

Title: Arbitrary terms and condition imposed by EPFO against Supreme Court Judgement regarding higher pension.

SHRI N. K. PREMACHANDRAN (KOLLAM): Sir, I would like to raise a very serious matter of urgent concern in which the Government of India's intervention, especially, the Labour Ministry's intervention, is required. The hon. Supreme Court has pronounced a judgement on 4th November, 2022 regarding higher pension for the members of the Employees' Provident Fund Organisation's Pension Scheme. But it is quite unfortunate to note that subsequent to the judgement pronounced by the hon. Supreme Court, the Government of India, especially, the Employees' Provident Fund Organisation is not acting in accordance with the terms and conditions of the judgement. Subsequently, the EPFO has issued two circulars. The latest circular is of 25th January, 2023, which is against the spirit of the judgement of the hon. Supreme Court. The EPFO is imposing additional burden on the pensioners, who retired prior to 2014, to provide evidence for proving their option to higher pension.

The sanction of pension on higher wages itself is evidence for option. The circular is saying that it will re-examine the cases of pension on higher wages of pensioners who retired up to 1.9.2014, and for this reason, the payment of higher pension would be stopped from January, 2023. The decision of EPFO is arbitrary and unjust. The EPFO withdraws from its legal liability to ensure pension and welfare of the pensioners. The present circular created hardship to the pensioners, and it leads to social issues.

One of the important points to be noted is that in respect of those who have obtained pension after retiring prior to 2014, on the basis of the judgements of the higher courts, their pension has been taken back or withdrawn by the EPFO in the Labour Ministry. It is quite inhuman, arbitrary and unjust. Also, so far, the EPFO has not issued any circular regarding the option because the option expires on 4th March and the option has to be given within four months. But so far, the EPFO has not issued any circular on that issue. Hence, I urge upon the Government of India to withdraw the circular issued on 25th January, and ensure pension and welfare of the EPF pensioners. Thank you very much, Sir.