

ANDHRA PRADESH POWER GENERATION CORPORATION LIMITED
VIDYUT SOUDHA :: VIJAYAWADA

Circular Memo No.CGM(Adm,IS&ERP)/DGM(L&IR)/PO-F/154/2023,Date:24.01.2023

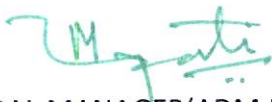
Sub: Implementation of the provisions of the Employees' Pension Scheme 1995, as amended, in the light of the judgement dated 04.11.2022 of the Hon'ble Supreme Court – Reg.

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1. In respect of the EPF Employees of APGENCO, the contribution to EPS, 1995 is being made at 8.33% on the Statutory wage ceiling, which was (a) Rs.5,000/- till May 2001 (b) Rs.6,500/- from June 2001 and (c) Rs.15,000/- from September 2014.
2. In its Order dt.04.11.2022, in SLP Nos. 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 1995 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 APGENCO).
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 the Judgement, i.e., by 03.03.2023. In view of this requirement and as an immediate measure a draft Joint Option Form prepared by APGENCO is enclosed herewith.
5. All the Unit Officers and EPF Authorised Signatories of APGENCO are requested to obtain the Joint Option Forms from the willing Individual Employees/Retired Employees and 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/decisions/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 APGENCO on or after 01.09.2014 and were drawing Wages of Rs.15,000/- and above are not eligible to be members of the EPS 1995.

Encl: Joint Option Form


CHIEF GENERAL MANAGER(ADM,IS& ERP) 24/1/23

To

The Executive Director (Finance)/VS/VJA

The Chief of Vigilance & Security/VS/VJA

All Functional Heads & Station Heads of APGENCO

All Superintending Engineers // Dy.CCA's // Deputy Secretaries // GM's

The Pay Officer // AO(CPR) // DE(MPP) / Assistant Secretaries // DGM's

All the EPF Authorized Signatories of APGENCO

Stock file.

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

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

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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.

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 here under.

S.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 Code (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, whichever is earlier	
12	Mobile Number and Mail Id	
13	Address for communication	

DECLARATIONS BY THE EMPLOYEE

- i. It is certified that the particulars furnished above are true to the best of my knowledge and belief.
- ii. It is certified that myself and my Employer are making PF contributions on actual salary/wages as provided under Para 26(6) of the EPF Act, 1952.
- iii. I am willing for EPS contribution of 8.33% on actual wages from the Employers' contribution from the applicable date.
- iv. 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.
- v. 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.
- vi. I am willing for transfer or payment of interest on due arrears applicable, as may be determined by the EPF Authorities.
- vii. 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.

- viii. 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 No. 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