GRC BULLETIN

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Case Law

Kerala HC Upholds Workers' Right to Higher Pension, Rules Bulk Payments Not a Barrier

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JUDICIAL INSIGHT

Case Title

Kerala HC Upholds Workers' Right to Higher Pension, Rules Bulk Payments Not a Barrier

KERALA HC UPHOLDS WORKERS' RIGHT TO HIGHER PENSION, RULES BULK PAYMENTS NOT A BARRIER

Facts:

1. Employees in Kerala were earning salaries higher than the wage ceiling prescribed under the EPF & EPS rules.
2. Both the employees and their employer decided to contribute to EPF and EPS based on the actual (higher) salary instead of the limited wage ceiling.
3. The employer, however, did not deposit these contributions every month. Some payments were made later or either in bulk or with a delay.
4. EPFO accepted the delayed/bulk payments without objection at the time of deposit.
5. Later, when employees applied for a higher pension, EPFO denied their claims, arguing that because the contributions were not remitted monthly and regularly, they were ineligible.

Issue:

- Can EPFO deny an employee the benefit of a higher pension merely because the employer made contributions in bulk or with delay, even when those contributions were accepted and based on the actual higher salary?

Judgment:

1. The Kerala High Court ruled in favor of the employees.
2. The Court said that EPFO cannot deny a higher pension if both the employer and employee have contributed based on the actual higher salary
3. The timing or mode of payment (whether monthly, delayed, or in bulk) cannot be used as a reason to reject higher pension benefits.
4. Once EPFO accepted the contributions without raising objections, it cannot later claim that the payments were invalid.
5. The Court emphasized that substantive rights should not be defeated by technical lapses or procedural delays.
6. The purpose of the pension scheme is to ensure social security based on actual wages, not to penalize workers for administrative timing issues.
7. Therefore, the employees are entitled to higher pension benefits, and EPFO must process them accordingly.

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Key Takeaways:

1. Reinforces the principle of fairness, substance over technicality.
2. Protects employees' retirement rights from being lost due to employers' procedural lapses.
3. Confirms that once contributions are made and accepted on actual wages, EPFO cannot deny benefits on timing grounds.
4. Provides a relief precedent for thousands of employees facing similar rejections from EPFO.
5. Strengthens the trust and transparency in the implementation of EPS (Employees' Pension Scheme) benefits.

CASE TITLE: Gopinathan Pillai M. & Others v. Union of India & Others, 2025 - LiveLaw (Ker) 234

Link - ***https://www.livelaw.in/high-court/kerala-high-court/eps-pension-epfo-cannot-deny-higher-pension-on-the-ground-that-contributions-were-paid-in-bulk-kerala-high-court-289096?utm_source=chatgpt.com***

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Head Quarters:

Vasudha, 2nd Floor, No. 2, 38th Main Rd, Rose Garden, JP Nagar Phase 6, J. P. Nagar, Bengaluru, Karnataka 560078

Ph: 9900929400

Email: hello@ricago.com

Website: www.ricago.com

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