

JOINT OPTION UNDER THE EMPLOYEES' PENSION SCHEME, 1995

[For Serving Employees & EPS Pensioners on Rolls (attained 58 years but not 60 years & Existing Employee on Roll)]

To
The Regional Provident Fund Commissioner,
Employees Provident Fund Organization,

Sub: Joint Option under the erstwhile Para 11(3) and Para 11(4) of Employees' Pension Scheme (EPS), 1995, based upon the Hon'ble Supreme Court's Judgment dated 04/11/2022 in SLP (C) Nos. 8658-8659 of 2019.

In line with Paras 43 & 44(ii) & (iv) of the Judgment dated 04/11/2022 of 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 4 months from the date of Judgement.

1. Considering that no Format for 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 years 2017 & 2018 while implementing the RC Gupta Judgment, we (employee and employer) are hereby submitting Joint Option Form 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.
2. Particulars of the employee are as under:

1	Name	
2	EPS Account Number /Member ID	
3	GMDC Division / Office & Location	
4	Date of Birth	
5	Date of Joining GMDC	
6	Date of Joining under employees Pension Scheme 1995	
7	UAN Number	
8	Mobile Number	
9	Aadhar Number	
10	Address of correspondence	

11	E-mail ID	
<u>Additional Information in respect of employees who have attained 58 years of age but not attained 60 years (superannuation age in the Company) and are drawing pension under EPS, 1995, are as under:</u>		
12	PPO Number	
13	Date of attaining the age of 58 years of age (eligible for Pension under EPS 1995)	
14	Date of Actual Superannuation / Cessation of Service	
15	Name of Pension disbursing Bank and Branch	
16	Bank Account Number where Pension is being credited with IFSC Code & MICR No.	

Declaration by Employee

1. It is certified that immediately after joining Gujarat Mineral Development Corporation Limited, I had been contributing towards the Provident Fund on my actual wage/salary 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 limit i.e. Rs. 15,000/- pm (earlier Rs. 5,000 / 6500) out of the Employer's Contribution has been remitted by my employer every month towards EPS, 1995 since 16/11/1995 / the date of my joining, whichever is later.
2. I do hereby opt for diverting 8.33% of my actual salary/wages out of Employer's Contribution from my PF A/c. 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 EPS, 1995 till my attaining the age of 58 years.
3. I hereby authorize, GMDC PF Trust to transfer 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 the aforesaid judgement.
4. I also undertake that in case my corpus/balance in PF Account is insufficient to meet the aforesaid requirement, I am ready to pay the differential amount thus making me eligible for drawing pension on the basis of actual salary/wages instead of on the salary/wages as per prevailing ceiling under the Act, in accordance with the aforesaid judgement.
5. 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 irrevocable at any later date, and no claim for change of Option shall be entertained or considered under any circumstances.

6. 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 certify 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 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, alongwith 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/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 record.

Place:

Date:

Signature with Name,
(Designation & Office Seal)