

UNDERTAKING CUM INDEMNITY

Name: _____ Employee No.: _____

Date of Birth (DD/MM/YYYY): _____ Date of Joining HEC: _____

UAN _____ PF Account No. _____

EPS A/c No. _____

Date of attaining 58 Years (DD/MM/YYYY) : _____

1. I certify that above mentioned particulars are true and correct to the best of my knowledge and information.
2. I have read and understood the terms of Employees Pension Scheme, 1995 as amended from time to time.
3. I am aware of Supreme Court Judgment Dated 04.11.2022 in SLP(C) Nos.8658-8659 of 2019
4. Pursuant to the aforesaid judgment dated 04.11.2022 and Employee Provident Fund Organisation circulars/orders/notifications etc, I have exercised the joint option under para 11(3) and 11(4) of the Pension Scheme.
5. I am an employee/ ex-employee of HEC, Limited and I am exercising option under erstwhile para 11(3) & existing para 11(4) of the EPS-95 as per the Hon'ble Supreme Court judgement dt.04.11.2022 in SLP(C) No. 8658-8659 of 2019 about Employees' Pension Scheme, 1995 (EPS-95) and EPFO Circular No. Pension /2022/56259/16541 dated 20.02.2023.
6. I agree and acknowledge that I will not withdraw or modify my option once exercised unless otherwise permitted by the EPFO or the applicable law, and will be bound by the terms of the Pension Scheme as may be notified or modified or communicated by the EPFO from time to time.
7. I understand and agree that as a member of Employees Pension Scheme my rights to claim pension are limited to the scope of the judgment of the Supreme Court and within the EPF & MP Act, 1952 and Schemes framed thereunder.
8. I hereby undertake and agree to make payment / transfer from PF account (as applicable) of the due contribution and along with interest as applicable upto the last date of the payment with HECL Provident Fund Trust for deposit in a single tranche with the EPFO in terms of the Pension Scheme and any notification / clarification/ circulars/orders in relation thereto including any further payments as may be required upon demand from EPFO or HECL PF Trust without any demur or delay.
9. I also undertake that in case my corpus/ balance in PF is insufficient/ completely withdrawn to meet the aforesaid requirement, I am ready to pay the differential/ full payable amount as communicated / decided by EPFO/ RPFCL, thus making me eligible

for drawing pension on the basis of actual salary/ wages instead of on salary / wages as prevailing ceiling under the Act, as applicable.

10. I understand that based on my undertaking, my joint option shall be forwarded by my employer along with undertaking of the Trustees of HEC, EPF Trust and I hereby undertake to indemnify HEC Limited and Trustees of HEC EPF Trust in case any liabilities arises on or any loss is suffered by HEC ,Limited and /or Trustees of HEC EPF Trust due to my failure to deposit due amount of contribution with applicable interest with HEC for remittance to EPFO within the time line as may be prescribed by EPFO in this regard.
11. I will not hold HECL or HECL Provident Fund Trust responsible or liable in any manner whatsoever in the event of my failure to deposit the total amount payable together with interest due upto the date of payment within such period as may be prescribed/allowed by EPFO after verification of my joint option or for any act, which has been done by HECL at my instance for the purpose of exercising joint option for higher pension.
12. I am aware that in case of false declaration and wilful mis-representation, appropriate action as considered and appropriate may be taken against me by HEC Limited and / or EPFO.

Place_____

Signature

Date_____

Name of the Executant_____

Employee No.

Mobile No.

EPS NO.

PPO No(if applicable)