

To,

Regional Provident Fund Commissioner,
Employees' Provident Fund Organization,
Jodhpur (Raj.)

Dated: 02.05.2023

Subject: Application/Option under paragraph 11 (3) of the Employees' Pension Scheme, 1995, as well as under paragraph 11(4) of the Employees' Pension Scheme, 2014 for contributing pension fund on actual salary /basic wages in view of the judicial directions of the Hon'ble Supreme Court in the following matters:

1. **The EPFO & Anr. Etc. Vs. Sunil Kumar B. & Ors., SLP (C) Nos.8658-8659 of 2019, 2022 Labour Law Reporter 1318 (SC)**
2. **R.C. Gupta and others vs. Regional P.F. Commissioner and others, in Civil Appeal No(s) 10013- 10014 of 2016 arising out of SLP NO 33032-33033 of 2015, 2017 Labour Law Reporter 866 (SC)**

1	Name of Employees	ROHIT PANPALIA
2	UAN No.	100315065156
3	Name of Establishment E.P.F Account No.	J K Cement, Gotan RJOD00175820000008
4	Name of the Bank & Address of the branch	UCO Bank, Gotan, Nagaur, Rajasthan IFSC - UCBA0000452
5	Bank Account No.	0452010009651
6	Mobile No. Email :	9460550243 rohitpanpalia@gmail.com
7	Aadhaar No. PAN No.	372505482412 APUPP9029H

Declaration by the Employee

I, ROHIT PANPALIA, being an employee of the establishment (unexempted establishment /exempted establishment) as well as member of the EPFS, 1952 & EPS, 1995, hereby opt to contribute the Pension Fund on higher/actual basic wages, and exercising option as per paragraph 11(3) of the Employees' Pension Scheme, 1995 read along with paragraph 11(4) of the EPS, 2014.

I, hereby exercise my higher pension option as per the latest Supreme Court judgment (supra) as per paragraph 11(3) & 11(4) of the EPS, 1995 read along with paragraph 26(6) of the Employees' Provident Scheme, 1952 for deduction of the EPF contribution on actual salary/ basic wages as per Section 6 of the Employees' Provident Fund and Misc. Provisions Act, 1952

I further hereby authorize the EPFO/exempted establishment that for the previous period of my employment (member of the fund), the PF Contribution which was deducted for earlier period on actual basic wages/salary and subsequently, the same was remitted in Account No.01 and Account No.010 (upto the statutory limit i.e. Rs.6500 or Rs.15000), be adjusted by debit /credit system i.e. from Account No.01 to Account No.10.

Rohit Panpalia

If PF authorities fail to consider the present application for higher pension option, then the employee may approach to the Hon'ble Supreme Court for non-compliance of the latest judgment dated 04.11.2022 (supra). However, the RPFC/APFC, being statutory authority, is liable to response this letter after due application of mind, and the same has been decided by the Hon'ble Supreme Court in the matter of Salem Advocate Bar Association V/s Union of India, AIR, 2005 Supreme Court, 3353, Case No. WP(C) 496 of 2002.

Place: **Gotan**

Date: **02.05.2023**


ROHIT PANPALIA
Signature of Employee

Undertaking by the Employer

I, **Yeddu KoteswaraRao, General Manager-HR** (Name and Designation) being the authorized signatory as per Form 5A of M/s **J K Cement Works, Gotan** do hereby certify that Mr. / Mrs. **ROHIT PANPALIA** an employee of this establishment with PF A/c No **RJJOD00175820000008**. During his/her service, I, being an Employer, will deduct to continue the both Provident Fund contribution (employer & employee's share) on his actual salary and will remit the same in Account No.01 & Account No.10 as per paragraph 38 of the Scheme, 1952 along with administrative charge.

I hereby certify that the particulars furnished are correct as per the records of the personal file, and the documents presented by the concerned employees for verification.

Place: **Gotan**

Date: **02.05.2023**


For J.K. Cement Works
(A Unit of J.K. CEMENT LTD.)

Yeddu KoteswaraRao

General Manager-HR
Appl. HR & Admin

(Signature with official seal)