

**RAJASHAN STATE INDUSTRIAL DEVELOPMENT
& INVESTMENT CORPORATION LIMITED:
UDYOG BHAWAN : TILAK MARG : JAIPUR-302005**

No.: A.1(4)153/2017/Part-II/73
May 01, 2023

CIRCULAR

Subject : Submission of 'Joint Option Form' under Para 11(3) and Para 11(4) of Employees pension scheme, 1995 in line with the direction given by Hon'ble Supreme Court vide order dated 04th November 2022 passed in SLP No. 8658-8659 of 2019 titled EPFO v/s Sunil Kumar B. & ORS. etc in online mode.

May refer to Circular No. A.1(4)153/2017/Part-II/73 dated 22.02.2023 vide which offline Joint Option Forms for higher pension on actual wages were invited in response to EPFO Circular No. Pension/2022/54877/15149 dtd 29.12.2022.

Now after PF department stating to fill the Joint Option Form for higher pension on actual wages in **Online mode only**, the in-service employee/ex-employees of RIICO, are advised to exercise the option in their own wisdom for higher pension on actual wages and submit the Joint Option Form in online mode through EPFO website "www.epfindia.gov.in". Two different URLs are there for members who attained the age of 58 years prior to 01/09/2014 and after 01/09/2014. The employees/ex-employees are requested to choose the URL accordingly.


The employees who wish to exercise the Joint Option Form are required to upload the following documents while filling the form:

1. Proof of Joint Option under Para 26(6) of the EPF Scheme duly verified by the employer;
2. Proof of remittance in Provident Fund on higher wages exceeding the prevalent wage ceiling of 5000/6500/15000.
3. Additional documents in case of employees who attained the age of 58 years before 1st September, 2014, who had exercised option under the proviso to Para 11(3) of the pre amendment scheme.
 - (i) Proof of joint option under the proviso to Para 11(3) duly verified by the employer;
 - (ii) Written refusal of APFC or any other higher authority of EPFO to such requests/remittance.

Kindly note that before applying for higher pension through online mode, KYC in UAN should be completed in all respect and adhere to the Paras of the EPFO Circular No. Pension 2022/54877/15149 dtd 29/12/2022 and Pension/2022/56259/16541 dtd 20/02/2023.

Considering the enormous activity involved at employers' end to verify & validate each joint option application for higher pension filed by the employees and heavy load at EPFO website, eligible employees are requested to submit the Joint Option well before 02/05/2023 beyond which it will be difficult for employer to verify and validate the application.

Disclaimer: In reference to judgement dated 4th November 2022 of Hon'ble Supreme Court, RIICO has written a letter to EPFO seeking guidelines for submission of joint option form for exercising the option and contributing of the EPFO higher pension on higher wages under EPS'95, however, reply to the same is still awaited. This circular is being issued for implementation of said judgement only to adhere to the time limit and is subject to any rectification(s)/guideline(s) that may be issued by EPFO from time to time. Therefore, the joint option submitted by eligible employees do not confer any right to receive or obligation upon RIICO to pay higher pension to them.


(Bindu Karunakar)
Advisor (A&M)

Copy to :

1. All RIICO Employees/Ex-employees
2. All Unit Heads/Controlling Officers
3. Trustee Secretary (CPF)
4. Office Order File/Concerned file
5. Notice Board

Copy also to :

1. Sr. P.S. to Chairman
2. Sr. PS to M.D.

**RAJASTHAN STATE INDUSTRIAL DEVELOPMENT
AND INVESTMENT CORPORATION LIMITED
UDYOG BHAWAN, TILAK MARG, JAIPUR - 302005**

Certificate in lieu of Para 26(6) of the EPF Scheme


The certificate is being issued to the employees/ ex-employees of Rajasthan State Industrial Development & Investment Corporation as per the requirement mandated vide EPFO Letter No Pension/2022/56259/16541 dated 20 February, 2023. As per clause 6(vii) of this circular, employees are required to submit the proof of remittance of employer's share in Provident Fund on higher wages exceeding the prevalent wage ceiling and proof of joint option under Para 26(6) of EPF Scheme.

RIMDC Ltd. CPF Trust is an exempted establishment under Section 17 of the EPF & MP Act 1952 and the rules of RIMDC Ltd. CPF Trust are approved by the EPFO.

We hereby confirm that employees of RIICO are the member of the exempted RIMDC Ltd. CPF Trust. As per approved Rule no. 10(i) of RIMDC Ltd. CPF Trust rules, the contribution payable by the company to the Fund shall be @ 12% of the basic wages and the dearness allowance.

Further as per Rule 10(ii) of the RIMDC Ltd. CPF Trust rules, the contribution payable by employee shall be equal to the contribution payable by the company.

In view of above, we hereby certify that for the purpose of 26(6) under EPF scheme of the EPF & MP Act, 1952, a member of RIMDC Ltd. CPF Trust is contributing on actual wages under the EPF scheme since the inception of the scheme.


(Bindu Karunakar)
Advisor (A&M)

UNDERTAKING

To,
Rajasthan State Industrial
Development & Investment Corporation
Udyog Bhawan, Tilak Marg, Jaipur - 302005

I, _____ Emp.No _____ UAN _____
EPS Member ID/PPO No. _____ (if applicable) worked / working in
Rajasthan State Industrial Development & Investment Corporation, do hereby solemnly affirm and
state as follows:

1. I have read and understood the terms of Employees Pension Scheme, 1995 ('Pension Scheme') as amended from time to time including as it was before the amendment of 2014.
2. I am aware of Supreme Court judgment dated 04.11.2022 (In SLP (C) Nos.8658-8659 of 2019)
3. Pursuant to the, aforesaid judgment dated 04.11.2022 and Employee Provident Organization circular/order/notifications etc. I have exercised the joint option under para 11(3) and 11(4) of the pension scheme.
4. I agree and acknowledge that I will not be able to withdraw or modify my option once exercised, unless otherwise permitted by the Employees Provident Fund Organisation or the applicable law, and I will be bound by the terms of the pension scheme as may be notified or modified or communicated by the Employees Provident Fund Organisation from time to time.
5. I undertake and agree to make payment of due contribution along with interest up to the date of payment as demanded by EPFO through The Trustees of PF of RIMDC or directly to EPFO office, as may be communicated by EPFO in terms of the Pension Scheme. Any clarifications, notifications/ circulars/ orders in relation thereto including any further payments as may be required, shall be done without any delay or demur.
6. In case, where RIICO or The Trustees of PF of RIMDC is required to make any payment on my behalf to EPFO owing to failure on my part to contribute the amount pursuant to joint option exercised by me under para 11(3) & 11(4) of the pension scheme. I hereby permit RIICO and/or The Trustees of PF of RIMDC to recover any due payments to the Employees Provident Fund Organisation in relation to the Pension Scheme from any dues to me from RIICO, or any source of fund held by The Trustees of PF of RIMDC and RIICO.
7. Neither me, nor my assigns, nominees or family members, shall hold RIICO or The Trustees of PF of RIMDC responsible or liable in any manner whatsoever for any act, commission or omission on the part RIICO or The Trustees of PF of RIMDC, in relation to my exercise of joint option under the Pension Scheme.
8. I agree that The Trustees of PF of RIMDC and/or RIICO shall be entitled to initiate appropriate proceedings for recovery of any amount due in relation to aforesaid.

Signature : _____
Name of employee/Retired employee : _____
EPS Member ID : _____
Address : _____

Mobile No. : _____