

Joint Option under Erstwhile Para 11(3) & Para 11(4) of EPS'95

To,

The Regional Provident Fund Commissioner

Employees Fund Provident Fund Organization

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**Sub : Joint Option under Para 11(3) and Para 11 (4) of Employees Pension Schedme, 1995 based upon the Hon'ble Supreme Court's Order in SLP No. 8658-8659 year 2019 titled EPFO Vs. Sunil Kumar Pronounced on 4<sup>th</sup> November, 2011 – Reg.**

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

Since, no format for the 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 R C. 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 11(4) of employees' Pension Scheme 1995 for claiming pension on actual salary instead of ceiling salary limit of Rs.5,000/- or Rs. 6,500/- or 15,000/-..

Particulars of Employees are as under:-

Sl. No.	Particulars	Details
1.	Name of the Employee	
2.	Date of Birth	
3.	Full EPF Account number with Date of Joining	
4.	EPF Account Number of Previous Establishment with Date of joining and Date of Exit	
5.	EPF Account Number of Previous Organisation with Date of Joining and Date of Exit	
6.	EPS Account Number of Previous Organisation, if any	
7.	Universal Account Number (UAN)	
8.	Aadhar Number	

9.	Date of Leaving Service or attained the age of 58 years which was earlier (if applicable)	
10.	PPO Number (If any) attach Copy	
11.	Correspondence Address	
12.	Mobile Number registered with EPFO	
13.	Email ID	
14.	Pernr	

Declaration by employee/Ex-employee

It is certified that immediately after joining Bharat Sanchar Nigam Limited, 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. 15,000 (earlier Rs. 5,000/- or Rs. 6,500/-) out of the employer's contribution had been remitted every month towards Employees' Pension Scheme; 1995 since 16<sup>th</sup> 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 contribution towards pension fund (after adjusting the amount already diverted in EPS'95 on ceiling wages) from the date of joining the EPS'95 till my attaining the age of 58 years.

(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 portion) becomes short on account 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 sixty 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 retired on attaining the age of 58 years for the purpose of EP5 1995 after 1\* September 2014 on \_\_\_\_\_ (strike out if not applicable)

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

Copy of order issued by EPFO fixing my Pension under EPS 1995 on attaining the age of 58 years is also enclosed herewith for your reference.

Signature :

Place :

Name :

Date :

Address:

Mobile

