

**Joint Option under Erstwhile Para 11 (3) & Para 11 (4) of EPS'95
(For Serving Employees & EPS Pensioners on Rolls (attained 58 years
but not 60 years))**

To,
The Regional Provident Fund Commissioner,
Employees Provident Fund Organization,
Bhagirathi Complex,
Near Circuit House, Karamtoli,
Ranchi — 834001 (Jharkhand)

Sub: Joint Option under the erstwhile Para 11 (3) and Para 11 (4) of Employees Pension Scheme, 1995 based upon the Hon'ble Supreme Court's Judgment dated 04/11/2022 in SLP No. (C) 8658-8659 year 2019.

In line with Paras 43, & 44 (ii) & (iv) of the judgment dated 04/11/2022 the Hon'ble Supreme Court of India, eligible employees are required to submit Joint Option under erstwhile Para 11(3) & 11(4) of EPS , 1995 within a period of 04 months from the date of judgment.

Considering that no Format of Joint Option has yet been finalized by EPFO nor hosted in the EPFO Website, in pursuance of Formats issued by Various ROs/EPFO in the year 2017 & 2018 while implementing the R C Gupta judgment, we (employee and employer) are hereby submitting Joint Option as required under erstwhile Para 11(3) & 11 (4) of EPS 1995 for claiming pension on actual salary instead of the wage/salary ceiling limit of Rs. 15,000/-pm under the EPF Act, 1952

Particulars of the employee are as under: -

Sl.No.	Particulars	Details
1.	Name	
2.	P.No.	
3.	Last place of posting / Plant	
4.	Date of Joining in HEC	
5.	EPF Account Number	
6.	EPS Account Number	
7.	EPS Account Number Previous Organization (if any)	
8.	Aadhar Number	
9.	UAN Number	
10	Mobile No.	
Additional Information in respect of employees who have attained 58 years of age but not 60 years (Superannuation age in the company) and are drawing pension under EPS 1995 are as under		
11.	PPO No. (if any) only for person who are attaining the age of 58 years	
12.	Date of attaining the age of 58 years of age (eligible for pension under EPS 1995)	
13.	Date of Superannuation or attained the age of 60 years	
14.	Full postal address with pin code	

Declaration by Employee

1.It is certified that immediately after joining in HEC Ltd., I had been contributing towards the Provident Fund on my actual salary / wages and an equal amount used to be contributed in my PF by the employer also as provided under Para 26 (6) of EPF Scheme 1952. It is to further certify that an amount @ 8.33% of the statutory ceiling amount i.e. Rs. 15000 (earlier Rs. 5000/- or Rs. 6500/-) out of the employers contribution had been remitted by employer every month towards Employees' Pension Scheme 1995 since 16th November 1995 / the date of joining whichever is later.

2. I, do hereby opt for diverting 8.33% of my actual salary/wages out of employers contribution from my PF accounts towards Pension Fund (after adjusting the amount already remitted by the employer to the Pension Fund up to the prescribed wage ceiling under the Act) from the date of joining the EPS' 95 till my attaining the age of 58 years. I hereby authorize, PF Trust of HEC Ltd. to transfer the differential amount with interest accrued thus making me eligible for drawing pension on the basis of actual salary/wages instead of on the salary/wages fixed as per prevailing ceiling under the Act, in accordance with aforesaid judgment.

3.I also undertake that in case my corpus/balance in PF Account insufficient to meet aforesaid requirement , I am ready to pay differential thus making me eligible for drawing pension on the basis of actual salary/wages instead of on the salary/wages as per prevailing as per ceiling under the Act, in accordance with aforesaid judgment.

4. I understand that the Joint Option Form submitted by me shall be subject to acceptance by EPFO. I further understand that the Option exercised is irrecoverable at any later date, and no claim for change of Option shall be entertained or considered under any circumstances.

5. I undertake that the Option exercised herein is subject to the EPFO instructions / guidelines/ directives that may be issued from time to time.

Place:

Date:

(Signature)

UNDERTAKING BY THE EMPLOYER

I, _____(Name & Designation) being the Authorized Signatory of M/s. _____(Location) With Establishment PF Code Number _____do hereby that Shri/Smt./Ms. _____, is an employee of this establishment. The member has been contributing towards Provident Fund on his actual salary/wages, as per the terms of Para 26(6) of the EPF Scheme, 1952. Equal share is also contributed by this Establishment too. This establishment has no objection if he/she transfers/diverts the differentials amount @ 8.33% of the employers share w.e.f 16/11/1995 or from his/her date of joining or when his/her salary/wages exceeded the statutory limit, whichever is later, along with due interest as declared under EPF Scheme, 1952 from time to time, from his/her PF A/c to Pension Fund maintained by EPFO, thus making him/her eligible for drawing pension on his his/her actual salary/wages, instead of on the statutory limit as per erstwhile Para 11(3) & 11(4) of EPS, 1995. This exercise is being carried out in consonance with the Judgment of the Hon'ble Supreme court dated 04/11/2022.

