



पावर ग्रिड कॉर्पोरेशन ऑफ इंडिया लिमिटेड  
Power Grid Corporation of India Limited  
सूचना का अधिकार अभिनियम 2005 के अंतर्गत केन्द्रीय लोक सूचना अधिकारी  
Central Public Information Officer under the RTI Act, 2005  
केन्द्रीय कार्यालय, 'सौदामिनी', प्लॉट नं.2, सैक्टर-29, गुडगांव, हरियाणा-122007  
Corporate Centre, 'Saudamini', Plot No. 2, Sector-29, Gurgaon, Haryana-122007



CP/RTI/2017/324

Date: 11<sup>th</sup> December, 2017

Shri V.C.Jagannathan, E-mail [vcjagan1952@gmail.com](mailto:vcjagan1952@gmail.com)

**Sub: Information under Right to Information Act, 2005.**

Dear Sir,

This has reference to your RTI request dated 12<sup>th</sup> October, 2017 for providing information under RTI Act, 2005. Point wise reply to the queries are given below:

**Point No. 1 & 2**

Circular issued in this matter and approval for the same are attached as **Annexure-I**.

**Point No. 3:** The Hon'ble Supreme Court Judgement dated 12<sup>th</sup> March, 2008 is readily available on <http://supremecourtfindia.nic.in/jonew/judis/30823.pdf>.

**Point No. 4 & 5**

Recovery was made by trust in line with circular No. 325/14 dated 19.11.2014 issued by Corporate HR dept.

**Point No. 6:** Copy of approved note along with circular are enclosed at **Annexure-II**

**Point NO. 7 to 9:** Reply is attached as **Annexure-III**.

First Appeal, if any, against the reply of CPIO may be made to the first appellate Authority within 30 days of the receipt of the reply of CPIO. Details of Appellate Authority at Corporate Centre, Gurgaon, under RTI Act, 2005 is as below:

Shri Sanjeev Singh,  
Executive Director (CMG) & Appellate Authority  
Corporate Centre, Power Grid Corporation of India Limited  
"Saudamini", Plot No. 2, Sector-29, Gurgaon – 122007, Haryana.  
Email ID: [sanjeev@powergridindia.com](mailto:sanjeev@powergridindia.com)  
Phone No. 0124-2571962

Thanking you,

भवदीय,

(अजय होलानी)

अपर महाप्रबंधक (के.आ.) एवं के.लो.सू.अधिकारी

Email ID: [cpio.cc@powergrid.co.in](mailto:cpio.cc@powergrid.co.in)

Attach: As above

POWER GRID CORPORATION OF INDIA LTD  
CORPORATE HR DEPARTMENT

Ref: C/HR/Policy/14

Date: 19.11.2014

**CIRCULAR NO-325/14**

**Sub: Reversal of PF contribution on leave encashment**

Based on the Hon'ble Supreme Court Judgement (12 March 2008), PF contribution on leave encashment was discontinued in POWERGRID w.e.f October-2008. In accordance to the Hon'ble Court's judgement following has also been decided:

1. PF contribution made on Leave Encashment is to be reversed.
2. Employer share of PF contribution on Leave encashment is to be adjusted for future contribution of the Company.
3. Employee share of PF contribution on leave encashment will be treated as VPF contribution of the employee.
4. Those employees who are not interested to contribute this amount to VPF may send the communication to F& A department for refund.

This issues with the approval of Competent Authority.

  
(Meenakshi Davar)  
GM(HR)

**Distribution**

All Notice Boards

**Region:**

All Heads of Regions

All Heads of HR/Finance of the Regions

**POSOCO-RLDC:**

CEO-POSOCO

All Heads of RLDCs

All Heads of HR/Finance -RLDCs

**Corporate Centre:**

All Heads of Departments

GM(HR)/AGM (Admn.)

ES/PS-CMD/Director (Project/Finance /Personnel /Operation)/CVO

POWER GRID CORPORATION OF INDIA LTD  
CORPORATE HR DEPARTMENT

Ref: C/HR/Policy/14

Date: 19.11.2014

**CIRCULAR**

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4. Those employees who are not interested to contribute this amount to VPF may send the communication to F& A department for refund.

This issues with the approval of Competent Authority.

