

Joint Registrar(J)(Budget)

In compliance of order dated 18.02.2021 of Hon'ble Mr. Justice Om Prakash-VII, seeking explanation from office, why as a special case final withdrawal be sanctioned to the officer, it is hereby submitted that relevant Rule 17(1)(a) of G.P.Fund(U.P) Rules, 1985 provides as quoted hereunder :

17. Conditions for withdrawal -(1)(a) Any sum withdrawn by a subscriber at any one time for one or more of the purposes specified in clauses (a), (c), (d) or (e) of Sub-rule (1) of Rule 16 from the amount standing to his credit in the Fund shall not ordinarily exceed one-half of such amount or six months' pay, whichever is less. In special cases the sanctioning authority may however, sanction the withdrawal of an amount in excess of this limit up to 3/4th of the balance at his credit in the fund having due regard to (1) the object for which the withdrawal is being made, and (ii) the amount to his credit in the Fund.

In this context it is submitted that as instant request of final withdrawal falls under sub-clause (a)(i) contained in Sub-rule (1) of Rule 16 and requested amount of withdrawal of Rs.10,00,000/- is much higher than six months' basic pay of officer which computes to Rs.61,690/- per month * 6 = Rs.3,70,140/- only, instant request qualifies to be considered a special case. In earlier office note, the above mentioned rule is left to be quoted, due to which inconvenience caused to His Lordship is deeply regretted.

It is further submitted that officer has explained the financial exigency vide certificate dated 02.02.2021(Attachment no. 3), under which he is in need of requested withdrawal. Besides, even after sanction of instant withdrawal approximately Rs.11,00,000/- will still be left to his credit in his G.P.F A/c no. L.J.U-22803 and keeping in view his retirement date(which is 31.10.2028), instant request qualifies for consideration and sanction as a special case, subject to sanctioning authority's satisfaction and approval.

In the view of above submissions, if approved, instant request may kindly be placed before Hon'ble Mr. Justice Om Prakash-VII, for His Lordship's kind perusal and order to the effect that an amount of Rs.10,00,000/-(Ten Lacs) only as final withdrawal may be sanctioned to Sri Mahendra Singh-III, Additional District & Sessions Judge, Ambedkar Nagar at Akbarpur, against his GPF

Account No. LJU-22803, for meeting out the expenses relevant with higher education of his son(Mr. Yash Pawar), as a special case, in terms of sub rule 16(1)(A)(a)(i) read with 17(1)(a) of G.P.Fund(U.P) Rules, 1985, subject to the conditions mentioned above as well as earlier submitted office note ?

Pranti Dixit, R.O.

18.02.2021

Arvind Kr. Srivastava, A.R.

18.02.2021

Hon'ble Mr. Justice Om Prakash-VII

Nominated Judge

Submitted for kind perusal & order

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