

Joint Registrar(J)(Budget)

May kindly see online request dated 27.11.2020(**Page 1 of attachment under heading- Covering letter with relevant document**) accompanied with amended application dated 10.12.2020 (**Attachment under heading-Amended Annexure 5**) and other essential documents (submitted as attachments) of Sri Birendra Kumar Singh, Presiding Officer, Motor Accident Claims Tribunal, Bulandshahar regarding sanction of final withdrawal of Rs.20,00,000/- to him out of the total amount standing to his credit in G.P.F Account No. LJU-20934, to meet out the expenses due to arise in upcoming marriage of his daughter, Ms. Neha.

Sri Birendra Kumar Singh has informed vide aforesaid letter dated 27.11.2020 that the marriage of his daughter Ms. Neha with Mr. Archit Parma, S/o Smt. & Sri Vijay Bhan Singh R/o Village- Singhamau Itauza, Lucknow which was earlier due to be solemnized on 26.11.2020 has now been postponed to 04.06.2021, due to Corona pandemic. He has also annexed copy of wedding card(**Page 9 & 10 of attachment under heading- Covering letter with relevant document**) as the evidence of purpose. Thus, he has requested for sanction of Rs.20,00,000/- from his GPF account.

It is pertinent to mention here that earlier Sri Birendra Kumar Singh, aforesaid had placed request for sanction of Rs.30,00,000/- vide letter no. 1899/I dated 28.09.2020(via offline mode), intimating therein the marriage solemnisation date to be scheduled for 26.11.2020, however as the said request was found incomplete in terms of certain formalities and since it was preferred via usual communication mode instead of E-services portal, Court's letter no. 10727/IV-2677/Admin(A) dated 23.11.2020 was issued with regard to completion of necessary formalities. Thereafter, Sri Birendra Kumar Singh preferred amended requisition vide instant request dated 27.11.2020 & 10.12.2020.

In this connection it is submitted that the aforesaid request of Sri Birendra Kumar Singh **may be considered under provision of Rule 16(1)(A)(b) of G.P.Fund(U.P) Rules, 1985**, which is as follows :

Rule 16(1)(A) : After the completion of twenty 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 is earlier, from the amount standing to his credit in his GPF Account for one or more of the following purposes, namely:

(a)

(b) *meeting the expenditure in connection with the marriage of the subscriber's son or daughter, and any other relation actually dependent on him.*

(c)

Sri Birendra Kumar Singh has also enclosed attested photo-copy of last five, including current F.Y., GPF pass-book statements and certificate dated nil (**Page 8 of attachment under heading- Covering letter with relevant document**), issued by the Drawing and Disbursing Officer, Bulandshahar as the evidence of total amount standing to his credit in his GPF Account No. LJU-20934 till August, 2020. As per GPF pass-book statement for the F.Y 2019-20(**Page 35 of attachment under heading- Covering letter with relevant document**) & 2020-21(**Page 36 of attachment under heading-Covering letter with relevant document**) and certificate issued by the Drawing and Disbursing Officer, Bulandshahar, a total amount of Rs.39,41,249/- stands to his credit in his GPF Account till August, 2020, out of which final withdrawal of Rs.20,00,000/- can be sanctioned.

Further, he has informed vide certificate dated nil (**Page 6 of attachment under heading- Covering letter with relevant document**) that he has taken one final withdrawal in his entire service-period till date, with respect to which he has furnished Utilization Certificate dated 27.11.2020(**Page 2 of attachment under heading- Covering letter with relevant document**). Also, vide said certificate he has informed that he has taken four temporary advances from his G.P.F Account, all of which have already been recovered and accordingly debited from said G.P.F A/c. He had joined U.P.Judicial services on 19.03.1996 and is due to retire on 31.08.2026. His current Pay band is Rs.57,700-1230-58930-1380-67210-1540-70290.

Further, he has annexed justification certificate dated nil(**Page 4 of attachment under heading-Covering letter with relevant document**) vide which he has intimated that said request is being made under pecuniary interest and hereby sanctioned amount shall be spent only on meeting marriage expenses of his daughter.

Further, since herein requested amount clearly exceeds six months pay of officer, the relevant rule 17(1)(a) of G.P.Fund(U.P) Rules, 1985 which allows instant request to be considered a special case, 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.

Thus, Final Withdrawal of Rs.20,00,000/- may be sanctioned to Sri Birendra Kumar Singh from his GPF Account No. LJU-20934, for meeting out the expenses due to arise in upcoming marriage of his daughter, in terms of sub rule 16(1)(A)(b) read with 17(1)(a), 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 amount sanctioned for marriage shall be utilized within 3 months from the date of withdrawal.
4. That the concerned Treasury Officer shall ensure to mention the amount of Final Withdrawal in the withdrawal column of GPF pass-book of Sri Birendra Kumar Singh, without delay.
5. That as per undertaking (**Page 7 of attachment under heading- Covering letter with relevant document**), issued by Sri Birendra Kumar Singh under his own signature and seal, duly attested by DDO, Bulandshahar, 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 Joint Registrar (Judicial)(Budget), instant request of Sri Birendra Kumar Singh, Presiding Officer, Motor Accident Claims Tribunal, Bulandshahar 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.20,00,000/-(Twenty Lacs) only as final withdrawal may be sanctioned to Sri Birendra Kumar Singh, Presiding Officer, Motor Accident Claims Tribunal, Bulandshahar against his GPF Account No. LJU-20934, for meeting out the expenses relevant with marriage of his daughter, as a special case, in terms of sub rule 16(1)(A)(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)

19.03.2021

Hon'ble Mr. Justice Om Prakash-VII,

Nominated Judge

Submitted for kind perusal & order

Joint Registrar (J) (Budget)

