



# WEST BENGAL LIVESTOCK DEVELOPMENT CORPORATION LIMITED

(A Govt. Of West Bengal Undertaking)

LB-2, Sector-III, Salt Lake City, Kolkata – 700 106

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Website: www.wbldc.in Toll Free No. 18002000823

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Ref. No. LDC/FINANCE/02/EPFO HIGHER PENSION/22-23/970

Date: 24.02.2023

## Notice

**Sub: Submission of 'Joint Option Form' under Para 11 (3) and Para 11**

**(4) Of Employees Pension Scheme, 1995 in accordance with the direction by the Hon'ble Supreme Court of India dated 04th November 2022 vide SLP No. 8658-8659 of 2019 in the matter of The Employees Provident Fund Organization & Etc. Vs Sunil Kumar B. & Etc.**

- 1) The Order dated 4th November 2022 of Hon'ble Supreme Court passed in SPL no. 8658-8659 of 2019, amendment to the Pension scheme brought about by the notification no. G.S.R. 609 (E) dated 22nd August 2014 shall apply to the employees of the regular establishments. Therefore, it is presumed that employees/ex-employees of the West Bengal Livestock Development Corporation Limited (W.B.L.D.C.L.) including employees/ex-employees of West Bengal Dairy & Poultry Development Corporation Limited (now merged on 28.08.2018) may also submit joint option form for availing pension on actual/higher salary. In this matter the employees/ex-employees of W.B.L.D.C.L. fulfilling the conditions as per the order of the Hon'ble Supreme Court of India, have to exercise their option for contributing on higher wages exceeding the statutory wage ceiling of Rs. 5000/6500/- or 15000/- pm in the provident fund to make eligible for diversion of 8.33% of the salary exceeding Rs. 5000/6500/- or 15000/-pm.
- 2) The employees who have retired prior to 1st September 2014 without exercising any option under paragraph 11 (3) of the pre-amended scheme have already exited from the membership therefore such employees would not be entitled to this benefit.
- 3) The employees who have retired before 1st September 2014 upon exercising option under paragraph 11 (3) of 1995 Scheme shall be covered by the provisions of the paragraph 11(3) of the pension scheme as it stood prior to the amendment of 2014.
- 4) All employees of West Bengal Livestock Development Corporation Limited (W.B.L.D.C.L.) who are/were members of the EPS95 Scheme as on 1st September 2014 and are willing to exercise the option and contribute on actual wages in pension fund under EPS 1995 are hereby advised to fill and submit requisite 'joint option form' and declaration (Annexure-A) to get the benefit of pension on actual salary as brought out above.
- 5) Those employees/retired employees of West Bengal Livestock Development Corporation Limited (W.B.L.D.C.L.) who are covered in the para 3 & 4 above may exercise their option duly signed in original by both employee & employer (hard copies) and may submit in envelop earmarked as "Joint Option EPS 1995" to the Regional PF Commissioner.

**Note: Vide EPFO Circular NO. Pension/2022/56259/16541 dated 20.02.23 para 7(i), (ii) & (iii) all the submission would be made digital portal within four months from judgment date.**





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- 6) The joint option form shall be subject to acceptance by EPFO as per rules.
- 7) The option once exercised is irrevocable and change of option at a later date shall not be entertained under any circumstance.
- 8) The Joint Option form duly filled in every manner should be submitted by employees/retired employees concerned, mentioned here in above, latest by 1<sup>st</sup> March, 2023 to the respective Projects/Units/Offices.
- 9) All efforts shall be made to submit the Joint Declaration of willing employees with EPFO within the time-line prescribed in the SC Judgment. As per the SC Judgment, payment of arrears shall follow the submission of joint declaration and arrears shall have to be remitted within timeline, if any, prescribed by EPFO in this regard. Accordingly, retired employees who would exercise the option now and who have already withdrawn the Provident Fund from EPFO shall have to arrange the fund for payment of arrears to the EPFO, within prescribed time. Retired Employees may also note that revision in EPS 1995 Pension may take considerable time as the pension payment under EPS 1995 is done by the concerned office of the EPFO and is not in the control of West Bengal Livestock Development Corporation Limited (W.B.L.D.C.L.).
- 10) In case of serving employees, payment of arrears may be adjusted from the Provident Fund account of the employee lying with EPFO.
- 11) Employees/retired employees are liable to pay short fall in employer contribution to be remitted on account of opting joint option for higher pension under EPS 1995.

  
Managing Director  
W.B.L.D.C.L.