

HSCC (India) Ltd.
(A Subsidiary of NBCC (India) Ltd.)
(A Government of India Enterprise)

HSCC/EPS-95/2023

14th February 2023

CIRCULAR - 01

Sub: Submission of Joint Option Form under Para 11 (3) and Para 11(4) of Employees Pension Scheme as per Hon'ble Supreme Court judgement dated 04th November 2022 in SLP No. 8658-8659 of 2019.

This is in reference to the Judgement dated 04th September 2022 passed by Hon'ble Supreme Court of India regarding opportunity to exercise option of drawing pension on actual salary.

In accordance with the directions passed by Hon'ble Supreme Court in the cited judgement, EPFO issued Circular dated 29/12/2022 (followed by Corrigendum dated 05/01/2023), stipulating therein instructions in compliance of Orders in Para 44(ix) read with Para 44(v) and (vi).

As per paragraph 38, 39 & 44(ii) of the captioned judgment, it is also applicable to the exempted establishments in the same manner as the employees of the regular establishments.

HSCC India Ltd. is an exempted establishment and judgement is applicable to the employees/ex-employees of the HSCC India Ltd. who are eligible as per the Hon'ble Supreme Court judgment dated 04th November 2022. Therefore, employees of HSCC India Ltd. are also eligible for submission of Joint Option form for availing pension on actual/higher salary.

The Joint Option has to be exercised by members & pensioners and submitted to EPFO **latest by 03rd March 2023** as per the judgement of the Hon'ble Supreme Court dated 04th November 2022. However, EPFO is yet to issue any format for Joint Option or any clarification/guidelines in this regard. Hence it may be noted that arrears to be paid and pension payable cannot be ascertained as of now.

As a precautionary compliance and to meet the deadline as stated in the judgement, it has been decided that we may submit the Joint Option form to RPFC for those employees and ex-employees who are willing to opt for enhanced pension.

The employees who had attain the age of 58 years prior to 01st September 2014 without exercising any option under paragraph 11(3) of the pre-amendment scheme have already exited from the membership and therefore they would not be entitled to the benefit of this judgement.

It is further informed that as per paragraph 43 read with paragraph 44 (iv) of the SC judgement, all employees, who were members of the EPS'95 as on 01st September 2014 i.e. were below 58 years of age who could not exercise option, as contemplated in the proviso to paragraph

11(3) of the Pension Scheme to contribute to EPS'95, would be entitled to exercise option under paragraph 11(4) EPS'95 within a period of four months from the date of judgment i.e. on or before 3rd March 2023.

Employees who have not attained the age of 58 years as on 01st September 2014, only are eligible for submission of joint option form under para 11 (3) of the EPS'95 scheme.

All working/retired/superannuated/resigned/VRS employees of the Company who are/were members of the EPS'95 Scheme as on 01st September 2014 and are willing to exercise contribution on actual wages in pension fund under EPS'95 are hereby required to fill and submit requisite joint option form and declaration (**Annexure-A for employees and Annexure -B for ex-employees**) to get the benefit of pension on actual salary as directed by the Hon'ble Supreme Court.

Further, new employees who are not members of EPS'95 i.e. who have joined service on or after 01st September 2014 are not eligible to exercise this joint option.

HSCC India Ltd. has been contributing on higher wages exceeding the statutory wage ceiling of Rs. 5000/- or Rs. 6500/ or Rs. 15000/- in the Provident Fund for its employees which makes it eligible for diversion of 8.33% of salary exceeding Rs.5000/- or Rs.6500/ or Rs.15000/- to the pension fund.

The option form in triplicate duly signed in original (hard copies) shall be submitted in envelop earmarked as "Joint Option EPS'95" to **DGM (HR), HSCC India Ltd., Sector -1, Noida latest by 24th February 2023.**

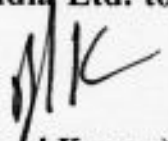
The working employees may submit their option form by hand or through speed post/courier at the above mentioned address.

