

Joint Registrar(J)(Budget)

May kindly see online request dated 25.11.2021 containing application dated 23.11.2021(attachment under heading-Application for GPF Advance) accompanied with proforma dated 23.11.2021(attachment under heading-Form for GPF Advance) and other essential documents(submitted as attachments) of Sri Achchhe Lal Saroj, A.D.J.(POCSO), Mirzapur 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-21645, to mete out expenses relevant with construction of house situated in ORO City, Village-Madiaon, Tehsil-Bakshi ka Talab, District-Lucknow, purchased in name of Sri Achchhe Lal Saroj and Mrs. Asha Saroj.

Vide application dated 23.11.2021, Sri Achchhe Lal Saroj has informed that he purchased a semi-constructed house with plot in ORO City, Jankipuram in which he needs remaining portion of house to be constructed, regarding which he has placed a request for final withdrawal of Rs.10,00,000/-. He has also attached estimate dated 24.11.2021(attachment under heading-Estimate) regarding justification of requested amount, as the evidence of purpose.

In this connection it is submitted that the aforesaid request of Sri Achchhe Lal Saroj 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 Achchhe Lal Saroj has also attached attested copy of last four F.Ys including current F.Y GPF pass-book statements (attachment under heading-Details of GPF Account) and certificate dated 24.11.2021 (attachment under heading-Certificate by authority for GPF), issued by the Drawing and Disbursing Officer for District Judge, Mirzapur as the evidence of total amount available to his credit till October, 2021 in GPF Account No. LJU-21645. As per GPF pass-book statements, total amount available to his credit is Rs.49,21,513/-, out of which final withdrawal of Rs.10,00,000/- can be sanctioned to him. He has also informed vide certificate dated 23.11.2021 (attachment under heading- Certificate by self) that he has not taken any temporary advance or final withdrawal in his entire service period till date. He had joined U.P. Judicial Services on 15.07.1997 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.58,930/-.

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.10,00,000/- may be sanctioned to Sri Achchhe Lal Saroj, A.D.J.(POCSO), Mirzapur from his GPF Account No. LJU-21645, to meet out the expenses relevant with construction of house, as a special case, in terms of sub rule 16(1)(C)(a) 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 :

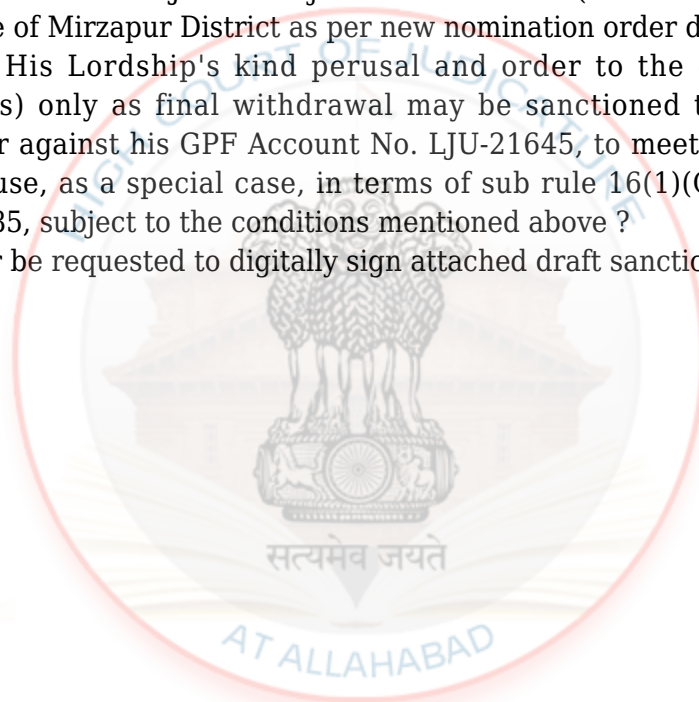
1. That the amount shall not be withdrawn unless it is actually required for the purpose and it shall not be utilized for any other purpose.
2. That a utilization certificate shall be furnished to the Court within the time allowed in rule.
3. That the construction shall commence within 6 months from the date of withdrawal of money and should be completed within 1 year from the date of commencement of construction.
4. That the D.D.O, Mirzapur shall ensure to mention the amount of Final Withdrawal in the withdrawal column of GPF pass-book of Achchhe Lal Saroj, without delay.
5. That as per undertaking dated 23.11.2021 (attachment under heading- Undertaking), issued by Sri Achchhe Lal Saroj under his own signature, 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 Achchhe Lal Saroj, A.D.J.(POCSO), Mirzapur may kindly be placed before Hon'ble Mr. Justice Anjani Kumar Mishra (Nominated Judge to pass orders in matters of G.P.F Advance of Mirzapur District as per new nomination order dated 29.10.2021 of Hon'ble the Chief Justice), 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 Achchhe Lal Saroj, A.D.J.(POCSO), Mirzapur against his GPF Account No. LJU-21645, to meet out the expenses relevant with construction of house, as a special case, 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
Admin A-1

Arvind Kr. Srivastava
Asst. Registrar
Admin-A1
08.12.2021



Hon'ble Mr. Justice Anjani Kumar Mishra

Nominated Judge

Submitted for His Lordship's kind perusal and orders?

Joint Registrar(Judicial)(Budget)

19.12.2021