*May kindly approve before issue pl.*

*SKC (HR) ON OTHER DUTY.*

*ED (HR)*

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CEO-POSO-CO

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All Heads of Departments

GM(HR)/AGM (Admn.)

ES/PS-CMD/Director (Project/Finance /Personnel /Operation)/CVO

(MeenakshiDavar)

GM(HR)

*OK*

*19/11*

*19/11*

*19/11*

*[Signature]*

**POWER GRID CORPORATION OF INDIA LTD  
CORPORATE HR DEPARTMENT**



Ref: C/HR/Policy

Date: 20.01.2009

Sub: **Amendment in Provident Fund Rules-PF Contribution in Leave Encashment.**

- 1.0 POWERGRID Provident Fund Rules-Clause 29 provides for amount of contribution payable by the Company to an employee towards the Fund. The clause reads as follows:
- Clause 29(1):**  
 "The contribution payable by the Company to the Fund shall be at the rate of 12% of the Basic Wages and the Dearness Allowance (including cash value of any food concession) and leave encashed payable to each employee who is eligible for membership of the Fund".
- Clause 29(2)**  
 "The contribution payable by the employee under these Rules shall be equal to or more than the contribution payable by the Company in respect of such employee subject to the limit laid down in the Income Tax Act. Provided that the member's contribution shall be 12% of Basic wages and the Dearness Allowance (including cash value of any food concession) and leave encashed unless the member intimates in writing the increased amount which he/she chooses to contribute".
- 2.0 As it is stated in the above mentioned Clause, the amount on which contribution is calculated includes Basic Pay, DA(including cash value of any food concession) and leave encashment.
- 3.0 Hon'ble Supreme Court of India has delivered a judgment on 12.03.08 in respect to whether the amount received by encashing the earned leave is a part of "Basic wage" under Section 2 (b) of the Employees Provident Fund and Miscellaneous Provision Act, 1952 requiring pro rata employer's contribution. The Hon'ble Court has concluded that the basic wage was never intended to include amounts received from leave encashment.
- 4.0 On the basis of judgment passed by Hon'ble Supreme Court, it has been conveyed to all Regional PF Commissioner's (a) to discontinue PF deduction on leave encashment with immediate effect and (b) Where PF contribution of the employers share has been received in the office of EPFO, the same shall be adjusted against future liabilities.



- 5.0 On enquiry from NTPC Ltd, it is understood that they have discontinued PF Contribution on leave encashment. w.e.f. 1-10-2008
- 6.0 Keeping in view the judgment of Hon'ble Supreme Court of India, it is proposed that no deduction of PF on the amount of leave encashment availed w.e.f 01.10.2008 (i.e effective date of amendment by NTPC) be made. However PF deduction on leave encashment availed before 01.10.2008 is to be allowed even on revised emoluments. The proposal is being put -up in consultation with (GM-Fin) & Chief Manager (Fin-Estt). Accordingly, clause 29(1) & clause 29(2) shall be modified as here under:

**PF Rule:**

Clause	Existing	Revised
29(1)	The contribution payable by the Company to the Fund shall be at the rate of 12% of the Basic Wages and the Dearness Allowance (including cash value of any food concession) <b>and leave encashed</b> payable to each employee who is eligible for membership of the Fund.	The contribution payable by the Company to the Fund shall be at the rate of 12% of the Basic Wages and the Dearness Allowance (including cash value of any food concession) payable to each employee who is eligible for membership of the Fund.
29(2)	The contribution payable by the employee under these Rules shall be equal to or more than the contribution payable by the Company in respect of such employee subject to the limit laid down in the Income Tax Act.  Provided that the member's contribution shall be 12% of Basic wages and the Dearness Allowance (including cash value of any food concession) <b>and leave encashed</b> unless the member intimates in writing the increased amount which he/she chooses to contribute.	The contribution payable by the employee under these Rules shall be equal to or more than the contribution payable by the Company in respect of such employee subject to the limit laid down in the Income Tax Act.  Provided that the member's contribution shall be 12% of Basic wages and the Dearness Allowance (including cash value of any food concession) unless the member intimates in writing the increased amount which he/she chooses to contribute.



7.0 As per clause 59 of POWERGRID Employees Provident Fund Rule, the trustees with the prior approval of RPFC may in the discretion and with consent of the Company in writing add, alter or re-appeal any of the provisions so that no such additions or alterations shall adversely effect the right of any member of the Fund.

