



# NATIONAL CONFEDERATION OF OFFICERS' ASSOCIATIONS

(National Forum of the Executives of Central Public Sector Enterprises)

Registered under the Trade Union Act 1926 Reg.No.DNE 707

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**Ref- NCOA/ EPFO/pensioners dues**

**Dated -04-07-2023**

To  
**Ms Neelam Shami Rao**  
Commissione, Employees Provident Fund Organization Head Office,  
Bhavishya Nidhi Bhavan,  
14-Bikaji Cama Place  
New Delhi 110066

**Dear Madam,**

**Sub : Dues to EPFO from pensioners for Higher Pension.**

We appreciate the efforts of EPFO in implementing the Order dt 4<sup>th</sup> Nov 2022 of Honorable Supreme Court reg Higher Pension. It would indeed be of great benefit to all those in the Organized sector. As per the directions of EPFO many have submitted the Joint Option online for Higher Pension. The Employers have also shared the wage details with the EPFO for those who have exercised the Option. It is understood that EPFO would be shortly sending out letters indicating the amount to be deposited by the retired employees towards 8.33% and 1.16% from Employers' Contribution.

2.0 It is requested that the following may please be given due consideration and be included in the Demand Letter from EPFO.

1. Exact Pension amount.
2. Time frame for start of Pension
3. Total Pension Arrears up to date from the start of Pension.

3.0 We would also like to suggest the following so that the retired employees are not burdened too much in organizing huge sums of money required to be paid to EPFO.

- A. Income Tax on the Arrears amount @20% or 30% or as deemed fit by EPFO may be credited to Income Tax Dept. EPFO may suitably issue Form 16 to all.
- B. The remainder of the Arrears after crediting tax may be deducted from the total amount due to EPFO for Higher Pension. This would greatly help the retired community. EPFO would anyway get what is due to it and save the hassle of paying the arrears to the employees,
- C. If the arrear is more than the total amount due to EPFO, which could be the case for very few employees, the EPFO may pay the difference only.
- D. The interest on whatever due to EPFO (8.33% + 1.16%) may please be charged on rates prescribed by EPFO from time to time during the service period of the employee. Some of the exempted establishments give interest on PF subscriptions marginally more than what is given by EPFO.

- E. EPFO has stipulated a window of 3 months for retired employees to remit their payments. Interest is levied for delays within the window. It is felt there should be no interest levied for delays within the window. Interest can be levied after the window.
- F. Interest on dues to EPFO can be levied upto the point the employee reaches 58 and exits the EPS. Beyond that there shall be no interest liability on dues to EPFO and also on Pension arrears.
- G. Retired employees may be given the option to withdraw from the Joint Option if the terms are not acceptable.
- H. Retired employees have opted for Higher Pension on the basic premise that pension would be based on pensionable salary being the average of the last 60 months before exit from EPS. The viability of sustaining the Higher Pension during the lifetime of the retired employees may be ascertained properly. It is in the fairness of things that amount of Pension is maintained and not reduced later on.

4.0 It may please be appreciated that; the retired employees need to make an informed economic decision before exiting their present investments to raise money for Higher Pension. It is pertinent that the money so diverted to EPFO would not be returned to the legal heirs of the employee after passing away of the employee and spouse. The longevity of the retired person and spouse is also not something that can be predicted for sure.

4.1 Retired employees may hesitate to proceed with the payments to EPFO in the absence of clarity on the above issues.

5.0 In view of the above EPFO may kindly consider suggestions at para 2 and 3 above and accordingly issue the Demand Letters to the retired employees seeking Higher Pension.

With warm regards



**(V K Tomar)**  
**Secretary General**

**CC : Ms Arti Ahuja**  
**Secretary,**  
Minsistry of Labour and Employment  
Govt Of India  
New Delhi

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