

# The Employees' Pension Scheme, 1995

## CONTENTS

<i>Paragraphs</i>	<i>Pages</i>
1. Short title, commencement and application .....	272
2. Definitions .....	272
3. Employees' Pension Fund .....	273
4. Payment of contribution .....	274
5. Recovery of damages for default in payment of any contributions .....	274
6. Membership of the Employees' Pension Scheme .....	275
6-A. Retention of membership .....	276
7. Option for joining the Scheme .....	276
8. Resolution of doubts .....	276
9. Determination of Eligible Service .....	276
10. Determination of Pensionable Service .....	277
11. Determination of Pensionable Salary .....	277
12. Monthly Member's Pension .....	278
12-A. Option for Commutation .....	282
12-B. Restoration to normal pension in cases of grant of commutation ...	282
13. Options for return of capital .....	282
14. Benefits on leaving service before being eligible for monthly member's pension .....	283
15. Benefits on permanent and total disablement during the service .....	283
16. Benefits to the family on the death of a member .....	284
16-A. Guarantee of Pensionary Benefits .....	287
17. Payments on Exercise of Option .....	287
17-A. Payment of Pension .....	287
18. Particulars to be supplied by the employees already employed at the time of commencement of the Employees' Pension Scheme .....	288
19. Preparation of contribution cards .....	288
20. Duties of employers .....	288

<i>Paragraphs</i>	<i>Pages</i>
21. Employer to furnish particulars of ownership .....	288
22. Duties of contractors .....	289
23. Allotment of Account Numbers .....	289
24. Declaration by persons taking up employment after the fund has been established .....	289
25. Employees' Pension Fund Account .....	289
26. Investment of the Employees' Pension Fund .....	289
27. Disposal of the Fund .....	290
28. Administration Account [ <i>Omitted</i> ] .....	290
29. Format and manner of maintenance of accounts .....	290
30. Audit .....	290
31. Rounding up of the benefits .....	290
32. Valuation of the Employees' Pension Fund and review of the rates of contributions and quantum of the pension and other benefits .....	290
33. Disbursement of pension and other benefits .....	291
34. Registers, records, etc .....	291
35. Power to issue directions .....	291
36. Regional Committee .....	291
37. Annual Report .....	291
38. Application of the provisions of the Employees' Provident Funds Scheme, 1952 .....	291
39. Exemption from the operation of the Pension Scheme .....	292
39-A. Submission of Return .....	292
39-B. Transfer Value .....	292
40. Information to the Central Government .....	293
41. Interpretation .....	293
42. Punishment for failure to submit return, etc .....	293
43. Payment of pension in the case of a person charged with the offence of murder .....	293
43-A. Special provisions in respect of International Workers .....	294
43-B. Special provision in respect of Employees' Enrolment Campaign, 2017 .....	295
44. Repeal and Savings .....	296
TABLE A—Withdrawal Benefit .....	296
TABLE B—Factor for computation of past service benefit under the [ <i>Ceased</i> ] Family Pension Scheme for existing members on exit from the employment .....	298

*Pages*

TABLE C—Equivalent Widow Pension .....	298
TABLE D—Return of contribution on exit from the employment .....	308
TABLE E—Transfer value of contribution from Employees' Pension Scheme, 1995 to exempted or other pension fund and vice-versa .....	309
FORM 1—Monthly Return to be submitted by the exempted establishments/class of establishments/Board of Trustees .....	309
FORM 2—Declaration and Nomination Form under the Employees' Provident Fund and Employees' Pension Scheme .....	312
FORM 3—Consolidated return of employees who are entitled and required to become members of the Pension Fund on the date the Pension Scheme comes into force .....	314
FORM 4 (EPS)—Return of Employees entitled for membership of the Employees' Pension Fund .....	315
FORM 5 (EPS)—Return of Members leaving service .....	315
FORM 6—Statement of Contribution .....	316
FORM 7—Contribution card for members .....	316
FORM 8—Annual statement of Contribution for the currency period .....	317
FORM 9—Declaration by a person taking up employment in the establishment ..	318
FORM 10-C—Employees' Pension Scheme, 1995 form to be used by a member of the Employees' Pension Scheme, 1995 for claiming withdrawal benefit/Scheme Certificate .....	319
FORM 10-D—Application for Monthly Pension .....	321
FORM 12-A (Revised)—Employees' Pension Scheme, 1995 Statement of contributions .....	328

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# The Employees' Pension Scheme, 1995<sup>1</sup>

In exercise of the powers conferred by Section 6-A of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), the Central Government hereby makes the following scheme, namely:—

**1. Short title, commencement and application.**—(1) This Scheme may be called the Employees' Pension Scheme, 1995;

(2) (a) This Scheme shall come into force on 16th day of November, 1995;

(b) Subject to the provisions of this Scheme the employees have an option to become the members of the Scheme with effect from the 1st April, 1993;

(3) Subject to the provisions of Section 16 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952, this Scheme shall apply to the employees of all factories and other establishments to which the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 applies or is applied under sub-section (3) or sub-section (4) of Section 1 or Section 3 thereof.

**2. Definitions.**—(1) In this Scheme unless the context otherwise requires,—

- (i) "Act" means the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952);
- (ii) "actual service" means the aggregate of periods of service rendered from the 16th November, 1995 or from the date of joining any establishment whichever is later to the date of exit from the employment of the establishment covered under the Act;
- (iii) "Commissioner" means a Commissioner for Employees' Provident Funds appointed under Section 5-D of the Act;
- (iv) "contributory service" means the period of actual service rendered by a member for which the contributions to the fund have been received [or are receivable]<sup>2</sup>;
- (v) "eligible member" means an employee who is eligible to join the Employees' Pension Scheme;
- (vi) "Existing Member" means an existing employee who is a member of the Employees' Family Pension Scheme, 1971;
- (vii) "Family" means—
  - (i) wife in the case of male member of the Employees' Pension Fund;
  - (ii) husband in the case of a female member of the Employees' Pension Fund; and
  - (iii) sons and [\* \* \*]<sup>3</sup> daughters of a member of the Employees' Pension Fund;

1. *Vide* G.S.R. 748(E), dt. 16-11-1995, published in the Gaz. of India, Extra., Pt. II, S. 3(i), dt. 16-11-1995.

2. *Ins.* by G.S.R. 134, dt. 28-2-1996 (w.e.f. 16-3-1996).

3. The word "unmarried" omitted by G.S.R. 134, dt. 28-2-1996 (w.e.f. 16-3-1996).



*Explanation.*—The expression ‘sons’ and ‘daughters’ shall include children [legally adopted by the member]<sup>4</sup>.

(viii) “Pension” means the pension payable under the Employees’ Pension Scheme and also includes the family pension admissible and payable under the Employees’ Family Pension Scheme, 1971 immediately preceding the commencement of the Employees’ Pension Scheme, 1995 with effect from the 16th November, 1995;

(ix) “Member” means an employee who becomes a member of the Employees’ Pension Fund in accordance with the provisions of this Scheme;

<sup>5</sup>[*Explanation.*—An employee shall cease to be the member of Pension Fund from the date of attaining 58 years of age or from the date of vesting admissible benefits under the Scheme, whichever is earlier.]

(x) “Non-Contributory Service” is the period of “actual service” rendered by a member for which no contribution to the “Employees’ Pension Fund” has been received [or are receivable]<sup>6</sup>;

(xi) “orphan” means a person, none of whose parents is alive [\* \* \*]<sup>7</sup>;

(xii) “past service” means the period of service rendered by an existing member from the date of joining Employees’ Family Pension Fund till the 15th November, 1995;

(xiii) “Pay” means basic wages, with dearness allowance, retaining allowance and cash value of food concessions admissible, if any;

(xiv) “Pension Fund” means the Employees’ Pension Fund set up under sub-section (2) of Section 6-A of the Act;

(xv) “pensionable service” means the service rendered by the member for which contributions have been received [or are receivable]<sup>8</sup>;

<sup>9</sup>[(xvi) “permanent total disablement” means such disablement of permanent nature as incapacitates an employee for all work which he/she was capable of performing at the time of disablement, regardless whether such disablement is sustained in the course of employment or otherwise;]

(xvii) “Table” means Table appended to this Scheme;

(xviii) The words and expressions defined in the Act but not defined in this Scheme shall have the same meaning as assigned to them in the Act.

**3. Employees’ Pension Fund.**—(1) From and out of the contributions payable by the employer in each month under Section 6 of the Act or under the rules of the Provident Fund of the establishment which is exempted either under clauses (a) and (b) of sub-section (1) of Section 17 of the Act or whose employees are exempted under either Paragraph 27 or Paragraph 27-A of the Employees’ Provident Funds

4. Subs. for the words “adapted by the member legally before death in service” by G.S.R. 134, dt. 28-2-1996 (w.e.f. 16-3-1996).

5. Ins. by G.S.R. 66, dt. 22-2-1999 (w.e.f. 6-3-1999).

6. Ins. by G.S.R. 134, dt. 28-2-1996 (w.e.f. 16-3-1996).

7. The words “and is in receipt of monthly Widow/Widower Pension” omitted by *ibid*.

8. Ins. by G.S.R. 134, dt. 28-2-1996 (w.e.f. 16-3-1996).

9. Subs. by G.S.R. 134, dt. 28-2-1996 (w.e.f. 16-3-1996).

Scheme, 1952, a part of contribution representing 8.33 per cent of the employees' pay shall be remitted by the employer to the Employees' Pension Fund within 15 days of the close of every month by a separate bank draft or cheque on account of the Employees' Pension Fund contribution in such manner as may be specified in this behalf by the Commissioner. The cost of the remittance, if any, shall be borne by the employer.

(2) The Central Government shall also contribute at the rate of 1.16 per cent of the pay of the members of the Employees' Pension Scheme and credit the contribution to the Employees' Pension Fund:

Provided that where the pay of the member exceeds <sup>10</sup>[fifteen thousand rupees] per month the contribution payable by the employer and the Central Government be limited to the amount payable on his pay of <sup>11</sup>[fifteen thousand rupees] only.

(3) Each contribution payable under sub-paragraphs (1) and (2) shall be calculated to the nearest rupee, fifty paise or more to be counted as the next higher rupee and fraction of a rupee less than fifty paise to be ignored.

(4) The net assets of the Family Pension Scheme, 1971 shall vest in and stand transferred to the Employees' Pension Fund.

**CASE LAW ► Contribution of government.**—Government contribution to pension fund is not merely notional. *Otis Elevator Employees' Union S. Reg. v. Union of India*, (2003) 12 SCC 68 : 2004 SCC (L&S) 988.

**4. Payment of contribution.**—(1) The employer shall pay the contribution payable to the Employees' Pension Fund in respect of <sup>12</sup>[each member] of the Employees' Pension Fund employed by him directly or by or through a contractor.

(2) It shall be the responsibility of the principal employer to pay the contributions payable to the Employees' Pension Fund by himself in respect of the employees directly employed by him and also in respect of the employees employed by or through a contractor:

<sup>13</sup>[Provided that the Central Government shall pay the contribution payable to the Employees' Pension Fund in respect of an employee who is a person with disability under the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 (1 of 1996) and under the National Trust for Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities Act, 1999 (44 of 1999) respectively, up to a maximum period of three years from the date of commencement of membership of the Fund.]

<sup>14</sup>**[5. Recovery of damages for default in payment of any contributions.**—(1) Where a employer makes default in the payment of any contribution to the Employees' Pension Fund, or in the payment of any charges payable under any other provisions of the Act or the Scheme, the Central Provident Fund

10. *Subs.* for "Rupees six thousand and five hundred" by G.S.R. 609(E), dt. 22-8-2014 (w.e.f. 1-9-2014).

11. *Subs.* for "Rupees six thousand and five hundred" by G.S.R. 609(E), dt. 22-8-2014 (w.e.f. 1-9-2014).

12. *Subs.* for the words "the member" by G.S.R. 134, dt. 28-2-1996 (w.e.f. 16-3-1996).

13. *Ins.* by G.S.R. 252(E), dt. 31-3-2008 (w.e.f. 1-4-2008).

14. *Subs.* by G.S.R. 688(E), dt. 26-9-2008 (w.e.f. 26-9-2008).



Commissioner or such officer as may be authorised by the Central Government by notification in the Official Gazette in this behalf, may recover from the employer by way of penalty, damages at the rates given in the table below:—

TABLE

Sl. No.	Period of default	Rates of damages (percentage of arrears per annum)
(1)	(2)	(3)
(a)	Less than 2 months	Five
(b)	Two months and above but less than four months	Ten
(c)	Four months and above but less than six months	Fifteen
(d)	Six months and above	Twenty-five]

(2) The damages shall be calculated to the nearest rupee, 50 paise or more to be counted as the nearest higher rupee and fraction of a rupee less than 50 paise to be ignored.

<sup>15</sup>[6. **Membership of the Employees' Pension Scheme.**—Subject to sub-paragraph (3) of Paragraph 1, the Scheme shall apply to every employee,—

- (a) who on or after the 16th November, 1995, becomes a member of the Employees' Provident Fund Scheme, 1952 or of the Provident Funds of the Factories and other establishments exempted by the appropriate Government under Section 17 of the Act, or in whose case exemption has been granted under Paragraph 27 or 27-A of the Employees' Provident Fund Scheme, 1952 <sup>16</sup>[and whose pay on such date is less than or equal to fifteen thousand rupees], from the date of such membership;
- (b) who has been a member of the ceased Employees' Family Pension Scheme, 1971 before the commencement of this Scheme from 16th November, 1995;
- (c) who ceased to be a member of the Employees' Family Pension Scheme, 1971 between 1st April, 1993 and 15th November, 1995 and opts to exercise his option under Paragraph 7;
- (d) who has been a member of the Employees' Provident Funds or of Provident Funds of Factories and other establishments exempted by the appropriate Government under Section 17 of the Act or in whose case exemption has been granted under Paragraph 27 or 27-A of the Employees' Provident Fund Scheme, 1952, on 15th November, 1995 but not being a member of the ceased Employees' Family Pension Scheme, 1971 opts to exercise his option under Paragraph 7.]

