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Employees' Provident Fund Organisation

(Ministry of Labour, Govt. Of India)

Head Office

Bhavishya Nidhi Bhawan, 14-Bhikaji Cama Place, New Delhi-110066

No Pension/3/8/OR/1/2005

Dated: 12-12-2006

To

All Regional Provident Fund Commissioners

All Officers in-charge of SROs

Sub:- Change of date of birth of Employees' Pension Fund member- regarding

Sir,

A firm date of birth is an extremely relevant component in determination of benefits under the EPS, 1995. Several correspondences are being received from stakeholders as well as the field offices seeking the intervention of Head Office whenever there is a disagreement on the date of birth. Although a number of circulars have been issued, the problems still persist. Therefore, it has become necessary to issue comprehensive guideline to find a workable solution to this vital issue.

Accordingly in supersession of all the earlier directions issued on the subject, the following comprehensive guidelines are issued with immediate effect:-

- i) In cases where a member, who **has not been issued** with a social security number, disputes the date of birth at the time of exit the instructions as contained in Annexure - I may be followed.
- ii) In cases where a member, who **has been issued with** a social security number, disputes the date of birth the same cannot be entertained unless supported by a valid documentary proof such as:
 - Certificate issued by the Registrar of Births and Deaths.
 - Any school/education related certificate.
 - Certificate based on the service records of the Central/State Government organisation.
 - Passport.

- In the absence of proof of age/DOB as above, Medical Certificate issued by competent Civil Surgeon after examining the member medically and supported with an affidavit on oath by the member duly authenticated by Competent Court.
- iii) In cases of Social Security Number registration in which members are required to give date of birth, our office need not to verify the same with our records.
- iv) The disputes may be resolved at the level of officers in charge of Pension wing of Regional/Sub-Regional offices in order to ensure a trouble free service to the members.

(This issues with the approval of CPFC)

Yours faithfully,

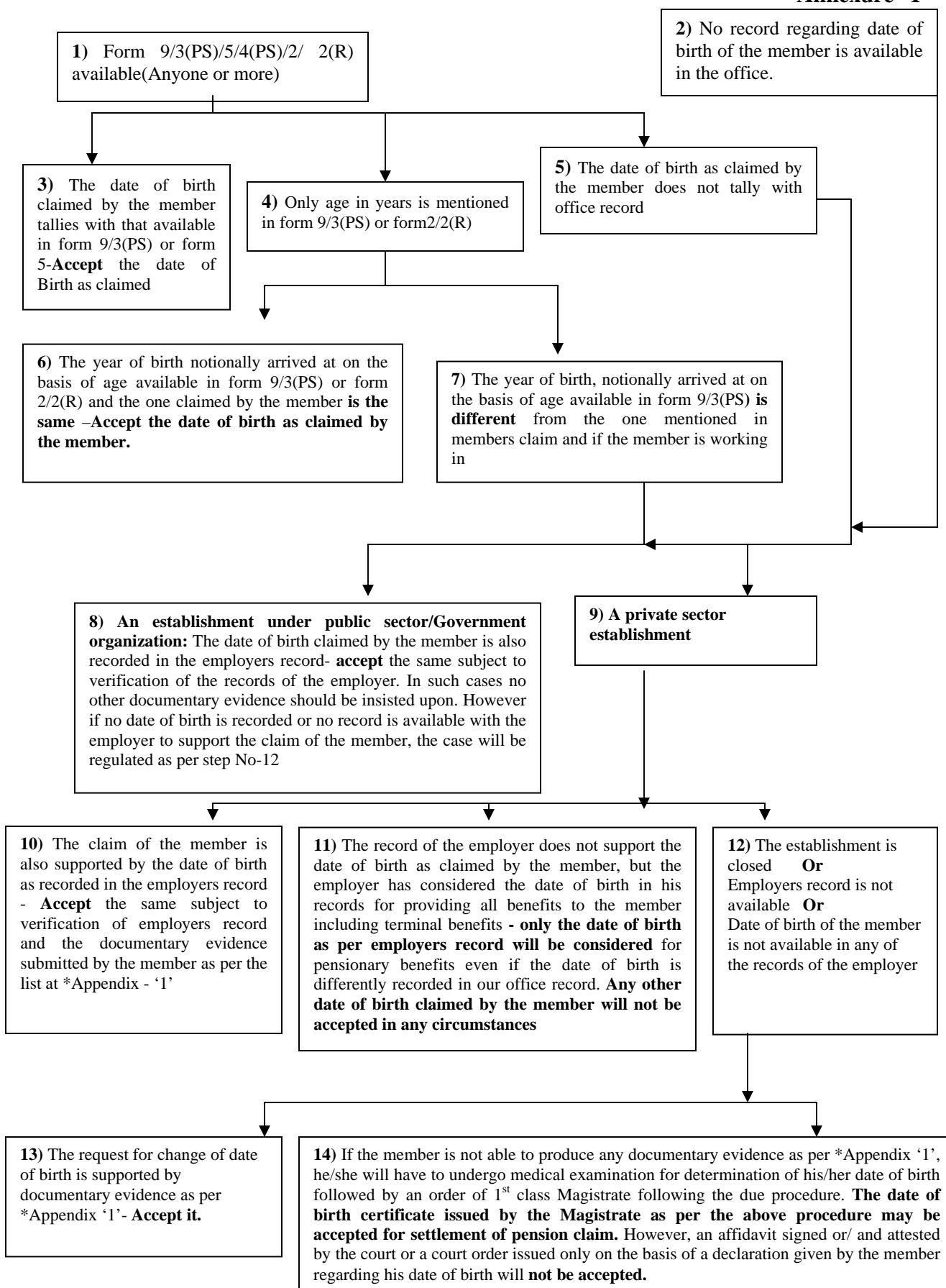
(Rajesh Bansal)
Additional Central P.F.Commissioner