Similarly, retired/superannuated/resigned/VRS employees may submit their option form by hand or through speed post/courier.

1. **Since the time to exercise option by the eligible employees is available only for a period of 4 months from 04th November 2022**, it is hereby informed to all eligible employees that as per the SC judgement they have a one-time chance to exercise their option to contribute to EPS'95 on actual salary instead of an applicable wage ceiling, for getting pension on actual pensionable salary, as defined in the EPS'95. Employees/ex-employees/EPS-95 Pensioners, exercising the option now would be required to pay arrears of EPS'95 contribution i.e. difference between the contribution @ 8.33% of actual salary less contribution already deposited on applicable wage ceiling from the date of joining the EPS'95. Additionally such employees shall also be required to pay interest on due arrears at applicable rate till the month of remittance. Employees may also be required to contribute 1.16% of salary exceeding Rs. 15000/- as additional contribution from September 2014. However, as per the SC judgement, additional contribution can be recovered maximum for a period of six months from the date of judgement i.e. only till April 2023 or till such time any amendments is made to generate additional contribution from some other legitimate source within the scope of the Act, whichever is earlier, as a stop gap measure. The said sum shall be adjustable based on the alternation to the scheme that may be made.

2. On acceptance of options of the employees/ex-employees by the concerned Regional PF commissioner, 8.33% share of employers on such higher salary along with interest prescribed will be remitted by CPF division to the Pension fund.
3. Employees/ex-employees are liable to pay any shortfall in employer contribution to be remitted on account of opting joint option for higher pension under EPS'95.
4. Ex-employees who would exercise the option now and who have already withdrawn the Provident Fund from HSCC Employees Provident Fund Trust shall have to arrange the funds for payment of arrears to EPFO.
5. In case of serving employees, payment of arrears shall be made from the PF account of employee with the HSCC Employees Provident Fund Trust.
6. The joint option form shall be subject to acceptance by EPFO as per rules.
7. It is expected that, EPFO may issue separate circular/guidelines specifying the mode and manner of deposit of balance contribution along with interest, exercising option and submission of joint declaration as per paragraph 43 read with paragraph 44(iv) of the SC judgement dated 04th November 2022 in respect of employees who were member of the EPS'95 as on 01st September 2014 (eligible employees). Any formality and obligation prescribed by the EPFO shall be complied by the employees/ex-employees opting the option of pension on higher salary.
8. Every employee/ex-employee who had joined HSCC India Ltd. from any other organization in which he/she was member of EPS'95 scheme should fill **(Annexure – C)** for every previous organization.
9. Every employee/ex-employee who had joined HSCC India Ltd. from any other organization in which he/she was member of EPS'95 scheme should add their service in previous organisation in current EPS number by filling Form 13 **(Annexure – D)**.
10. The option exercise is irrecoverable at later date and no change of option shall be entertained under any circumstances.
11. The Joint option form duly filled in every manner should be submitted by the concerned employee/ex-employee at the office of HRM division mentioned hereinabove latest by 24th February 2023.
12. The instructions are subject to directions/instructions of EPFO and or decision of court of law (if any) issued from time to time in this regard.

Disclaimer: In reference to judgement dated 4th November 2022 of Hon'ble Supreme Court, EPFO is yet to issue any format for Joint Option or any clarification/guidelines in this regard. This circular is being issued for implementation of the said judgement only to adhere the time limit and is subject to any ratification (s)/guideline(s) that may be issued by EPFO from time to time. Therefore, the joint option submitted by eligible employees does not confer any right to receive or obligation upon HSCC India Ltd. to pay higher pension to them.