15. Subs. by G.S.R. 134, dt. 28-2-1996 (w.e.f. 16-3-1996).

16. Ins. by G.S.R. 609(E), dt. 22-8-2014 (w.e.f. 1-9-2014).



**CASE LAW ▶ New scheme.**—Every employee who was member of ceased Employees' Family Pension Scheme before commencement of Act from 16-1-1995 shall be a member of new scheme. *Zubeda Begum v. Union of India*, (2004) 103 FLR 1118 (Bom).

<sup>17</sup>[**6-A. Retention of membership.**—A member of the Employees' Pension Fund shall continue to be such member till he attains the age of 58 years or he avails the withdrawal benefit to which he is entitled under Para 14 of the Scheme, or dies, or the pension is vested in him in terms of Para 12 of the Scheme, whichever is earlier.]

<sup>18</sup>[**7. Option for joining the Scheme.**—(1) Members referred to under sub-para (c) of Paragraph 6 who have died between 1st April, 1993 and 15th November, 1995 shall be deemed to have exercised the option of joining the Scheme on the date of his death.

(2) Members referred to in sub-paragraph (c) of Paragraph 6 who are alive shall have the option to join the Scheme as per the provisions of Paragraph 17 from the date of exit from the employment.

(3) Members referred to in sub-paragraph (d) of Paragraph 6 shall have the option to join the Scheme as per the provisions of Paragraph 17 from 16th November, 1995.]

**8. Resolution of doubts.**—If any doubt arises whether an employee is entitled to become a member of the Employees' Pension Fund, the same shall be referred to the Regional Provident Fund Commissioner who shall decide the same:

Provided that both the employer and the employee shall be heard before passing final order in the matter.

**9. Determination of Eligible Service.**—The eligible service shall be determined as follows:—

- (a) In the case of "New entrant" the "<sup>19</sup>[contributory service]" shall be treated as eligible service. The total actual service shall be rounded off to the nearest year. The fraction of service for six months or more shall be treated as one year and the service less than six months shall be ignored.

*Explanation.*—In the case of employees employed seasonally in any establishment the period of "actual service" in any year, notwithstanding that such service is less than a year shall be treated as a full year.

- (b) In the case of the "existing member" the aggregate of actual service and the "past service" shall be treated as eligible service:

Provided that if there is any period in the "past service" for which the contributions towards the Family Pension Scheme, 1971 has not been received, the said period shall count as eligible service only if the contributions thereof have been received in the Employees' Pension Fund.

17. *Ins.* by G.S.R. 66, dt. 22-2-1999 (w.e.f. 6-3-1999).

18. *Subs.* by G.S.R. 134, dt. 28-2-1996 (w.e.f. 16-3-1996).

19. *Subs.* for "actual service" by G.S.R. 226(E), dt. 26-3-2015 (w.e.f. 26-3-2015).

<sup>20</sup>[*Explanation*.—For the purpose of this sub-paragraph, the aggregate of <sup>21</sup>[contributory service] and past service for less than six months shall be ignored and six months and above shall be rounded off to a year.]

**10. Determination of Pensionable Service.**—(1) The pensionable service of the member shall be determined with reference to the contributions received [or receivable]<sup>22</sup> on his behalf in the Employees' Pension Fund.

(2) In the case of the member who superannuates on attaining the age of 58 years <sup>23</sup>[and] who has rendered 20 years pensionable service or more, his pensionable service shall be increased by adding a weightage of 2 years.

**11. Determination of Pensionable Salary.**—<sup>24</sup>[(1) The pensionable salary shall be the average monthly pay drawn in any manner including on peace rate basis during contributory period of service in the span of sixty months preceding the date of exit from the membership of the Pension Fund and the pensionable salary shall be determined on pro-rata basis for the pensionable service up to the 1st day of September, 2014, subject to a maximum of six thousand and five hundred rupees per month and for the period thereafter at the maximum of fifteen thousand rupees per month:

Provided that if a member was not in receipt of full pay during the period of sixty months preceding the day he ceased to be the member of the Pension Fund, the average of previous sixty months full pay drawn by him during the period for which contribution to the pension fund was recovered, shall be taken into account as pensionable salary for calculating pension.]

(2) If during the said span of <sup>25</sup>[sixty months] there are non-contributory periods of service including cases where the member has drawn salary for a part of the month, the total wages during the <sup>26</sup>[sixty months] span shall be divided by the actual number of days for which salary has been drawn and the amount so derived shall be multiplied by 30 to work out the average monthly pay.

(3) The maximum pensionable salary shall be limited to <sup>27</sup>[fifteen thousand rupees] per month:

<sup>28</sup>[\* \* \*]

<sup>29</sup>[(4) The existing members as on the 1st day of September, 2014, who at the option of the employer and employee, had been contributing on salary exceeding six thousand and live hundred rupees per month, may on a fresh option to be exercised jointly by the employer and employee continue to contribute on salary

20. Subs. by G.S.R. 594(E), dt. 21-8-2009 (w.e.f. 21-8-2009).

21. Subs. for "actual service" by G.S.R. 226(E), dt. 26-3-2015 (w.e.f. 26-3-2015).

22. Ins. by G.S.R. 134, dt. 28-2-1996 (w.e.f. 16-3-1996).

23. Subs. for "and/or" by G.S.R. 546(E), dt. 23-7-2009 (w.e.f. 24-7-2009).

24. Subs. by G.S.R. 609(E), dt. 22-8-2014 (w.e.f. 1-9-2014).

25. Subs. for "12 months" by G.S.R. 609(E), dt. 22-8-2014 (w.e.f. 1-9-2014).

26. Subs. for "12 months" by G.S.R. 609(E), dt. 22-8-2014 (w.e.f. 1-9-2014).

27. Subs. for "Rupees six thousand and five hundred" by G.S.R. 609(E), dt. 22-8-2014 (w.e.f. 1-9-2014).

28. The Proviso omitted by G.S.R. 609(E), dt. 22-8-2014 (w.e.f. 1-9-2014).

29. Ins. by G.S.R. 609(E), dt. 22-8-2014 (w.e.f. 1-9-2014).



exceeding fifteen thousand rupees per month <sup>30</sup>[and the pensionable salary for the existing members who prefer such fresh option shall be based on the higher salary:

Provided that the aforesaid members have to contribute at the rate of 1.16 per cent on salary exceeding fifteen thousand rupees as an additional contribution from and out of the contributions payable by the employees for each month under the provisions of the Act or the rules made thereunder:

Provided further that the fresh option shall be exercised by the member within a period of six months from the 1st day of September, 2014:

Provided also that the period specified in the second proviso may, on sufficient cause being shown by the member, be extended by the Regional Provident Fund Commissioner for a further period not exceeding six months:

Provided also that if no option is exercised by the member within such period (including the extended period), it shall be deemed that the member has not opted for contribution over wage ceiling and the contributions to the Pension Fund made over the wage ceiling in respect of the member shall be diverted to the Provident Fund account of the member along with interest as declared under the Employees' Provident Fund Scheme from time to time.]

<sup>31</sup>[**12. Monthly Member's Pension.**—(1) A member shall be entitled to:—

- (a) superannuation pension if he has rendered eligible service of 10 years or more and retires on attaining the age of 58 years;
- (b) early pension, if he has rendered eligible service of 10 years or more and retires or otherwise ceases to be in the employment before attaining the age of 58 years.

(2) In the case of a new entrant, the amount of monthly superannuation pension or early pension, as the case may be, shall be computed in accordance with the following factors, namely:—

$$\text{Monthly member's pension} = \frac{\text{Pensionable salary} \times \text{Pensionable service}}{70};$$

<sup>32</sup>[Provided that the members' monthly pension shall be determined on a pro-rata basis for the pensionable service up to the 1st day of September, 2014 at the maximum pensionable salary of six thousand and five hundred rupees per month and for the period thereafter at the maximum pensionable salary of fifteen thousand rupees per month.]

(3) In the case of an existing member in respect of whom the date of commencement of pension is after the 16th November, 2005,—

- (i) superannuation or early pension shall be equal to the aggregate of:—

30. *Ins.* by G.S.R. 657(E), dt. 1-7-2016 (w.e.f. 1-7-2016).

31. *Subs.* by G.S.R. 431(E), dt. 15-6-2007 (w.r.e.f. 16-11-1995).

32. *Ins.* by G.S.R. 609(E), dt. 22-8-2014 (w.e.f. 1-9-2014).



- (a) pension as determined under sub-paragraph (2) for the period of pensionable service rendered from the 16th November, 1995 or Rs 635 per month whichever is more;
- (b) past service pension shall be as given below:—  
The past service pension payable on completion of 58 years of age on the 16th November, 1995.

Sl. No.	Years of past service	Salary up to Rs 2500 per month	Salary more than Rs 2500 per month
	(1)	(2)	(3)
(i)	Up to 11 years	80	85
(ii)	More than 11 years but up to 15 years	95	105
(iii)	More than 15 years but less than 20 years	120	135
(iv)	Beyond 20 years	150	170

The amount under column (2) or column (3) above, as the case may be, shall be multiplied by the factor given in Table 'B' corresponding to the period between the 16th November, 1995 and the date of exit to arrive at past service pension payable.

(ii) The aggregate of (a) and (b) calculated as above shall be subject to a minimum of Rs 800 per month, provided the eligible service is 24 years. Provided further, if it is less than 24 years, the pension as computed above shall be reduced proportionately subject to a minimum of Rs 450 per month.

(4) In the case of an existing member and in respect of whom the date of commencement of pension is between the 16th November, 2000 and the 16th November, 2005,—

(i) superannuation or early pension shall be equal to the aggregate of:—

(a) pension as determined under sub-paragraph (2) for the period of service rendered from the 16th November, 1995 or Rs 438 per month whichever is more;

(b) past service pension as provided in sub-paragraph (3).

(ii) The aggregate of (a) and (b) calculated as above shall be subject to a minimum of Rs 600 per month, provided the eligible service is 24 years. Provided further, if it is less than 24 years the pension shall be proportionately less subject to the minimum of Rs 325 per month.

(5) In the case of an existing member and in respect of whom the date of commencement of pension is before the 16th November, 2000,—

(i) the superannuation or early pension shall be equal to the aggregate of:—

(a) pension as determined under sub-paragraph (2) for the period of service rendered from the 16th November, 1995 or Rs 335 per month whichever is more.

(b) past service pension as provided in sub-paragraph (3).

(ii) The aggregate of (a) and (b) calculated as above shall be subject to the minimum of Rs 500 per month, provided the eligible service is 24 years. Provided further, if it is less than 24 years the pension shall be proportionately lesser but subject to the minimum of Rs 265 per month.

(6) Except as otherwise expressly provided hereinafter, the monthly member's pension under sub-paragraphs (2) to (5) mentioned hereinabove, as the case may be, shall be payable from a date immediately following the date of completion of 58 years of age notwithstanding that the member has retired or ceased to be in the employment before that date.

(7) A member, if he so desires, may be allowed to draw an early pension from a date earlier than 58 years of age but not earlier than 50 years of age. In such cases, the amount of pension shall be reduced at the rate of <sup>33</sup>[four per cent], for every year the age falls short of 58 years.]

<sup>34</sup>[(7-A) The monthly member's pension including any relief payable to any existing or future member under this paragraph shall not be less than one thousand rupees <sup>35</sup>[\* \* \*]:]

<sup>36</sup>[Provided that, on and from the 1st day of September, 2014, the minimum pension of one thousand rupees payable under this sub-paragraph shall be subject to—

(i) deductions on account of benefits of commutation and return of capital taken by members under the extent provisions of this scheme prior to 26th September, 2008; and

(ii) deductions on account of early pension under sub-paragraph (7).]

<sup>37</sup>[(7-B) (a) A member who has attained the age of fifty-eight years and is otherwise eligible for pension under clause (a) of sub-paragraph (1) of this paragraph, if he so desires, may be allowed to defer the age of drawing pension later than fifty-eight years but not beyond sixty years of age.

(b) In such cases as is referred to in clause (a),—

(i) the amount of pension shall be increased at the rate of four per cent for every completed year after the age of fifty-eight years which shall be restricted to the wage ceiling given under the proviso to sub-paragraph (2) of Paragraph 3;

(ii) the member, at his or her option, may also be allowed to continue contributions under Paragraph 3 to the Employees' Pension Fund for

33. Subs. for "three per cent" by G.S.R. 688(E), dt. 26-9-2008 (w.e.f. 26-9-2008).

34. Ins. by G.S.R. 593(E), dt. 19-8-2014 (w.e.f. 1-9-2014).

35. The words "for the Financial Year 2014-15" omitted by G.S.R. 603(E), dt. 16-6-2016 (w.e.f. 1-4-2015).

36. Ins. by G.S.R. 603(E), dt. 16-6-2016 (w.e.f. 16-6-2016).

37. Ins. by G.S.R. 440(E), dt. 25-4-2016 (w.e.f. 25-4-2016).



the period for which the drawal of pension has been deferred, if the member is continuing in employment after the age of fifty-eight years, and the pensionable service and pensionable salary for the purpose of determination of pension under sub-paragraph (2) will be reckoned taking into account the period for which contributions were made after the age of fifty-eight years but not beyond the age of sixty years;

- (iii) in the event of death of the member, who has opted for deferring the age of drawing pension under this sub-paragraph, after attaining the age of fifty-eight years and before the commencement of the pension so deferred, the family of the member will be entitled to pension under clause (c) of sub-paragraph (1) of Paragraph 16 from the date following the date of death of the member as if the member monthly pension had commenced on the date of death of the member.]

