

# इरकॉन कर्मचारी अंशदायी भविष्य निधि कोष

## IRCON EMPLOYEES CONTRIBUTORY PROVIDENT FUND TRUST

Head Office : IRCON INTERNATIONAL LIMITED

C-4, DISTRICT CENTRE, SAKET,

NEW DELHI - 110 017 (INDIA)

PHONE : 29565666

FAX : 26854000, 26522000

DL CPM 000 5568 000

### Circular for Implementation of EPS-95 – Higher Pension on Actual Salary/Wages

No: IRCON/ECPF/ EPS-95-HIGHER PENSION/859

Date:08.02.2023

**Sub: Implementation of EPS-95 – Higher Pension on Actual Salary/Wages** - Joint option in compliance of Para 43 and 44 (iv) read with Para 44 (ii) and Para 38, 39 & 41 of the Judgement dated 04.11.2022 of the Hon'ble Supreme Court of India in Civil Appeals arising out of SLP (C) No. 8658-8659 of 2019 titled EPFO & Anr. vs Sunil Kumar B. & Ors. Etc.

**Ref:** (1) Circular No. IRCON/ECPF/HIGHER PENSION/830 Dt: 03.01.2023  
(2) Amendment to Circular vide No. IRCON/ECPF/HIGHER PENSION/830 Dt: 06.01.2023  
(3) IRCON/ECPF/ EPS-95-HIGHER PENSION/833 Dt:19.01.2023

- 1 Pursuant to the judgment of the Supreme Court of India dated 04.11.2022, Ircon ECPF Trust has issued three circulars (as above) requesting all eligible & interested members of Ircon ECPF Trust to opt for higher pension for submitting joint option to EPFO authority. It has been categorically mentioned in these circulars that employees who had retired (at age 58 years) prior to 01.09.2014, are not required to submit their option to Ircon ECPF Trust.
- 2 It is observed that the employee(s) who had retired at the age of 58 years on or before 01.09.2014 are communicating to Ircon ECPF Trust via email/WhatsApp/ phone calls etc for submitting their option now. On scrutiny of the records available with Ircon ECPF Trust, it is observed that except one member i.e Sh V Satyanaryan, no joint option(s) opting for higher pension on actual PF Wages and rejection thereof by EPFO/RPFC is available with Ircon ECPF Trust.
- 3 As joint option(s) for higher pension on actual PF wages of the members of Ircon ECPF Trust retired prior to 01.09.2014 are not available with Ircon ECPF Trust and as there is no correspondence(s) available with Ircon ECPF Trust (except Shri V Satyanaryan), it is clarified that no further enquiries from employees as mentioned in para 1 and 2 above, shall be entertained by Ircon ECPF Trust.

Place: New Delhi

Date: 08,02, 2023

For IRCON ECPF Trust

*Yamin Sahib*  
08/02/2023

(Signature of authorized signatory with official seal)

Authorised Signatory