

**GOVERNMENT OF INDIA  
MINISTRY OF LABOUR AND EMPLOYMENT  
LOK SABHA  
STARRED QUESTION NO. 41  
TO BE ANSWERED ON 06.02.2023**

**OPPORTUNITY TO PENSIONERS IN EPFO**

**\*41. SHRI MANICKAM TAGORE B.:  
SHRI MANNE SRINIVAS REDDY:**

**Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:**

- (a) whether the Employees' Provident Fund Organisation (EPFO) has given an opportunity to a section of pensioners to apply for an enhanced pension;**
- (b) whether the EPFO is considering to allow the option for a higher pension while in service;**
- (c) whether the EPFO is considering to come out with guidelines in respect of those persons who retired from service after September 1, 2014, and those persons who were in service; and**
- (d) if so, the details thereof and present status thereof, State-wise?**

**ANSWER**

**MINISTER OF LABOUR AND EMPLOYMENT  
(SHRI BHUPENDER YADAV)**

**(a) to (d): A statement is laid on the Table of the House.**

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**STATEMENT REFERRED TO IN REPLY TO PARTS (a) TO (d) OF LOK SABHA STARRED QUESTION NO. 41 TO BE ANSWERED ON 06.02.2023 BY SHRI MANICKAM TAGORE B. AND SHRI MANNE SRINIVAS REDDY, HON'BLE M.P.s REGARDING "Opportunity to Pensioners in EPFO".**

**(a): Yes, Sir. The Employees' Provident Fund Organisation (EPFO) on 29.12.2022 has issued instructions to call for online applications from pensioners who had retired before 01.09.2014 and had exercised joint options for contributing to 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). This is in compliance with the directions of the Hon'ble Supreme Court as contained in paragraph 44(ix) read with paragraph 44(v) & (vi) of the judgment dated 04.11.2022 in SLP (Civil) No.8658-8659 of 2019.**

**(b): As per the Employees' Pension (Amendment) Scheme, 2014, notified vide G.S.R. 609(E) dated 22.08.2014, w.e.f 01.09.2014 only employees drawing wages upto Rs.15000 per month are entitled for membership of Employees' Pension Scheme (EPS), 1995.**

**(c) & (d): The persons who retired from service after 01.09.2014 and those who are in service and are members of EPS, 1995 are governed by the provisions of the EPS, 1995 as amended vide G.S.R. 609 (E) dated 22.08.2014 w.e.f. 01.09.2014.**

**The Hon'ble Supreme Court has given direction under Article 142 of the Constitution of India that the members of the EPS, 1995, who did not exercise option to contribute on salary exceeding wage ceiling as contemplated in the proviso to pre-amended paragraph 11(3) of EPS, 1995, would be entitled to exercise joint options under paragraph 11(4) of the post amendment scheme within extended time period of four months provided rest of the requirements as per the amended provision are complied with.**

**The directions of the Hon'ble Supreme Court have legal, financial, actuarial and logistical implications and the same are under examination.**

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