

Telecom Executives' Association of MTNL

CENTRAL HEAD QUARTER

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No. TEAM/CHQ/MTNL/2015-16/131

Dated : 30.03.2017

To
The Chairman and Managing Director,
Mahanagar Telephone Nigam Limited
Corporate office
9, C G O Complex, Lodhi Road
New Delhi-110003

Subject :- Allowing members of the employees' pension scheme-1995, the Benefit of the actual salary in the pension fund exceeding wage Limit of either Rs 5000/- or Rs 6500/- per month from the effective dates respectively – as per order of Hon'ble Supreme court in SLP No. 33032 – 33033 of 2015 – regarding.

Ref. :- Addle Central P F Commissioner, HQ(Pension) letter No. Pension-1/12/33/EPS Amendment/96/VIII./34007 dated 23/03/2017.

Sir,

Kindly refer the above mentioned office order issued by Additional Central PF Commissioner.HQ (Pension) of Employees' Provident Fund Organisation. This order has been issued in the wake of implementation of Hon'ble Supreme Court' directions in SLP No. 33032 – 33033 of 2015 as approved by the Ministry of Labour and Employment, Government of India. The following are the important extract from the said order mentioned interalia :-

“the reference to the date of commencement of the scheme or the date on which the salary exceeds the ceiling limit are dates from which the option exercised are to be reckoned with for calculation of pensionable salary. The said dates are not cut off dates to determine the eligibility of the employer-employee to indicate their option under the provision of Clause 11(3) of the Pension Scheme.”

- 1) “ The M.O.L&E vide letter dated 16/03/2017 has conveyed its approval to allow members of the Employees' Pension Scheme.1995 who had contributed on higher wages exceeding the statutory wage ceiling of Rs 6500/- in the Provident Fund to divert 8.33% of the salary exceeding Rs6500/ to the Pension Fund with upto date interest as declared under EPF Scheme, 1952 from time to time to get the benefit of pension on higher salary on receipt of joint option of the employer and employee.”

[The copy of the said order is enclosed herewith]

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2. In view of the above stated provisions, a member contributing to the Provident Fund on the wages exceeding statutory limit or who had contributed to the Provident Fund on the wages exceeding the statutory ceiling are eligible for exercising option to contribute on such higher wages to the Pension Fund.

3. Thus it is a fit case for MTNL to initiate immediately the implementation of the said order in letter and spirit so that the employees may get benefit of higher pension on higher salary at the time of retirement.

Thanking you,

Your's sincerely



(A.K.KAUSHIK)

General Secretary

Copy to :-

1. The Regional Provident Fund Commissioner, Delhi Region, Wazirpur Industrial Area, Delhi-110052 for information with a request to please take up with MTNL, Delhi for appropriate action in this regard.