there are various Petitions are pending before the Hon'ble Supreme Court / High Courts on the subject matter filed by EPS - 1995 members of EPI and various other Establishments. These instructions are subject to the final outcome of the Court decisions and EPFO instructions issued from time to time in this regard.
15. Instructions for non-members recruited after 01.09.2014 having salary above Rs, 15000/- will be issued afterwards on receipt of the guidelines from EPFO.
16. This issue with the approval of BOT in its meeting held on 08th March, 2021.

17. दिवसे रुपान्तर भी जारी किए जायेंगे । अर्थात्


(N.K. SHARMA)
Chairman
EPI Employees Provident Fund Trust

Encl: As above

(For serving members)

ANNEXURE-I

To

The Regional Provident Fund Commissioner,
BhavishyaNidhiBhawan
28, Wazirpur Industrial Area
DELHI-110052

Sub: Pension based on higher salary under proviso to Para 11(3) of the Employees Pension Scheme, 1995 joint option of the Employer and Employee thereof -Reg.

REF: EPFO, New Delhi letter no, Pension-I/12/33/EPS Amendment/96/Vol. II dated 23.03.2017 and Pension-I/12/33/EPS Amendment/96 Vol.II dt. 31.05.2017.

Sir,

1. In terms of provision contained in Reference-I I being the member of EPS 1995, authorizing the Employer (Engineering Projects (India) Ltd. Allowing to divert 8.33% of salary exceeding Rs. 6500/- to Pension Fund from the effective date (i.e. w.e.f.). With up to date interest as declared under EPF Scheme, 1952 / declared by EPI EPF Trust from time to time.
2. I have understood all Terms and Conditions governing the Higher Pension option of EPS-1995 and I am willing to abide by all the Terms and Conditions. I further understand that the Option exercised is Irrevocable at any later date, and no claim for change of Option shall be entertained or considered under any circumstances.
3. I understand that the option exercised herein is subject to final outcome of the Court decisions and EPFO instructions issued from time to time in this regard.

Yours faithfully

Signature / Right or Left Hand

Thumb impression of the Employees _____

Name _____ Designation _____

EPS NO. _____ UAN No. _____

Aadhaar No. _____

Place of posting _____ Region _____

Employee Code no. _____

Date of option _____

Declaration by the Employer:-

Accepted and recommended for affording necessary higher contributions from the employer's share of Provident Fund Holding, diverting to Employees Pension Scheme. Epil already paying Inspection charges on actual salary and shall comply with all statutory provisions in this regard.

Signature of Executive Officer
EPI Employees Provident Fund Trust _____

Signature of HR Head with
with seal and Mobile Number _____

(For EPFO Pensioners).

ANNEXURE-II

To

Date:

The Regional Provident Fund Commissioner,
Bhavishya Nidhi Bhawan
28, Wazirpur Industrial Area
DELHI-110052

THROUGH

EPI EMPLOYEES PROVIDENT FUND TRUST
Engineering Projects India Limited
Core-3, Scope Complex, 7, Institutional Area
LODHI ROAD
NEW DELHI-110003

Sub: Request for Revision of Pension based on higher salary drawn under proviso to Para 11(3) of the Employees Pension Scheme, 1995 joint option of the Employer and Employee thereof –Reg.

REF: 1. EPFO, New Delhi letter no. Pension-I/12/33/EPF Amendment/96/Vol. II dated 23.03.2017

Sir,

1. In terms of provision contained in Reference-I, I being the member of EPS 1995, I ----- , Retired as ----- on ----- from M/s Engineering Projects India Limited (A Government of India Enterprise) , hereby submit my request for revision of pension on actual salary drawn . Further ,I do undertake that on demand, additional contribution amount exceeding Rs. 5000/- and 6500/- from the effective date (i.e. w.e.f. 16/11/1995) with up to date interest as declared under EPF Scheme, 1995 by EPFO from time to time shall be deposited by me EPFO either directly or through my employer to EPFO Pension Fund .
2. I have understood all Terms and Conditions governing the Higher Pension option of EPS-1995 and I am willing to abide by all the Terms and Conditions. I further understand that the Option exercised is Irrevocable at any later date, and no claim for change of Option shall be entertained or considered under any circumstances.
3. I understand that the option exercised herein is subject to final outcome of the Court decisions and EPFO instructions issued from time to time in this regard.
4. Application duly filled in and signed with all details and duly authenticated by my Employer M/s Engineering Projects India Limited is enclosed here at Annexure-II (A)

Yours faithfully

Name-----

PPO No. -----

UAN No. -----

PF A/c No.-----

EMPLOEES PROVIDENT FUND ORGANISATION

Application by Pensioners for revision of Pension under the Employees Pension Scheme 1995 on actual (Higher) wages exceeding the wage limit of Rs. 5000/- and Rs. 6500/- per month

1	Name of Pensioner	
2	PPO No. with EPFO branch address	
3	EPF A/C NO.	DL/CPM/
5	Name of the pension disbursing Bank and Branch with IFSC Code	
6	Bank a/c no.	
7	Mobile No.	
8	Aadhaar No.	
9	UAN No.	

Declaration by Pensioner

I, _____, am a pensioner under the Employees' Pension Scheme, 1995 drawing monthly pension with effect from _____. I am a retired employee of Engineering Projects (India) Ltd. and retired on _____ and was drawing salary more than Rs. 5000/- and Rs. 6500/- per month and my employer had deposited 12% of my actual salary (above the statutory wage ceiling) as employee's share of the EPF contribution, on the basis of joint option executed by me and my employer. Under Para 26 (6) of the Employees' Provident Funds Scheme.

I understand that I am eligible for pension on my actual salary vide the letter no. Pension-I/12/33/EPF amendment/96/Vol,II dated 23.03.2017 of the EPFO Headquarter and therefore I may be permitted to remit the amount due to the Fund to become eligible for pension on my actual salary and I undertake to remit the amount (including interest till date) as calculated by the office of the Regional Provident Fund Commissioner.

I understand that The Joint Option form shall be subject to acceptance by the EPFO as per Rules.

I understand that the option exercised herein is subject to final outcome of the Court decisions and EPFO instructions issued from time to time in this regard.

Name-----

Address-----

Mobile-----

E-mail:- -----

Place: -----

Date:-----

UNDERTAKING BY THE EMPLOYER
Engineering Projects (India) Limited
(A Govt. of India Enterprise)

I, _____(Name and Designation) being the authorized Signatory of M/s Engineering Projects (India) Ltd. do hereby certify that Mr. _____ who is the holder of PPO No. _____ was an employee of this Establishment with PF A/C No. _____ During his/her service, we as the employer have contributed the employee's share of Provident Fund contribution on his actual salary, without break, as per the terms of Paragraph 26(6) of the Employees Provident Funds Scheme. Certified details of monthly contribution in EPI 7PS format along with other documents in respect of the said individual w.e.f. 16.11.1995 / to date of exit is forwarded herewith for further necessary action by the Regional Provident Fund Commissioner.

I, certify that the particulars furnished are correct as per the records available.

Place:

Date:

for ENGINEERING PROJECTS INDIA LIMITED