I certify that the particulars furnished above are correct as per the available office records.

Place:-

Date:-

(Signature with Name,
Designation & Official Seal)

**Joint Option under Erstwhile Para 11 (3) & Para 11 (4) of EPS'95
(For Ex-employees)**

To,
The Regional Provident Fund Commissioner,
Employees Provident Fund Organization,
Bhagirathi Complex,
Near Circuit House, Karamtoli,
Ranchi — 834001 (Jharkhand)

Sub: Joint Option under the erstwhile Para 11 (3) and Para 11 (4) of Employees Pension Scheme, 1995 based upon the Hon'ble Supreme Court's Judgment dated 04/11/2022 in SLP No. © 8658-8659 year 2019.

In line with Paras 43, & 44 (ii) & (iv) of the judgment dated 04/11/2022 the Hon'ble Supreme Court of India, eligible employees are required to submit Joint Option under erstwhile Para 11(3) & 11(4) of EPS , 1995 within a period of 04 months from the date of judgment.

Considering that no Format of Joint Option has yet been finalized by EPFO nor hosted in the EPFO Website, in pursuance of Formats issued by Various ROs/EPFO in the year 2017 & 2018 while implementing the R C Gupta judgment, we (employee and employer) are hereby submitting Joint Option as required under erstwhile Para 11(3) & 11 (4) of EPS 1995 for claiming pension on actual salary instead of the wage/salary ceiling limit of Rs. 15,000/-pm under the EPF Act, 1952

Particulars of the Ex- employee are as under: -

Sl.No.	Particulars	Details
1.	Name	
2.	P.No.	
3.	Last place of posting / Plant	
4.	Date of Joining in HEC	
5.	EPF Account Number	
6.	EPS Account Number	
7.	EPS Account Number Previous Organization (if any)	
8.	Aadhar Number	
9.	UAN Number	
10.	Mobile No.	
11.	PPO No. (if any) attach copy	
12.	Date of attaining the age of 58 years of age (eligible for pension under EPS 1995)	
13.	Date of Superannuation or attained the age of 60 years	
14.	Full postal address with pin code	

Declaration by Ex- Employee

1.It is certified that immediately after joining in HEC Ltd., I had been contributing towards the Provident Fund on my actual salary / wages and an equal amount used to be contributed in my PF by the employer also as provided under Para 26 (6) of EPF Scheme 1952. It is to further certify that an amount @ 8.33% of the statutory ceiling amount i.e. Rs. 15000 (earlier Rs. 5000/- or Rs. 6500/-) out of the employers contribution had been remitted by employer every month towards Employees' Pension Scheme 1995 since 16th November 1995 / the date of joining whichever is later.

2. Since I have already withdrawn the entire amount of Provident Fund on my retirement / resignation (after attaining 58 years of age on or after 01/09/2014) / Optional retirement etc. I am ready to pay back the due differential amount (after adjusting the amount already transferred to the Pension Fund up to the prescribed wage ceiling under the Act) from the date of joining EPS, 1995 till my attaining the age of 58 years / resignation etc. with due interest to make me eligible for drawing pension on the basis of actual salary/wages instead of on the ceiling salary/wages in accordance with the aforesaid judgment.

3. I understand that the Joint Option Form submitted by me shall be subject to acceptance by EPFO. I further understand that the Option exercised is irrecoverable at any later date, and no claim for change of Option shall be entertained or considered under any circumstances.

I undertake that the Option exercised herein is subject to the EPFO instructions / guidelines/ directives that may be issued from time to time.

Place:

Date:

(Signature)

UNDERTAKING BY THE EMPLOYER

I, _____ (Name & Designation) being the Authorized Signatory of M/s. _____(Location) With Establishment PF Code Number _____ do hereby that Shri/Smt./Ms. _____, , who is the holder of PPO No. _____ is an ex-employee of this establishment. He/She had attained the age of 58 years as Provident Fund on his actual salary/wages, as per the terms Para 26(6) of the EPF Scheme, 1952. Equal share has also contributed by this Establishment too. his establishment has no objection if he/she deposits / returns the differential amount @ 8.33% of the employers share w.e.f 16/11/1995 or from his/her date of joining or when his/her salary/wages exceeded the statutory limit, whichever is later, along with due interest as declared under EPF Scheme, 1952 from time, thus making him/her eligible for drawing pension on his his/her actual salary/wages, instead of on the statutory limit as per erstwhile Para 11(3) & 11(4) of EPS, 1995. This exercise is being carried out in consonance with the Judgment of the Hon'ble Supreme court dated 04/11/2022.

I certify that the particulars furnished above are correct as per the available office records.

Place:

Date:

**Signature with Name,
Designation & Official Seal)**