

Ld. Registrar(J)(Budget)

May kindly see online request dated 01.06.2020 & 24.06.2020 accompanied with application dated 01.06.2020 and other essential documents(submitted as attachments) of Sri Akhilesh Kumar Pathak, Additional District & Sessions Judge, Ramabai Nagar regarding sanction of final withdrawal of Rs.10,00,000/- to good self out of the total amount standing to his credit in G.P.F Account No. LJU-21521, to mete out expenses relevant with repayment of home loan, in light of Rule 16(1)(C)(b) contained in G.P.Fund(U.P) Rules, 1985.

Vide annexure no. 5, Sri Akhilesh Kumar Pathak, aforesaid has informed that in Year 2008 he had purchased a plot situated in Rapti Nagar, Gorakhpur, after obtaining due permission from Hon'ble High Court vide Court's letter no. 6239/IV-2890/Admin-A dated 09.05.2008. Thereafter, he took housing loan of Rs.30,00,000/-(firstly applied for Rs.20,00,000/- then for Rs.10,00,000/-) from State Bank of India, Gorakhpur Branch for construction on same plot.

Further, vide annexure no. 6, Sri Akhilesh Kumar Pathak has intimated details of both the loan accounts which are as following :

Details of First Loan

A/c Number : 32818185270

Amount Sanctioned : Rs.20,00,000/-

Year of Sanction : 2013

Amount Paid till date : Rs.10,88,764/-

Outstanding amount : Rs.9,11,236/-(as per A/c statement generated on 06.06.2020.

Details of Second Loan

A/c Number : 33985252465

Amount Sanctioned : Rs.10,00,000/-

Year of Sanction : 2014

Amount Paid till date : Rs.5,48,383/-

Outstanding amount : Rs.4,51,617/-(as per A/c statement generated on 06.06.2020.

In this connection it is submitted that the aforesaid request of Sri Akhilesh Kumar Pathak may be considered under provision of Rule 16(1)(C)(b) 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)

(b) Repaying an outstanding amount on account of loan expressly taken for building or acquiring a suitable house or ready-built flat for his residence ;

(c)

Sri Akhilesh Kumar Pathak has also attached attested copy of last four F.Ys including current F.Y GPF pass-book statements and certificate dated 11.06.2020, issued by the Drawing and Disbursing Officer, Ramabai Nagar as the evidence of total amount available to his credit till 08.06.2020 in GPF Account No. LJU-21521. As per GPF pass-book statements, total amount available to his credit is Rs.34,59,829/-(excluding restricted amount), out of which final withdrawal of Rs.10,00,000/- can be sanctioned to him. He has also informed vide certificate dated nil(annexure no. 2) that he never took any final withdrawal from his GPF A/c. Further, he has informed that till date he has taken a total of three temporary advances in his entire service period till date, all of 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 15.07.1997 and is due to retire on 30.11.2028. He has put in more than fifteen years of his age in this service and currently his Basic Pay is Rs.56,470/-.

Final Withdrawal of Rs.10,00,000/- may be sanctioned to Sri Akhilesh Kumar Pathak, Additional District & Sessions Judge, Ramabai Nagar from his GPF Account No. LJU-21521, to meet out the expenses relevant with repayment of home loan, as a special case, in terms of sub rule 16(1)(C)(b) read with 17(1)(a), which allows sanction of withdrawal upto 3/4th 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 three months from the date of withdrawal.
4. That the DDO, Ramabai Nagar shall ensure to mention the amount of Final Withdrawal in the withdrawal column of GPF pass-book of Sri Akhilesh Kumar Pathak, without delay.
5. That as per undertaking dated nil(annexure no. 8), issued by Sri Akhilesh Kumar Pathak under his own signature, duly countersigned by DDO, Ramabai Nagar, 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 Akhilesh Kumar Pathak, Additional District & Sessions Judge, Ramabai Nagar 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 Akhilesh Kumar Pathak, Additional District & Sessions Judge, Ramabai Nagar against his GPF Account No. LJU-21521, to mete out the expenses relevant with repayment of home loan, as a special case, in terms of sub rule 16(1)(C)(b) 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)

24.07.2020

प्रो-फार्मा ४

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

कार्यालय ज्ञाप

1. एतद्वारा श्री/श्रीमती/कुमारी श्रीमती कुमारी ५।६।६६ ३५२ के जन्म (२००६-०६-०२) सामान्य भविष्य निधि खाता संख्या एल०जे०पू० २१५२१ से ३६ निमाष ४६९ प्रयोजन के व्यय सहित करने हेतु १०,००,०००/- रुपये (शब्दों में) दस लाख का अंतिम निष्कासन सामान्य भविष्य निधि (ज०प्र०) नियमावली, १९८५ के नियम संख्या १६ (१) (९) (६) सफाई १९ (१) (९) के अनुसार स्वीकार किया जाता है।

2. अंतिम निष्कासन की धनराशि श्री/श्रीमती/कुमारी श्रीमती कुमारी ५।६।६६ के एनपीए के वेतन अथवा निधि में जमा अवशेष के आधे/तीन चौथाई भाग से अधिक नहीं होगी। मूल नियमावली (फण्डामेंटल रूल) में यथापरिभाषित उनका मूल वेतन ५६,५७०/- रु० है।

3. यह प्रमाणित किया जाता है कि श्री/श्रीमती/कुमारी श्रीमती कुमारी ५।६।६६ ने दिनांक १५.०७.२०१२ को अपनी सरकारी सेवा के पन्द्रह/दस वर्ष पूरे कर लिये हैं, १० वर्ष में अधिवार्षिकी पर सेवा निवृत्त होंगे/होंगी।

4. दिनांक २६.०६.२०२० को उपलब्ध कराये गये अभिलेख की स्थिति के अनुसार श्री/श्रीमती/कुमारी श्रीमती कुमारी ५।६।६६ के खाते में जमा अवशेष राशि का ब्योरा निम्न प्रकार है।

(१) वर्ष २०१९-२० की द्वितीय चर्ची/सामान्य भविष्य निधि पास बुक की विवरणिका के अनुसार जमा अवशेष की धनराशि रु० ३५,२१,७७०/-
(२) माह सित्त, २० से माह दिस, २० तक प्रतिमाह की दर से अभिदान रु० ५८,०००/-
(३) माह से माह तक प्रतिमाह रु०
की दर से अभिदान की गसूली रु० (क) रु०
(४) मद (१), (२) तथा (३) का योग रु० ३५,६९,७७०/-
(५) बाद में स्वीकृत अंतिम निष्कासन यदि कोई हो विशेष मद रु० ९९५१
(६) स्वीकृत प्रदान करने की तिथि को अवशेष मद एनपीए रु० ३५,६९,७७९/-
(क) वर्ष की लेखा-पर्ची के पश्चात् इस कार्यालय द्वारा श्री/श्रीमती/कुमारी को पिछली बार आदेश संख्या दिनांक द्वारा रु० का कोड अंतिम निष्कासन स्वीकार नहीं किया गया था।
(ख) ज्ञात हुआ है कि श्री को (जैसा कि उन्होंने बताया) (स्वीकृत कर्ता) द्वारा पिछली बार अंशतः अंतिम निष्कासन के रूप में रु० की स्वीकृत प्रदान की गई थी।

दिनांक.....

सक्षम अधिकारी,
न्यायाधीश,
उच्च न्यायालय,
इलाहाबाद।