

**STEEL AUTHORITY OF INDIA LTD.**  
**Corporate Office, New Delhi**

**Circular**

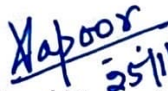
No. PERS/ITB&Med/EPS-95/2023

25.01.2023

**Sub : Judgement dated 04.11.2022 of Hon'ble Supreme Court on Employees' Pension Scheme, 1995 (EPS-95)**

1. This has reference to the Hon'ble Supreme Court's judgement dated 04.11.2022 in the matter of EPFO and Anr. Vs. Sunil Kumar B and Ors., regarding option for contribution on actual salary under EPS-95. The judgement is also applicable to the employees of exempted establishments. SAIL being an exempted establishment, the said judgement is also applicable to its employees/ex-employees who are eligible as per the Hon'ble Supreme Court judgement dated 04.11.2022.
2. As per the communication of EPFO vide No. Pension/2022/54877/15149 dt 29.12.2022 & corrigendum vide No. Pension/2022/54877/15238 dt 05.01.2023, the following points emerge:
  - i. The employees who had exited EPS prior to 01.09.2014 (i.e. attained age of 58 before 01.09.2014) and had not exercised the option for EPS on actual salary under Para 11(3) of EPS Scheme than the wage ceiling fixed by EPFO, will not be entitled to the benefit under the said judgement.
  - ii. The employees who had exited EPS prior to 01.09.2014 and had exercised the option for EPS on actual salary under para 11(3) of EPS Scheme and their application was rejected by concerned EPFO office, are entitled to the benefit of the said judgment.
  - iii. With regard to the employees who have either exited EPS on/post 01.09.2014 or are still in active service, it is expected that separate circular/guideline will be issued by EPFO for such category of employees.
3. Accordingly, ex-employees (as in para 2 above) who meet the criteria specified in the EPFO circulars, will be required to submit their option along with relevant documents to the concerned Plant/Unit from where the employee has separated, as and when further information/formats are uploaded on the SAIL website (www.sail.co.in).
4. In the meantime, while information on further formalities/modalities is awaited from EPFO, steps are underway by the Plants/Units to get the employee's data collated with respect to past pay and other relevant components, which may be sought by EPFO for enhanced pension.
5. Accordingly, for the employees/ex-employees to be able to take an informed decision regarding the option to avail enhanced Pension, SAIL will shortly make available a portal, created for the purpose, wherein details of pension contribution already made and contribution computed on actual salary shall be displayed. Employees/ex-employees shall be required to go through their data available on the portal and in case any discrepancy is noted, the employee/ex-employee would be required to contact the Nodal Officer of the concerned Plant/ Unit along with supporting documents. The list with contact details of the Nodal Officer will be made available on the portal.

This issues with the approval of Competent Authority.

  
(Vaani Kapoor)  
GM (Pers.)

Distribution: Standard