



**TRANSMISSION CORPORATION OF TELANGANA LIMITED  
VIDYUT SOUDHA::HYDERABAD-82**

Website: <https://www.tstransco.in> CIN No: U40102TS2014SGC094248

**Circular Memo.No.Jt.Secy/DS(Per-II)/AS(IR,R.&RTI)/PO(IR)/JPO/2767/14,dt.14.02.2023.**

**Sub:** TSTRANSCO - IR - EPS, 1995 - Exercising of joint option in terms of Paragraph 26 (6) of the EPF Scheme, 1952 read with Paragraph 11(3) & 11(4) of the EPS, 1995, in pursuance of the Judgment dtd.04.11.2022 of the Hon'ble Supreme Court - Invited.

**Ref:** Judgment Dt.04.11.2022 of the Hon'ble Supreme Court Judgment in Civil Appeal Nos.8658-8659 of 2019

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Whereas, consequent to unbundling of APSE Board into APTRANSCO/APGENCO/APDISCOMs, with effect from 01.02.1999, the employees who have joined in the composite APTRANSCO on/after 01.02.1999 were brought under the ambit of the EPF & MP Act, 1952. Accordingly, orders were issued in T.O.O.(GM-IR)-Per) Ms.No.114, Dt.23.07.2003 and TOO (CGM(HRD&Trg.))-Per)Ms.No.227, dt.07.01.2004 for implementation of the provisions of the EPF & MP Act, 1952 and the Employees Provident Funds Scheme, 1952 to the employees who were appointed/absorbed (including those from Contract Labour/Ex-Casual Labour/VEWs/Compassionate Grounds etc.) and joined on or after 01.02.1999.

2. Whereas, as per the provisions of the Employee Pension Scheme, 1995, the maximum pensionable salary until May 2001 was Rs.5,000/- and Rs.6,500/- from June, 2001. However, certain modifications to Para-11 of the existing Pension Scheme, 1995 were carried out vide GSR No.609(E), dtd.22.08.2014, which would be effective from 01.09.2014, raising the maximum pensionable salary to Rs.15,000/- with effect from 01.09.2014 and providing a provision for higher pension in respect of the existing members as on 01.09.2014, subject to fulfillment of certain conditions, as mentioned therein.

3. Whereas, the individuals who are eligible for pension under the Employees' Pension Scheme-1995 (EPS-1995) have been litigating in various Courts for several years, seeking higher pensionary benefit under the Scheme. Likewise, the validity of the Amendment dtd.22.08.2014, to the existing scheme was also the subject matter of adjudication in various Writ Petitions/Appeals.

4. While so, the Hon'ble Supreme Court delivered a landmark Judgment dtd.04.11.2022 in SLP No.8658-8659 of 2019, giving legality and validity of the amendment made to the EPS, 1995 vide Gazettee Notification No.442, dt.22.08.2014. The Judgment inter-alia ruled that "...the members of the scheme, who did not exercise option, as contemplated in the proviso to paragraph 11(3) of the pension scheme (as it was before the 2014 Amendment) would be entitled to exercise option under paragraph 11(4) of the post amendment scheme....". "...Their exercise of option shall be in the nature of joint options covering pre-amended paragraph 11(3) as also the amended paragraph 11(4) of the pension scheme....". "...Thus, all the employees who did not exercise option but were entitled to do so but could not due to the interpretation on cut-off date by the authorities, ought to be given a further chance to exercise their option. **Time to exercise option under paragraph 11(4) of the scheme, under these circumstances, shall stand extended by a further period of four months...**".



5. Whereas, under the implementation of the EPF & MP Act, 1952 and the Employees Provident Funds Scheme, 1952, the TSTRANSCO is recovering EPF contribution @ 12% on actual Pay+DA [over and above the statutory ceiling limit of Rs.15,000] every month from the salary/wages of the employee and remitting to the individual EPF Accounts; and the TSTRANSCO is also contributing Employer share of equal percentage on actual Pay+DA. Be as it may, out of the Employer share of contribution @ 12% on actual Pay [+] DA, the TSTRANSCO is remitting @ 8.33% on Rs.15,000=00, which is the statutory ceiling limit, towards the Employee Pension Scheme, and the remaining amount is being credited to the individual's EPF Account including 3.67% on the actual pay [+] DA.