(8) If a member ceases to be in the employment by way of retirement or otherwise earlier than the date of superannuation from which pension can be drawn, the member may, on his option, either be paid pension as admissible under this Scheme on attaining the age exceeding 50 years or he may be issued a scheme certificate by the Commissioner indicating the pensionable service, the pensionable salary and the amount of pension due on the date of exit from the employment. If he/she is subsequently employed in an establishment coverable under this Scheme, his/her earlier service as per the scheme certificate shall be reckoned for pension along with the fresh spell of pensionable service. The member postponing the commencement of payment of pension under this paragraph shall also be entitled to additional relief sanctioned under this Scheme from time to time:

<sup>38</sup>[Provided that if the member does not take up an employment coverable under this Scheme and has rendered less than ten years eligible service on the date of exit, but dies before attaining the age of fifty-eight years and before a continuous period of thirty-six months has elapsed during which contributions have not been received in respect of the member in the Pension Fund, the amount of contributions received in his case shall be converted into a monthly widow pension or children pension and the widow pension in such cases shall be calculated at the scale laid down in Table 'C' and the children pension at 25 per cent thereof for each child (up to two):

Provided further that if there is no widow, then the orphan pension shall be payable at the rate of 75 per cent of the amount which would have been payable as a widow pension subject to the provisions of the Paragraph 16:

Provided also that if the member does not take up an employment coverable under this Scheme and has rendered less than ten years eligible service on the date of exit, but dies before attaining the age of fifty-eight years after a continuous period of thirty-six months has elapsed during which contributions have not been received in respect of the member in the Pension Fund, the family shall be entitled to benefits under Paragraph 14.]

38. Subs. by G.S.R. 533(E), dt. 19-5-2016 (w.e.f. 19-5-2016).



**12-A. Option for Commutation.**—<sup>39</sup>[\* \* \*]

<sup>40</sup>[**12-B. Restoration to normal pension in cases of grant of commutation.**—The normal pension in respect of those members who availed the benefit of commutation of pension under the erstwhile Paragraph 12-A of this Scheme, on or before the 25th day of September, 2008, shall be restored after completion of fifteen years from the date of such commutation.]

**13. Options for return of capital.**—<sup>41</sup>[\* \* \*]

39. Paragraph 12-A omitted by G.S.R. 688(E), dt. 26-9-2008 (w.e.f. 26-9-2008). Prior to omission it read as:

“12-A. *Option for Commutation.*—A member eligible to pension may, in lieu of pension normally admissible under Paragraph 12, opt on completion of three years from the commencement of this Scheme, to commute up to a maximum of one-third of his pension so as to receive hundred times the monthly pension so commuted as commuted value of pension. Balance pension will be paid on monthly basis as per option exercised under Paragraph 13.

*Explanation.*—If for example, the normal pension under Paragraph 12 is Rs 600, and the pensioner opts to commute one-third of this monthly pension, the commuted value will be equal to  $1/3 \times 600 \times 100 = \text{Rs } 20,000$  and the same shall be paid at the time of exercise of option for commutation. The balance of pension payable on monthly basis is Rs 400.00.”

40. Ins. by G.S.R. 132(E), dt. 20-2-2020 (w.e.f. 20-2-2020).

41. Paragraph 13 omitted by G.S.R. 688(E), dt. 26-9-2008 (w.e.f. 26-9-2008). Prior to omission it read as: “13. *Options for return of capital.*—(1) A member eligible to pension may, in lieu of pension normally admissible under Paragraph 12 subject to commutation of pension, if any, under Paragraph 12-A, opt to draw for reduced pension and avail of return of capital under any one of the three alternatives given below:—

Sl. No.	Alternatives	Revised pension payable	Amount payable as return of capital
1.	Revised pension during lifetime of member with return of capital on his death.	90% of original monthly pension.	100 times the original monthly pension on death of member to the nominee.
2.	Revised pension during the lifetime of member, further reduced pension during lifetime of the widow or her remarriage whichever is earlier and return of capital on widow's death/remarriage.	90% of original monthly pension to the member. On his death 80% of the original monthly pension to the widow.	90 times the original monthly pension on death of widow/remarriage to the nominee.
3.	Pension for a fixed period of 20 years notwithstanding whether the member lives for that period or not.	87.5% of the original monthly pension for a fixed period of 20 years. The pension will cease thereafter.	100 times the original monthly pension at the end of 20 years from the date of commencement of pension to the member if he is alive, otherwise to his nominee.

*Explanation 1.*—In alternative 2, if the spouse dies or remarries before the death of member, capital equal to 90 times the original monthly pension shall be paid to the nominee on the member's death.

*Explanation 2.*—In alternative 3, if the member dies before the end of 20-year period, the pension shall be paid to his nominee for the balance period.

*Explanation 3.*—In the case of a member who is eligible for permanent total disablement pension, and where the payment of such pension is to commence before his attaining the age of 50 years, the options shall also be admissible but in such cases the actual pension payable shall be reduced by 1% and the return of capital shall be further reduced by Rs 1000 for every year by which the age at the commencement of pension falls short of 50 years.

*Explanation 4.*—In cases of exercise of option for commutation under Paragraph 12-A, balance monthly pension payable after commutation shall be deemed to be the original monthly pension for the purpose of this paragraph.

<sup>42</sup>[**14. Benefits on leaving service before being eligible for monthly member's pension.**—If a member has not rendered the eligible service specified in sub-paragraph (1) of Paragraph 12 on the date of exit, or on attaining the 58 years of age, whichever is earlier, such member shall be entitled to a withdrawal benefit as laid down in Table 'D' or may opt to receive the Scheme certificate provided on the date he has not attained 58 years of age:

Provided that for calculating such withdrawal benefit, the wages at exit shall be the weighted average of his wages at the end of every wage ceiling period:

Provided further that an existing member shall receive additional return of contributions for his past service under the Employees' Family Pension Scheme, 1971, computed as withdrawal-cum-retirement benefits as per Table 'A' multiplied by the factor given in Table 'B'.]

**CASE LAW ► Retirement.**—Word "retirement" occurring in Para 14 of Pension Scheme, 1995 should receive liberal interpretation (to include voluntary retirement) not only because provision for payment of pension is beneficial provision which ought to be interpreted liberally to favour grant rather than refusal of benefit but also because VRS was intended to reduce surplus manpower by encouraging employees to opt for retirement by offering them benefits like ex gratia payment and pension not otherwise admissible to employees in ordinary course. Thus, expression "retirement" occurring in Para 14 of the Pension Scheme, 1995 should not only apply to cases falling under Para 30 of the said scheme but also to Special Voluntary Retirement Scheme, 2004, *National Insurance Co. Ltd. v. Kirpal Singh*, (2014) 5 SCC 189 : (2014) 2 SCC (L&S) 161.

**15. Benefits on permanent and total disablement during the service.**—(1) A member, who is permanently and totally disabled during the employment shall be entitled to pension as admissible under <sup>43</sup>[Paragraph 12] subject to a minimum of Rs 250 per month notwithstanding the fact that he/she has not rendered the pensionable service entitling him/her to pension under Paragraph 12 provided that he/she has made at least one month's contribution to the Pension Fund.

(2) The monthly member's pension in such cases shall be payable from the date following the date of permanent total disablement and shall be tenable for the lifetime of the member.

(3) A member applying for benefits under this paragraph shall be required to undergo such medical examination as may be prescribed by the Central Board to determine whether or not he or she is permanently and totally unfit for the employment which he or she was doing at the time of such disablement.

(2) The option under sub-paragraph (1) shall be exercised by the member at the time of submission of the application form for pension in accordance with the provisions of this Scheme. The option once exercised shall be final. If no option is exercised, the member shall be deemed not to have exercised any option under this paragraph and his/her pension shall be determined under the provisions of Paragraph 12.

(3) Notwithstanding that the capital is returned under this paragraph the widow/children shall continue to be eligible for normal widow pension/children pension/orphan pension under Paragraph 16 of this Scheme from the date immediately following the date of death of the member."

42. Subs. by G.S.R. 609(E), dt. 22-8-2014 (w.e.f. 1-9-2014).

43. Subs. for "sub-paragraphs (2) to (5) of Paragraph 12, as the case may be," by G.S.R. 593(E), dt. 19-8-2014 (w.e.f. 1-9-2014).



**16. Benefits to the family on the death of a member.**—(1) [Pension to the Family]<sup>44</sup> shall be admissible from the date following the date of death of the member if the member dies—

- (a) while in service, provided that at least one month's contribution has been paid into the Employees' Pension Fund; or
- (b) after the date of exit but before attaining the age of 58, from the employment having rendered service entitling him/her to monthly member's pension but [before the commencement of pension payment; or]<sup>45</sup>
- (c) after commencement of payment of the monthly member's pension.

**Note.**—The cases where a member has rendered less than 10 years' eligible service on the date of exit but has retained the membership of the Pension Fund, and dies before attaining the age of 58 years, shall be regulated under sub-paragraph (8) of Paragraph 12.

(2) (a) The monthly widow pension shall be—

- (i) in the cases covered by clause (a) of sub-paragraph (1) equal to the monthly member's pension which, would have been admissible as if the member had retired on the date of death or Rs 450 or the amount indicated in Table C whichever is more;
- (ii) in the cases covered by clause (b) of sub-paragraph (1) equal to the monthly member's pension which would have been admissible as if the member had retired on the date of exit or Rs [450]<sup>46</sup> per month or the amount indicated in Table C whichever is more;
- (iii) in the cases covered by clause (c) of sub-paragraph (1), equal to 50 per cent of the monthly member's pension payable to the member on the date of his death subject to a minimum of Rs [450]<sup>47</sup> per month;
- <sup>48</sup>[(iv) in all the cases, where the amount of family pension sanctioned under the Ceased Family Pension Scheme, 1971 and is paid/payable under this Scheme is less than Rs 450 per month, the amount of family pension in such cases shall be enhanced to Rs 450 per month.]
- <sup>49</sup>[(v) in all the cases, where the monthly widow pension including relief, if any, is less than one thousand rupees per month, the amount of monthly widow pension in such cases shall be enhanced to one thousand rupees per month <sup>50</sup>[\* \* \*].]

(b) The monthly widow pension shall be payable up to the date of death of the widow or remarriage whichever is earlier.

44. Subs. for "The Family Pension" by G.S.R. 134, dt. 28-2-1996 (w.e.f. 16-3-1996).

45. Subs. for "before the pension has vested; or" by G.S.R. 134, dt. 28-2-1996 (w.e.f. 16-3-1996).

46. Subs. for "250" by G.S.R. 41, dt. 12-1-2000 (w.e.f. 29-1-2000).

47. Subs. for "250" by G.S.R. 41, dt. 12-1-2000 (w.e.f. 29-1-2000).

48. Ins. by G.S.R. 41, dt. 12-1-2000 (w.e.f. 29-1-2000).

49. Ins. by G.S.R. 593(E), dt. 19-8-2014 (w.e.f. 1-9-2014).

50. The words "for the Financial Year 2014-2015" omitted by G.S.R. 603(E), dt. 16-6-2016 (w.e.f. 1-4-2015).



**Note.**—In cases where there are 2 or more widows, family pension shall be payable to the eldest surviving widow. On her death it shall be payable to the next surviving widow, if any. The term 'eldest' would mean seniority with reference to the date of marriage.

(3) Monthly children pension:

- (a) If there are any surviving children of the deceased member, falling within the definition of family, they shall be entitled to a monthly children pension in addition to the monthly widow/widower pension.
- <sup>51</sup>[(b) Monthly children pension for each child shall be equal to 25 per cent of the amount admissible to the widow of the deceased member as monthly widow pension payable under clause (a) of sub-paragraph (2):  
Provided that the minimum monthly children pension including relief, if any, for each child of the deceased member shall not be less than two hundred and fifty rupees per month <sup>52</sup>[\* \* \*].]
- <sup>53</sup>[(c) Monthly children pension shall be payable until the child attains the age of 25 years.]
- (d) The monthly children pension shall be admissible to maximum of two children at a time and will run from the oldest to the youngest child in that order.
- <sup>54</sup>[(e) If a member dies leaving behind a family having son or daughter who is permanently and totally disabled, such son or daughter shall be entitled to payment of monthly children pension or orphan pension, as the case may be, irrespective of age and number of children in the family in addition to the pension provided under clause (d).]

(4) <sup>55</sup>[(a) If the deceased member is not survived by any widow, but is survived by children falling within the definition of family or if the widow pension is not payable, the children shall be entitled to a monthly orphan pension equal to 75 per cent of the amount of the monthly widow pension as payable under clause (a) of sub-paragraph (2):

Provided that the minimum monthly orphan pension including relief, if any, for each orphan shall not be less than seven hundred and fifty rupees per month <sup>56</sup>[\* \* \*].]

(b) In the event of death or remarriage of the widow/widower after sanctioning of widow/widower pension the children shall be entitled in lieu of the monthly children pension, to a monthly orphan pension from the date following the date of death/remarriage of the widow/widower.

51. Subs. by G.S.R. 593(E), dt. 19-8-2014 (w.e.f. 1-9-2014).

52. The words "for the Financial Year 2014-2015" omitted by G.S.R. 603(E), dt. 16-6-2016 (w.e.f. 1-4-2015).

53. Subs. by G.S.R. 134, dt. 28-2-1996 (w.e.f. 16-3-1996).

54. Ins. by G.S.R. 66, dt. 22-2-1999 (w.e.f. 6-3-1999).

55. Subs. by G.S.R. 593(E), dt. 19-8-2014 (w.e.f. 1-9-2014).

56. The words "for the Financial Year 2014-2015" omitted by G.S.R. 603(E), dt. 16-6-2016 (w.e.f. 1-4-2015).

<sup>57</sup>[(c) The monthly orphan pension shall be admissible to a maximum of two orphans at a time and shall run in order from the oldest to the youngest orphan.]

## CIRCULARS

## EMPLOYEES' PROVIDENT FUND ORGANISATION

Bhavishya Nidhi Bhavan, 14-Bhikaji Cama Place, New Delhi-110 066

No. FP. 3(40)/97/AP/Vol. II/34033, Dated 5 August, 2003

To,

All the Regional Provident Fund Commissioners/

Officer-in-Charge of Sub-Regional Offices/

Sub-Account Offices

**Sub: Admissibility of double orphan pension where both the parents were  
making contributions under EPS 1995**

Sir,

Paragraph 16(4)(a) of EPS 1995 provides that if the deceased member is not survived by any widow but is survived by children falling within the definition of family or if the widow pension is not payable, the children shall be entitled to a monthly orphan pension equal to 75 per cent of the amount of the monthly widow pension as payable under sub-paragraph 2(a)(i) provided that minimum orphan pension for each orphan shall not be less than Rs 250 per month.

