

**GOVERNMENT OF INDIA
MINISTRY OF LABOUR AND EMPLOYMENT**

LOK SABHA

**UNSTARRED QUESTION NO. 5286
TO BE ANSWERED ON 04.04.2022**

EPS-95 PENSION SCHEME

5286. SHRI RAJMOHAN UNNITHAN:

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

- (a) whether the Government has taken steps to review and revise the EPS-95 scheme every ten years; if so, the details thereof; if not, the reasons therefor;**
- (b) whether the Supreme Court has constituted a three-member bench to inquire into the non-payment of pension to the retiring workers, if so, the details thereof; and**
- (c) whether the Government is working for a comprehensive revision of the PF Pension, if so, the elaborate plan intended to implement the same shortly or in near future?**

ANSWER

**MINISTER OF STATE FOR LABOUR AND EMPLOYMENT
(SHRI RAMESWAR TELI)**

(a): The Employees' Pension Scheme, 1995 (EPS-95) has been framed by the Central Government in accordance with the powers conferred by section 6A of the Employees' Provident Funds and Miscellaneous Provisions (EPF and MP) Act, 1952. The EPS-95 came into force on 19.11.1995. Review and revision of schemes is an ongoing process. The provisions of the EPS-95 are reviewed from time to time based on the recommendations of the Expert Committee and the High Empowered Monitoring Committee as well as taking into account the actuarial evaluation of the Employees' Pension Fund. Some of the important amendments made in EPS-95 are as under:

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- (i) Increase in wage ceiling from Rs. 6500/- to Rs.15000 per month from 01.09.2014.**
- (ii) Provision of a minimum pension of Rs. 1000 per month to the pensioners under EPS, 1995 from 01.09.2014 by providing additional budgetary support wherever the pension was falling short of Rs.1000 as per pre-defined formula for calculation of pension.**
- (iii) Restoration of normal pension after completion of fifteen years from the date of such commutation, in respect of those members who availed the benefit of commutation of pension under the erstwhile paragraph 12A of the EPS, 1995, on or before 25.09.2008 vide notification G.S.R.132(E) dated 20.02.2020.**

(b): The Union of India and the Employees' Provident Fund Organisation (EPFO) have challenged the judgement dated 12.10.2018 of Hon'ble Kerala High Court, which set aside the 2014 amendments to the EPS-95, in the Hon'ble Supreme Court. The Hon'ble Supreme Court vide its order dated 24.08.2021 in Special Leave Petition (C) Nos.8658-8659 of 2019 and other connected cases directed to refer the matters to a Bench of at least three Judges. The matter is now sub-judice.

(c): The Code on Social Security, 2020 (36 of 2020), was notified on 29.09.2020, which subsumes 9 Central labours laws including the EPF and MP Act, 1952. Section 15 of the new Code envisages to frame various schemes including pension for the employees and their family members. However, the said Code has not yet come into force.
