**Annexure-A**

To,

The Regional Provident Fund Commissioner,

Employee Provident Fund Organization,

…………………………………………………

…………………………………………………

…………………………………………………

**Sir/Madam**

 **Sub: Joint Option under erstwhile Para 11 (3) and Para 11 (4) of Employees Pension Scheme, 1995 based upon the Hon’ble Supreme Court’s order in SLP No. 8658-8659 year 2019 Titled EPFO Vs Sunil Kumar pronounced on 4th November 2022- Reg.**

 Reference is invited towards Para 43 and Para 44 (ii) & (iv) of the aforesaid Order dated 04th November 2022 of Hon’ble Supreme Court of India, in the above cited Civil Appeal wherein the eligible employee/ex-employee and his/her employer are required to submit a joint option under erstwhile Para 11 (3) and Para 11 (4) of the EPS’95 within a period of 4 months from the date of judgment.

 Since no format for joint option has been provided by EPFO (also not available on EPFO’s website), based on similar formats issued by various ROs in the year 2017 & 2018 while implementing the RC Gupta judgement; in order to comply with the above requirement, we (employee/ex-employee and employer) are, hereby submitting the joint option form as required under erstwhile Para 11 (3) and Para 11 (4) of Employees Pension Scheme, 1995 for claiming pension on actual salary instead of ceiling salary limit of Rs 15000/- .

Particulars of the employee are as under: -

(In case of Transfer, please fill separate forms for each Staff Number)

|  |  |  |
| --- | --- | --- |
| **SL.NO.** | **Particular**  | **Details** |
| 1.
 | Name |  |
|  | Staff No.  |  |
|  | Date of Birth ( Attach Proof) |  |
|  | UAN NO. |  |
|  | Aadhaar Number |  |
|  | Unit/RO’s Name |  |
|  | Date of Joining  |  |
|  | Date of Relieving  |  |
|  | EPS Account Number |  |
|  | EPF Account Number |  |
|  | Name of Previous Organization, Unit/Trust  |  |
|  | EPS Account Number of previous org. (if any) |  |
|  | Date of Joining Previous organization |  |
|  | Date of Relieving Previous organization |  |
|  | PPO Number (if any) attach copy  |  |
|  | Date of leaving service or attained the age of 58 years which was earlier (if applicable)  |  |
|  | Address for Correspondence Mobile No.Email Id |  |

Supporting following document should be enclosed:

1. Appointment letter 2. Joining order/letter

3. Transfer order 4. Relieving order

5. PF Slip indicating EPS number and any other documents.

 **Declaration by Employee/Ex- Employee**

It is certified that immediately after joining in ITI Limited, I had been contributing towards the Provident Fund on my actual salary/ wages and an equal amount used to be contributed in my Provident Fund by the employer also as provided under Para 26(6) of EPS Scheme 1952. It is to further certified that an amount @8.33% of the statutory ceiling amount i.e. Rs 15000 (earlier Rs. 5000/- or Rs 6500/-) out of the Employee Pension Scheme 1995 since 16th November 1995 or the date of joining whichever is later onwards.

I, do hereby opt for diverting 8.33% of my actual salary/wages out of employers contributing towards pension fund (after adjusting the amount already diverting in EPS’95 on ceiling wagers) from the date of joining the EPS’95 till my attaining the age of 58 years/VRS/Resignation.

 (Tick whichever is applicable)

Since I have already withdrawn entire Provident Fund on my retirement/VRS/Resignation, I am ready to pay the differential amount that I had taken/ withdrawn after my exit/retirement.

In case my Provident Fund amount (Employer) becomes short on a/c of non- refundable advance, I am ready to pay the differential amount that I had taken/ withdrawn.

Thus making me eligible for drawing pension on the basis of average of last 60 months’ salary/ wages as pensionable salary/ wages i.e. based on my Actual salary/ wages instead of being based on the statutory limit.

That I retire on attaining the age of 58 years for the purpose of EPS 1995 after 01.09.2014 on ………………. (strike out if not applicable)

I also understand that if any other legal formality is required in this regard, I am ready to do accordingly.

Place: Signature:

Date: Name:

**NAME OF AUTHORIZED SIGNATORY**

**SIGNATURE WITH ESTABLISHMENT SEAL**

**Annexure-B**

**To be filled by the employee/ex-employee who were joined ITI Limited from any other organization in which they were member of EPS’95 Scheme: -**

(Separate Sheet should be filled for every previous organization in which employee was member of EPS’95)

|  |  |  |
| --- | --- | --- |
| **SL.NO.** | **Particular**  | **Details** |
|  | Name of the employee  |  |
|  | Staff No. |  |
| 2. | Previous Establishment Name |  |
| 3. | Previous Establishment Address  |  |
| 4. | Previous Establishment PF Code |  |
| 5. | PF Account is held by: (Name of EPF Office /PF trust) |  |
| 6. | Date of Joining EPS’95 in previous Establishment  |  |
| 7. | Date of exit EPS’95 in previous Establishment |  |
| 8. | EPS number of Previous Establishment |  |
| 9. | UAN of Previous Establishment |  |

Supporting of PF Slip indicating EPS number should be attached.

The above particulars are correct, and I am liable to bear any consequence arise based on the above declared facts.

Signature of the Employee/ Ex-employee

Name of the Employee:

Correspondence address:

Mobile No:

Email Id (if any):

**NAME OF AUTHORIZED SIGNATORY**

**SIGNATURE WITH ESTABLISHMENT SEAL**