However, there is no specific provisions in the EPS 1995 for grant of double orphan pension in cases where both the parents were independent members of the EPS 1995. Therefore, operational problems arose in the EPFO and references were received from Field Offices for necessary guidelines in such cases. Accordingly, the matter was referred to Government for guidance. The Government has examined the issue in consultation with Ministry of Finance and has conveyed their approval *vide* their letter NO. R/15011/7/1999-SS. II, dated 22 July, 2003 as under:

"The benefit under the scheme is a direct consequence of the contributions paid by the member of EPS 195, hence, if both parents were members and have contributed independently to the said scheme, the orphan will be eligible to two pensions separately. The normal ceiling as provided for in the EPS 1995 shall however, continue to apply".

You are, therefore, requested to regulate such cases accordingly.

Yours faithfully,

(Sd.)

(M. Vijaya Raj)

Regional Provident Fund Commissioner (Pension)

(5) (a) A member who is not married or who does not have any living spouse and/or an eligible child may nominate a person to receive benefits as laid down hereinafter provided that in the event of his/her acquiring a family subsequently, the nomination so made shall become void. In the event of death of the member such a nominee shall be entitled to receive a monthly pension equal to the monthly widow pension, as admissible under sub-clauses (i) and (ii) of clause (a) of sub-paragraph (2).

<sup>58</sup>[(aa) If a member dies leaving behind no spouse and/or an eligible child falling within the definition of family and no nomination by such deceased member exists, the widow pension shall be paid under sub-clauses (i) and (ii) of clause (a)

57. Ins. by G.S.R. 134, dt. 28-2-1996 (w.e.f. 16-3-1996).

58. Ins. by G.S.R. 66(E), dt. 22-2-1999 (w.e.f. 6-3-1999).



of sub-paragraph (2) either to dependant father or dependant mother, as the case may be. On grant of pension to such dependant father and in the event of death of the father-pensioner, the admissible pension shall be extended to the surviving mother lifelong.]

(b) If the deceased member had not rendered pensionable service on the date of exit from the employment which would have made him entitled to a monthly member's pension under Paragraph 12, but had opted to retain the membership of this Scheme under sub-paragraph (8) of Paragraph 12, the nominee <sup>59</sup>[or the dependant father or the dependant mother, as the case may be,] shall be entitled to <sup>60</sup>[a withdrawal benefit as provided in Paragraph 14].

<sup>61</sup>[**16-A. Guarantee of Pensionary Benefits.**—None of the pensionary benefits under this Scheme shall be denied to any member of beneficiary for want of compliance of the requirements by the employer under sub-paragraph (1) of Paragraph 3 provided, however, that the employer shall not be absolved of his liabilities under the Scheme.]

<sup>62</sup>[**17. Payments on Exercise of Option.**—(1) Beneficiaries of the deceased members of Employees' Family Pension Scheme, referred to in sub-para (1) of Paragraph 7, shall receive higher of the benefits available under the Employees' Family Pension Scheme, 1971 and under this Scheme.

(2) Members referred to in sub-paragraph (2) of Paragraph 7, shall have the option to join this Scheme by returning the amount of withdrawal benefit received, if any, together with interest at the rate of 8.5 per cent per annum from the date of payment of such withdrawal benefit and date of exercise of the option, to receive monthly pension as per the provisions of this Scheme.

(3) Members referred to in sub-paragraph (3) of Paragraph 7 shall be deemed to have joined the ceased Employees' Family Pension Scheme, 1971, with effect from 1-3-1971 on remittance of past period contribution with interest thereon.]

<sup>63</sup>[**17-A. Payment of Pension.**—The claims, complete in all respects submitted along with the requisite documents shall be settled and benefit amount paid to the beneficiaries within <sup>64</sup>[twenty days] from the date of its receipt by the Commissioner. If there is any deficiency in the claim, the same shall be recorded in writing and communicated to the applicant within <sup>65</sup>[twenty days] from the date of receipt of such application. In case the Commissioner fails without sufficient cause to settle a claim complete in all respects within <sup>66</sup>[twenty days], the Commissioner shall be liable for the delay beyond the said period and penal interest at the rate of

59. *Ins.* by G.S.R. 66(E), dt. 22-2-1999 (w.e.f. 6-3-1999).

60. *Subs.* for "return of capital as provided in sub-paragraph (1) of Paragraph 13" by G.S.R. 80(E), dt. 14-2-2013 (w.r.e.f. 26-9-2008).

61. *Ins.* by G.S.R. 134, dt. 28-2-1996 (w.e.f. 16-3-1996).

62. *Subs.* by G.S.R. 134, dt. 28-2-1996 (w.e.f. 16-3-1996).

63. *Ins.* by G.S.R. 376, dt. 27-10-1997 (w.e.f. 8-11-1997).

64. *Subs.* for "30 days" by G.S.R. 526(E), dt. 2-7-2015 (w.e.f. 2-7-2015).

65. *Subs.* for "30 days" by G.S.R. 526(E), dt. 2-7-2015 (w.e.f. 2-7-2015).

66. *Subs.* for "30 days" by G.S.R. 526(E), dt. 2-7-2015 (w.e.f. 2-7-2015).

12 per cent per annum may be charged on the benefit amount and the same may be deducted from the salary of the Commissioner.]

**18. Particulars to be supplied by the employees already employed at the time of commencement of the Employees' Pension Scheme.**—Every person who is entitled to become a member of the Employees' Pension Fund shall be asked forthwith by his employer to furnish and that person shall, on such demand, furnish to him for communication to the Commissioner particulars concerning himself and his family in the form prescribed by the Central Provident Fund Commissioner.

**19. Preparation of contribution cards.**—The employer shall prepare an Employees' Pension Fund Contribution Card, in respect of each employee who has become a member of the Employees' Pension Fund.

**20. Duties of employers.**—(1) Every employer shall send to the Commissioner within three months of the commencement of this Scheme, a consolidated return of the employees entitled to become members of the Employees' Pension Fund showing the basic wage, retaining allowance, if any, and dearness allowance including the cash value of any food concession paid to each of such employees:

Provided that if there is no employee who is entitled to become a member of the Employees' Pension Fund, the employer shall send a 'NIL' return.

(2) Every employer shall send to the Commissioner within fifteen days of the close of each month a return in respect of the employees leaving service of the employer during the preceding month:

Provided that if there is no employee leaving service of the employer during the preceding month the employer shall send a 'NIL' return.

(3) Every employer shall maintain such accounts in relation to the amounts contributed by him to the Employees' Pension Fund as the Central Board may, from time to time, direct and it shall be the duty of every employer to assist the Central Board in making such payments from the Employees' Pension Fund to his employees as are sanctioned by or under the authority of the Central Board.

(4) Notwithstanding anything contained in this paragraph, the Central Board may issue such directions to the employers generally, as it may consider necessary or expedient, for the purpose of implementing the Scheme, and it shall be the duty of every employer to carry out such directions.

<sup>67</sup>[(5) Every employer shall send to the Commissioner, an electronic format of the returns referred to in sub-paragraphs (1) and (2), in such form and manner as may be specified by the Commissioner.]

**21. Employer to furnish particulars of ownership.**—Every employer in relation to a factory or other establishment to which the Act applies or is applied hereafter shall furnish to the Commissioner particulars of all the branches and departments, owners, occupiers, directors, partners, managers or any other person or persons who have the ultimate control over the affairs of such factory or

67. *Ins.* by S.O. 1809(E), dt. 5-8-2011 (w.e.f. 5-8-2011).



establishment and also send intimation of any change in such particulars, within fifteen days of such change, to the Commissioner by registered post.

**22. Duties of contractors.**—Every contractor shall, within seven days of the close of every month, submit to the principal employer a statement showing the particulars in respect of employees employed by or through him in respect of whom contributions to the Employees' Pension Fund are payable and shall also furnish to him such information as the principal employer is required to furnish under the provisions of this Scheme to the Commissioner.

**23. Allotment of Account Numbers.**—(1) For purposes of this Scheme, where the member has already been allotted or is allotted hereafter an account number under the Employees' Pension Fund Scheme, 1952, he shall retain the same account number.

(2) In the case of employees of the establishments exempted from the Employees' Pension Fund Scheme, 1952, under Section 17 of the Act, who are members of the Employees' Family Pension Fund the account number already allotted shall be retained by them.

(3) In the case of employees of the establishments exempted from the Employees' Pension Fund Scheme, 1952, under Section 17 of the Act, who are not members of the Employees' Family Pension Fund but opt to become members of the Employees' Pension Fund and in case of new employees of such establishments, fresh account numbers shall be allotted by the Commissioner.

**24. Declaration by persons taking up employment after the fund has been established.**—The employer shall before taking any person into employment, ask him/her to state in writing whether or not he is a member of the Employees' Pension Fund and, if he/she is, also ask him/her to furnish a copy of the scheme certificate issued by the Commissioner to him/her in respect of the past employment in terms of Paragraph 12 as the case may be. If the person concerned was not in employment previously or had availed of return of contribution in respect of his/her previous employment, he/she shall, on demand by the employer, furnish to him, for communication to the Commissioner particulars concerning him/herself and his/her family in the form prescribed by the Central Provident Fund Commissioner:

<sup>68</sup>[Provided that if such person is a person with disability, the aforesaid Form shall further contain such particulars as are necessary for such person.]

**25. Employees' Pension Fund Account.**—The account called the "Employees' Pension Fund Account" shall be opened by the Commissioner in such manner as may be specified by the Central Board with the approval of Central Government.

**26. Investment of the Employees' Pension Fund.**—(1) All moneys accruing to Employees' Pension Fund Account except the contributions of the Central Government shall be invested in accordance with the provisions of Paragraph 52 of the Employees' Provident Funds Scheme, 1952.

68. *Ins. by G.S.R. 252(E), dt. 31-3-2008 (w.e.f. 1-4-2008).*

(2) Net assets of the Family Pension Fund as on November 16, 1995 shall merge in the Pension Fund and remain invested in the Public Account of the Government of India. The future Central Government's contribution accruing to the Pension Fund from 17th November, 1995 onwards shall also be invested in the Public Account of the Government of India.

**27. Disposal of the Fund.**—(1) Subject to the provisions of the Act and this Scheme, the Fund shall not, except with the prior sanction of the Central Government, be expended for any purpose other than the payments envisaged in this Scheme; for continued payment of Family Pension, life assurance benefit and retirement-cum-withdrawal benefits sanctioned under the Employees' Family Pension Scheme, 1971, prior to the date of introduction of this Scheme or which may be sanctioned under that Scheme after the 16th November, 1995 in respect of cases arising before that date.

<sup>69</sup>[(2) All administrative expenses shall be met from the 'Central Administration Account' as specified in Paragraph 49 of the Employees' Provident Funds Scheme, 1952. However, the cost of remittance of Pension shall be charged on the Pension Fund.]

**28. Administration Account.**—<sup>70</sup>[\* \* \*]

<sup>71</sup>[**29. Format and manner of maintenance of accounts.**—The Central Board shall maintain a consolidated income and expenditure account as well as a consolidated balance sheet in respect of the Pension Scheme, in the common format of annual accounts, approved by the Central Government.]

**30. Audit.**—The accounts of the Employees' Pension Fund including the administrative expenses incurred in running this Scheme shall be audited in accordance with the instructions issued by the Central Government in consultation with Comptroller and Auditor-General of India.

**31. Rounding up of the benefits.**—All items of benefits shall be calculated to the nearest rupee, 50 paise or more to be counted as the next higher rupee and fraction of a rupee less than 50 paise shall be ignored.

**32. Valuation of the Employees' Pension Fund and review of the rates of contributions and quantum of the pension and other benefits.**—<sup>72</sup>[(1) The Central Government shall have an annual valuation of the Employees' Pension Fund made by a valuer appointed by it:]

Provided that it shall be open to the Central Government to direct a valuation to be made at such other times as it may consider necessary.

69. Subs. by G.S.R. 3, dt. 29-12-2006 (w.e.f. 6-1-2007).

70. Omitted by G.S.R. 3, dt. 29-12-2006 (w.e.f. 6-1-2007). Prior to omission it read as:

'28. *Administration Account.*—A separate account shall be kept, called the "Employees' Pension Administration Account" for recording of all the administrative expenses of the Employees' Pension Fund.'

71. Subs. by G.S.R. 285(E), dt. 4-4-2019 (w.e.f. 4-4-2019). Prior to substitution it read as:

'29. *Forms of Accounts.*—The accounts of the Employees' Pension Fund, as also the Employees' Pension Administration Account shall be maintained by the Commissioner in such form and in such manner as may be specified by the Central Board with the approval of the Central Government.

72. Subs. by G.S.R. 134, dt. 28-2-1996 (w.e.f. 16-3-1996).



(2) At any time, when the Employees' Pension Fund so permits, the Central Government may alter the rate of contributions payable under this Scheme or the scale of any benefit admissible under this Scheme or the period for which such benefit may be given.

<sup>73</sup>[33. **Disbursement of pension and other benefits.**—(1) The Commissioner shall, with the approval of the Central Board, enter into arrangement for the disbursement of pension and other benefits under this Scheme with disbursing agencies like post office or nationalised banks or Treasuries or scheduled commercial banks including regional rural banks or co-operative banks through electronic or digital funds transfer system.

(2) The Commission payable to the disbursing agencies and other charges incidental thereto shall be met as provided in Paragraph 27 of the Scheme.]

**34. Registers, records, etc.**—The Commissioner shall, with the approval of the Central Board, prescribe the registers and records to be maintained in respect of the employees, the form or design of any identity card, token or disc for the purpose of identifying any employee or his nominee or a member of a family entitled to receive the pension and such other forms/formalities as have to be completed in connection with the grant of pension and other benefits or for the continuance thereof subject to such periodical verification as may be considered necessary.