6. Whereas, the TSTRANSCO is desirous of extending the benefit of EPS, 1995, in terms of the amendment to Paragraph 11(3) & 11(4) of the EPS, 1995, providing a provision for higher pension to the employees existing in the Scheme as on 01.09.2014, viz. (i) employees joined the scheme as on 01.09.2014 and continuing now; and (ii) those joined as on 01.09.2014 and subsequently retired or left the service, duly making necessary contribution to the Employee Pension Scheme on actual Pay [+] DA of such employees, in lieu of the present contribution @ 8.33% on Rs.15,000=00, which is the statutory ceiling limit.

7. Whereas, pending describing of format and other guidelines by the RPFC in the matter, in view of the timeframe stipulated by the Hon'ble Supreme Court for submission of joint option form for extending the benefit of higher pension, and as an immediate measure, a draft joint option form prepared by the TSTRANSCO is herewith enclosed to this Memo. Exercising of joint option form by the employees/retirees for availing the benefit of higher pension under the amended scheme is subject to the following conditions:

(i) the members existing in the Scheme as on 01.09.2014, viz. (i) employees joined the scheme as on 01.09.2014 and continuing now; and (ii) those joined as on 01.09.2014 and subsequently retired or left the service, alone are entitled for exercising joint option in the pro-forma designed by the TSTRANSCO, for availing the benefit of higher pension, pending communication of joint option form from the RPFC and also further guidelines/modalities/procedure etc. being framed by the RPFC;

(ii) Mere exercising of above joint option form by the employees does not entail them for availing the benefit of higher pension under the said scheme;

(iii) The employees willing to avail the higher pension shall be required to contribute at the rate of 1.16 per cent of their salary to the extent such salary exceeds Rs.15000/- per month as an additional contribution under the amended scheme until a period of six months or till such time any amendment is made, whichever is earlier, which contribution shall be as stop gap measure as per the Judgment dtd.04.11.2022 of the Hon'ble Supreme Court.

8. Therefore, all the employees/the members existing in the Scheme as on 01.09.2014, viz. (i) employees joined the scheme as on 01.09.2014 and continuing now; and (ii) those joined as on 01.09.2014 and subsequently retired or left the service, and who are willing to opt for higher pension are requested to exercise the joint option form through 'online' in the ESS portal, apart from submitting the same in the prescribed pro-forma duly filled-in and signed, to the concerned Pay Drawing Officers, at the earliest by **21.02.2023**. They are informed that the acceptance or otherwise of the above mentioned joint option forms by the RPFC will be within the exclusive powers/decisions/ discretion of the concerned RPFC.

9. All the chief Engineers & the Functional Heads in the Corporate Office and SE/OMCs are requested to widely circulate/publicize the information contained in this Memo. and ensure all the necessary steps be taken that the filled in Joint option Forms shall reach the concerned Pay Drawing Officers in the accounts wing by not later than **21.02.2023**. The concerned Pay Drawing Officers are hereby authorized to sign such joint option forms and they shall make necessary arrangements to communicate the joint option forms, duly signed, to the concerned RPFC by not later than **26.02.2023**.

