



NATIONAL CONFEDERATION OF OFFICERS' ASSOCIATIONS

(National Forum of the Executives of Central Public Sector Enterprises)

Registered under the Trade Union Act 1926 Reg.No.DNE 707

Adasul M. S.
(SNEA, BSNL)
President

Anilkumar.G.
(ITI Limited)
Secretary General

Working President :
N.K.Banchhor (SAIL)

Treasurer
Sunilkumar (MTNL)

Organising Secretary
Kusuma Rajasekhar (HAL)

Secretary Women affairs
Ms Geeta Sunatkari (MDL)

Sr Vice President
Lakhminarayan S.M (BEL)

Vice Presidents :

North : Rajendra Jat (NTPC)

East : Kanchan Bhusan Paul (NEEPCO)

West : Pushkaraj P Wad (RCF)

South: Veerakumar Y (BEML)

Dy.Secretary Generals :

North : Saifullah (Airport Authority)

East : Banamali Sethy (NALCO)

West: Baba Chavan (MDL)

South: Katam SS Chandra Rao (RINL)

Secretary Coordination
P. J. J. Solomon (BDL)

Chief Patron
K Ashok Rao

Chairman Governing Council
V.K.Tomar

Patron
H.M.Mallesh

Advisers
Alok Roy (IOC)

Baby Thomas

Ref-NCOA/2024/LM/EPS 95

Dated: 11-07-24

Dr. Mansukh Mandaviya

Hon'ble Minister for Labour and Employment
Govt of India, New Delhi.

Subject: Request for Urgent Compliance with Hon'ble Supreme Court Order Dated 04th November 2022, regarding EPS-95 Implementation for Post-2014 Retirees and Serving Employees.

Respected Sir,

We, the National Confederation of Officers' Associations (NCOA), represents more than two Lakh officers of 240 CPSEs in different sectors of economy. It is a 50 year old organization which is working for the welfare of public sector and its officers.

We are forced to write to you with deep concern regarding the prolonged delay in the implementation of the Hon'ble Supreme Court's order dated 04th November 2022, specifically concerning paragraphs 44(i), (ii), (iii), and (iv). This order, which upholds the provisions of the EPFO's GSR 609(E) dated 22.08.2014, is crucial for the rightful enhancement of pensions under the Employees' Pension Scheme (EPS) - 95 for post-2014 retirees and serving employees. Despite our continuous follow up and various letters including the last one sent to the Central Provident Fund Commissioner on 18-06-2024, no visible improvement/reply is found in this case so far.

Key Points and Current Issues:

Supreme Court's Directive: The Hon'ble Supreme Court directed that members who did not exercise their option earlier should be allowed to do so under the amended scheme within a four-month extension from the date of the order (04.11.2022).

Repeated Extensions by EPFO: The EPFO has extended the deadline multiple times, most recently to 31st May 2024. These extensions, although providing more time for very few, have caused significant distress among retirees and serving employees who have already submitted their joint options.

Inconsistent Implementation: The EPFO's Zonal Office in Coimbatore issued an email on 14th February detailing a method of pension calculation on a **pro-rata basis**, which contradicts the Supreme Court's order and EPFO's own circulars thereby violating the Apex Court's directives.

Pension Calculation Issues: Pension for service prior to EPS-95 has not been adequately addressed. Additionally, while pensioners are required to pay interest on the differential amount, EPFO does not compensate for pension arrears with interest.

Our Request to your good office:

Immediate Compliance: We urge the EPFO to comply fully with the Supreme Court's order and implement the pension enhancements as per the FAQs released on 13th December 2023 and the circular dated 01.06.2023 without further delays.

Processing Pending Applications: Expedite the processing of joint option applications already submitted by retirees and serving employees, without further waiting.

Rectification of Calculation Method: Ensure the correct calculation method as per the Supreme Court's order by the withdrawal of pro-rata based calculation that contradicts the legal mandate.

Interest on Arrears: Fairly compensate pensioners by paying interest on any arrears due to the delay in the pension disbursement.

The ongoing delays and inconsistent directives have created unnecessary anxiety and financial distress among the retirees and employees. We request your immediate attention and intervention to ensure that the Supreme Court's order is honored in both letter and spirit, restoring confidence and financial stability to retired and working employees.

We are sure that a senior leader like you will properly understand the situation and act promptly to resolve these issues and avoid further legal entanglements.

We look forward to your prompt response and necessary action, Sir.

With regards
Yours sincerely,



(Anilkumar.G)
Secretary General.

Address for correspondence

Anilkumar.G, SG NCOA, ITI Limited, Kanjikode West P.O., Palakkad, Kerala-678623, Mob-9447345772, 8089223772
email-sgncoa@gmail.com, Website: www.ncoaindia.com