(Pramod Kumar)
CGM



ईपीएफओ, मुख्य कार्यालय
श्रम एवं रोजगार मंत्रालय, भारत सरकार
भविष्य निधि भवन, 14, भीकाजी कामा प्लेस, नई दिल्ली 110066



EPFO, HEAD OFFICE

MINISTRY OF LABOUR & EMPLOYMENT, GOVERNMENT OF INDIA

BHAVISHYA NIDHI BHAWAN, 14, BHIKAJI KAMA PLACE, NEW DELHI 110066

www.epfindia.gov.in

No. Pension/2022/54877

15149

Date:

29 DEC 2022

To,

All Addl. CPFCs, Zonal Offices.
All RPFs / OICs, Regional Offices.

Sub: Instructions in compliance of orders contained in Para 44 (ix) read with Para 44 (v) & (vi) of Hon'ble Supreme Court judgement dated 04.11.2022 in the matter of Special Leave Petition (C) Nos. 8658-8659 of 2019.

Madam/Sir,

The above matter was referred to the Central Government for issuing directions. The Central Government vide letter dated 22.12.2022 has directed that requisite action may be taken by EPFO to implement the directions contained in **para 44 (ix) of the judgment dated 04.11.2022** of the Hon'ble Supreme Court within the stipulated timelines. Government has further directed that adequate publicity may be made to the decisions taken by EPFO to implement the said directions.

2. Accordingly, the field offices are directed to implement the directions contained in para 44 (ix) of the judgment dated 04.11.2022 of the Hon'ble Supreme Court within the stipulated timeline and to ensure adequate publicity of the decisions taken by EPFO to implement the said directions.

3. As may be seen, the Hon'ble Supreme Court has pronounced judgement dated 04.11.2022 in the matter of Special Leave Petition (C) Nos. 8658-8659 of 2019. The relevant directions of the court with respect to above-mentioned subject are as follows.

"44 (v) The employees who had retired prior to 1st September 2014 without exercising any option under paragraph 11(3) of the pre-amendment scheme have already exited from the membership thereof. They would not be entitled to the benefit of this judgment.

44 (vi) The employees who have retired before 1st September 2014 upon exercising option under paragraph 11(3) of the 1995 scheme shall be covered by the provisions of the paragraph 11(3) of the pension scheme as it stood prior to the amendment of 2014.

44 (ix) We agree with the view taken by the Division Bench in the case of R.C. Gupta (supra) so far as interpretation of the proviso to paragraph 11(3) (pre-amendment) pension scheme is concerned. The fund authorities shall implement the directives contained in the said judgment within a period of eight weeks, subject to our directions

contained earlier in this paragraph."

4. In this context, factual position as narrated in R.C. Gupta & ors etc. vs Regional Provident Fund Commissioner, Employees' Provident Funds Organisation & ors etc. dated 04.10.2016 is as follows: -

4.1 Paragraph 4 of the above judgement states:

" The appellant-employees on the eve of their retirement i.e. sometime in the year 2005 took the plea that the proviso brought in by the amendment of 1996 was not within their knowledge and, therefore, they may be given the benefit thereof, particularly, when the employer's contribution under the Act has been on actual salary and not on the basis of ceiling limit of either Rs.5,000/- or 6,500/- per month, as the case may be. This plea was negated by the Provident Fund Authority on the ground that the proviso visualized a cut-off date for exercise of option, namely, the date of commencement of Scheme or from the date the salary exceeded the ceiling amount of Rs.5,000/- or 6,500/- per month, as may be. As the request of the appellant-employees was subsequent to either of the said dates, the same cannot be acceded to."

4.2 Relevant portion of Paragraph 8 of the above judgement states:

".... The said dates are not cut off dates to determine the eligibility of employer employee to indicate their option under the proviso to clause 11(3) of the pension scheme".

4.3 Relevant portion of Paragraph 10 of the above judgement states:

"...If both the employer and the employee opt for deposit against the actual salary and not the ceiling amount, the exercise of the option under paragraph 26 of the provident fund scheme is inevitable. Exercise of the option under paragraph 26(6) is a necessary precursor to the exercise of the option to the Clause under 11(3). Exercise of such option, therefore, would not foreclose the exercise of a further option under Clause 11(3) of the pension scheme unless the circumstances warranting such foreclosure are clearly indicated".