**35. Power to issue directions.**—The Central Government may issue such directions as may be deemed just and proper by it for resolving any difficulty in the disbursement of pension and other benefits or for resolving any difficulty in implementation of this Scheme.

**36. Regional Committee.**—The Regional Committee set up under Paragraph 4 of the Employees' Provident Funds Scheme, 1952, shall advise the Central Board, on such matters, in relation to the administration of this Scheme as the Central Board may refer to it from time to time and in particular, on—

- (a) progress of recovery of contributions under this Scheme both from factories and establishments exempted under Section 17 of the Act and other factories and establishments covered under the Act,
- (b) expeditious disposal of prosecutions,
- (c) speedy settlement of claims relating to pension and other benefits under this Scheme.

**37. Annual Report.**—The Central Board shall cause to be included in the Annual Report on the working of the Scheme prepared under Paragraph 74 of the Employees' Provident Funds Scheme, 1952, a report on the working of this Scheme during the previous financial year.

**38. Application of the provisions of the Employees' Provident Funds Scheme, 1952.**—In regard to matters for which either there is no provision or there is inadequate provision in this Scheme the corresponding provisions in the Employees' Provident Funds Scheme, 1952, shall apply.

73. Subs. by G.S.R. 437(E), dt. 4-5-2017 (w.e.f. 4-5-2017).

<sup>74</sup>[**39. Exemption from the operation of the Pension Scheme.**—The appropriate Government may grant exemption to any establishment or class of establishments from the operation of this Scheme, if the employees of the establishments are either members of any other Pension Scheme or propose to be members of a Pension Scheme wherein the pensionary benefits are at par or more favourable than the benefits provided under this Scheme. Where exemption is granted to any establishment or class of establishments under this paragraph, withdrawal benefits available to the credit of the employees of such establishment(s) under the ceased Family Pension Scheme, 1971 shall be paid, subject to the consent of the employees, to the Pension Fund of the establishment(s) so exempted. An application for exemption under this paragraph shall be presented to the Regional Provident Fund Commissioner having jurisdiction by the establishment or class of establishments together with a copy of the Pension Scheme of the establishment(s) and other relevant documents as may be called for by him. On receipt of such an application, the Regional Provident Fund Commissioner shall scrutinise it, obtain the recommendations of the Central Provident Fund Commissioner and submit the same to the appropriate Government for decision. Pending disposal of application for exemption under this paragraph, employers' share of the contribution shall not be remitted to the Pension Fund as envisaged in sub-paragraph (1) of Paragraph 3. An application for exemption presented under this paragraph shall be disposed of within a period of six months from the date of its receipt or such further time as may be extended for reasons to be recorded in writing. If the application for exemption is not disposed of within the period so specified, the exemption applied for shall be deemed to have been granted.]

*Explanation.*—For the purpose of this paragraph, the period of six months will count from the date on which the application for exemption is given in complete form to the satisfaction of the Regional Provident Fund Commissioner.]

<sup>75</sup>[**39-A. Submission of Return.**—The employer of the exempted establishment or class of establishments and/or the Board of Trustees of the exempted establishment or class of establishments shall submit a monthly return to the Commissioner in Form 1 <sup>76</sup>[and such return shall also be submitted in electronic format in such form and manner as may be specified by the Commissioner].]

<sup>77</sup>[**39-B. Transfer Value.**—In case exemption is granted to any establishment or in the case of a member being transferred from pension fund of one exempted establishment to another pension fund of exempted establishment or statutory pension fund or vice versa, a transfer value payment will be made which will consist of the following:

---

74. Subs. by G.S.R. 134, dt. 28-2-1996 (w.e.f. 16-3-1996).

75. Ins. by G.S.R. 747(E), dt. 27-9-2001 (w.e.f. 28-9-2001).

76. Ins. by S.O. 1809(E), dt. 5-8-2011 (w.e.f. 5-8-2011).

77. Ins. by G.S.R. 430(E), dt. 19-5-2003 (w.e.f. 23-5-2003).



- (a) Withdrawal benefit relating to past service period up to 15-11-1995 as per Table A multiplied by Table B factor for the period between 16-11-1995 to the date of exemption/transfer,
- (b) Transfer value for pensionable service as per Table E for the service rendered from 16-11-1995 or from the date of joining the establishment to the date of exemption/transfer as the case may be, and
- (c) In the event of cancellation of exemption granted under Para 39, transfer of fund will be made as per the conditions mentioned in the exemption notification.]

**40. Information to the Central Government.**—The Central Board shall furnish such information to the Central Government from time to time in respect of the income and expenditure from the Employees' Pension Fund Account in such manner as may be directed by the Central Government.

**41. Interpretation.**—Where any doubt arises with regard to the interpretation of the provisions of this Scheme, it shall be referred to the Central Government who shall decide the same.

**42. Punishment for failure to submit return, etc.**—If any person,

- (a) deducts or attempts to deduct from the wages or other remuneration of the member, the whole or any part of the employers' contribution, or
- (b) fails or refuses to submit any return, statement or other documents required by this Scheme or submits a false return, statement or other documents, or makes a false declaration, or
- (c) obstructs any Inspector or other official appointed under the Act or this Scheme in the discharge of his duties or fails to produce any record for inspection by such Inspector or other officials, or
- (d) is guilty of contravention of or non-compliance with any other requirement of this Scheme,

he shall be punishable with imprisonment which may extend to one year or with fine which may extend to five thousand rupees or with both.

**43. Payment of pension in the case of a person charged with the offence of murder.**—(1) If a person, who in the event of the death of a member of the Pension Fund is eligible to receive pension of the deceased under Paragraph 12 or Paragraph 16, is charged with the offence of murdering the member or for abetting the commission of such an offence, his claims to receive pension shall remain suspended till the conclusion of the criminal proceedings instituted against him for such offence.

(2) If on the conclusion of the criminal proceedings referred to in sub-paragraph (1), the person concerned is—

- (a) convicted for the murder or abetting in the murder of the member, he shall be debarred from receiving pension which shall be payable to other eligible members if any, of the family of the member; or
- (b) acquitted of the charge of murder or abetting the murder of the member, pension benefit shall be payable to him.

<sup>78</sup>[43-A. Special provisions in respect of International Workers.—The Scheme, shall in its application to International Workers as defined in this paragraph, be subject to the following modifications, namely—

- (1) After clause (vii) of Paragraph 2, the following clause shall be *inserted*, namely—

‘(viii-a) “International Worker” means,—

- (a) an Indian employee having worked or going to work in a foreign country with which India has entered into a social security agreement and being eligible to avail the benefits under a social security programme of that country, by virtue of the eligibility gained or going to gain, under the said agreement;
- (b) an employee other than an Indian employee, holding other than an Indian passport, working for an establishment in India to which the Act applies;’

<sup>79</sup>[Provided that the worker who is a Nepalese national on account of Treaty of Peace and Friendship of 1950 and the worker who is a Bhutanese national on account of India-Bhutan Friendship Treaty of 2007, shall be deemed to be an Indian worker.]

- (2) <sup>80</sup>[\* \* \*]

(3) Sub-paragraphs (2), (3) and (4) of Paragraph 3 shall be *omitted*.

(4) Proviso to sub-paragraph (2) of Paragraph 4 shall be *omitted*.

- <sup>81</sup>[(4-A) For Paragraph 9 of the principal Scheme, the following paragraph shall be *substituted*, namely—

“9. Determination of eligible service in respect of International Workers.—The eligible service shall be determined as follows:

- (i) in the case of the “existing member” or the “new entrant”, the “actual service” shall be treated as eligible service.
- (ii) in the case of the member covered by a social security agreement, the period of coverage under relevant social security programme in another country shall be added to actual service and the aggregate thereof shall be treated as eligible service as may be provided in the social security agreement.”]

- (5) <sup>82</sup>[\* \* \*]

78. Subs. by G.S.R. 149, dt. 3-9-2010 (w.e.f. 11-9-2010).

79. Ins. by G.S.R. 1036(E), dt. 2-11-2016 (w.e.f. 2-11-2016).

80. Omitted by G.S.R. 745(E), dt. 5-10-2012 (w.e.f. 5-10-2012). Prior to omission it read as:

(2) For clause (xv) of Paragraph 2, the following clause shall be *substituted*, namely—

‘(xv) “Pensionable service” means the service rendered by the member for which contributions have been received or are receivable and the period of coverage earned in another country and considered as eligible under a relevant social security agreement.’

81. Ins. by G.S.R. 745(E), dt. 5-10-2012 (w.e.f. 5-10-2012).

82. Omitted by G.S.R. 745(E), dt. 5-10-2012 (w.e.f. 5-10-2012). Prior to omission it read as:

(5) For sub-paragraph (1) of Paragraph 10, the following sub-paragraph shall be *substituted*, namely—



- (6) For Paragraph 11, the following paragraph shall be *substituted*, namely—

“11. *Determination of pensionable salary.*—The pensionable salary shall be the average monthly pay drawn in any manner including on piece rate basis during the contributory period of service of the membership of the Employees' Pension Fund.”

- (7) For Paragraph 14, the following paragraph shall be *substituted*, namely—

“14. *Benefits on leaving service before being eligible for monthly members' pension.*—An International Worker covered under a social security agreement entered into between India and another country who has not rendered the eligible service prescribed in Paragraph 9 on the date of exit, or on attaining the age of 58 years, whichever is earlier, shall be entitled to a totalization benefit as may be provided in the said social security agreement:

Provided that if the International Worker covered under the provisions of the said agreement has not rendered the eligible service even after including the totalisation benefit as may be provided in the said agreement, then, such international worker shall be entitled to a withdrawal benefit as laid down under Table 'D'.”.

- (8) After Paragraph 33, the following proviso shall be *inserted*, namely—

“Provided that if the beneficiary under the Scheme is covered under a social security agreement between India and another country, the pension and other benefits under the scheme shall be disbursed in the manner and as per the terms and conditions specified in the said agreement.”.

- (9) After Paragraph 35, the following paragraph shall be *inserted*, namely—

“35-A. *Performing certain functions under the social security agreement.*—The Commissioner shall perform all such functions as are assigned to the Employees' Provident Fund Organisation under a social security agreement entered into between the Government of India and any other country, in a manner and as per the terms and conditions specified therein.”.]

<sup>83</sup>[43-B. **Special provision in respect of Employees' Enrolment Campaign, 2017.**— The exceptions and modifications subject to which the provisions of this Scheme shall apply, in relation to the employees' whose membership have been

“(1) The pensionable service of the member covered by an international social security agreement shall be determined with reference to the contributions received or are receivable on his behalf in the Employees' Pension Fund:

Provided that for the purposes of determining the pensionable service of a member covered by an international social security agreement, the period of service rendered under a relevant social security programme shall be added to the pensionable service under this sub-paragraph only for the purposes mentioned under such an agreement.”.

83. *Ins.* by G.S.R. 1191(E), dt. 30-12-2016 (w.e.f. 1-1-2017) and shall cease to operate on June 30, 2017 as *subs.* by G.S.R. 300(E), dt. 29-3-2017 (w.e.f. 1-4-2017).

declared under Paragraph 82-A of the Employees' Provident Funds Scheme, 1952, in accordance with the Employees' Enrolment Campaign, 2017, shall be as follows, namely—

In Paragraph 5, in sub-paragraph (1), for the table, the following table shall be substituted, namely—

TABLE

(Applicable for remittances in respect of valid declarations under Employees' Enrolment Campaign, 2017)

Period of default	Rate of damages
(1)	(2)
Between the 1st day of April, 2009 to the 31st day of December, 2016	One rupee per annum.]

**44. Repeal and Savings.**—(1) On commencement of this Scheme, the Employees' Family Pension Scheme, 1971, in force immediately before such commencement shall cease to operate with effect from the 16th November, 1995.

(2) Notwithstanding anything contained in sub-paragraph (1) every nomination made under the Employees' Family Pension Scheme, 1971, and every form regarding the details of family of an employee for the purposes of the Employees' Family Pension Scheme, 1971, shall be deemed to have been made under the provisions of this Scheme.

(3) All orders/authorisations/Pension Payment Orders issued under the Family Pension Scheme, 1971, shall be deemed to have been made under this Scheme.

