

**GOVERNMENT OF INDIA
MINISTRY OF LABOUR AND EMPLOYMENT
RAJYA SABHA
STARRED QUESTION NO. 369
TO BE ANSWERED ON 06.04.2023**

SUBMISSION OF JOINT OPTION BY EPF PENSIONERS FOR HIGHER PENSION

369. DR. JOHN BRITTAS:

Will the Minister of Labour and Employment be pleased to state:

- (a) whether Government has taken note of criticism against unfeasible requirements and complex process in the unified portal rolled out by EPFO for submission of joint options for higher pension;**
- (b) whether Supreme Court judgment has not prescribed for submission of any other documents, but fresh joint option;**
- (c) whether Government would permit EPF pensioners for offline submission of joint option directly, without insisting on any other documents;**
- (d) whether Government would withdraw the stipulation in portal to upload proof of joint option purported to be given while starting higher contribution on actual salary as per Para 26(6) of EPF Scheme; and**
- (e) if not, reasons therefor?**

ANSWER

**MINISTER OF LABOUR AND EMPLOYMENT
(SHRI BHUPENDER YADAV)**

(a) to (e): A statement is laid on the Table of the House.

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STATEMENT REFERRED TO IN REPLY TO PARTS (a) TO (e) OF RAJYA SABHA STARRED QUESTION NO. 369 TO BE ANSWERED ON 06.04.2023 BY DR. JOHN BRITTAS, HON'BLE M.P. REGARDING "SUBMISSION OF JOINT OPTION BY EPF PENSIONERS FOR HIGHER PENSION".

(a) to (e):As per directions contained in paragraph 44(ix) read with paragraph 44(v) and (vi) of the Hon'ble Supreme Court judgment dated 04.11.2022, online applications were called by Employees' Provident Fund Organisation (EPFO) on 29.12.2022 from pensioners who had retired before 01.09.2014 and had exercised joint option for contributing in pension fund on salary exceeding wage ceiling before their retirement but whose joint options were rejected by the EPFO (on account of cut-off date). Joint options were to be filed on or before 03.03.2023. Now this date has been extended up to 03.05.2023.

Further, as per directions contained in paragraph 44(iii) & paragraph 44 (iv) read with paragraph 44(v) of the judgment of Hon'ble Supreme Court dated 04.11.2022, instructions have been issued by EPFO on 20.02.2023 for online joint options to be filed by the employees who were in service prior to 01.09.2014 and continued to be in service on or after 01.09.2014 but could not exercise joint option under erstwhile proviso to paragraph 11(3) of Employees' Pension Scheme (EPS), 1995. Joint options can be filed on or before 03.05.2023.

Online option forms require filing of certain documents which are required by EPFO to ascertain the eligibility of employees/ pensioners for higher pension as per directions contained in the aforesaid judgment of the Hon'ble Supreme Court.

In the unified portal, the process for submission of joint options for higher pension is simple and easy to understand and contains simple requirements as per provisions of the Employees' Provident Funds Scheme (EPF), 1952, and EPS, 1995. For convenience of members and pensioners, Employees' Provident Fund Organisation (EPFO) has directed its field offices located all over India for assisting the applicants in filing these online forms.

The joint option under paragraph 26(6) of the Employees' Provident Funds Scheme, 1952 is a requirement which predates the EPS, 1995. It has been required as per the EPF Scheme, 1952 provisions. However, employees/ pensioners are not restricted from filing application forms/ joint options in the absence of this requirement.