Submitted for approval please.

*S.J. Lakra*  
23/11/09  
(S.J. LAKRA)  
Manager(HR)

CM(IE&P): On leave.

GM(HR) *S. S. Chandra* कि. व. नं. 1  
21.01.2009

ED(HR) *GM(Fin) V. Jagannathan* 20/11/09  
22/01/09

ED(Law) टी. नरसिं पी. राव  
2/2/09

ED(Fin) *Ropm* 2/2/09

Dir(Fin) *J. Srinivasan*  
03/02/09

CMD

The amendment to Provide Fund Rules proposed is to exclude the amount of less encashed for calculating contribution payable to the fund by the employee and the employer. Amendment clause 29(1) and 29(2) of POWERGRID Employees Provi fund Rules may kindly be approved as per Para 6. on page (2). The date of amendment be effective from 01.10.2008 and less encashed prior to 1.10.2008 is to be allowed even on revised emoluments as proposed.

*Srinivasan*  
27/11/09

*GM(F)*

*M. S. Srinivasan*  
2/2/09  
*20/11/09*

*23/11/09*  
*2/2/09*  
*ED(HR)*

*24/20/Am(F)*  
22.01.09

*16/13*  
15/11/09

*15/23/Am(F)*  
25-1-09

*Approved*  
20/11/09

*6799*  
20/11/09

*1770/Am(F)*  
2/2/09

*2570/Am(F)*  
4/2/09  
*1700/Am(F)*  
4-2-09



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**POWER GRID CORPORATION OF INDIA LTD.  
CORPORATE HR DEPARTMENT**

Ref :C/HR/Policy /09

Date : 22.04.2009.

Corporate HR Circular No: 240/2009

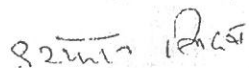
**Sub: Modification in Provident Fund (PF) Rules.**

1.0 It has been decided to modify Clause 29(1) & (2) of POWERGRID PF Rules as under:

Clause	Existing	Revised
29(1)	The contribution payable by the Company to the Fund shall be at the rate of 12% of the Basic Wages and the Dearness Allowance (including cash value of any food concession) <b>and leave encashed</b> payable to each employee who is eligible for membership of the Fund.	The contribution payable by the Company to the Fund shall be at the rate of 12% of the Basic Wages and the Dearness Allowance (including cash value of any food concession) payable to each employee who is eligible for membership of the Fund.
29(2)	The contribution payable by the employee under these Rules shall be equal to or more than the contribution payable by the Company in respect of such employee subject to the limit laid down in the Income Tax Act.  Provided that the member's contribution shall be 12% of Basic wages and the Dearness Allowance (including cash value of any food concession) <b>and leave encashed</b> unless the member intimates in writing the increased amount which he/she chooses to contribute.	The contribution payable by the employee under these Rules shall be equal to or more than the contribution payable by the Company in respect of such employee subject to the limit laid down in the Income Tax Act.  Provided that the member's contribution shall be 12% of Basic wages and the Dearness Allowance (including cash value of any food concession) unless the member intimates in writing the increased amount which he/she chooses to contribute.

2.0 The amendment will come into force with effect from 01.10.2008.

This issues with the approval of Competent Authority.

  
**(J.R. Kidwai)**  
 General Manager-HR

**Distribution:**

All EDs/GMs-Corporate Centre.  
 Heads of all Regions/ RLDCs.  
 Heads of HR/ Finance of the Regions/ RLDCs.  
 GM(Fin)-Corporate Centre.  
 All Section Heads- HR/ Finance, Corporate Centre.  
 All HR Executives- Corporate Centre/ Regions/ RLDCs.  
 Company Secretary.  
 ES/PS to CMD/ Director (Projects/ Finance/Personnel)/ CVO.

- Point No. 7 : There are 91 number of employees who have retired & availed the benefit of PF on leave encashment & the total PF paid to them on leave encashment on the date of passing of Board Resolution.
- Point No. 8 : The total number of retired employees from whom the amount has been recovered is 91 and total amount recovered from retired employees is Rs. 5,18,147/-.
- Point No. 9 : List of employees above the level of Manager along with their name who were paid PF on leave encashment & recovery not effected is NIL.

G. D. Sharma  
10-11-17  
(Charanjeet Singh)  
Dy. Mgr (Fin)