TABLE A

(SEE PARAGRAPH 14)

**WITHDRAWAL BENEFIT**

<i>No. of full years contribution paid</i>	<i>Proportion of pay payable at cessation of membership</i>
(1)	(2)
1	0.20
2	0.41
3	0.62
4	0.84
5	1.06
6	1.29
7	1.51
8	1.75
9	1.98



<i>No. of full years contribution paid</i>	<i>Proportion of pay payable at cessation of membership</i>
(1)	(2)
10	2.23
11	2.47
12	2.72
13	2.98
14	3.24
15	3.51
16	3.78
17	4.05
18	4.34
19	4.62
20	4.92
21	5.21
22	5.52
23	5.83
24	6.14
25	6.46
26	6.79
27	7.12
28	7.46
29	7.81
30	8.16
31	8.52
32	8.89
33	9.26
34	9.64
35	10.03
36	10.43
37	10.83
38	11.24
39	11.66
40	12.08

<sup>84</sup>[TABLE B

(See Paragraphs 12 and 14)

*Factor for computation of past service benefit under the ceased family pension scheme for existing members on exit from the employment*

Years	Factor	Years	Factor
1	2	1	2
Less than 1	1.039	Less than 18	3.845
Less than 2	1.122	Less than 19	4.152
Less than 3	1.212	Less than 20	4.485
Less than 4	1.309	Less than 21	4.843
Less than 5	1.413	Less than 22	5.231
Less than 6	1.526	Less than 23	5.649
Less than 7	1.649	Less than 24	6.101
Less than 8	1.781	Less than 25	6.589
Less than 9	1.923	Less than 26	7.117
Less than 10	2.077	Less than 27	7.686
Less than 11	2.243	Less than 28	8.301
Less than 12	2.423	Less than 29	8.965
Less than 13	2.616	Less than 30	9.682
Less than 14	2.826	Less than 31	10.457
Less than 15	3.052	Less than 32	11.294
Less than 16	3.296	Less than 33	12.197
Less than 17	3.560	Less than 34	13.173]

TABLE C

(SEE PARAGRAPH 16)

*EQUIVALENT WIDOW PENSION*

<i>Salary at day of death not more than</i>	<i>Equivalent widow pension</i>
(1)	(2)
[Rupees]	[Rupees]
Up to 300	250
350	327
400	343

84. Subs. by G.S.R. 438(E), dt. 9-6-2008 (w.e.f. 10-6-2008).



<i>Salary at day of death not more than</i>	<i>Equivalent widow pension</i>
(1)	(2)
450	359
500	375
550	391
600	408
650	425
700	442
750	459
800	476
850	493
900	510
950	527
1000	544
1050	561
1100	578
1150	595
1200	612
1250	629
1300	646
1350	664
1400	682
1450	700
1500	718
1550	736
1600	754
1650	772
1700	797
1750	808
1800	826
1850	844
1900	862
1950	880

<i>Salary at day of death not more than</i>	<i>Equivalent widow pension</i>
(1)	(2)
2000	898
2050	916
2100	935
2150	954
2200	973
2250	992
2300	1011
2350	1030
2400	1049
2450	1068
2500	1087
2550	1106
2600	1125
2650	1144
2700	1163
2750	1182
2800	1201
2850	1221
2900	1241
2950	1261
3000	1281
3050	1301
3100	1321
3150	1341
3200	1361
3250	1381
3300	1401
3350	1421
3400	1441
3450	1461
3500	1481



<i>Salary at day of death not more than</i>	<i>Equivalent widow pension</i>
(1)	(2)
<sup>85</sup> [3550	1501
3600	1521
3650	1541
3700	1561
3750	1581
3800	1601
3850	1621
3900	1641
3950	1661
4000	1681
4050	1701
4100	1721
4150	1741
4200	1751
4250	1761
4300	1771
4350	1781
4400	1791
4450	1801
4500	1811
4550	1821
4600	1831
4650	1841
4700	1851
4750	1861
4800	1871
4850	1881
4900	1891
4950	1896
5000	1901

85. Ins. by G.S.R. 747(E), dt. 27-9-2001 (w.e.f. 28-9-2001).

<i>Salary at day of death not more than</i>	<i>Equivalent widow pension</i>
(1)	(2)
5050	1906
5100	1911
5150	1916
5200	1921
5250	1926
5300	1931
5350	1936
5400	1941
5450	1946
5500	1951
5550	1956
5600	1961
5650	1966
5700	1971
5750	1976
5800	1981
5850	1986
5900	1991
5950	1996
6000	2001
6050	2006
6100	2011
6150	2016
6200	2021
6250	2026
6300	2031
6350	2036
6400	2041
6450	2046
6500	2051]



<i>Salary at day of death not more than</i>	<i>Equivalent widow pension</i>
(1)	(2)
<sup>86</sup> [6550	2056
6600	2061
6650	2066
6700	2,071
6750	2076
6800	2081
6850	2086
6900	2091
6950	2096
7000	2101
7050	2106
7100	2111
7150	2116
7200	2121
7250	2126
7300	2131
7350	2136
7400	2141
7450	2146
7500	2151
7550	2156
7600	2161
7650	2166
7700	2171
7750	2176
7800	2181
7850	2186
7900	2191
7950	2196
8000	2201

86. *Ins.* by G.S.R. 227(E), dt. 26-3-2015 (w.r.e.f. 1-9-2014).

<i>Salary at day of death not more than</i>	<i>Equivalent widow pension</i>
(1)	(2)
8050	2206
8100	2211
8150	2216
8200	2221
8250	2226
8300	2231
8350	2236
8400	2241
8450	2246
8500	2251
8550	2256
8600	2261
8650	2266
8700	2271
8750	2276
8800	2281
8850	2286
8900	2291
8950	2296
9000	2301
9050	2306
9100	2311
9150	2316
9200	2321
9250	2326
9300	2331
9350	2336
9400	2341
9450	2346
9500	2351
9550	2356



<i>Salary at day of death not more than</i>	<i>Equivalent widow pension</i>
(1)	(2)
9600	2361
9650	2366
9700	2371
9750	2376
9800	2381
9850	2386
9900	2391
9950	2396
10,000	2401
10,050	2406
10,100	2411
10,150	2416
10,200	2421
10,250	2426
10,300	2431
10,350	2436
10,400	2441
10,450	2446
10,500	2451
10,550	2456
10,600	2461
10,650	2466
10,700	2471
10,750	2476
10,800	2481
10,850	2486
10,900	2491
10,950	2496
11,000	2501
11,050	2506
11,100	2511

<i>Salary at day of death not more than</i>	<i>Equivalent widow pension</i>
(1)	(2)
11,150	2516
11,200	2521
11,250	2526
11,300	2531
11,350	2536
11,400	2541
11,450	2546
11,500	2551
11,550	2556
11,600	2561
11,650	2566
11,700	2571
11,750	2576
11,800	2581
11,850	2586
11,900	2591
11,950	2596
12,000	2601
12,050	2606
12,100	2611
12,150	2616
12,200	2621
12,250	2626
12,300	2631
12,350	2636
12,400	2641
12,450	2646
12,500	2651
12,550	2656
12,600	2661
12,650	2666



<i>Salary at day of death not more than</i>	<i>Equivalent widow pension</i>
(1)	(2)
12,700	2671
12,750	2676
12,800	2681
12,850	2686
12,900	2691
12,950	2696
13,000	2701
13,050	2706
13,100	2711
13,150	2716
13,200	2721
13,250	2726
13,300	2731
13,350	2736
13,400	2741
13,450	2746
13,500	2751
13,550	2756
13,600	2761
13,650	2766
13,700	2771
13,750	2776
13,800	2781
13,850	2786
13,900	2791
13,950	2796
14,000	2801
14,050	2806
14,100	2811
14,150	2816
14,200	2821

<i>Salary at day of death not more than</i>	<i>Equivalent widow pension</i>
(1)	(2)
14,250	2826
14,300	2831
14,350	2836
14,400	2841
14,450	2846
14,500	2851
14,550	2856
14,600	2861
14,650	2866
14,700	2871
14,750	2876
14,800	2881
14,850	2886
14,900	2891
14,950	2896
15,000 or more	2901

Note.—<sup>87</sup>[\* \* \*]

<sup>88</sup>[TABLE D  
(See Paragraph 14)]

*Return of contribution on exit from the employment*

<i>Years of service</i>	<i>Proportion of wages at exit</i>
1	1.02
2	1.99
3	2.98
4	3.99
5	5.02
6	6.07
7	7.13

87. Omitted by G.S.R. 747(E), dt. 27-9-2001 (w.e.f. 28-9-2001).

88. Subs. by G.S.R. 514(E), dt. 10-7-2009 (w.e.f. 10-7-2009).



8	8.22
9	9.33

**Note.**—The above table is based on a flat addition in benefit.]

<sup>89</sup>[TABLE E

(See Paragraph 39-B)

*(Transfer value of contribution from Employees' Pension Scheme, 1995 to exempted or other pension fund and vice-versa)*

Number of full year's contribution paid	Proportion of pay on last contribution month	Number of full year's contribution paid	Proportion of pay on last contribution month
1.	0.987	13.	14.841
2.	1.998	14.	16.182
3.	3.033	15.	17.554
4.	4.093	16.	18.960
5.	5.178	17.	20.399
6.	6.289	18.	21.872
7.	7.426	19.	23.380
8.	8.590	20.	24.924
9.	9.782	21.	26.505
10.	11.003	22.	28.123
11.	12.252	23.	29.780
12.	13.531	24.	31.477]

<sup>90</sup>[FORM 1

[SEE PARAGRAPH 39-A]

*Monthly Return to be submitted by the exempted establishments/class of establishments/Board of Trustees*

1. DETAILS OF ESTABLISHMENTS:

(a) Name of the establishment with full address:

(b) Code No. allotted by the Employees Provident Fund Organisation:

2. DETAILS OF EMPLOYEES (INCLUDE ALL BRANCHES/UNITS ETC.)

(a) No. of employees as at the end of previous month

□□□□□

89. Subs. by G.S.R. 514(E), dt. 10-7-2009 (w.e.f. 10-7-2009).

90. Ins. by G.S.R. 747(E), dt. 27-9-2001 (w.e.f. 28-9-2001).

(b) No. of employees who joined during the month

(c) No. of employees who left service during the month

(d) No. of employees as at the end of the month  
 [(a)+(b)-(c)]

(e) Out of (d) above, No. of excluded employees

(f) No. of Pension Fund members as at the end of the month

(Please furnish the above-mentioned details unitwise situated at different places. Attach separate sheet, if necessary)

### 3. CONSTITUTION OF BOARD OF TRUSTEES:

(a) Date on which the present Board was constituted:

DD MM YYYY

Its term:

Years

Total number of Trustees:

(i) Employees' Representatives ☐

(ii) Employer's Representatives ☐

### 4. WAGES CONTRIBUTIONS, ETC.

(a) Amount of gross wages liable to Pension Contribution Rs.

(b) Rate of contribution to Pension Fund   %

(c) Amount of Pension contribution to be transferred for the current month Rs.

(d) Amount of arrears due, if any, for transfer to the Board of Trustees at the end of the previous month Rs.

(e) Total of (c) & (d) Rs.

(f) Amount actually transferred to the Board of Trustees Rs.

(g) Balance due, if any, for transfer to the Board of Trustees [(e)-(f)] Rs.

(h) Whether the interest payable under Section 7-Q of the Act

for the belated transfer of Funds, if any, has been paid? Yes ☐

(i) Amount of interest still payable at the end of the month No ☐

Rs.

### 5. DETAILS OF PENSIONERS

(a) No. of Pensioners at the end of the month:

(i) Member (Self) Pensioners:

- Superannuation Pension

- Early Pension





- Others, if any Rs.

Deposits.

- Public Financial Institutions/Banks Rs.

(e) Whether pattern of investment followed? Yes ☐

No ☐

(f) If so, classify the percentage:

(i) Securities:

- Central Government %

- State Government %

- Others %

(ii) Deposits:

- Public Financial Institutions/Banks %

(iii) Annuity purchased from Life Insurance Corporation Rs.

(g) Amount lying un-invested in Cash/Bank Rs.

#### 8. MODE OF DISBURSEMENT

[ ☒ Tick one]

- Through Bank

- Through Post Offices

- Through LIC by purchase of Annuity

- Others, if any, (Please specify)

#### 9. RULES OF ESTABLISHMENT'S PENSION FUND

Details of amendment, if any carried out during the

month to make the Rules at par with the Statutory

Pension Scheme (Employees' Pension Scheme 1995) .....

Date

Signature with official seal of the Employer/

Trustees of the Board]

### FORM 2

#### ***Declaration and Nomination Form under the Employees' Provident Fund and Employees' Pension Scheme***

[Paragraphs 33 & 61(1) of the Employees' Provident Funds Scheme, 1952 and Paragraph 18 of the Employees' Pension Scheme, 1995]

1. Name (in block letters).....
2. Father's/Husband's Name.....
3. Date of Birth.....
4. Sex.....
5. Marital Status.....
6. Account No. ....

7. Address.....

Permanent.....

Temporary.....

8. (A) Date of Joining of EPF Scheme, 1952

(B) Date of Joining of EPF Scheme, 1971.....

(C) Date of Joining of EPF Scheme, 1995.....

## PART A (EPF)

I hereby nominate the person(s)/cancel the nomination made by me previously and nominate the person(s), mentioned below to receive the amount standing to my credit in the Employees' Provident Fund, in the event of my death:—

Name of the nominee/nominees	Address	Nominee's relationship with the member	Date of Birth	Total amount or share of accumulations in Provident Fund to be paid to each nominee	If the Nominee is a minor, name & relationship & address of the guardian who may receive the amount during the minority of nominee
(1)	(2)	(3)	(4)	(5)	(6)

1. \*Certified that I have no family as defined in Para 2(g) of the Employees' Provident Funds Scheme, 1952 and should I acquire a family hereafter the above nomination should be deemed as cancelled.

2. \*Certified that my father/mother is/are dependant upon me.

\*Strike out whichever is not applicable.

Signature or thumb-impression of the subscriber.

## PART B (EPS)

(Para 18)

I hereby furnish below particulars of the members of my family who would be eligible to receive widow/children pension in the event of my death.

Sl. No.	Name & Address of the family members	Address	Date of Birth	Relationship with the member
(1)	(2)	(3)	(4)	(5)
1.				
2.				
3.				

\*Certified that I have no family as defined in Para 2(vii) of the Employees' Pension Scheme, 1995 and should I acquire a family hereafter I shall furnish particulars thereon in the above form.

I hereby nominate the following person for receiving the monthly widow pension admissible under Para 16(2)(a)(i) & (ii) in the event of my death without leaving any eligible family member for receiving pension.



7. Address.....

Permanent.....

Temporary.....

8. (A) Date of Joining of EPF Scheme, 1952

(B) Date of Joining of EPF Scheme, 1971.....

(C) Date of Joining of EPF Scheme, 1995.....

## PART A (EPF)

I hereby nominate the person(s)/cancel the nomination made by me previously and nominate the person(s), mentioned below to receive the amount standing to my credit in the Employees' Provident Fund, in the event of my death:—

Name of the nominee/nominees	Address	Nominee's relationship with the member	Date of Birth	Total amount or share of accumulations in Provident Fund to be paid to each nominee	If the Nominee is a minor, name & relationship & address of the guardian who may receive the amount during the minority of nominee
(1)	(2)	(3)	(4)	(5)	(6)

1. \*Certified that I have no family as defined in Para 2(g) of the Employees' Provident Funds Scheme, 1952 and should I acquire a family hereafter the above nomination should be deemed as cancelled.

2. \*Certified that my father/mother is/are dependant upon me.

\*Strike out whichever is not applicable.

Signature or thumb-impression of the subscriber.

## PART B (EPS)

(Para 18)

I hereby furnish below particulars of the members of my family who would be eligible to receive widow/children pension in the event of my death.

