



Memo No.CMD/CGM(REV&FIN)/Pay Officer/JAO/ D. No.47 /23, Dt.13. 02.2023

Sub: Estt. APCPDCL - Corporate Office- Implementation of the provisions of the Employees Pension Scheme 1995 as amended in the light of the judgement dated 04.11.2022 of the Hon'ble Supreme Court Instructions – Issued - Regarding.

Ref: 1. Cir Memo,Addl.Secy/DS/(E.IR&R)AS/E,IR&R)PO (REG)/f.4322/2022/ Dt.07.02.2023.

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1. In respect of the EPF Employees of APCPDCL the contributions to EPS, 1995 is being made at 8.33% on the statutory wage ceiling , which was (a) Rs.5000/- till May 2001 (b) Rs.6500/- from June 2001 and (c) Rs.15000/- from September 2014.
2. In its Order dt.04.11.2022 in SLPNos.8658-8659 of 2019, the Hon'ble Supreme Court had provided an opportunity for contribution to EPS 1995 to the willing Individuals on Actual Wages or Higher Wages instead of on the Statutory Wage ceiling. As a sequel to this, the EPFO had issued certain instructions dt.29.12.2022 in the matter followed by a Corrigendum dt.05.01.2023
3. However, further clarity is required in the matter as to the Employees/Retired Employees who are entitled for contribution to the EPS 1995 @8.33% on Actual Wages or Higher Wages instead of on the Statutory Wage ceiling. To avail the opportunity of EPS contribution on Actual Wages, the willing Employees/Individuals are required to submit a Joint Option Form under Erstwhile PARA 11 (3) AND Para 11 (4) of the EPS 19954 in line with the Orders of the Hon'ble Supreme Court in the matter. The Joint Option Form shall be signed by the willing Employee and Employer (Concerned Authorised Signatory of APCPDCL)
4. The format for submission of the Joint Option Form and further necessary guidelines/modalities etc., are awaited from the EPFO. The Hon'ble Supreme Court had mandated that the Joint Option Forms of the willing Employees shall be submitted within four months from the date of Judgement, i.e., by 03.03.2023. In view of this requirement and as an immediate measure a draft Joint Option Form prepared by APCPDCL is enclosed herewith.
5. All the Unit Officers and EPF Authorised Signatories of APCPDCL are requested to obtain the Joint Option Forms from the willing Individual Employees/Retired Employees so as to submit to the concerned RPF Commissioner by 21.02.2023
6. It shall be made clear that acceptance of the above mentioned Joint Option Forms will be within the exclusive powers/discretion of the EPF Authorities.
7. In the course of time if the EPF Authorities prescribes any Joint Option Forms and/or/any other guidelines/modalities/procedural formalities etc., the concerned willing Employees/Retired Employees shall have to fulfill the same.
8. The Employees who have joined in APCPDCL (or Erstwhile APSPDCL) on or after 01.09.2014 and were drawing Wages of Rs,15000/- and above are not covered under EPS 1995 and hence need not submit the above Forms.
9. The Option Forms are available at APCPDCL Website . The filled in Option Forms shall reach Corporate Office by 20.02.2023 duly countersigned by the Pay Officer/Drawing and Disbursing Officer concerned.

Encl: Joint Option Forms

**SD/- Chairman and Managing Director**  
**APCPDCL::VIJAYAWADA**

To:  
All the Superintending Engineers/ Operation/APCPDCL  
All Executive Engineers/APCPDCL

Contd...2

All the Accounts Officers/APCPDCL

The Pay Officer/APCPDCL/Corporate Office-VJA – It is requested to forward the filled in Option Forms to the Regional Provident Fund Commissioner duly signed by the Employer by 21.02.2023.

Copy to:-

All the Chief General Manager's/APCPDCL,

All General Manager's/APCPDCL

✓ The General Manager IT/APCPDC;/VJA- It is requested to place the same in the website immediately (very Urgent please.)

The P.S to Chairman and Managing Director/APCPDCL/VJA

P.A to Director /Finance/APCPDCL/VJA

P.A TO Director / Tech/APCPDCL/VJA

The Company Secretary/APCPDCL/VJA

The Deputy General Managers/P&G/services APCPDCL/VJA.

The Personnel Officers/P&G/ Services APCPDCL/VJA

The Stock File.

//FORWARDED :: BY //



PAY OFFICER

APCPDCL:: VIJAYAWADA



# Andhra Pradesh Central Power Distribution Corporation Limited

Dr.Y.S.R. VIDHYUTH SOUDHA

Corporate Office, Beside Govt. Polytechnic, ITI Road, Vijayawada-520008

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

To

The Regional Provident Fund Commissioner,  
Employees Provident Fund Organisation,  
Guntur.