**Encl.:** Joint Option Form

**D.PRABHAKAR RAO**  
**CHAIRMAN & MANAGING DIRECTOR**

**To**

All Executive Directors }  
All Chief Engineers/Joint Secretary/FA&CCA } TSTRANSCO  
All SEs/DEs }

**Copy to:**

PS to Chairman & Managing Director/TSTRANSCO/VS /Hyderabad.  
PS to JMD (Finance, Comml., & HRD)/TSTRANSCO/VS/Hyderabad.  
PS to Director (Projects)/TSTRANSCO/VS/Hyderabad.  
PS to Director (Transmission)/TS TRANSCO/VS/Hyderabad.  
PS to Director (Lift Irrigation Schemes )/TSTRANSCO/VS/Hyderabad.  
PS to Director (Grid Operation) /TSTRANSCO/VS/Hyderabad.  
PS to Chairman and Managing Director/TSSPDCL, Hyderabad.  
PS to Chairman and Managing Director/TSNPDC, Warangal  
PS to Director (HR)/TSGENCO/VS/Hyderabad.  
The Chief Engineer/IT/TSTRANSCO/VS /Hyderabad. - - *With a request to arrange to design a program for enabling the concerned employees to exercise the joint option form through online in the ESS portal.*  
The SAO/SLDC/TSTRANSCO/VS /Hyderabad.  
The Pay Officer/TSTRANSCO/VS /Hyderabad.  
The AO/CPR/TSTRANSCO/VS /Hyderabad.  
All SAO/Zones//AO/OMCs/TSTRANSCO.  
SF // SC.

// FORWARDED :: BY ORDER //

*A. Prabhakar 14/02/2023*  
PERSONNEL OFFICER



**TRANSMISSION CORPORATION OF TELANGANA LIMITED.**  
**VIDYUT SOUDHA::HYDERABAD-82**

Website: <https://www.tstransco.in> CIN No: U40102TS2014SGC094248

**JOINT OPTION FORM IN TERMS OF THE PROVISIONS OF**  
**PARA 11(3) & 11(4) OF THE EPS, 1995;**

**For employees Joined the service as on 01.09.2014 and continuing thereafter.**

**To**

The Regional Provident Fund Commissioner,  
EPF Regional Office,  
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**Sir,**

**Sub:** TSTRANSO – IR – EPS, 1995 – Exercising of joint option in terms of Paragraph 26 (6) of the EPF Scheme, 1952 read with Paragraph 11(3) & 11(4) of the EPS, 1995, in pursuance of the Judgment dtd.04.11.2022 of the Hon'ble Supreme Court – Reg.

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In pursuance of the Judgment dtd.04.11.2022 of the Hon'ble Supreme Court in SLP Nos.8658-8659 of 2019, I wish to submit the Joint Option Form under the provisions of the Paragraph 11(3) & 11(4) of the EPS, 1995, for the purpose of availing higher quantum of pension on actual pay [+] DA, in lieu of the existing statutory ceiling limit of Rs.15,000/-. I also undertake to contribute at the rate of 1.16 per cent of my salary to the extent exceeding Rs.15000/- per month as an additional contribution under the amended scheme until a period of six months or till such time any amendment is made, whichever is earlier, and my details are furnished hereunder:

Sl.No.	Particulars	Details
1	Name of the HOD/Zone/Circle	
2	Name of the Employee	
3	Name of Father/spouse of employee	
4	Name of the nominee & Relationship with the member	
5	Date of birth of the Employee	
6	Date of joining in the organization	
7	EPF Account Number	
8	UAN Number	
9	Aadhaar Number	
10	Bank Account details with IFSC [Cancelled cheque enclosed]	
11	Mobile Number	
12	Address for communication along with E-mail Id	