Sl. No.	Name & Address of the family members	Address	Date of Birth	Relationship with the member
(1)	(2)	(3)	(4)	(5)
1.				
2.				
3.				

\*Certified that I have no family as defined in Para 2(vii) of the Employees' Pension Scheme, 1995 and should I acquire a family hereafter I shall furnish particulars thereon in the above form.

I hereby nominate the following person for receiving the monthly widow pension admissible under Para 16(2)(a)(i) & (ii) in the event of my death without leaving any eligible family member for receiving pension.

Name & Address of the nominee	Date of Birth	Relationship with the member

Date:

\*Strike out whichever is not applicable.

Signature or thumb-impression of the subscriber.

## CERTIFICATE BY EMPLOYER

Certified that the above declaration and nomination has been signed/thumb-impressed before me by Shri/Smt/Km ..... employed in my establishment after he/she has read the entries. The entries have been read over to him/her by me and got confirmed by him/her.

Signature of the employer or other  
authorised officers of the  
establishment

Place.....

Designation.....

Date.....

Name and Address of the Factory/  
Establishment or rubber stamp thereof.

## FORM 3

(For Exempted Establishments)

[Paragraph 20(1) of The Employees' Pension Scheme, 1995]

Code No. of the Estt.....

*Consolidated return of employees who are entitled and required to become members of the Pension Fund on the date the Pension Scheme comes into force.*

Name and address of Establishment..... Date of Coverage.....

Industry in which the Estt. is engaged..... Registration No. of the Estt.....

Sl. No.	Account No.	Name of the employee (in block capitals)	Father's Name (or hus-band's name in the case of married woman)	Basic wages D.A. including cash value of food concession & retaining allowance if any	Date of Birth	Sex	Date of entitlement for membership	Remarks
1	2	3	4	5	6	7	8	9

Date.....

Signature of the employer or other

Station.....

authorised officer

The information received in Form 5 (PS) in respect of the members leaving service shall be entered in this form by Commissioner specifying clearly the reason for leaving service.

Stamp of the Establishment

**Note:**—This form should be accompanied by declaration in Form 2 by every employee mentioned in Column 3.

### FORM 4 (EPS)

[See Paragraph 20]

#### THE EMPLOYEES' PENSION SCHEME, 1995

(For Exempted Establishments only)

#### *Return of Employees entitled for membership of the Employees' Pension Fund during the month of..... 20...*

Name and Address of the Establishment.....

Code No. of the Establishment TN/.....

Account No.	Name of the employee (in block capitals)	Father's Name or Husband's Name (in case of married woman)	Age at entry	Sex	Date of entitlement for membership	Remarks, Previous Account No. and particulars of previous service, if any
2	3	4	5	6	7	8

Date Stamp of the Establishment

Signature of the Employer or other  
authorised Officer of the Establishment

**Note.**—An employee who has attained 58 years and/or for drawing Pension under the EPS-95 is not to be enrolled as a member.

### FORM 5 (EPS)

[See Paragraph 20(2)]

#### THE EMPLOYEES' PENSION SCHEME, 1995

(For Exempted Establishments only)

#### *Return of Members leaving service during the month of.....20.*

Name and Address of the Establishment.....

Code No of me Establishment.....

Sl. No.	Account No.	Name of the member (in block capitals)	Father's Name or Husband's Name (in case of married woman)	Date of leaving service	Reason for leaving service (See note given below)	Remarks
1	2	3	4	5	6	7



Signature of the Employer

Stamp of the Establishment

Note—An employee who has attained the age of 58 years will cease to be 3 member of die Scheme and entitled to receive the due benefit under the Employees' Pension Scheme. 1995.

**FORM 6**

[Paragraph 20 of The Employees' Pension Scheme, 1995]

(For Exempted Establishment only) Total No.  
of Employees..... (Contract Rest Total)

**Statement of Contribution for the month of..... 20....**

Total No. of Subscribers.....

Name and Address of the Establishment.....

Currency period from 1st April, 20..... to 31st March, 20.....

Code No. of the Establishment..... Statutory Rate of Contribution 8.33%.....

Total No. of Subscribers	Wages on which contributions are payable	Amount of contribution due 8.33%	Amount of contribution remitted in A/c. No. 10	Date of Remittance (Triplicate copy of the challan to be enclosed.)	Name & Address of the bank in which amt. is remitted
(1)	(2)	(3)	(4)	(5)	(6)

No. of Sub. as per last month's return.....

Add. No. of New Subscribers—vide Form 4 (PS).....

Less No. of Subscribers left service—vide Form 5 (PS).....

Signature of the Employer

(with official seal)

Net total:

(This should tally with the figures given in Col. 1)

**Note:** (1) If there is any substantial variation between the wages & contribution shown above and those shown in the last month's return, suitable explanation should be given in the 'Remarks' column.

(2) If any arrears of contributions or damages are included in the figures under Column 4 suitable details indicating the circumstances, amount, No. of Subscribers and the period involved should be furnished in the 'Remarks' column or on the reverse.

Date:

**FORM 7**

[Paragraph 19 of The Employees' Pension Scheme, 1995]

(For Exempted Establishment only)

**Contribution card for members for the year 20..... 20.....**

- (1) A/c. No.....
- (2) Name (in block Capitals).....
- (3) Father's/Husband's Name.....
- (4) Name & Address of the Establishment.....
- (5) Statutory rate of contribution 6¼%/8%.....

(6) Voluntary higher rate of employee's contribution, if any.....

(7) Date of Commencement of membership of the Family Pension Fund.....

Month	Amount of wages, retaining allowance, if any & DA including cash value of food concession paid during the month	Contribution to Pension Fund		Remarks
		Empl-oyee's share Rs.	Empl-oyer's share Rs.	
(1)	(2)	(3)	(4)	(5)
April, 20				(a) Date of leaving service.
May				
June				
July				
August				
Sept.				(b) Reason for leaving service.....
Oct.				
Nov.				
Dec.				
Jan.				
Feb.				
March				
	Rs.	Rs.	Rs.	

Certified that the difference between the total contributions shown under Col. (3) and (4) of the above and that arrived at the total wages shown in Col. (2) at the prescribed rate is solely due to the rounding off of contribution to the nearest rupee under the rules.

Certified that the total amount of contributions indicated under Col. (3) + Col. (4) i.e. Rs. .... has already been remitted in full in F.P.F. Account No. 10 (Family Pension Fund Contribution).

Date.....20.....

Signature of employer

(Office Seal)

### FORM 8

(For Exempted Establishments only)

[Paragraph 20 of The Employees' Pension Scheme, 1995]

**Annual statement of Contribution for the currency period from**  
**1st..... 20..... to..... 20**

Name & Address of the Establishment.....

Code No. of the Establishment.....

Sl. No.	Account No.	Name of member (in block letters)	Wages, retaining allowances (if any) and D.A. including cash value of food concession	Contribution to Pension Fund 8.33% (Rs)	Remarks
---------	-------------	-----------------------------------	---------------------------------------------------------------------------------------	-----------------------------------------	---------

			paid during the currency period		
(1)	(2)	(3)	(4)	(5)	(6)

Reconciliation of Remittances as Total Rs. Rs.

Sl. No. Month Pension Fund Contribution A/c No. 10

- |     |     |                                           |      |                                |
|-----|-----|-------------------------------------------|------|--------------------------------|
| 1.  | Rs. | Certified that the difference between     | (i)  | Total number of contribution   |
| 2.  | Rs. | the figures of total Pension Fund         | (ii) | cards enclosed in Form 7 (PS). |
| 3.  | Rs. | Contributions remitted during the         |      | Certified that Form 7 (PS)     |
| 4.  | Rs. | currency period & the total Pension Fund  |      | completed of all the members   |
| 5.  | Rs. | Contribution shown under Col. 5 is solely |      | listed in this statement are   |
| 6.  | Rs. | due to the rounding off of amounts to the |      | enclosed, except those already |
| 7.  | Rs. | nearest Rupee under the rules.            |      | sent during the course of the  |
| 8.  | Rs. |                                           |      | currency period for the final  |
| 9.  | Rs. |                                           |      | settlement of the concerned    |
| 10. | Rs. |                                           |      | members account 'Remarks'      |
| 11. | Rs. |                                           |      | furnished against the names of |
| 12. | Rs. |                                           |      | the respective member I above. |

Total	Rs.	Signature of the Employer (with Office Seal)
-------	-----	----------------------------------------------

- Note:—**(1) The names of all members, including those who had left service during the currency period should be included in this statement, where the Form 7 (PS) in respect of such members who had left service were already sent to the Regional office for the purpose of final settlement of their accounts, the fact should be stated against the members in the 'Remarks' column above this Form 7 (PS) already sent in the month of.....20.....
- (2) In case of actual variation in the wages contributions of any members as required in lines shown in previous statement the reason should be explained adequately in the Remarks column.

### FORM 9

(For Exempted Establishments only)

[Paragraph 24 of The Employees' Pension Scheme, 1995]

#### ***Declaration by a person taking up employment in the establishment***

I..... S/o/W/o/Daughter of..... do hereby solemnly declare that:—

(a) I was employed in M/s..... (Name & Full address of the establishment) with PF A/c No..... and left service on..... Prior to that, I was employed in..... with PF A/c No..... from..... to.....

(b) I am a member of the Pension Fund from..... to..... and copy of the Scheme Certificate is enclosed.

(c) I have/have not withdrawn the amount of my Provident Fund/Pension Fund.

(d) I have/have not drawn any benefits under the Employees' Pension Scheme, 1995 in respect of my past service, in any establishment.

(e) I have/have never been a member of any Provident Fund and/or Pension Fund.

Date.....



\*Signature or left-hand thumb-  
impression of the employee.

Encl: Copy of Scheme Certificate.

(To be filled by the Employer)

(1) Shri..... is appointed as.....

(Name of Employee)

(Designation)

in M/s..... with effect from.....

(Name of the Factory/Establishment)

(Date of appointment)

(2) Copy of the Scheme Certificate is enclosed.

(3) Declaration & nomination in Form 2 is enclosed.

Dated:

Signature of the Employer or Manager or other Authorised Officer

Left-hand thumb-impression in the case of illiterate male member and right-hand thumb-impression by illiterate female member.

### FORM 10-C

#### EMPLOYEES' PENSION SCHEME, 1995

*form to be used by a member of the Employees' Pension Scheme, 1995 for claiming withdrawal benefit/Scheme Certificate*

*(Read the instruction before filling up this form)*

1. (a) Name of the member (in block letters) .....

(b) Name of the Claimant(s) .....

2. Date of Birth .....

3. (a) Father's Name .....

(b) Husband's Name (if applicable) .....

4. Name & Address of the Establishment

in which the member was last employed

Region S.R.O. Code ☐☐☐☐☐

5. Code No. & Account No. U.P./

Estt. Code No.

A/c No.



6. Reason for leaving service & .....

Date of leaving .....

7. Full Postal Address (in block letters) .....

Shri/Smt/Kumari.....☐☐☐☐☐

8. Are you willing to accept Scheme

Yes ☐ No ☐

Certificate in lieu of withdrawal benefits

9. Particulars of Family (Spouse, Children & Nominee)

Name	Date of Birth	Relationship with Member	Name of the guardian of minor
------	---------------	--------------------------	-------------------------------

a. Family Members

b. Nominee

10. In case of Death of member after attaining the age of 58 years without filling the claim form:

(a) Date of death of member

(b) Name of the Claimant(s)/and relationship with the members

11. MODE OF REMITTANCE: (PUT A TICK (✓) IN THE BOX AGAINST THE ONE OPTED

☐

(a) By Postal money order at my cost to the address given against Item No. 7.

☐

(b) Account payee cheque sent direct to my S.B. A/c (Schedule Bank) under intimation to me.

☐

S.B. Account No.

☐

Name of the Bank

.....

(in block letters)

Branch

.....

(in block letters)

Full Address of the Branch

.....

(in block letters)

12. Are you availing pension under

EPS-1995? If yes indicate

PPO No.....By whom issued.....

CERTIFICATE THAT PARTICULARS ARE TRUE TO THE BEST OF MY KNOWLEDGE

Date

Signature or left-hand thumb-impression of the member/claimant(s)

ADVANCE STAMPED RECEIPT

[To be furnished only in case of (b) above]

Received a sum of Rs..... (Rupees.....) only from Regional Provident Fund Commissioner/Officer-in-charge of Sub-Regional Office..... by deposit in my Savings Bank Account towards the settlement of Pension Fund Account.

(The space should be left blank which shall be filled by R.P.F.C./ Officer-in-charge)

Signature or left-hand thumb impression of the member on the revenue stamp

Affix Re 1 Revenue Stamp

Certified that the particulars of the member given are correct and the member has signed/thumb-impressed before me.

The details of wages and period for non-contributory service of the member are as under:—

(Form 3A/7 (FPS) enclosed for the period for which it was not sent to Employees' Provident Fund office)

Wages (Basic+D.A.) as on 15-11-95 (if applicable)

Wages as on the date of exit.

Period of Non-contributory Services

Year/Month

No. of days

Date:

Signature of the Employer/Authorised Officer

(FOR THE USE OF COMMISSIONER'S OFFICE)

Under

Rs. .... P.I. No. .... M.O./Cheque

Passed for payments for Rs. .... (In words) .....

M.O. Commission (if any) ..... net amount to be paid by

M.O. .... towards withdrawal benefit..

D.C. .... S.S. .... A.A.O. ....

(FOR USE IN CASH SECTION)

Paid by inclusion Cheque No. .... dt. .... vide Cash Book (Bank) Account No. 10,  
Debit Item No. ....

D.C. .... S.S. .... A.A.O. .... A.P.F.C. (Cash.) .....

For issues of S.S.I.D.S. is enclosed.

D.C. .... S.S. .... A.A.O. .... A.P.F.C. (A/cs.) .....

(FOR USE IN PENSION SECTION)

Scheme Certificate Bearing the control No. .... Issued No. .... and entered in the Scheme  
Certificate Control Register.

D.C. .... S.S. .... A.A.O. .... A.P.F.C. (Pension) .....

