



BOKARO POWER SUPPLY COMPANY (P) LIMITED

(A Joint Venture of SAIL & DVC)

BOKARO STEEL CITY

Personnel & Administration Department

Ref No. BPSCL/P&A/01/ 313

Dated: 13.02.2023

CIRCULAR

Sub: Implementation of guidelines w.r.t. Hon'ble Supreme Court Order dated 04.11.2022 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. BPSCL 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:
 - a. 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.
 - b. 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.
 - c. 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, the 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, as and when further information/formats are uploaded on the BPSCL website (www.bpscl.com).
4. In the meantime, while information on further formalities/modalities are being awaited from EPFO, the employee's data are being 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, BPSCL will shortly make available a portal for the purpose, within our official website (www.bpscl.com) wherein details of pension contribution already made and contribution computed on actual salary shall be displayed.
6. Month-wise data pertaining to actual Basic and DA paid, actual contribution made to PF@12%, actual contribution made under EPS-95 (with wage ceiling), Pension contribution payable on actual salary, differential amount of Pension contribution based on actual salary/wages paid (interest not included), shall also be uploaded on BPSCL portal under the EPS-95 tab.

7. Employees/ ex-employees can view their uploaded data by logging in to the EPS-95 tab within our official website (www.bpscl.com) using Staff No. as Username and Date of Birth (in DD/MM/YYYY format) as password and selecting the option of 'View Contribution'.
8. Further, Employees/ ex-employees are requested to cross-verify the data being displayed through their login and in-case of any discrepancy in data, the same may be taken up with the Nodal Officers with relevant proof towards the discrepancy such as PF statement(s) or salary slip(s) for the relevant period months, through email/ hard copy addressed to the Nodal Officers.
9. Employees/ ex-employees who have joined BPSCL from other organization(s) except SAIL/BSL shall be required to obtain the actual salary details for the purpose, from those organization(s) for their relevant service period in that organization(s).
10. In-case eligible employee(s) who have joined other organization(s) from BPSCL, the actual salary details, on their request, for the applicable service period in BPSCL shall be provided.
11. Eligible ex-employees who would like to exercise the option and who have already withdrawn their Provident Fund from PF Trust shall arrange the applicable differential amount for payment to EPFO, within the time prescribed by EPFO. The mode and manner of deposit of the differential amount will be informed in due course as decided by EPFO.
12. For eligible employees who opt for enhanced EPS-95 pension on actual salary, payment of initial amount shall be released from respective Bokaro Steel Provident Fund Trust PF account of the employee.
13. The interest applicable on the differential amount shall also be required to be paid by employees/ ex-employees who are willing to exercise option for pension on salary higher than the ceiling.

These instructions are subject to any ratification(s)/ guidelines(s) that may be issued by the EPFO from time to time.

Employees/ ex-employees are requested to visit BPSCL EPS-95 portal for latest update/ developments.

This is issued with the approval of Competent Authority.


(Gerard Pushparaj A.)
Sr. Manager (P&A)

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