Copy to:

1. PS to CPFC
2. FA & CAO
3. CVO
4. All Addl. CPFCs, Zone/ Head Office.
5. Director (NATRSS)
6. Director/Deputy Directors (Vig.)/(Audit)
7. All RPFCs (Pension)
8. All Zonal Training Institutes.
9. All Zonal Audit Offices.

(K.V.Sarveswaran)
Regional Provident Fund Commissioner (Pension)

Annexure -I



***Appendix-1**

- 1 Birth certificate issued by the Registrar of Births and Deaths
2. Education certificate/School record/leaving certificate
3. Passport.
4. Any other reliable document issued by a government department; but NO affidavit or court order merely based on member's declaration only.
5. Certificate based on the service records of the Central/State Government organisation.

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(Ministry of Labour, Govt. Of India)
Bhavishya Nidhi Bhawan, 14-Bhikaji Cama Place, New Delhi-110066

No.Pension-3/8/OR/1/2005

Dated

To

Shri W.R. Varada Rajan,
Member CBT,EPF,
B.T. Ranadive Bhawan,
13 A, Rouse Avenue,
New Delhi - 110002.

Sub:- Change of date of birth of Employees' Pension Fund Member vide the guidelines issued vide circular dated 12-12-2006 - regarding.

Sir,

Please refer to your letter No.EPF/038/2007 dated 26-3-2007 on the above subject.

In this connection point wise reply is as under which is according to above circular.

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| 1. | <p>Whether the instructions dated 12-12-2006 would hold for requests for change of date of birth under any of the three schemes under the EPF(MP)Act,1952, received at any point of time and not necessarily at the time of exit.</p> | <p>The date of birth of an EPS member, will remain the same as he is also a member of EPF and EDLI and the basic document for all the above three schemes is the same Form 9. The request for change of DOB can be preferred any time when the wrong DOB comes to the notice of employee/employer.</p> |
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| 2. | Please specify whether production of any one of the documents listed in the EPFO Instructions should be treated as valid documentary proof. Please clarify that the list of documents is only illustrative and not exhaustive, leaving scope for the member to produce any other acceptable documentary evidence, except self-declaration. | The point No.4 of appendix allows any other document issued by Govt. department (but No affidavit) - making the list exhaustives. |
| 3. | Date of birth as contained in Form 9 submitted by the employer under Para 20 of the EPS-1995 after the EPS-1995 had come in to force should be accepted even if it is at variance with the earlier Form 9 under Para 36(1) of EPF,1952. He is not sure if this aspect is adequately taken care of in the present instructions used. | The circular covers all the Form.9(R) received in office as on the date of issue of circular.. |
| 4. | While processing the claim applications under the EPS,1995, the practice of demanding proof of age should be dispensed with, except in the case of children/orphan pension, as the member pension/widow pension is payable for life of the beneficiary. | In normal circumstances no age proof of member is insisted upon. DOB already available in Form 9(R)/Form 2(R) is relied upon unless there is a dispute. |
| 5. | The offices should be advised to dispose of the pending requests for change of DOB, if any, in the light of the EPFO letter, as otherwise these instructions are likely to be applied only to future requests to be made. | The instructions of the circular dated 12-12-2006 is applicable to all pending proposals as well. |

Yours faithfully,

(K.C.PANDEY)
ADDL. CENTRAL P. F. COMMISSIONER(PENSION)

Copy for information and guidance:-

1. PS to CPFC
2. All Addl. CPFCs, Zonal Offices.
3. Director(NATRSS)
4. All Officers of Headquarters.
5. All RPFC/OICs

6. Director/Deputy Director (Vig.)
7. DD(Audit)
8. All Zonal Training Institutes.
9. All Zonal Audit Offices.

(K.V.SARVESWARAN)
REGIONAL PROVIDENT FUND COMMISSIONER(PENSION)