

किच्छा शुगर कम्पनी लि०, किच्छा जिला उधमसिंहनगर।

अति आवश्यक

पत्रांक-भ०नि०/पेंशन/2022-23/338।-

दिनांक 18 फरवरी, 2023

:-: कार्यालय ज्ञाप :-:

मा० सर्वोच्च न्यायालय के निर्णय दिनांक 04.11.2022 के द्वारा कर्मचारियों को अपने वास्तविक वेतन पर पेंशन अंशदान जमा करने एवं तदनुसार पेंशन निर्धारित कराए जाने के सम्बंध में विस्तृत निर्देश जारी किये गये हैं। हायर पेंशन प्राप्त किये जाने हेतु उक्त के अनुसार किच्छा शुगर कम्पनी लि०, किच्छा जिला उधम सिंह नगर के इच्छुक सदस्यों का (जो 01.09.2014 के बाद 58 वर्ष की आयु पूर्ण कर सेवानिवृत्त हुए हों अथवा वर्तमान में कार्यरत हों) 04.11.2022 से चार माह के अन्दर (दिनांक 03.03.2023 तक) संयुक्त विकल्प पत्र क्षेत्रीय भविष्य निधि कार्यालय, हल्द्वानी जिला नैनीताल में जमा कराया जाना अनिवार्य है।

उपरोक्त के क्रम में किच्छा शुगर कम्पनी के सभी इच्छुक सदस्यों (जो 01.09.2014 के बाद 58 वर्ष की आयु पूर्ण कर सेवानिवृत्त हुए हों अथवा वर्तमान में कार्यरत हों) को सूचित किया जाता है कि आप अपना संयुक्त विकल्प पत्र, जो भविष्य निधि कार्यालय में उपलब्ध है, को भरकर दिनांक 25.02.2023 तक भविष्य निधि कार्यालय में उपलब्ध कराना सुनिश्चित करें ताकि समयान्तर्गत संयुक्त विकल्प पत्र क्षेत्रीय भविष्य निधि कार्यालय, हल्द्वानी जिला नैनीताल में जमा कराया जा सके। यदि किसी सदस्य द्वारा विलम्ब से संयुक्त विकल्प पत्र उपलब्ध कराया जाता है तथा संयुक्त विकल्प पत्र क्षेत्रीय भविष्य निधि कार्यालय, हल्द्वानी जिला नैनीताल में जमा नहीं हो पाता है तो, किच्छा शुगर कम्पनी लि०, किच्छा जिला उधम सिंह नगर की कोई जिम्मेदारी नहीं होगी।

यह भी स्पष्ट किया जाता है कि केवल संयुक्त विकल्प पत्र जमा कर देने मात्र से ही कोई कर्मचारी/सदस्य हायर पेंशन का हकदार नहीं होगा। यह क्षेत्रीय भविष्य निधि कार्यालय, हल्द्वानी जिला नैनीताल से पेंशन के लिए अन्य अपेक्षित मानदण्डों को पूरा करने के अधीन है तथा इस सम्बंध में क्षेत्रीय भविष्य निधि कार्यालय, हल्द्वानी जिला नैनीताल का निर्णय अन्तिम होगा। क्षेत्रीय भविष्य निधि कार्यालय, हल्द्वानी जिला नैनीताल द्वारा किसी भी कारणवश वास्तविक वेतन पर हायर पेंशन का भुगतान नहीं किये जाने की स्थिति में किच्छा शुगर कम्पनी लि०, किच्छा जिला उधम सिंह नगर का कोई उत्तरदायित्व नहीं होगा।

संलग्न. विकल्प पत्र

अधिशायी निदेशक

प्रतिलिपि:-

1. महा प्रबन्धक, उत्तराखण्ड सहकारी चीनी मिल्स संघ लि० उत्तराखण्ड शुगर्स निकट रेलवे क्रासिंग बट्टीपुर जोगीवाला देहरादून।
2. समस्त विभागाध्यक्ष/अनुभाग प्रभारी
3. समस्त नोटिस बोर्ड।

अधिशायी निदेशक

JOINT OPTION UNDER THE EMPLOYEES' PENSION SCHEME, 1995

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

To

*The Regional Provident Fund Commissioner
Employees Provident Fund Organization,
2nd Floor, Infront of Judge Court,
Nainital Road, Haldwani
Nainital (Uttarakhand)-263139*

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 Judgement dated 04/11/2022 in SLP (C) Nos. 8658- 8659 of 2019.

In line with Para 43 & 44 (ii) & (iv) of the Judgement 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 posted in the EPFO Website, in pursuance of Formats issued by various ROs/EPFO in the year 2017 & 2018 while implementing the RC Gupta Judgement, 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 salary/wages ceiling limit of Rs. 15,000/- pm under the EPF Act, 1952.
2. Particulars of the employee are as under:

(i)	Name	
(ii)	Office/Unit/Location	
(iii)	Date of Joining	
(iv)	E.P.F. Account Number	
(v)	E.P.S. Account Number	
(vi)	UAN Number	
(vii)	Mobile Number	
(viii)	Aadhaar Number	
(ix)	E-mail ID	

Additional Information in respect of employees who have attained 58 year of age but not attained 60 years (superannuation age in the Corporation) and are drawing pension under EPS, 1995 are as under:

(x)	PPO Number	
(xi)	Date of attaining the age of 58 years of age (eligible for Pension under EPS 1995)	
(xii)	Date of Actual Superannuation /Cessation of Service	
(xiii)	Name of Pension disbursing Bank and Branch	
(xiv)	Bank Account Number where Pension is being credited with IFSC Code & MICR No.	