**Sub:** Joint Option under Para 11(3) and Para 11(4) of Employees Pension Scheme, 1995 pursuant to the Order dated: 04.11.2022 of the Hon'ble Supreme Court in SLP No.8658-8659 of 2019 – Submitted – Reg.

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Pursuant to the Order dt.04.11.2022 of the Hon'ble Supreme Court in SLP No.8658-8659 of 2019. I wish to submit the Joint Option Form under erstwhile Para 11(3) & 11(4) of the EPS'95 for the purpose of availing higher pension on actual salary instead of ceiling salary limit as per the details furnished hereunder.

SI.No.	Particulars	Details
1	Name of the Organization	
2	Name of the Employee	
3	Name of the Father/Husband	
4	Date of Birth	
5	Date of joining in the Organization	
6	EPF Account Number	
7	UAN Number	
8	Aadhaar Number	
9	Bank account details with IFSC (Cancelled cheque enclosed)	
10	PPO Number, if applicable (Copy of PPO enclosed)	
11	Date of attainment of 58 years of age or leaving the service, which is earlier	
12	Mobile Number	
13	e-mail ID	
14	Address for communication	

Continued in Page-2

## DECLARATIONS BY THE EMPLOYEE

1. It is certified that the particulars furnished above are true to the best of my knowledge and belief.
2. It is certified that myself and my Employer are making PF contributions on actual salary as provided under Para 26(6) of the EPF Act, 1952.
3. I am willing for EPS contribution of 8.33% on actual wages from the Employers' contribution from the applicable date.
4. I am willing for transfer of short fall amount to the EPS 1995 from my EPF balance due to opting for higher pension under EPS 1995.
5. I am also willing to personally remit the differential amount to my EPF Account if the available balance is found to be insufficient for transfer to EPS due to opting for higher pension under EPS 1995.
6. I am willing for transfer or payment of interest on due arrears applicable, as may be determined by the EPF Authorities.
7. I am willing to abide by any Rules/Guidelines/Modalities that may be framed by the EPF Authorities in connection with extending the benefit of Higher Pension on Actual Salary/Wages.
8. Note: I am submitting this Joint Option Form for the purpose of availing the benefit of higher pension on actual wages pursuant to the Order dt.04.11.2022 of the Hon'ble Supreme Court in SLP Nos.8658-8659 of 2019. However, if any other Joint Option Form under Paras 11(3) and 11(4) of the EPS 1995 is to be prescribed by the EPF Authorities, I will furnish such Joint Option Form before the stipulated time.

Signature of the Employee

Station:

Date:

Signature of the Employer with Stamp/Seal

**JOINT DECLARATION UNDER PARA 26(6) OF THE EPF SCHEME, 1952**

To,  
Regional EPF Commissioner,

Sub: Application for regularising membership/Provident Fund Contributions deducted on Salaries over & above Rs. 15000/- per month or at higher rate.

Sir,

I the undersigned Shri/Smt. \_\_\_\_\_

bearing Account Number \_\_\_\_\_, employee of M/s \_\_\_\_\_

hereby declare that I have been contributing Provident Fund on my entire salary @ 12% with effect from \_\_\_\_\_.

I am/am not an 'EXCLUDED EMPLOYEE' within the meaning of para 2(f) of the EPF Scheme, 1952

I request that:

1. I may be enrolled as member of the Employees' Provident Fund voluntarily with effect from \_\_\_\_\_.
2. I may be permitted to contribute voluntarily on my entire salary exceeding Rs. 15000/- per month w.e.f. \_\_\_\_\_.

→ 3. I may be permitted to contribute @ \_\_\_\_\_% instead of the statutory rate of 12% with effect from \_\_\_\_\_.

Yours Faithfully,

\_\_\_\_\_  
(Member's signature)

We M/s \_\_\_\_\_, bearing Employer's Code No. \_\_\_\_\_

\_\_\_\_\_ hereby declare that:

1. We have voluntarily enrolled Shri/Smt. \_\_\_\_\_ as member of the EPF Scheme, 1952, w.e.f. \_\_\_\_\_ and his/her Account Number is \_\_\_\_\_.
2. We have been deducting contribution on his/her entire pay w.e.f. \_\_\_\_\_.
3. We have been making matching contribution on pay upto Rs. 6500/- per month / on entire pay w.e.f. \_\_\_\_\_.
4. We have been deducting Provident Fund contribution voluntarily @ 12% of pay and making matching contribution @ 12% of pay.
5. We have paid Administrative Charges and submitted all the Returns in respect of the above Member accordingly and will continue to do so.

We request that this case be regularised by permitting voluntary membership and contribute on entire salary @ 12% of pay as stated above.

Yours Faithfully,