

Ld. Registrar(J)(Budget)

May kindly see online request dated 10.01.2020 accompanied with application dated 27.07.20 and other essential documents(submitted as attachments) of Sri Satya Nand Upadhyaya, Additional District & Sessions Judge, Gorakhpur regarding sanction of final withdrawal of Rs.5,00,000/- to goodself out of the total amount standing to his credit in G.P.F Account No. LJU-22462, to mete out expenses relevant with registry of flat no. G-2(Ground floor, Block-G) in Varun Heights, Officer City-2, Raj Nagar Extension, Ghaziabad allotted in his name by M/s Varun Buildtech Pvt. Ltd.

Sri Upadhyaya has attached copy of allotment letter issued on 21.10.12 wherein as per payment plan the total sale price of flat is Rs.30,89,775/- and regarding registration of same he has placed a request of final withdrawal of Rs.5,00,000/- from his GPF Account No. LJU-22462, through aforesaid application. In said allotment letter, all important details relevant with payment as well as allotted unit are mentioned which can be considered as the evidence of purpose. He has also attached undertaking dated nil regarding justification of requested amount.

In this connection it is submitted that the aforesaid request of Sri Upadhyaya may be considered under provision of Rule 16(1)(C)(a) of G.P.Fund(U.P) Rules, 1985, which is as follows :

Rule 16(1)(C) : After the completion of fifteen years of service(including period of suspension followed by reinstatement and other broken periods of service, if any) of a subscriber or within 10 years before the date of his retirement on superannuation, whichever be earlier, from the amount standing to his credit in his GPF Account for one or more of the following purposes, namely:

(a) Building or acquiring a suitable house or ready-built flat for his residence including the cost of the site.

(b)

(c)

Sri Upadhyaya has also attached attested copy of last five F.Ys including current F.Y GPF pass-book statements and certificate dated 19.05.2020, issued under signature and seal of District Judge, Gorakhpur as the evidence of total amount available to his credit till F.Y. 2019-20 in GPF Account No. LJU-22462. As per GPF pass-book statements for F.Y. 2019-20 & 2020-21, total amount available to his credit till date is Rs.25,96,712/-, out of which final withdrawal of

Rs.5,00,000/- can be sanctioned to him. He has also informed vide certificate dated nil that he has not taken any final withdrawal in his entire service period. He has further informed that he has taken only one temporary advance of Rs.15,000/- which has already been debited from his GPF A/c and recovery corresponding to same is also completed. He had joined U.P. Judicial Services on 06.08.1999 and is due to retire on 31.12.2026. He has put in more than fifteen years of his age in this service and currently his Basic Pay is Rs.60,310/-.

Final Withdrawal of Rs.5,00,000/- may be sanctioned to Sri Satya Nand Upadhyaya, Additional District & Sessions Judge, Gorakhpur from his GPF Account No. LJU-22462, to mete out the expenses relevant with registry of aforesaid flat, in terms of sub-rule 16(1)(C)(a) read with 17(1)(a), which ordinarily allows sanction of withdrawal upto one-half of the balance at the credit of officer in the Fund, of G.P.Fund(U.P) Rules, 1985, subject to the following conditions :

1. That the amount shall not be withdrawn unless it is actually required for the purpose and it shall not be utilized for any other purpose.
2. That a utilization certificate shall be furnished to the Court within the time allowed in rule.
3. That the sanctioned amount shall be utilized within one month from the date of withdrawal.
4. That the DDO, Gorakhpur shall ensure to mention the amount of Final Withdrawal in the withdrawal column of GPF pass-book of Sri Satya Nand Upadhyaya, without delay.
5. That as per undertaking dated nil, issued by Sri Satya Nand Upadhyaya under his own signature and seal, any excess payment made in his favour shall be returned by him immediately to the concerned authority/account.

In the view of above submitted facts and information, if approved by Learned Registrar(Judicial)(Budget), instant request of Sri Satya Nand Upadhyaya 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.5,00,000/-(Five Lacs) only as final withdrawal may be sanctioned to Sri Satya Nand Upadhyaya, Additional District & Sessions Judge, Gorakhpur against his GPF Account No. LJU-22462, to mete out expenses relevant with registry of said flat, in terms of sub rule 16(1)(C)(a) read with 17(1)(a) of G.P.Fund(U.P) Rules, 1985, subject to the conditions mentioned above ?

His Lordship may further be requested to digitally sign attached draft sanction order ?