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Declaration by Employee

1. It is certified that immediately after joining M/s Kichha Sugar Company Ltd; Kichha, Udham Singh Nagar Uttarakhand. 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. 5000/6500) 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 upto the prescribed wage/salary ceiling under the Act.) from the date of joining EPS, 1995 till my attaining the age of 58 years. I hereby authorize, PF Trust of Kichha Sugar Company Ltd, to transfer the 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.
3. 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.
4. 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.
5. I undertake that the Option exercised herein is subject to the EPFO instructions / guidelines / directives that may be issued from time to time.

Place: Kichha

Date :

(Signature of Employees)

UNDERTAKING BY THE EMPLOYER

I.....(Name & Designation) being the Authorized Signatory of M/s Kichha Sugar Company Ltd; Kichha, Udham Singh Nagar (Uttarakhand) -263148 , Establishment PF Code Number UK/HLD/5237 do hereby certify that Shri/Smt..... , is an employee of this establishment. The member has been contributing towards Provident Fund on his/her actual salary/wages, as per terms of Para 26(6) of the EPF Scheme, 1952. Equal share is also contributed by this Establishment. This Establishment has no objection, if he/she transfers/diverts the differential amount @ 8.33 % of the actual salary out of employer's 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 Judgement of the Hon'ble Supreme Court dated 04/11/2022.

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

Place: Kichha

Date :

(Signature with Name,
Designation & Office Seal)

Encl: Aadhaar Card, Bank Pass Book & P.P.O. Certificate.

JOINT OPTION UNDER THE EMPLOYEES' PENSION SCHEME, 1995

(For Ex Employees)

To

The Regional Provident Fund Commissioner
Employees Provident Fund Organization,
II second Floor, Khurana Complex,
Infront of Judge Court, Nainital Road,
Haldwani-263139 (Nainital)

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 Judgement dated 04/11/2022 in SLP (C) Nos. 8658- 8659 of 2019.

In line with Para 43 & 44 (ii) & (iv) of the Judgement dated 04/11/2022 of the Hon'ble Supreme Court of India, eligible ex-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 posted in the EPFO Website, in pursuance of Formats issued by various ROs/EPFO in the year 2017 & 2018 while implementing the RC Gupta Judgement, we (ex-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 salary/wages ceiling limit of Rs. 15,000/- pm under the EPF Act, 1952.

2. Particulars of the ex-employee are as under:

(i)	Name	
(ii)	Office/Unit/Location	
(iii)	Date of Joining	
(iv)	E.P.F. Account Number	
(v)	E.P.S. Account Number	
(vi)	UAN Number	
(vii)	Mobile Number	
(viii)	Aadhar Number	
(ix)	Full Postal Address with Pin Code	
(x)	E-mail ID	
(xi)	PPO Number	
(xii)	Date of attaining the age of 58 years of age (eligible for Pension under EPS 1995)	
(xiii)	Date of Actual Superannuation /Cessation of Service	
(xiv)	Name of Pension disbursing Bank and Branch	
(xv)	Bank Account Number where Pension is being credited with IFSC Code & MICR No.	

Continue.....2/

Declaration by Ex-employee

1. It is certified that immediately after joining KICHHA SUGAR COMPANY LTD, 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. 5000/6500) 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. Since I have already withdrawn the entire amount of Provident Fund on my retirement/resignation (after attaining 58 years of age on or after 01/09/2014) / optional retirement, etc. I am ready to return / pay back the due differential amount (after adjusting the amount already transferred to the Pension Fund upto the prescribed wage/salary ceiling under the Act.) from the date of joining EPS, 1995 till my attaining the age of 58 years / resignation, etc. with due interest to make me eligible for drawing pension on the basis of actual salary/wages instead of on the ceiling salary/wages in accordance with the aforesaid judgement.
3. I understand that the Joint Option Form submitted by me shall be subject to acceptance by EPFO. I further understand that the Option is irrevocable at any later date, and no claim for change of Option shall be entertained or considered under any circumstances.
4. I understand that the Option exercised herein is subject to the EPFO instructions / guidelines / directives that may be issued from time to time.

Place: Kichha

Date :

(Signature of Employee)

UNDERTAKING BY THE EMPLOYER

I, (Name & Designation) being the Authorized Signatory of M/s Kichha Sugar Company Ltd, Kichha, Udham Singh Nagar, Uttarakhand establishment PF Code Number UK/5237 do hereby certify that Shri/Smt./ Ms..... who is the holder of PPO No..... is an ex-employee of this establishment. He/She had attained the age of 58 years as on/...../.....(dd/mm/yyyy). The member had been contributing towards Provident Fund on his/her actual wages/salary, as per terms of Para 26(6) of the EPF Scheme, 1952. Equal share has been contributed by this Establishment too. This Establishment has no objection, if he/she deposits/returns the differential amount @ 8.33 % of the actual salary as employer's share w.e.f. 16/11/1995 or from his/her date of joining or when his/her wages/salary exceeded the statutory limit, whichever is later, alongwith due interest as declared under EPF Scheme, 1952 from time to time, 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 Judgement of the Hon'ble Supreme Court dated 04/11/2022.

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

Place:

Date :

(Signature with Name,
Designation & Office Seal)

Encl: Aadhaar Card, Bank Pass Book & P.P.O. Certificate.