Para No: 2626

Para Title: Para Title

Para Description:

Para Description

Para No:

Para Title: DEFINITIONS

Para Description:

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 5D of the Act;

(iv) **"contributory service"** means the period of actual service rendered by a member for which the contribution to the fund have been received or are receivable;

(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 [***] daughters of a member of the Employees' Pension Fund;

Explanation.—The expression "sons" and "daughters" shall include children legally adopted by the member.

(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;

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 1 received or are receivable;

(xi) **"orphan"** means a person, none of whose parents is alive [***];

(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 adminissible, if any;

(xiv) **"Pension Fund"** means the Employees' Pension Fund set up under sub-section (2) of section 6A of the Act;

(xv) **"pensionable service"** means the service rendered by the member for which contributions have been received or are receivable;

(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.

Para No: 3

Para Title: PAYMENT OF CONTRIBUTION

Para Description:

(1) The employer shall pay the contribution payable to the Employees' Pension Fund in respect of the 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.

4-a {Provided that the Central Government shall pay the contribution payable to the Employee's 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.}

4-a Inserted by G.S.R 252 (E) dated 31/03/2008 (w.e.f. 01/04/2008)

Para No: 4

Para Title: [xxx]

Para Description:

13-a [xxx]

13-a Deleted by G.S.R 688 (E) dated 26/09/2008

Para No: 5

Para Title: DETERMINATION OF PENSIONABLE SERVICE

Para Description:

(1) The pensionable service of the member shall be determined with reference to the contributions received or are receivable on his behalf in the Employees' Pension Fund.

(2) In the case of the member who superannuates on attaining the age of 58 years, 10-a {and} who has rendered 20 years pensionable service or more, his pensionable service shall be increased by adding a weightage of 2 years.

10-a substituted by G.S.R 594 (E) dated 23/07/2009

Para No: 6

Para Title: RESOLUTION OF DOUBTS

Para Description:

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.

Para No: 7

Para Title: [xxx]

Para Description:

12A-a [xxx]

12A-a Deleted by G.S.R 688 (E) dated 26/09/2008

Para No: 8

Para Title: DUTIES OF EMPLOYERS

Para Description:

(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 Employees' Family 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 this Scheme, and it shall be the duty of every employer to carry out such directions.

20-a (5.)Every employer shall send to the commissioner an electronic format of the returns referred to in sub-pharagraphs (1) and (2) in such form and manner as may be specified by the commissioner.)

20-a Inserted by S.O 1809(E) dated 5/08/2011

Para No: 9

Para Title: ROUNDING UP OF THE BENEFITS

Para Description:

All items of benefits 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 shall be ignored.

Para No: 10

Para Title: BENEFITS ON LEAVING SERVICE BEFORE BEING ELIGIBLE FOR MONTHLY MEMBERS PENSION

Para Description:

14-a{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’.}

14-a Substituted by G.S.R.609(E) dated-22/08/2014

Para No: 11

Para Title: BENEFITS ON PERMANENT AND TOTAL DISABLEMENT DURING THE SERVICE

Para Description:

(1) A member, who is permanently and totally disabled during employment shall be entitled to pension as admissible under 15-a{("sub-paragraphs (2) to (5) of paragraph 12, as the case may be,")} 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 members pension in such cases shall be payable from the date following the date of permanent total disablement and shall be tenable for the life time 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.

15-a Substituted G.S.R.593(E) dated 19/08/2014 w.e.f 1/09/2014

Para No: 12

Para Title: GUARANTEE OF PENSIONARY BENEFITS

Para Description:

None of the pensionary benefits under this Scheme shall be denied to any member or 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.

Para No: 13

Para Title: PREPARATION OF CONTRIBUTION CARDS

Para Description:

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.

Para No: 14

Para Title: EMPLOYER TO FURNISH PARTICULARS OF OWNERSHIP

Para Description:

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

Para No: 15

Para Title: DUTIES OF CONTRACTORS

Para Description:

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 Commisioner.

Para No: 16

Para Title: ALLOTMENT OF ACCOUNT NUMBERS

Para Description:

(1) For purposes of this Scheme, where the member has already been allotted or is allotted hereafter an account 1. Subs. by G.S.R. 134, dated 28th February, 1996 (w.e.f. 16-3-1996). number under the Employees' Provident Funds Scheme, 1952, he shall retain the same account number.

(2) In the case of employees of the establishments exempted from the Employees' Provident Funds 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' Provident Funds 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 Commisioner.

Para No: 17

Para Title: DECLARATION BY PERSONS TAKING UP EMPLOYMENT AFTER THE FUND HAS BEEN ESTABLISHED

Para Description:

The employer shall before taking any person into employment, ask him/her to state in writing whether or not he/she 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 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/her and his/her family in the Form prescribed by the Central Provident Fund Commissioner.

