

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

May kindly see online request dated 27.06.2022 bearing case id S00022282022 accompanied with application dated 12.06.2022(**Attachment at Page 2 under heading- Documents related with G.P.F. Advance**) and other essential documents (**submitted as attachments**) of Sri Mayank Kumar Jain, District & Sessions Judge, Kanpur Nagar regarding sanction of final withdrawal of Rs.15,00,000/- to him out of the total amount standing to his credit in G.P.F Account No. LJU-18568, to meet out the expenses due to arise in upcoming marriage of his daughter, Ms. Vibhuti Jain.

Sri Mayank Kumar Jain has informed vide aforesaid letter dated 12.06.2022 that the marriage of his daughter Ms. Vibhuti Jain with Mr. Vishnu Sathyan, S/o Sri L.Sathyan, Thrissur, Kerala is due to be solemnized on 04.11.2022. He has also annexed certificate bearing said details(**Page 19 of attachment under heading- Documents related with G.P.F. Advance**) as the evidence of purpose. Thus, he has requested for sanction of Rs.15,00,000/- from his GPF account. He has further informed that he is due to retire in less than 6 months on superannuation and his G.P.F subscription has already stopped however since he is in urgent need of requested amount thus he has requested the Hon'ble Court to kindly accord his instant request as a special case, considering the pecuniary circumstances and urgency of the purpose.

In this connection it is submitted that the aforesaid request of Sri Mayank Kumar Jain 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 Mayank Kumar Jain has also enclosed attested photo-copy of last five, including current F.Y., GPF pass-book statements and certificate dated 12.06.2022 (**Page 18 of attachment under heading- Documents related with G.P.F. Advance**), countersigned by the Drawing and Disbursing Officer, Kanpur Nagar as the evidence of total amount standing to his credit in his GPF Account No. LJU-18568 till May, 2022. As per GPF pass-book statement for the F.Y 2021-22 (**Page 10 of attachment under heading- Documents related with G.P.F. Advance**) & 2022-23 (**Page 11 of attachment under heading- Documents related with G.P.F. Advance**) and certificate dated 12.06.2022 countersigned by the Drawing and Disbursing Officer, Kanpur Nagar a total amount of Rs.89,90,920/- stands to his credit in his GPF Account till May, 2022, out of which final withdrawal of Rs.15,00,000/- can be sanctioned.

Further, he has informed vide certificate dated 12.06.2022(**Page 5 of attachment under heading- Documents related with G.P.F. Advance**) that he has taken only one final withdrawal of Rs.4,50,000/- in his entire service-period. Also, vide said certificate he has informed that he was sanctioned two temporary advances of Rs.9,000/- & 9,600/- from his G.P.F Account in F.Y. 1994-95 and 1998-99, which has already been recovered and accordingly debited from said G.P.F A/c. He had joined U.P.Judicial services on 14.06.1990 and is due to retire on 30.11.2022. His current Basic Pay is Rs.76,450/-.

Further, he has annexed justification certificate dated 12.06.2022 (**Page 21 of attachment under heading- Documents related with G.P.F. Advance**) 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 Sri Mayank Kumar Jain is due to retire on superannuation in less than 6 months and despite given fact, he has requested for sympathetic consideration of his instant request as a special case, keeping in view his pecuniary circumstances and the inevitable purpose, the relevant rule 16(3) of G.P.Fund(U.P.) Rules, 1985, in light of which instant request can be considered a special case, provides as quoted hereunder :

**16(3). Ordinarily no withdrawal will be sanctioned to a subscriber during the last six months preceding his retirement on superannuation. In special case in which the sanction of such a withdrawal is unavoidable, it may be sanctioned but it will be the responsibility of the sanctioning authority to ensure that such a sanction is promptly notified to the Account Officer in the case of a Group 'D' employee and to the drawing and disbursing officer and the Account Officer in the case of other subscribers and acknowledgement thereof obtained from them without any delay. It will also be ensured by the above authorities that the amount of withdrawal is duly adjusted against the amount to be paid to the subscriber under sub-rule (4) or clause (b) of sub-rule (5) of Rule 24, whichever is applicable.**

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 (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.15,00,000/- may be sanctioned to Sri Mayank Kumar Jain from his GPF Account No. LJU-18568, 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 16(3) and 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 Mayank Kumar Jain, without delay.**
- 5. That as per undertaking dated 12.06.2022(Page 20 of attachment under heading- Documents related with G.P.F. Advance), issued by Sri Mayank Kumar Jain under his own signature and seal, duly attested by D.D.O., Kanpur Nagar any excess payment made in his favour shall be returned by him immediately to the concerned authority/account.**
- 6. That the D.D.O., Kanpur Nagar and Account Officer, Kanpur Nagar shall ensure that said amount of Final Withdrawal is duly adjusted in available account balance of G.P.F. A/c No. L.J.U-18568.**

In the view of above submitted facts and information, if approved by Learned I/c Joint Registrar(Judicial)(Budget), instant request of Sri Mayank Kumar Jain, District & Sessions Judge, Kanpur Nagar may kindly be placed before Hon'ble Mr. Justice Manoj Kumar Gupta (**Nominated Judge for "Sanction of Temporary Advance/Final Withdrawal to the Judicial Officers from their GPF Account" of Kanpur Nagar District**), for His Lordship's kind perusal and order to the effect that an amount of Rs.15,00,000/-(Fifteen Lacs) only as final withdrawal may be sanctioned to Sri Mayank Kumar Jain, District & Sessions Judge, Kanpur Nagar against his GPF Account No. LJU-18568, 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 16(3) and 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  
Admin-A1  
13.07.2022

Arvind kr. Srivastava  
Asstt. Registrar  
Admin A-1

**Hon'ble Mr. Justice Manoj Kumar Gupta,**

**Nominated Judge**

Submitted for kind perusal & order

I/c Joint Registrar (Judicial) (Budget)

