



सत्यमेव जयते

कर्मचारी भविष्य निधि संगठन
EMPLOYEES' PROVIDENT FUND ORGANISATION
(श्रम एवं रोजगार मंत्रालय, भारत सरकार)

Ministry of Labour and Employment, Govt of India

क्षेत्रीय कार्यालय, रायपुर, छत्तीसगढ़

Regional Office, Raipur, Chhattisgarh



ब्लॉक-डी, स्कीम-32, इंदिरा गाँधी व्यावसायिक परिसर, पंडरी, रायपुर, छत्तीसगढ़ - 492004

Block-D, Scheme-32, Indira Gandhi Commercial Complex, Pandri, Raipur, Chhattisgarh - 492004

Telefax/टेलिफैक्स: 0771-2583890/91 Email/ईमेल: ro.raipur@epfindia.gov.in website/वेबसाइट: epfindia.gov.in

No: EPFO/RO/Raipur/PoHW/CG/530/38740/ 1087

Date: 22/11/2024

By Email/Speed Post

To

Shri. AGV Elango
Plot 42-43, Akansha Kunj,
Risali Area, Bhilai, Durg - 490006
Email: elangoagv@yahoo.com

Sub:- Re: Holding of EPS-95 PoHW application by EPFO Raipur - reg.

- Ref:-
1. Griev. Reg. No. - MOLBR/E/2024/0107731 dated 03/10/2024.
 2. Griev. Reg. No. - ROCHT/E/2024/09129 dated 05/10/2024.
 3. Griev. Reg. No. - MOLBR/E/2024/0110804 dated 10/10/2024.
 4. Griev. Reg. No. - PMOPG/E/2024/0156431 dated 20/10/2024.
 5. Griev. Reg. No. - MOLBR/E/A/2024/0020013 dated 17/10/2024.

Sir,

With reference to your complaint (No. 75441/2024 dated 19.10.2024) regarding holding Pension on Higher Wages, it is informed that many such grievances has been received to the office through various mode and timely replies of the same has already been submitted.

The issues has arised in case of mass of employees and not any individual. Para 11(b) of BSP EPF Trust Rules is reporduced as under:

11(b):- From and out of the contribution payable by the employer each month under Rule 11 above, a part of contribution representing 8.33% of the Employees pay shall be remitted by the employer to the Employee's Pension Fund within 15 days of the close of every month by a separate bank draft of cheque on account of Employee's Pension Fund contribution in such manner as may be specified in this behalf by the Regional Provident Fund Commissioner. The cost of the remittance, if any, shall be borne by the employer. Provided that where the pay of the member exceeds Rs 6500/- per month the contribution payable by the employer be limited to the amount on his pay of Rs 6500/- only. The balance of employer's contribution after the remittance of contribution to the Employees' Pension Fund shall be credited to the member's individual account. The estt. Shall not be liable to

make any contribution in respect of the voluntary contribution, if any, made by the member to the provident fund under Rule 10(a) hereinbefore.

Further, it is informed to the applicant in replies of all the previous grievances that some clarification has been sought from the employer vide letter dated 27.09.2024. As per the said letter-

"From the language of Rule 11(b), there remains no iota of doubt that contribution ought to have been made by the employer to the extent of Rs 6500/- only in the Employees Pension Fund and balance of employer's contribution is to be credited to the member's individual account. However, reference of Rule 10 & 11 of the Model Rules, of BSP Trust has been made in Rule 11(b) and therefore it would be imperative to read the provisions of Rule 10 and 11.

As such a complete set of the said Rules containing all the Rules from beginning to end with each and every amendment (if any) may be supplied without delay in this office by email as well as hard copy. It has come to notice as revealed from the letter that contributions were remitted/deducted from the wages over and above the prescribed limit of Rs 6500/- or any such limits, if any incorporated in the said Rule 11(b) of Model Rules BSP-Trust by way of amendment. It is also requested to furnish details of remittances made indicating monthly remittance made from the beginning indicating where the Fund has been maintained and how contribution on higher rate different from the Trust Rule has been made. Please inform the Authority which sanctioned the remittance of such contribution and also clarify whether there is any amendment in the Trust Rule right from the inception of Employees Pension Scheme 1995 duly mentioning details of every amendment. Apart from this, a chart containing monthly remittances made to the Employees Pension Fund with respect to the employees of Bhilai Steel Plant Trust, who were in receipt of wages over and above the ceiling prescribed in Rule 11 of the Model Rules of BSP Trust. Different Chart in Tabular Form will indicate the group of employees and the respective contribution deposited in the Pension Fund from time to time especially from 01st June 2001 to 31st August 2014 and from 01st September 2014 onwards".

It is also informed that the matter has been referred to our higher office vide letter dated 29/02/2024 followed by reminder dated 24/09/2024 for further necessary directions and guidance. Reply from the establishment on above matter and directions from higher authority is awaited to take further action on the applications of Pension on Higher Wages.

Yours faithfully,



Assistant PF Commissioner
(Higher Wages Cell)