5. Accordingly, the direction of the Hon'ble Supreme Court in R.C. Gupta judgement pertains to such employees who contributed on higher wages under paragraph 26(6) of EPF Scheme, and had further exercised their option under the proviso to erstwhile para 11 (3) prior to their retirement, but their option request under the proviso to paragraph 11(3) was explicitly denied by concerned office of the RPFC and /or contribution on higher salary was refunded / diverted back to provident fund accounts.

6. The following pensioners may apply digitally/ online at www.epfindia.gov.in for validating their options, if any, by the concerned Regional Office:

- i. the pensioners who as employees had contributed under paragraph 26(6) of EPF Scheme on salary exceeding the prevalent wage ceiling of Rs 5000/- or 6500/-; and
- ii. exercised joint option under the proviso to Para 11(3) of the pre-amendment scheme while being members of EPS,95; and
- iii. their exercise of such option was declined by PF authorities,

7. The way such pensioners would apply to the concerned Regional Office is as follows:

- i. The request will be made in such form and manner, as may be specified by the Commissioner.
 - ii. The application form for validation will contain the disclaimer as ordered in the aforesaid government notification.
 - iii. In case of share requiring adjustment from Provident Fund to Pension Fund and if any, re deposit to the fund, the explicit consent of the pensioner will be given in the application form.
 - iv. In case of transfer of funds from exempted provident fund trust to pension fund of EPFO, an undertaking of the trustee shall be submitted. The undertaking shall be to the effect that due contribution along with interest-up to the date of payment, will be deposited within the specified period.
 - v. The method of deposit of such funds will follow through subsequent circulars.
 - vi. Aforesaid application form must contain the following specified documents for evidence and for further processing :-
 - a. Proof of joint option under Para 26(6) of the EPF Scheme duly verified by the employer; and
 - b. Proof of joint option under the proviso to erstwhile Para 11(3) duly verified by the employer; and
 - c. Proof of remittance in Provident Fund on higher wages exceeding the prevalent wage ceiling of ₹5000/6500; and
 - d. Proof of remittance in Pension Fund on higher wages exceeding the prevalent wage ceiling of ₹5000/6500, if any; and
 - e. Written refusal of APFC or any other higher authority of EPFO to such requests / remittance.
8. The above application forms when received in the specified time period will be dealt with in the following manner by Regional PF Commissioner:
- i. A facility will be provided for which URL will be informed shortly. Once received, the Regional PF Commissioner shall put up adequate notice and banners on the noticeboard for wider public information.
 - ii. Each application will be registered and digitally logged. The receipt number will be provided to the applicant.
 - iii. The application will land into employer's login whose verification with e-sign will be essential for further processing.
 - iv. RPFC will cause each application to be converted into e-file, as far as possible.
 - v. The concerning dealing assistant will examine the papers including the note on receipt of due amount in the Pension Fund, and mark the case to Section Supervisor / Account Officer.
 - vi. The concerning SS / AO will mark out any discrepancies and send it with the rule position to APFC / RPFC-II who after due examination will put the case to Officer-in charge of RO.
 - vii. The OIC shall examine each case of pension on higher salary and dispose it by passing a speaking order that shall be intimated to the applicant through e-mail/post. Efforts will be made to intimate them through telephone/SMS.
9. Officer in-Charge of the concerned Regional office will send a weekly monitoring report to the respective Zonal Office. The monitoring format will be specified by the ACC-HQ Pension. Zonal office will also report the aggregate position of the zones weekly to the Pension Division at Head Office.
10. Any grievance by the applicant can be registered on EPFIGMS after submission of his request form and payment of due contribution, if any. The registration of such grievance shall be under specified category of higher pension with reference to Supreme Court Judgment dated 04.11.2022. All such grievances shall be addressed and disposed of at the level of Nominated Officer. Grievances

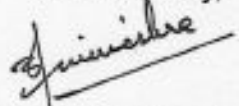
will be monitored by the Officer in-Charge of Regional Office and Zonal Office.