Pranti Dixit
Review Officer

Arvind Kr. Srivastava
Asst. Registrar(Admin-A1)

**Hon'ble Mr. Justice Om Prakash-VII
Nominated Judge**

Submitted for His Lordship's kind
perusal & order

Registrar(J)(Budget)
30.07.2020

प्रो-फार्मा ४

(भविष्य निर्वाह निधि से अंतिम निष्कासन (Final Withdrawal) की स्वीकृत प्रदान करने के आदेश का प्रारूप)

कार्यालय ज्ञाप

जनपद एवं क्षेत्र न्यायाधीश

1. एतद्वारा श्री/श्रीमती/कुमारी सै. अशोक चंद्र ३५१२५५, अर्थात् श्री अशोक चंद्र को उनके सामान्य भविष्य निधि खाता संख्या एल०जे०यू० २२५६२ से आवृत्ति पद्धति का प्रयोजन के व्यय वसूल करने हेतु ५,००,०००/- रूपये (शब्दों में) पांच लाख मात्र का अंतिम निष्कासन सम्बन्ध भविष्य निधि (उ०प्र०) नियमावली, १९८५ के नियम संख्या १६(१)(८)(ब) सहायक (२)(१)(अ) के अनुसार स्वीकार किया जाता है।

2. अंतिम निष्कासन की धनराशि श्री/श्रीमती/कुमारी सै. अशोक चंद्र ३५१२५५ के ~~उपरोक्त~~ महीने के वेतन अर्थात् निधि में जमा अवशेष के आधे/द्वि-चौथाई भाग से अधिक नहीं होगी। मूल नियमावली (फण्डामेंटल रूल) में यथापरिभाषित उनका मूल वेतन ६०,३१६/- रु० है।

3. यह प्रमाणित किया जाता है कि श्री/श्रीमती/कुमारी सै. अशोक चंद्र ३५१२५५ ने दिनांक ०५.०८.२०१५ को अपनी सरकारी सेवा को पन्द्रह/अठारह वर्ष पूरे कर लिये हैं, १० वर्ष में अधिवाषिकी पर सेवा निवृत्त होंगे/होंगी।

4. दिनांक २७.०७.२०२० को उपलब्ध कराये गये अभिलेख की स्थिति के अनुसार श्री/श्रीमती/कुमारी सै. अशोक चंद्र ३५१२५५ के खाते में जमा अवशेष राशि का ब्योरा निम्न प्रकार है।

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| (अ) वर्ष <u>२०१९-२०</u> की लेखा-पर्ची / सामान्य भविष्य निधि पास बुक की चिकित्सा के अनुसार जमा अवशेष की धनराशि | रु० <u>२५,७२,१५०/-</u> |
| (ब) माह <u>मार्च, २०</u> से माह <u>अप्रैल, २०</u> तक प्रतिमाह की दर से अभिदा <u>अभिमती</u> | रु० <u>२५,०६२/-</u> |
| (ग) माह <u>अप्रैल</u> से माह <u>अप्रैल</u> तक प्रतिमाह रु० <u>५००/-</u> | रु० <u>५००/-</u> |
| की दर से अधिम की वसूली रु० <u>५००/-</u> | रु० <u>५००/-</u> |
| (घ) मद (अ), (ब) तथा (ग) का योग | रु० <u>२५,९६,७१२/-</u> |
| (ङ) बाद में स्वीकृत अंतिम निष्कासन, यदि कोई हो | रु० <u>०/-</u> |
| (च) स्वीकृत प्रदान करने की तिथि को अवशेष मद (घ) में से मद (ङ) घटाइये | रु० <u>०/-</u> |
| (छ) वर्ष <u>२०१९-२०</u> की लेखा-पर्ची के पश्चात् इस कार्यालय द्वारा श्री/श्रीमती/कुमारी <u>सै. अशोक चंद्र ३५१२५५</u> को पिछली बार आदेश संख्या <u>३५१२५५</u> दिनांक <u>२७.०७.२०२०</u> द्वारा <u>रु० का कोई</u> अंतिम निष्कासन स्वीकार नहीं किया गया था। | |
| (ज) ज्ञात हुआ है कि श्री <u>सै. अशोक चंद्र ३५१२५५</u> को (जैसा कि उन्होंने बताया) <u>सै. अशोक चंद्र ३५१२५५</u> (स्वीकृत कर्ता) द्वारा पिछली बार अंशतः अंतिम निष्कासन के रूप में रु० <u>५,००,०००/-</u> की स्वीकृत प्रदान की गई थी। | |

दिनांक.....

सक्षम अधिकारी,
न्यायाधीश,
उच्च न्यायालय,
इलाहाबाद।