**FORM 10-D****EMPLOYEES' PENSION SCHEME, 1995*****Application for Monthly Pension***(Read INSTRUCTIONS<sup>91</sup> before filling in this Form)

1. By whom the pension is claimed?
2. Type of pension claimed.
3. (a) Member's Name (In Block Letters)
- (b) Sex
- (c) Marital Status
- (d) Date of Birth/Age
- (e) Father's/Spouse's Name
4. E.P.F. Account Number
- R.O.    S.R.O.    Establishment Code No.

--	--	--

91. See below at the end of the form.



Member's Account No.

5. Name & Address of the Establishment  
in which the member was last employed

6. Date of leaving service

7. Reason for leaving service

8. Address for communication

.....

(a) In Case of Reduced pension (early pension)

Date of Option for commencement of pension

Date      Month      Year

        

9. Option for commutation of 1/3 of Quantum Pension:

Yes      No

    

(If option is for lesser commutation indicate the quantum)

10. Option for Return of Capital:

(Please refer Serial Number 10 of INSTRUCTION)

Yes      No

[Put a tick ( ✓ )]

    

If yes, indicate your choice of alternative

☒ 1 ☐ 2 ☐ 3

11. Mention your Nominee for Return of Capital:

Name:

Relationship:

Date of Birth:

Address:

12. Particulars of Family

Sl. No.	Name	Date of Birth/ Age	Relationship with Member	Indicate against Minor	
				Guardian 's Name	Relation-ship with Member
(1)	(2)	(3)	(4)	(5)	(6)

**Note:** If any child is physically handicapped, please indicate "DISABLED" below the name.

13. Date of death of Member (If applicable):

14. Details of Savings Bank Account opened:

- (1) Name of the Bank  
 (2) Name of the Branch:  
 (3) Full Postal Address:  
 (4) Pin Code:

Sl. No.	Name of the Claimant(s)	Savings Bank Account No.

14. (A) If the claim is preferred by nominee, indicate his/her

(1) Name:

(2) Relationship with the deceased member:

15. Details of Scheme Certificate already  
in :

possession of the Member, if any

Scheme Certificate  
received & enclosed

Not Received

Not Applicable

If received, indicate

:

Sl. No.	Scheme Certificate Control No.	Authority who issued the Scheme Certificate

16. If pension is being drawn under E.P.S.,  
1995:

P.O. No.

issued by

R.O.	S.R.O.

17. Documents enclosed:

(Indicate as per the Instructions)

- |    |    |
|----|----|
| 1. | 6. |
| 2. | 7. |
| 3. | 8. |
| 4. | 9. |
| 5. |    |

TO BE SUBMITTED IN DUPLICATE IN RESPECT OF EACH PERSON ELIGIBLE FOR PENSION

Descriptive roll of pensioner and his/her Specimen Signature/Thumb-impression.

- |     |                                  |   |                                  |
|-----|----------------------------------|---|----------------------------------|
| 1.  | Name of the Member               | : |                                  |
| 2.  | E.P.F. Account Number            | : |                                  |
| 3.  | Name of the Pensioner            | : |                                  |
| 4.  | Father's/Husband's Name          | : |                                  |
| 5.  | Sex                              | : |                                  |
| 6.  | Nationality                      | : |                                  |
| 7.  | Religion                         | : |                                  |
| 8.  | Height                           | : |                                  |
| 9.  | Personal Marks of Identification |   | 1. _____<br>2. _____             |
| 10. | Specimen signature of Pensioner  | : | 1. _____<br>2. _____<br>3. _____ |

(Only in the case of illiterate Claimant (Pensioner) Left-Hand Finger-Impression):

THUMB	INDEX	MIDDLE	RING	SMALL
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Signature

Place:

Name of the Attesting Authority

Date:

Official Seal

Certified that

- (i) I am not drawing pension under Employees' Pension Scheme, 1995;
- (ii) The particulars given in this application are true and correct.

Signature of the applicant/

Left hand thumb-impression.

(FOR OFFICE USE ONLY)

(PENSION SECTION/ACCOUNTS SECTION)

Certified that the particulars in the application have been verified with the relevant concerned documents. The claimant is eligible for pension. The Input Data Sheet is placed below for approval.

Entered in Form 9/Form 3 (PS) Master Ledger Card/Claim Inward Register.

Form 2(R) enclosed alongwith the documents furnished by the claimant.

CLERK

S.S.

A.A.O.

A.P.F.C.

Date

Date

Date

Date

FOR USE IN PENSION PRE-AUDIT CELL

The Input Data Sheet verified with reference to the application and the documents enclosed and found correct. P.P.O. may be generated through Computer.



CLERK	S.S.	A.A.O.	A.P.F.C. (Pension)
Date	Date	Date	Date

## FOR USE IN PENSION DISBURSEMENT SECTION

P.O. No. :

Date of issue to the Bank :

Intimation sent to the Claimant :

And also to Accounts Branch on :

CLERK	S.S.	A.A.O.	A.P.F.C.
Date	Date	Date	Date

(TO BE FILLED BY THE EMPLOYER/AUTHORISED OFFICER OF THE ESTABLISHMENT)

Certified that:

- (i) The particulars of the member are correct:
- (ii) The particulars of Wages and Pension Contribution for the period of 12 months preceeding the date of leaving service are as under:—

(In case, the wages is not earned for all 12 months, the block of 12 months will commence backwards from the last pay drawn.)

Year	Month	Wages		Pension Contribution due	Details of period of non-contributory service. If there is no such period, indicate 'Nil'	
		No. of Days	Amount		Year	No. of days for which no wages were earned
(1)	(2)	(3)	(4)	(5)	(6)	(7)

Encl:

- Documents as given in the Instructions.
- Form of descriptive roll and specimen signature.

Signature of Employer/Authorised Official  
of the Estt. with Seal & Date.

**EXPLANATORY NOTE FOR THE APPLICATION:**

Serial No. given below relates to the corresponding No. given in the application

- By whom the pension is claimed?

Indicate any one of the following under Sl. No. 1

Member	Widow/Widower	Major orphan	Guardian	Nominee

## 2. Type of Pension Claim—Indicate any one of the following:

(a) On attaining 58 years

whether in service or 'not'

**SUPERANNUATION PENSION**

(b) Attained the age of 50 years but below 58

**REDUCED PENSION**

years and left service

(c) Left Service on account of total and

permanent disablement

**DISABLEMENT PENSION**

(d) On death of member

**WIDOW & CHILDREN PENSION**

(e) On death of parents or on remarriage

of the spouse, after the death of the member

**ORPHAN PENSION**

(f) On death of the eligible children below

25 years on the date of death of the member

**NOMINEE PENSION**

## 3. (a) to (e), 4 &amp; 5

Please furnish the particulars relating to the member correctly.

6. Indicate the actual date of leaving service. This need not be filled by a member who has attained 58 years and continued to be in service. Indicate, 'Still in service'.

7. If the reason for leaving service was on account of total and permanent disablement, as indicated by the establishment to the P.F. Office through Form 10, then only the member is entitled for Disablement Pension. In all other cases the actual reason for leaving service may be given. However, a member who continues in service beyond the age of 58 years may indicate "still in service".

8. If the present address is temporary one, also indicate permanent address.

9. Sl. No. 9 is applicable only to a member of the Pension Scheme and not for his family. The applicant is eligible to commute upto a maximum of 1/3 of his pension so as to receive 100 times of the pension commuted. If a pensioner who is getting an original pension of Rs 600/- commutes 1/3rd of it, he will get Rs 20,000 as commuted value. The commutation will be effective only from 16-11-1998. The applicant may give his option for commutation in the application and this will be effective and paid only if the member-pensioner continues to draw his pension as on 16-11-1998.

On opting for commuted value of pension, the original pension mentioned for Return of Capital will be the balance of pension after commutation.

10. The member can give his option for Return of Capital. Option once exercised is final. He may choose any one of the following and indicate the No. shown under alternative against Sl. No. 10 of the application.

<i>Alternative</i>	<i>Quantum of pension</i>	<i>Return of Capital</i>
	90% of original pension	On member's death, 100 times the original monthly pension to nominee.

<i>Alternative</i>	<i>Quantum of pension</i>	<i>Return of Capital</i>
	90% of original pension to member. On his/her death 80% of pension to Widow/Widower.	On death or remarriage of Widow/Widower whichever is earlier 90 times of original pension to nominee.
	87.5% of original pension for a fixed period of 20 years to member. On his death before 20 years, nominee will get pension for balance period.	At the end of 20 years, 100 times of original pension to member, if he is alive, otherwise to nominee.

11. The member is required to furnish the details of his/her nominee for receiving the Return of Capital. A member can nominate his/her spouse or sons or daughters. A married member who is not survived by any member of his family (spouse/sons/daughters) and a bachelor/spinster may nominate a person of his/her choice to receive the Return of Capital/pension due if any, under Alternative 3 as per Serial Number 10 above.

12. This should be completed by the member. In his absence, by the spouse/children. The list of surviving family members of the Member, covering his spouse, all children should be furnished. The particulars of Guardian should be given in respect of each minor child, as on the date of application. In support of the age of children, age proof certificate obtained from the School or Registrar of Births-deaths or E.S.I. Record, or Municipal authorities should be enclosed. In the case of Guardian other than natural guardian, a Guardianship Certificate should be enclosed.

13. Applicable only in case the member is not alive. In support to the date of death, Death Certificate should be enclosed.

14. The details of Bank—Savings Bank Account Number should be given.

In case the claim is preferred by spouse, he/she should give his/her Savings Bank Account Number and also separate Savings Bank Account Numbers. In respect of each child Savings Bank Account Numbers of children who are below the age of 25 years (as on date of death of the member) should be given. On behalf of minor child, Savings Bank Account opened in the name of minor and operated by the guardian of the minor and Account Number should be given. Pension is payable through any branch of the Punjab National Bank/State Bank of India on the specified day of each month by credit to the Savings Bank Account of eligible pensioners. Hence, Savings Bank Account should be opened only in the said Bank. Necessary guidelines have been given to all branches of the bank to open a Savings Bank Account for the Pensioners. The applicant may approach any branch of the said bank to open the account. The member, spouse and children (minor or major) should necessarily open Savings Bank Account in the same branch of the Bank.

Whenever pension is opted from a place beyond the jurisdiction of the Region in which the member was last employed, he should ascertain the name of the designated bank applicable in that Region and open a Savings Bank Account therein.

On sanction of Pension, intimation will be sent to the pensioner to contact the bank.

- 14.(A) In case of death of the member before attaining 58 years without leaving any eligible family members to receive the pension, the nominee as appointed by the member through Form 2 (Revised) already sent to the P.F. Office may apply giving his particulars against this column.

15. In case the member was working in different establishments and obtained Scheme Certificate, the details should be furnished against this column. In case, no Scheme Certificate was received or not applied for the same, the details of past employment may be indicated in this column.

16. If the applicant is already receiving pension under Employees' Pension Scheme, 1995, the details should be furnished against the column.

17. List of documents to be enclosed and specified under Column No. 17:



- (a) Descriptive role of pensioner and his/her specimen Signature/Thumb impression duplicate;
- (b) 3 passport size photographs (if claimed by the member joint photo with spouse). If the pension is claimed by member, there is no need to send photograph of the children. If claimed by widow/widower, the photograph should be sent for widow/widower and his/her two children (below 25 years) separately. The photographs are to be attested by the employer or his authorised official, indicating the person to whom the photograph relates and also the P.F. Account Number of the member, written on the reverse and placed in a separate envelope.
- (c) In the case of member, who is permanently and totally disabled during the employment, he/she should undergo a Medical Examination before the medical board as advised by the E.P.F. Office. However, the disablement should occur while in employment.
- (d) The application should be forwarded through the establishment in which the member last served/died. The establishment should furnish the certificate and wage particulars duly attested by the authorised officer.
- (e) Only if the establishment is closed, the application should be forwarded through the Magistrate/Gazetted Officer/Bank Manager/any other authorised officer as may be approved by the Commissioner.

(Supplied free of cost)

## ACKNOWLEDGMENT CARD

Account No.

EPFO

Office of the RPFC/Officer-  
in Charge  
of Sub-Regional Office

## ACKNOWLEDGEMENT

Received the following claims:

EPF

PPF

IF

Registration No. ....

Date Official Seal .....

.....

.....

In case, no intimation is received within a month, you may write to the Complaints Officer, Employees' Provident Fund duly quoting the Registration Number and your Provident Fund Account Number.

POSTCARD

Postage Prepaid

.....

.....

PIN .....

## FORM 12-A (Revised)

Only for Unexempted

Establishments

Name and Address of the Estt.

M/s.....

EMPLOYEES' PENSION  
SCHEME, 1995

[Paragraph 20(4)]

Statement of contributions for  
the Month of 

(To be filled in by the EPFO)

.....  
 Currency Period from 1st April, 200 ☐ to 31st March 200 ☐

Establishment Status ☐

Group Code ☐☐☐

Code No. ☐☐☐☐☐☐ Statutory rate of contribution ☐☐☐☐

Particulars	Wages on which Contributions are payable	Amount of contribution		Amount of contribution remitted		Amount of Administrative charges due	Amount of Administrative charges remitted	Date of Remittance (enclose triplicate copies of challan)
		recovered from the workers	payable by the employer	Worker's share	Employer's share			
1	2	3		4		5	6	7
E.P.F. A/C No. 01								<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
Pension Fund A/C No. 10		NIL		NIL		NIL	NIL	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
D.L.I. A/C No. 21		NIL		NIL				<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

Total No. of Employees

Name & address of the.....  
 bank in which the amount.....  
 is remitted.

(a) Contract

(b) Rest

(c) Total

<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
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Details of Subscribers	E.P.F.	Pension Fund	E.D.L.I.
No. of Subscribers as per last month			
No. of New Subscribers ( <i>vide</i> Form 5)			
No. of Subscribers left service ( <i>vide</i> Form 10)			
(Nett.) Total Number of Subscribers			

Signature of the Employer  
 with Official Seal