

**JOINT OPTION FORMAT FOR POST-01.09.2014 RETIREES**

**JOINT OPTION FORM UNDER ERSTWHILE PARA 11(3) & PARA 11(4) OF EMPLOYEES' PENSION SCHEME 1995**

To

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

**Sub.: Submission of Joint option under Para 11(3) and Para 11(4) of Employees' Pension Scheme, 1995 based upon the Hon'ble Supreme Court's Judgement in C.A. No. 008143 - 008144 / 2022 titled "EPFO vs. SUNIL KUMAR B." pronounced on 04.11.2022**

Your kind attention is invited towards Para 43 and Para 44 (ii) & Para (iv) of the aforesaid judgement dt. 04.11.2022 of Hon'ble Supreme Court of India, in the above cited Civil Appeal wherein the eligible Post 01.09.2014 retiree and his employer are required to submit a joint option under erstwhile Para 11(3) & para 11(4) of the EPS'95 within a period of 4 months from the date of judgement.

**Since no format for the Joint Option has yet been provided by EPFO (also not available on EPFO's website), based on similar formats issued by various ROs/EPFO in the years 2017 & 2018 while implementing the RC Gupta judgement;** in order to comply with the above requirement, we (employee and employer) are, hereby submitting the joint option form as required under erstwhile Para 11(3) & Para 11(4) of Employees' Pension Scheme-1995 for claiming pension on actual salary/wages instead of ceiling salary limit of Rs. 15,000/-

Particulars of the employee are as under:

1.	Name & designation of Retired employee	
2.	EPF A/C No. in PF Trust of Exempted Estt.	
3.	UAN Number	
4.	PAN No.	
5.	PPO No.	
6.	Mobile No.	
7.	Aadhaar No.	
8.	Date of retirement (on attaining 58 years)	

**DECLARATION BY RETIREE**

It is certified that immediately after joining ----- (Name of estt.), 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 limit i.e., Rs. 15,000 (earlier Rs. 5,000/6,500) out of the Employer's contribution had been remitted by my employer every month towards Employees' Pension Scheme, 1995 since 16.11.1995 onwards.

I, do hereby opt for diverting 8.33% of **my actual salary/wages out of employer's contribution** towards Pension Fund (after adjusting the amount already remitted by the employer in EPS'95 on ceiling salary/wages) from the date of joining the EPS'95 till my attaining the age of retirement (on attaining 58 years). Since I have already withdrawn the entire amount of Provident Fund on my retirement, I am ready to return the differential amount that I had withdrawn after my retirement/exit thus making me eligible for drawing Pension on the basis of actual salary/wages instead of ceiling salary/wages in accordance with the aforesaid judgement dt 04. 11.2022 of supreme court i.e., based on my Actual salary/wages instead of salary/wages based on the statutory limit.

I retired on attaining age of 58 years for the purpose of EPS 1995 after 01.09.2014 on ----- . In case there is any different format for submission of joint option, a copy of the same may be provided to me and I am ready to submit the same once again.

Place: -----

Signature: -----

Date:-----

Name: -----

Address: -----

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Continued..

**UNDERTAKING BY THE EMPLOYER**

I, \_\_\_\_\_ (Name and Designation) being the authorized signatory on behalf of \_\_\_\_\_ (**Name of estt.**) do hereby certify that Shri/Smt \_\_\_\_\_ was working with us as -----and has retired after attaining age of 58 years on -----. His EPF A/c No. with the Trust of exempted establishment was \_\_\_\_\_. He had 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 had been contributed towards his PF by this establishment too. This establishment has no objection if he/she deposits/returns the due differential amount @ 8.33% of the employers share w.e.f. 16.11.1995 i.e. from the date of commencement of the Scheme or when his salary/wages exceeded the statutory limit, along with due interest as declared under EPF Scheme, 1952 from time to time, thus making him/her eligible for drawing pension on the basis of Pensionable salary based on his/her actual salary/wages, instead of on the statutory limit as per erstwhile Para 11(3) & Para 11(4) of the EPS'95 Scheme as permitted to do so by the aforesaid judgment of Supreme Court dt. 04.11.2022.

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

Place:-----

Date:\_\_\_\_\_

(Signature of authorized signatory with official seal)