11. These directions are issued in compliance of the judgement dated 04.11.2022 of Hon'ble Supreme Court and notification of the MoL&E for immediate implementation.

12. This circular is being issued in supersession of all earlier instructions issued on this subject.

[This issues with the approval of CPFC.]

Yours faithfully,



(Animesh Mishra)

Addl. Central P.F. Commissioner (Pension)

Copy to: -

1. PS to Secretary to the Government of India, Ministry of Labour and Employment.
2. Under Secretary to the Government of India, Ministry of Labour and Employment with reference to letter No. R-15011/03/2022-SS-II dated 22.12.2022.
3. PS to CPFC.
4. All ACCs HQ and ACCs at H.O for information & necessary action. Further for online applications, URL may please be informed to field offices by ISD.
5. Rajbhasha section for providing Version in Hindi.



ईपीएफओ, मुख्या कार्यालय
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EPFO, HEAD OFFICE
MINISTRY OF LABOUR & EMPLOYMENT, GOVERNMENT OF INDIA
BHAVISHYA NIDHI BHAWAN, 14, BHIKAJI CAMA PLACE, NEW DELHI 110066

www.epfindia.gov.in

No. Pension/2022/54877/15238

Date: 05.01.2023

05 JAN 2023

CORRIGENDUM

To,

All Addl. CPFCs, Zonal Offices.
All RPFCs / OICs, Regional Offices.

Sub: Instructions in compliance of orders contained in Para 44 (ix) read with Para 44 (v) & (vi) of Hon'ble Supreme Court judgement dated 04.11.2022 in the matter of Special Leave Petition (C) Nos. 8658-8659 of 2019.

Madam/Sir,

This refers to the Head Office Circular No. Pension/2022/54877/15149 dated 29.12.2022 on the above cited subject.

Sub para ii of Para 7 of the above mentioned circular may be read as:

"ii. The application form for validation will contain the disclaimer as may be specified therein."

Further, Para 11 of the above mentioned circular may be read as:

"11. These directions are issued with reference to communication of MoLE as referred above and for implementation of the judgement dated 04.11.2022 of Hon'ble Supreme Court."

[This issues with the approval of CPFC.]

Yours faithfully,

(Animesh Mishra)

Addl. Central P.F. Commissioner (Pension)

Copy to: -

1. PS to Secretary to the Government of India, Ministry of Labour and Employment.
2. Under Secretary to the Government of India, Ministry of Labour and Employment with reference to letter No. R-15011/03/2022-SS-II dated 22.12.2022 & letter no. R-15011/3/2022-SS-II dated 04.01.2023
3. PS to CPFC.
4. All ACCs HQ and ACCs at H.O for information & necessary action. Further for online applications, URL may please be informed to field offices by ISD without further delay.
5. Rajbhasha section for providing Version in Hindi

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

To,
The Regional P.F. Commissioner
EPFO, DSIIDC Facility Centre Building
Flatted Factory Complex, Jhilmil Industrial Area,
Delhi - 110095

Sub: Joint Option under Para 11 (3) and Para 11 (4) of Employees Pension Scheme, 1995 based upon the Hon'ble Supreme Court's Order in SLP No. 8658-8659 year 2019 Titled EPFO Vs Sunil Kumar pronounced on 4th November 2022 - Reg.