24-a{Provided that if such person is a person with disability, the aforesaid Form shall further contain such particulars as are necessary for such person.}

[24-a] Inserted by G.S.R 252 (E) dated 31/03/2008 (w.e.f. 01/04/2008)

Para No: 18

Para Title: EMPLOYEES^ PENSION FUND ACCOUNT

Para Description:

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.

Para No: 19

Para Title: DISPOSAL OF THE FUND

Para Description:

(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 the date.

(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.

Para No: 20

Para Title: ADMINISTRATION ACCOUNT

Para Description:

[xxx]

Para No: 21

Para Title: FORMS OF ACCOUNTS

Para Description:

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.

Para No: 22

Para Title: AUDIT

Para Description:

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.

Para No: 23

Para Title: VALUATION OF THE EMPLOYEES^ PENSION FUND AND REVIEW OF THE RATES OF CONTRIBUTIONS AND QUANTUM OF THE PENSION AND OTHER BENEFITS

Para Description:

(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.

(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.

Para No: 24

Para Title: DISBURSEMENT OF PENSION AND OTHER BENEFITS

Para Description:

[1a]**Disbursement of pension and other benefits.-** (1) The Commissioner shall, with the approv al of the Central Board, enter into arrangement for the disbursement of pension and other ben efits under this Scheme with disbursing agencies like post office or nationalised banks or Trea suries or scheduled commercial banks including regional rural banks or co-operative banks **throu gh electronic or digital funds transfer system**.

(2) The Commission payable to the disbursing agencies and other charges incidental thereto sh all be met as provided in paragraph 27 of the Scheme."

1a substituted as per the notification w.e.f 04.05.17

Para No: 25

Para Title: OPTION FOR JOINING THE SCHEME

Para Description:

(1) Members referred to under subparagraph (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.

Para No: 26

Para Title: POWER TO ISSUE DIRECTIONS

Para Description:

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.

Para No: 27

Para Title: REGIONAL COMMITTEE

Para Description:

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.

Para No: 28

Para Title: ANNUAL REPORT

Para Description:

The Central Board shall cause to be included in the annual report on the working of this 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.

Para No: 29

Para Title: APPLICATION OF THE PROVISIONS OF THE EMPLOYEES^ PROVIDENT FUNDS SCHEME, 1952

Para Description:

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

Para No: 30

Para Title: EXEMPTION FROM THE OPERATION OF THE PENSION SCHEME

Para Description:

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 subparagraph (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.

Para No: 31

Para Title: SUBMISSION OF RETURN

Para Description:

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 [39A-a](and such return shall also be submitted in electronic format in such form and manner as may be specified by the commissioner)

Inserted by s.o 1809(E) dated 5/08/2011 w.e.f.5/08/2011

Para No: 32

Para Title: INFORMATION TO THE CENTRAL GOVERNMENT

Para Description:

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.

Para No: 33

Para Title: INTERPRETATION

Para Description:

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.

Para No: 34

Para Title: PUNISHMENT FOR FAILURE TO SUBMIT RETURN, ETC

Para Description:

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 employer's 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.

Para No: 35

Para Title: PAYMENT OF PENSION IN THE CASE OF A PERSON CHARGED WITH THE OFFENCE OF MURDER

Para Description:

(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 subparagraph

(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.

Para No: 36

Para Title: TRANSFER VALUE

Para Description:

39B-a {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:—

(a) Withdrawal benefit relating to past service period upto 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, and

(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.

(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.

39B-a inserted by G.S.R.430 (E) dated 19/05/2003 w.e.f.23/05/2003

Para No: 37

Para Title: REGISTERS, RECORDS, ETC

Para Description:

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.

Para No: 38

Para Title: REPEAL AND SAVINGS

Para Description:

(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

No. of full years contribution paid	Proportion of pay payable at cessation of membership

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
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

44-b{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

1[YEARS]	FACTOR
Less than 1	1.039
Less than 2	1.122
Less than 3	1.212
Less than 4	1.309
Less than 5	1.413
Less than 6	1.526
Less than 7	1.649
Less than 8	1.781
Less than 9	1.923
Less than 10	2.077
Less than 11	2.243

Less than 12	2.423
Less than 13	2.616
Less than 14	2.826
Less than 15	3.052
Less than 16	3.296
Less than 17	3.560
Less than 18	3.845
Less than 19	4.152
Less than 20	4.485
Less than 21	4.843
Less than 22	5.231
Less than 23	5.649
Less than 24	6.101
Less than 25	6.589
Less than 26	7.117
Less than 27	7.686
Less than 28	8.301
Less than 29	8.965
Less than 30	9.682
Less than 31	10.457
Less than 32	11.294
Less than 33	12.197
Less than 34	13.173}

44-bTABLE C

(See paragraph 16)

