



CIRCULAR

Circular No – 075 / 2021

Date: 27.08.2021

To,
All Members of The Association

EPFO ISSUES CLARIFICATION

REG: DETERMINATION OF ELIGIBLE SERVICE FOR SETTLEMENT OF PENSION CLAIMS RELATED TO WORKERS OF SEASONAL FACTORIES/ESTABLISHMENTS

1. The EPFO has issued a clarification vide circular no - Pen-II/6556/clarification RO/2022 (44611) dated 17.08.2022 regarding Determination of Eligible Service for Settlement of Pension Claims Related to Workers of Seasonal Factories/ Establishments.
2. Seasonal factory and seasonal establishment have been defined under para 2(kk) & 2(kkk) of Employees Provident Fund Scheme, 1952. For pension claims of seasonal factories/establishments, eligible service is determined under para 9(a) of Employees' Pension Scheme (EPS), 1995 amended vide GSR 226(E) dated 26.03.2015 which is reproduced as under:

In the case of "new entrant" the contributory service shall be treated as eligible service. The total contributory service shall be rounded off to the nearest year. The fraction of service for six months or more shall be treated as one year and the service less than six months shall be ignored.

Now it has been clarified that "in the case of employees employed seasonally in any establishment the period of contributory service in any year, notwithstanding that such service is less than a year shall be treated as a full year"

3. In view of the above if a seasonal factory/establishment is operational only for four months and if the employee has worked for those four months, his contributory service shall be treated as a full year. It is reiterated that eligible

service in respect of members of seasonal factories / establishments must be determined properly as per aforesaid amended provisions of para 9(a) of EPS, 1995.

4. A copy of the EPFO HO Circular No.Pen-II /6556/Clarification RO /2022(44611) Dated 17-08-2022 addressed to All Addl.CPFCs, Zonal Offices, All RPFCs/OICs, Regional Office's is attached.

For KARNATAKA EMPLOYERS' ASSOCIATION

Sd/-

[B.C.PRABHAKAR]

PRESIDENT



ईपीएफओ, मुख्यकार्यालय
श्रम एवं रोज़गार मंत्रालय, भारत सरकार
भविष्यनिधिभवन, 14, भीकाजीकामाप्पेस, नईदिल्ली 110066
EPFO, HEAD OFFICE
MINISTRY OF LABOUR & EMPLOYMENT, GOVERNMENT
OF INDIA
14, BHIKAIJI CAMA PLACE, NEW DELHI 110066
www.epfindia.gov.in



No. Pen-II/6556/clarificationfromRO/2022 (44611)

Date: 17.08.2022

To,

All Addl. CPFCs, Zonal Offices.
All RPFCs / OICs, Regional Offices.

Subject: Determination of eligible service for settlement of Pension Claims related to workers of seasonal factories / establishments – reg.

Madam / Sir,

Seasonal factory and seasonal establishment have been defined under para 2(kk) & 2(kkk) of Employees Provident Fund Scheme, 1952. For pension claims of seasonal factories / establishments, eligible service is determined under para 9(a) of Employees' Pension Scheme, 1995 amended vide GSR 226(E) dated 26.03.2015 which is reproduced below for ready reference :

"9. Determination of eligible service – The eligible service shall be determined as follows: -

(a) In the case of "new entrant" the contributory service shall be treated as eligible service. The total contributory service shall be rounded off to the nearest year. The fraction of service for six months or more shall be treated as one year and the service less than six months shall be ignored.

Explanation - In the case of employees employed seasonally in any establishment the period of contributory service in any year, notwithstanding that such service is less than a year shall be treated as a full year."

2. In view of the above if a seasonal factory / establishment was operational only for four months and if the employee has worked for those four months, his contributory service shall be treated as full year. It is reiterated that eligible service in respect of members of seasonal factories/establishments must be determined properly as per aforesaid amended provisions of Para 9(a) of EPS, 1995.

Yours faithfully


(Krishan Lal Taneja)

Additional Central P.F. Commissioner-HQ (Pension)

Copy to :-

- (i) PS to CPFC
- (ii) Director Hindi for Hindi version.