

**GOVERNMENT OF INDIA
LABOUR AND EMPLOYMENT
LOK SABHA**

UNSTARRED QUESTION NO:645
ANSWERED ON:28.11.2005
PENSION UNDER EPS,1995
Chakraborty Shri Swadesh

Will the Minister of LABOUR AND EMPLOYMENT be pleased to state:

- (a) whether the pension under Employees Pension Scheme (EPS), 1995 is mandatory for all the employees of CPSUs after the judgment passed by the Hon'ble Supreme Court on November 11, 2003;
- (b) if so, the number of employees in Howrah works of BSCL who are yet to get pension under EPS, 1995;
- (c) whether the Employees Provident Funds (EPF) office at Howrah is compelling the employees of M/s Hindustan Motors to withdraw EPF in violation of EPF and Miscellaneous Provisions (MP) Act 1952;
- (d) if so, the details thereof;
- (e) whether the widows of deceased employees are also not getting pension under the EPS, 1995;
- (f) if so, the details thereof alongwith the reasons therefor; and
- (g) the action taken/proposed to be taken in this regard?

Answer

MINISTER OF LABOUR AND EMPLOYMENT (SHRI K. CHANDRASEKHAR RAO)

- (a): Yes, Sir. The Employees' Pension Scheme, 1995 is applicable to all the employees of establishments including CPSUs to which the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 applies and who were the members of the Employees' Family Pension Scheme, 1971 as on 15.11.1995 or who joined the establishment and became members of the Fund on or after 16.11.1995.
- (b): Due to stay granted by the Court, M/s. Howrah Works of BSCL, (WB/216) did not comply under the EPS, 1995 till the matter reached finality following the judgement of the Supreme Court on 11.11.2003. Pensions claims are settled in accordance with the scheme provisions on receipt thereof. So far, 72 cases of pension have already been settled.
- (c) to (g): No employee of M/s. Hindustan Motors Ltd. is being denied benefit under EPS, 1995 by Sub-Regional Office, Howrah as on date. So far, a total of 201 pension cases have been settled in respect of M/s. Hindustan Motors, which include 47 widow pension cases. However, the employees who have left their services prior to the Supreme Court Order dated 11.11.2003 and withdrawn their EPF accumulations are entitled to pensionary benefits only after remittance of contributions under EPS, 1995 with effect from 16.11.1995 along with appropriate interest.