EQUIVALENT WIDOW PENSION

Salary at day of death not more than	Equivalent widow pension
(Rupees)	(Rupees)
Upto 300	250
350	327
400	343
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
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
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
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]

***{TABLE D**

See the paragraph (14)

Return of contribution on exit from the employment

Year of service	Proportion of wages at exit
1	1.02
2	1.99
3	2.98

4	3.99
5	5.02
6	6.07
7	7.13
8	8.22
9	9.33}

Note: The above table is based on a flat addition in benefit

Table E

[43-a] *(See Paragraph 39-B)*

(Transfer value of contribution from Employee^s Pension Scheme, 1995 to exempted or other Pension fund and vice-versa)

Number of full year^s contribution paid	Proportion of pay payable on last contribution month	Number of full year^s contribution paid	Proportion of pay payable 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	31.4771

44-a Substituted by G.S.R. 514 (E) dated 23/7/2009

44-b substituted by G.S.R 438 (E) dated 9/06/2008

Para No: 39

Para Title: DETERMINATION OF ELIGIBLE SERVICE

Para Description:

The eligible service shall be determined as follows:—

(a) in the case of “new entrant” the “actual 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 9-1{“contributory 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.

Explanation.—For the purpose of this sub-paragraph the aggregate of 9-1{“contributory service"} and past service for less than six months shall be ignored and 6 months and above shall be rounded off to a year.

9-1 Substituted Notification No. G.S.R.226(E) ,dated 26.03.2015

Para No: 40

Para Title: PAYMENT OF PENSION

Para Description:

The claims, complete in all respects submitted along with the requisite documents shall be settled and benefit amount paid to the beneficiaries within 17A-a{20 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 17A-a{20 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 17A-a{20 days}, the Commissioner shall be liable for the delay beyond the said period and penal interest at the rate of 12 per cent. per annum may be charged on the benefit amount and the same may be deducted from the salary of the Commissioner.

17A-a - Substituted by F.No.S-65013/1/2015-SS-II dated 2/07/2015

Para No: 41

Para Title: DETERMINATION OF PENSIONABLE SALARY

Para Description:

11-a{(“(1) The Pensionable salary shall be the average monthly pay drawn in any manner including on piece 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 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 11-b{sixty months} 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 11-b{sixty months} 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 11-c{fifteen thousand rupees} per month:

11-d [***]

11-e{"(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 five hundred rupees per month 11-f {and the pensionable salary for the existing members who prefer such fresh option shall be based on the higher salary} may on a fresh option to be exercised jointly by the employer and the employee continue to contribute on salary exceeding fifteen thousand rupees per month 11g {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 contributes at the rate of 1.16 percent on salary exceeding fifteen thousand rupees as as 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 there under:

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.}

11-a substituted by G.S.R.609(E) dated-22/08/2014 w.e.f 1/09/2014

11-b substituted by G.S.R.609(E) dated-22/08/2014 w.e.f 1/09/2014

11-c substituted by G.S.R.609(E) dated-22/08/2014 w.e.f 1/09/2014

11-d Proviso deleted vide notification No:G.S.R.609(E) dated-22/08/2014

11-e Inserted by G.S.R.609(E) dated-22/08/2014 w.e.f 1/09/2014

11-f inserted by G.S.R 657 (E) dated - w.e.f 01/07/2016

11g inserted by

G.S.R. 657(E) dated w.e.f 01/07/16

Para No: 42

Para Title: SPECIAL PROVISIONS IN RESPECT OF INTERNATIONAL WORKERS

Para Description:

43A-a {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;

43A-b{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) 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.

(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.

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

(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 die Employees^

Pension Fund:

Provided that for die purposes of determining die 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.

(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, therein, 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 die beneficiary under die Scheme is covered under a social security agreement between India and another country, the pension and older 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 die 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 older country, in a manner and as per the terms and conditions specified therein.}

43A-b Inserted by G.S.R.1036(E) dated 02/11/2016

43A-a Substituted by G.S.R .149 dated 03/09/2010

Para No: 44

Para Title: RETENTION OF MEMBERSHIP

Para Description:

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.

Para No: 45

Para Title: SHORT TITLE, COMMENCEMENT AND APPLICATION

Para Description:

(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.

Para No: 46

Para Title: MEMBERSHIP OF THE EMPLOYEES^ PENSION SCHEME

Para Description:

Subject to subparagraph (3) of paragraph 1, this 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 27A of the Employees' Provident Fund Scheme, 1952, 6-a{("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 Fund 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 27A 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.

6-a Inserted by G.S.R.609(E) dated 22.08.2014 w.e.f 1/09/2014

Para No: 47

Para Title: PAYMENTS ON EXERCISE OF OPTION

Para Description:

(1) Beneficiaries of the deceased members of Employees' Family Pension Scheme, referred to in sub-para (i) 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.

