

**I/c Joint Registrar(J)(Budget)**

May kindly see online request dated 07.03.2022 bearing case id S00019202022 accompanied with application dated 05.04.2022 (**Attachment at Page 1 under heading- Self-attested GPF slips and application for GPF withdrawal**) and other essential documents (**submitted as attachments**) of Sri Jitendra Kumar Pandey, Presiding Officer, Commercial Court, Moradabad regarding sanction of final withdrawal of Rs.10,00,000/- to him out of the total amount standing to his credit in G.P.F Account No. LJU-19201, to meet out the expenses due to arise in upcoming marriage of his son, Mr. Sheevansh.

Sri Jitendra Kumar Pandey has informed vide aforesaid request that the marriage of his son Mr. Sheevansh with Ms. Pratibha, D/o Smt. Uma Tiwari and Sri Kamlakar Tiwari R/o Gonda is due to be solemnized on 21.04.2022. He has also annexed copy of wedding card (**Attachment under heading- Marriage Card**) as the evidence of purpose. Thus, he has requested for sanction of Rs.10,00,000/- from his GPF account.

In this connection it is submitted that the aforesaid request of Sri Jitendra Kumar Pandey 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 Jitendra Kumar Pandey has also enclosed attested photo-copy of last five, including current F.Y. G.P.F pass-book statements and certificate dated nil (**Page 2 of attachment under heading- Relevant Documents**), issued by Sri Jitendra Kumar Pandey, aforesaid in the capacity of Drawing and Disbursing Officer, Commercial Court, Moradabad as the evidence of total amount standing to his credit in his GPF Account No. LJU-19201 till F.Y. 2020-21.

As per G.P.F. pass-book statement for the F.Y 2020-21 & 2021-22 (**Page 5 & 7 of attachment under heading-Self-attested GPF slips and application for GPF withdrawal**) and certificate dated nil issued by Sri Jitendra Kumar Pandey, aforesaid in the capacity of Drawing and Disbursing Officer, Commercial Court, Moradabad, a total amount of Rs.61,31,067/- stands to his credit in his G.P.F. Account till February, 2022, out of which final withdrawal of Rs.10,00,000/- can be sanctioned.

Further, he has informed vide certificate dated nil (**Page 2 of attachment under heading- Relevant Documents**) that he has not taken any temporary advance or final withdrawal in his entire service-period. He had joined U.P.Judicial services on 13.04.1992 and is due to retire on 31.03.2023. His basic pay is Rs.73,370/-.

Further, he has annexed justification certificate dated nil (**Page 1 of attachment under heading- Relevant Documents**) 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 son.

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**, in light of which instant request can 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 (i) 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 Jitendra Kumar Pandey from his GPF Account No. LJU-19201, for meeting out the expenses due to arise in upcoming marriage of his son, 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 Jitendra Kumar Pandey, without delay.
5. That as per undertaking dated nil (**Page 1 of attachment under heading- Relevant Documents**), issued by Sri Jitendra Kumar Pandey, aforesaid as applicant as well as in the capacity of D.D.O., Commercial Court, Moradabad 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, instant request of Sri Jitendra Kumar Pandey, Presiding Officer, Commercial Court, Moradabad 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 Moradabad 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 Jitendra Kumar Pandey, Presiding Officer, Commercial Court, Moradabad against his GPF Account No. LJU-19201, for meeting out the expenses relevant with marriage of his son, 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  
Section Officer  
Arvind Kr. Srivastava  
Asstt. Registrar  
Admin A-1

**Hon'ble Mr. Justice Anjani Kumar Mishra**

**Nominated Judge**

Submitted for kind perusal & order

I/c Joint Registrar (Judicial) (Budget)