Reference is invited towards Para 43 and Para 44 (ii) & (iv) of the aforesaid Order dated 04th November 2022 of Hon'ble Supreme Court of India, in the above cited appeal wherein the eligible employees/ex-employees and his/her employer are required to submit a joint option under erstwhile Para 11 (3) & 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 been provided by EPFO (also not available on EPFO's website), based on similar formats issued by various ROs in the year 2017 & 2018 while implementing the R C Gupta judgement; in order to comply with the above requirement, we (employee/ex-employee and employer) are, hereby submitting the joint option form as required under erstwhile Para 11 (3) & Para (4) of employees' Pension Scheme -1995 for claiming pension on actual salary instead of ceiling salary limit of Rs. 15,000/-

Particulars of employee are as under: -

Sl. No.	Particular	Details
1.	Name	
2.	EPS Account Number	
3.	EPS Account Number Previous Organization (if any)	
4.	EPS Account Number Previous Organization (if any)	
5.	EPS Account Number Previous Organization (if any)	
6.	Aadhar Number	

7.	UAN No.	
8.	PPO Number if any) attach copy	
9.	Date of Leaving service or attained the age of 58 years which was earlier. (if applicable)	
10.	Correspondence Address	
11.	Mobile No.	

Declaration by Employee

It is certified that immediately after joining HSCC India Ltd., 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 EPS Scheme 1952. It is to further certify that an amount @ 8.33% of the statutory ceiling amount i.e. Rs. 15000 (earlier of ₹ 5,000.00 (16/11/1995 to 31/05/2001)/ ₹ 6,500.00 (01/06/2001 to 31/08/2014)/ ₹ 15,000.00 (w.e.f. 01/09/2014 & onwards) out of employers contribution had been remitted every month towards Employees' Pension Scheme 1995 since 16th November 1995 or the date of joining whichever is later onwards.

I, do hereby opt for diverting 8.33% of my actual salary/wages out of employers contribution towards pension fund (after adjusting the amount already diverted in EPS'95 on ceiling wages) from the date of joining the EPS'95 till my attaining the age of 58 years/VRS/resignation.

I have understood all the Terms & Conditions governing the higher pension option of EPS'95 and I am willing to abide with therewith.

In case my Provident Fund amount (Employer) become short on account of non-refundable advance, I am ready to pay the differential amount that I had taken/withdrawn.

Thus making me eligible for drawing pension on the basis of average of last 60 months' salary / wages as pensionable salary / wages i.e. based on my Actual salary / wages instead of being based on the statutory limit.

I understand that the option exercised herein is subject to orders of the Hon'ble courts and instructions of EPFO issued from time to time in this regard.

I also undertake that if any other legal formality is required in this regard, I am ready to do accordingly.

Place:-

Signature

Date:-

Name

Employee Code:-

Declaration by the Employer

Accepted and recommended for affording necessary contributions from Employer's share of provident fund holding, diverting to Employees pension scheme. HSCC India Ltd. is already paying inspection charges on actual salary and shall comply with all statutory provisions in this regard.

Signature of HR

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

To,
The Regional P.F. Commissioner
EPFO, DSIIDC Facility Centre Building
Flatted Factory Complex, Jhilmil Industrial Area,
Delhi – 110095

Sub: Joint Option under Para 11 (3) and Para 11 (4) of Employees Pension Scheme, 1995 based upon the Hon'ble Supreme Court's Order in SLP No. 8658-8659 year 2019 Titled EPFO Vs Sunil Kumar pronounced on 4th November 2022 – Reg.

Reference is invited towards Para 43 and Para 44 (ii) & (iv) of the aforesaid Order dated 04th November 2022 of Hon'ble Supreme Court of India, in the above cited appeal wherein the eligible employees/ex-employees and his/her employer are required to submit a joint option under erstwhile Para 11 (3) & 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 been provided by EPFO (also not available on EPFO's website), based on similar formats issued by various ROs in the year 2017 & 2018 while implementing the R C Gupta judgement; in order to comply with the above requirement, we (employee/ex-employee and employer) are, hereby submitting the joint option form as required under erstwhile Para 11 (3) & Para (4) of employees' Pension Scheme -1995 for claiming pension on actual salary instead of ceiling salary limit of Rs. 15,000/-

Particulars of ex-employee are as under: -

Sl. No.	Particular	Details
1.	Name	
2.	EPS Account Number	
3.	EPS Account Number Previous Organization (if any)	
4.	EPS Account Number Previous Organization (if any)	
5.	EPS Account Number Previous Organization (if any)	
6.	Aadhar Number	

7.	UAN No.	
8.	PPO Number if any) attach copy	
9.	Date of Leaving service or attained the age of 58 years which was earlier (if applicable)	
10.	Correspondence Address	
11.	Mobile No.	