Contd...P.2



**Declaration by the employee:**

- i. Certified that the above particulars furnished by me are true to the best of my knowledge and belief;
- ii. Certified that myself and my employer are contributing and remitting the EPF contributions to the RPF, on actual Pay[+] DA, as provided under Para 26(6) of the EPF Act, 1952;
- iii. I am willing to contribute @ 8.33% on actual Pay[+] DA from the Employer's contribution to the Pension fund under the provisions of the EPS, 1995, from the applicable date as may be prescribed;
- 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 less/insufficient for transfer to EPS due to opting for higher pension;
- 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 of the rules/guidelines/modalities that may be framed by the EPF authorities in connection with extending the benefit of Higher pension on actual Pay [+] DA;
- viii. I am also willing to contribute at the rate of 1.16 per cent of my salary to the extent exceeding Rs.15000/- per month as an additional contribution under the amended scheme until a period of six months or till such time any amendment is made, whichever is earlier;
- ix. I am submitting this joint option form for the purpose of availing benefit of higher pension on the actual Pay [+] DA, pursuant to the Judgment dtd.04.11.2022 of the Hon'ble Supreme Court in SLP Nos.8658-8659 of 2019. However, if any other joint form under Para 11(3) read with Para 11(4) of the EPS, 1995, is to be prescribed by the EPF Authorities, I shall furnish such Joint option Form before the stipulated time thereon.

Signature of the Employee

Station:

Date:

Signature of the Employer/Authorised Signatory  
With Stamp/Seal



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**JOINT OPTION FORM IN TERMS OF THE PROVISIONS OF PARA 11(3) & 11(4)  
OF THE EPS, 1995; For employees Joined the service as on 01.09.2014 and  
subsequently retired or left the service.**

**To**

The Regional Provident Fund Commissioner,  
EPF Regional Office,

.....

.....

**Sir,**

**Sub:** TSTRANSCO – IR – EPS, 1995 – Exercising of joint option in terms of Paragraph 26 (6) of the EPF Scheme, 1952 read with Paragraph 11(3) & 11(4) of the EPS, 1995, in pursuance of the Judgment dtd.04.11.2022 of the Hon'ble Supreme Court – Reg.

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In pursuance of the Judgment dtd.04.11.2022 of the Hon'ble Supreme Court in SLP Nos.8658-8659 of 2019, I wish to submit the Joint Option Form under the provisions of the Paragraph 11(3) & 11(4) of the EPS, 1995, for the purpose of availing higher quantum of pension on actual pay [+] DA, in lieu of the existing statutory ceiling limit of Rs.15,000/-, and my details are furnished hereunder:

Sl.No.	Particulars	Details
1	Name of the HOD/Zone/Circle	
2	Name of the retired employee	
3	Name of father/spouse of employee	
4	Name of the nominee & Relationship with the member	
5	Date of birth of the employee	
6	Date of joining in the organization	
7	EPF Account Number	
8	UAN Number	
9	Aadhaar Number	
10	Bank Account details with IFSC [Cancelled cheque enclosed]	
12	Date of attainment of 58 years of age or leaving the service, whichever is earlier	
13	PPO Number, if applicable [Copy of PPO enclosed]	
14	Mobile Number	
15	Address for communication along with E-mail Id	

Contd...P.2

**Declaration by the retired employee:**

- i. Certified that the above particulars furnished by me are true to the best of my knowledge and belief;
- ii. Certified that myself and my employer are contributing and remitting the EPF contributions to the RPFC, on actual Pay[+] DA, as provided under Para 26(6) of the EPF Act, 1952;
- iii. I am willing to contribute @ 8.33% on actual Pay[+] DA from the Employer's contribution to the Pension fund under the provisions of the EPS, 1995, from the applicable date as may be prescribed;
- 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 less/insufficient for transfer to EPS due to opting for higher pension;
- 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 of the rules/guidelines/modalities that may be framed by the EPF authorities in connection with extending the benefit of Higher pension on actual Pay [+] DA;
- viii. I am submitting this joint option form for the purpose of availing benefit of higher pension on the actual Pay [+] DA, pursuant to the Judgment dtd.04.11.2022 of the Hon'ble Supreme Court in SLP Nos.8658-8659 of 2019. However, if any other joint form under Para 11(3) read with Para 11(4) of the EPS, 1995, is to be prescribed by the EPF Authorities, I shall furnish such Joint option Form before the stipulated time thereon.

Signature of the Retired Employee

Station:

Date:

Signature of the Employer/Authorised Signatory  
With Stamp/Seal