Para No: 48

Para Title: PARTICULARS TO BE SUPPLIED BY THE EMPLOYEES ALREADY EMPLOYED AT THE TIME OF COMMENCEMENT OF THE EMPLOYEES PENSION SCHEME

Para Description:

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.

Para No: 49

Para Title: EMPLOYEES^ PENSION FUND

Para Description:

(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 27A of the Employees' Provident Funds 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 [3-a]{(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 [3-a]{(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 fifity 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.

[3-a] inserted by G.S.R .609(E) Dated 22/08/2014 w.e.f. 01/09/2014

Para No: 50

Para Title: BENEFITS TO THE FAMILY ON THE DEATH OF A MEMBER

Para Description:

(1) Pension to the Family 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 years, from the employment having rendered service entitling him/her to monthly members' pension but before the commencement of pension payment, or

(c) after commencement of payment of the monthly members 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 members pension which would have been admissible as if the member had retired on the date of exit or Rs. 450/- 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 members pension payable to the member on the date of his death subject to a minimum of Rs. 450 per month,

(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;

16-b{("(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 16-e{***}

(b) the monthly widow pension shall be payable upto the date of death of the widow or re-marriage whichever is earlier.

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.

16-c{(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 16-e{***}

(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 the maximum of two children at a time and will run from the oldest to the youngest child in that order.

(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)16-c{“(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 percent 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 16-e{***}

16-D{“(aa) The monthly orphan pension shall be payable to each orphan till such orphan attains the age of twenty-five years:

Provided that the monthly orphan pension shall be payable to an orphan beyond the age of twenty-five years, if such orphan is suffering from disorder or disability of mind or who is physically crippled or disabled.”.}

(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.

(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.

(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).

(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) of sub-paragraph 2 either to dependant father or dependant mother as the case my 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 life long.

(b) If the deceased member had not rendered pension able service on the date of exit from employment which would have made him entitled to a monthly member pension under paragraph 12, but had opted to retain the membership of this Scheme under sub-paragraph (8) of paragraph 12, the nominee or the dependant father or the dependant mother, as the case may be, shall be entitled to 16-a {a withdrawal benefit as provided in paragraph 14}

16-a substituted by G.S.R.(80) dated 14/02/2013

16-b inserted by G.S.R.593(E) dated 19/08/2014

16-c substituted by G.S.R.593(E) dated 19/08/2014

16-D Inserted by G.S.R. 387 (E) dated 01/04/2016

16-e Omiited {for the financial year 2014-15} by G.S.R. 603 (E) w.e.f. 01/04/2016

Para No: 51

Para Title: MONTHLY MEMBERS PENSION

Para Description:

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

Monthly member's pension = pensionable salary x pensionable service

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12-d{

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

(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.

S. No.	Years of past service	Salary upto Rs. 2,500 per month	Salary more than Rs. 2,500 per month
	(1)	(2)	(3)

(i)	Upto 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 12-b { four per cent}. For every year the age falls short of 58 years.}

12-c{"(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 12-f{***}

12-g{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 extant provisions of this scheme prior to 26th September, 2008; and

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

12-h{(7B) (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 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 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 alongwith 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:

12-e{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 (upto 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.}

12-a Substituted by G.S.R.431(E) dated 15/06/2007.

12-b substituted by G.S.R 690 (E) dated 26/09/2008.

12-c inserted by G.S.R.593(E) dated 19/08/2014.

12-d inserted by G.S.R.609(E) dated 22/08/2014.

12-e Substituted by G.S.R. 533(E) w.e.f.19/05/2016

12-f Omitted {for the financial year 2014-2015} by G.S.R. 603(E) w.e.f. 01/05/2015

12-g Inserted by G.S.R. 603(E) w.e.f. 01/05/2015

12-h Inserted by G.S.R. 440(E) w.e.f.25/04/2016

Para No: 52

Para Title: RECOVERY OF DAMAGES FOR DEFAULT IN PAYMENT OF ANY CONTRIBUTION

Para Description:

5-a (1) Where an 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 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 below:

Period of default	Rate of damages (Percentage of arrears per annum)
(a) Less than two 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, fifty paise or more to be counted as the nearest higher rupee and fraction of a rupee less than fifty paise to be ignored.

5-a Substituted by G.S.R 688 (E) dated 26/09/2008

Para No: 53

Para Title: INVESTMENT OF THE EMPLOYEES^ PENSION FUND

Para Description:

(1) All moneys accruing to the 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.

(2) Net assets of the Family Pension Fund as on the 16-11-1995 shall merge in the Pension Fund and remain invested in the Public Account of the Government of India.

The future Central Government's contributions accruing to the Pension Fund from 17th November, 1995 onwards shall also be invested in the Public Account of the Government of India.