Declaration by Ex-employee

It is certified that immediately after joining HSCC India Ltd., 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 EPS Scheme 1952. It is to further certify that an amount @ 8.33% of the statutory ceiling amount i.e. Rs. 15000 (earlier of ₹ 5,000.00 (16/11/1995 to 31/05/2001)/ ₹ 6,500.00 (01/06/2001 to 31/08/2014)/ ₹ 15,000.00 (w.e.f. 01/09/2014 & onwards) out of employers contribution had been remitted every month towards Employees' Pension Scheme 1995 since 16th November 1995 or the date of joining whichever is later onwards.

Since I have already withdrawn entire Provident Fund on my retirement/VRS/resignation, I am ready to pay the differential amount (including up to date interest) as calculated and intimated by HSCC India Ltd./RPFC on acceptance of my option.

I have understood all the Terms & Conditions governing the higher pension option of EPS'95 and I am willing to abide therewith.

Thus making me eligible for drawing pension on the basis of average of last 60 months salary / wages as pensionable salary / wages i.e. based on my Actual salary / wages instead of being based on the statutory limit.

I understand that the option exercised herein is subject to orders of the Hon'ble courts and instructions of EPFO issued from time to time in this regard.

I also undertake that if any other legal formality is required in this regard, I am ready to do accordingly.

Place:-

Date:-

Signature

Name

Employee Code:-

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Annexure – C

To be filled by the employee/ex-employee who were joined HSCC India Ltd. from any other organization in which they were member of EPS'95 Scheme:-

(Separate Sheet should be filled for every previous organization in which employee was member of EPS'95)

Sl. No.	Particular	Details
1.	Name of the Employee	
2.	Previous Establishment Name	
3.	Previous Establishment Address	
4.	Previous Establishment PF Code	
5.	PF Account is held by (Name of EPF Office/PF Trust)	
6.	Date of joining EPS'95 in previous Establishment	
7.	Date of Exit EPS'95 in previous Establishment	
8.	EPS number of previous Establishment	
9.	UAN of previous Establishment	

- Supporting PF Slip indicating EPS number should be attached.

The above particulars are correct, and I am liable to bear any consequence arises based on the above declared facts.

Signature of the employee/ex-employee

Name of the Employee _____

Employee Code _____

Undertaking by the Employer
(For Serving employee)

I,..... (Name and Designation) being the authorized signatory of HSCC India Ltd. do hereby certify that Mr./ Ms. is an employee of the establishment with EPF A/C No..... He/ She is contributing towards Provident Fund on his actual salary, as per the terms of Para 26(6) of the EPF Scheme 1952. This establishment has no objection if an amount of 8.33% on his actual wages is diverted from his Provident fund towards his EPS 95 Pension Fund w.e.f. 16/11/1995 i.e. from the date of commencement of the Scheme or when his salary exceeded the statutory limit/ date of joining the scheme, whichever is later along with interest as declared under EPF Scheme, 1952 from time to time making him eligible for drawing pension on the basis of Pensionable salary based on his actual/ higher wages instead of on statutory limit as per Para 11(3)/ 11(4) of the EPS' 95 Scheme.

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

Place:

Date:

(Signature with Official Seal)

Undertaking by the Employer
(For pensioners)

I,..... (Name and Designation) being the authorized signatory of HSCC India Ltd. do hereby certify that Mr./ Ms..... was an employee of the establishment with EPF A/C No..... and has attained age of 58 yrs on _____. He/ She has contributed towards Provident Fund on his/her actual salary, as per the terms of Para 26(6) of the EPF Scheme 1952. This establishment has no objection if Mr/Ms..... deposits an amount of 8.33% on his actual wages from his own sources/ divert from his Provident fund towards his Pension Fund w.e.f. 16/11/1995 i.e. from the date of commencement of the Scheme or when his salary exceeded the statutory limit whichever is later along with interest as declared under EPF Scheme, 1952 from time to time making him eligible for drawing pension on the basis of Pensionable salary based on his actual/ higher wages instead of on statutory limit as per Para 11(3)/ 11(4) of the EPS' 95 Scheme., w.e.f. reaching the age of 58 yrs.

