AIRPORTS AUTHORITY OF INDIA

Subject: Updated information on Pension Status as on 27/09/2012.

Further to this office communication dated 13/09/2012 on AAI Pension status.

Airports Authority Employees Union filed a Writ Petition (Writ Petition (Civil) No.: 5991/2012) in the Hon'ble High Court, Delhi wherein AAI is one of the Respondents. In the hearing held on 21/09/2012, the Hon'ble Court has passed **STAY ORDER** directing that, "no coercive steps shall be taken by Respondent No.: 4 {(i.e) The Employees Provident Fund Organisation, 14, Bhikaji Cama Place, New Delhi} and Respondent No: 5 {(i.e.) The Regional Provident Fund Commissioner, Delhi(North), Delhi} in pursuance to order dated 13/08/2012 till the next date of hearing". The copy of the stay order is enclosed.

AAI management is taking all necessary steps to settle this issue as early as possible.

****

Dasti

No. 18898 /DHC/WRITS/D-8/2012

Dated 26/9/12 NDOH 18.2.2013

From

The Registrar General
High Court of Delhi
New Delhi

To

1. The Employees Provident Fund Organisation, Bhavishya Nidhi Bhawan, 14, Bikaji Cama Place, New Delhi-110066.
2. The Regional Provident Fund Commissioner Delhi (North), 28, Community Centre, Wazirabad Industrial Area, Delhi-110052.

CIVIL MISC. PETITION NO. 12328/2012
IN
WRIT PETITION (CIVIL) NO. 5991/2012

Airports Authority Employees Union ....Petitioner/s
Vs.
Union of India & ors. ....Respondent/s

Sir,

I am directed to forward herewith for information and immediate compliance/necessary action a copy of order dated **21.9.2012** passed by Hon'ble Mr. Justice **Suresh Kait** of this Court in the above noted case alongwith a copy of Memo of Parties.

Please acknowledge receipt.

Yours faithfully

Administrative Officer Judicial (Writs)
for Registrar General

AB/24.9.12

IN THE MATTER OF:-

Airports Authority Employees Union,
Through its General Secretary,
Balraj Singh Ahlawat,
T-3/1-4, I.N.A. Colony,
New Delhi-110 023.   ...Petitioner

Versus

1.   Union of India,
        Through Secretary
        Ministry of Labour & Employment,
        Shram Shakti Bhawan, New Delhi.

2.   Union of India,
        Through Secretary
        Ministry of Civil Aviation,
        Safdarjung Airport, New Delhi.

3.   Central Provident Fund Commissioner,
        Bhavishya Nidhi Bhavan,
        14, Bhikaji Cama Place,
        New Delhi-110066.

4.   The Employees Provident Fund Organisation,
        Bhavishya Nidhi Bhavan,
        14, Bhikaji Cama Place,
        New Delhi-110066.

5.   The Regional Provident Fund
        Commissioner Delhi (North),
        28, Community Centre,
        Wazirabad Industrial Area, Delhi-110052.

6.   The Airports Authority of India,
        Through its Chairman,
        Rajiv Gandhi Bhawan,
        Safdarjung Airport, New Delhi-110 003.

7.   The Airports Authority Employees
        Contributory Provident Fund Trust,
        Through its President,
        Rajiv Gandhi Bhawan,
        Safdarjung Airport,
        New Delhi-110 003.   ...Respondents

                                              PETITIONER

                        THROUGH

                                    Punam Singh
                        (Mrs. Rekha Palli, Punam Singh
                                & Amrita Prakash)
                        Advocates
                        477, Lawyers Chambers,
New Delhi.   Block-II, Delhi High Court,
Dated: 18 Sept, 2012   New Delhi-110003.

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 5991/2012

AIRPORT AUTHORITY EMPLOYEES UNION ..... Petitioner
Through: Ms. Rekha Palli and Ms. Punam Singh, Advs.

versus

UNION OF INDIA AND ORS ..... Respondents
Through: Mr. Ruchir Mishra and Mr. Mukesh Tiwari, Adv. for R1 & R2.
Mr. Keshav Mohan, Adv. for R3, R4 & R5.
Mr. Lalit Bhasin, Ms. Ratna D. Dhingra, Ms. Bhavna Dhami and Ms. Sneha Balakrishnan, Advs. for R6 and R7.

CORAM:
HON'BLE MR. JUSTICE SURESH KAIT
O R D E R
% **21.09.2012**

+ **W.P.(C) 5991/2012**

1.   Notice issued.

2.   Ld. Counsels named above accept notice on behalf of the respondents and wish to file response to the instant petition. Liberty granted. Let them do so within six weeks with advance copy to the other party. Rejoinder thereto, if any, shall be filed within three weeks thereafter.
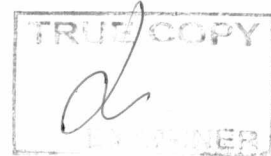
3.   Re-notify on 18.02.2013.

CM No. 12328/2012 (Stay)

No coercive steps shall be taken by respondent no. 4 & 5 in pursuance to order dated 13.08.2012 till the next date of hearing.

Dasti.

SURESH KAIT, J

SEPTEMBER 21, 2012/jg

कर्मचारी भविष्य निधि संगठन
Employees' Provident Fund Organisation
श्रम एवं रोज़गार मंत्रालय, भारत सरकार
(Ministry of Labour & Employment, Govt. of India)
(क्षेत्रीय कार्यालय, दिल्ली-उत्तर／Regional Office Delhi-North)
भविष्य निधि भवन, 28, सामुदायिक केन्द्र, वजीरपुर औद्योगिक क्षेत्र, दिल्ली-110 052
Bhavishya Nidhi Bhawan, 28, Community Centre, Wazirpur Industrial Area, Delhi-110052

क्रमांक／Ref. No...DL./36478/CPM-22/Annual Return/1533   दिनांक／Dated...13/08/2012.

To,
Mr. Vilas Bhujang
Airport Authority of India
Rajiv Gandhi Bhawan
Safdarjung Enclave
New Delhi- 110003

Sub:- Option to contribute on salary exceeding the statutory limit under EPS'95 in respect of M/s AAI bearing code no- DL/36478 - regarding

Sir,

Please refer to the Head Office Circular No- Pension/Misc./2005/65836 dated 22/11/2006 (copy enclosed) on the above cited subject. As per the circular dated 22/11/2006, the establishment falls under category no-3 which says," In the cases where no option was given or no commitment was made by the concerned office, but the contribution on higher was deposited by the establishment / employee on their own, such excess contribution will be considered as erroneous contributions and the pensionable salary will be restricted to the statutory ceiling existing from time to time". The establishment, M/s AAI as well as the members never applied to allow to contribute on more than the statutory limit of pay as provided under Para 26(6) of EPF Scheme 1952. Therefore this office has decided to settle all the pension claims of this establishment by restricting at the pensionable salary limit of Rs. 6500/- per month.

Hence the establishment M/s AAI is directed to submit the revised Annual Returns upto the maximum statutory rate of wages ceiling i.e. Rs. 6500/- per month latest by 24/08/2012.

Yours faithfully

(Vikas Sodai)
Regional PF commissioner(Pension)
Delhi North