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

Place:

Date:

(Signature with Official Seal)

TRANSFER CLAIM FORM

FORM 13 (REVISED)

CLAIM ID _____

(For EPFO Use only)


**EMPLOYEES' PROVIDENT FUND SCHEME, 1952
(PARA 57)**

To,
The Regional P F Commissioner,
Office Name: _____
Office Address: _____

(Please see instruction 3)

To,
Trust Name: _____
Trust Address: _____

(in case the PF A/C is with Exempted Establishment)

Sir,

I request that my provident fund balance along with my pension service details may please be transferred to my present account under intimation to me. My details are as under:

PART A: PERSONAL INFORMATION

1. *Name: _____
2. *Father's/Husband's name: _____
3. Mobile number: _____ 4. E-mail id: _____
5. Bank A/C number: _____ 6. IFS code of Bank branch: _____

PART B: DETAILS OF PREVIOUS ACCOUNT (WHICH IS TO BE TRANSFERRED)

1. *PF Account No. : _____
In case the previous establishment is exempted under Employees' Provident Fund Scheme, 1952
Pension Fund Account No. : _____
2. *Name and Address of the previous establishment: _____

3. *PF Account is held by: (Name of EPF Office/ PF Trust) _____
4. *Date of Birth: _____ (dd/mm/yyyy) 5. *Date of joining : _____ (dd/mm/yyyy)
6. *Date of leaving: _____ (dd/mm/yyyy)

PART C: DETAILS OF PRESENT ACCOUNT

1. *PF Account No. : _____
In case the present establishment is exempted under Employees' Provident Fund Scheme, 1952
Pension Fund Account No. : _____
2. *Name and Address of the present establishment: _____

3. *Account is held by: (Name of EPF Office / PF Trust) _____
4. *Date of joining : _____(dd/mm/yyyy)
5. #Name of Trust (to whom funds are to be paid in case of present establishment being exempted under EPF Scheme, 1952) : _____
6. #Employee code under the Trust: _____
- (* indicates mandatory fields) (# Strike off if not applicable)

I, Certify that all the information given above is true to the best of my knowledge and I have ensured the correctness of my present and previous account numbers.

Signature of the Member
Date: _____

IMPORTANT: Member has the option to get the claim form attested by present or previous employer. In case of attestation by the previous employer, time taken in settlement will be relatively less.

Certified that I have verified the data in Part B in respect of the member mentioned in Part A of this form and the signature of the member.

Seal of the Establishment

Signature of Previous Employer
Date: _____

OR

Certified that I have verified the data in Part C in respect of the member mentioned in Part A of this form.

Seal of the Establishment

Signature of Present Employer
Date: _____

INSTRUCTIONS AND GUIDELINES

1. The Bank A/C details are for verification purpose even if the Fund is transferred to the EPFO Office/Trust maintaining the present account number.
2. In case the Previous Account was maintained by PF Trust of the exempted establishment, the member should submit a Transfer Claim Form {Form-13(Revised)} to the Trust while sending another Transfer Claim Form {Form-13(Revised)} to the PF Office for transferring the service details under the Pension Fund to the new account.
3. The Form should be submitted to that PF Office under which previous or the present account is maintained, depending upon as to which employer has attested the claim. (In case the claim is attested by the present employer, claim should be submitted with the PF Office under which the present account is maintained, and so on).
4. The mobile number (wherever provided) of the member would be used for sending an SMS alert informing him/her the processing of his/her claim and is non-mandatory for Physical form.