

In-charge Joint Registrar(J)(Budget)

May kindly see online request dated 08.09.2022 bearing case id S00024322022 accompanied with application dated 07.09.2022 (**Annexure under heading - Covering Letter and Proforma**) and other essential documents submitted as attachments of Dr. Bal Mukund, Presiding Officer, Motor Accident Claims Tribunal, Fatehpur regarding sanction of final withdrawal of Rs.30,00,000/- to him out of the total amount standing to his credit in G.P.F Account No. LJU-21095, to meet out the expenses due to arise in upcoming marriage of his son, Mr. Avanish Kumar Chaurasia.

Dr. Bal Mukund has informed vide aforesaid request that the marriage of his son Mr. Avanish Kumar Chaurasia with Ms. Ankita Chaurasia, is due to be solemnized on 16.02.2023. 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.30,00,000/- from his GPF account.

In this connection it is submitted that the aforesaid request of Dr. Bal Mukund 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)

Dr. Bal Mukund has also enclosed self-attested photo-copy of last five and current F.Y. G.P.F pass-book statements and certificate dated 28.09.2022, countersigned by Dr. Bal Mukund, aforesaid in the capacity of Drawing and Disbursing Officer, Motor Accident Claims Tribunal, Fatehpur as the evidence of total amount standing to his credit in his GPF Account No. LJU-21095 till August, 2022.

As per G.P.F. pass-book statement for the F.Y 2021-22 & 2022-23 (**Page 5 & 6 of attachment under heading- GPF Statement**) and certificate dated 28.09.2022 (**attachment at page 2 under heading-Letter**) countersigned by Dr. Bal Mukund, aforesaid in the capacity of Drawing and Disbursing Officer, Motor Accident Claims Tribunal, Fatehpur a total amount of Rs.61,54,959/- stands to his credit in his G.P.F. Account till August, 2022, out of which final withdrawal of Rs.30,00,000/- can be sanctioned.

Further, he has informed vide certificate dated 17.09.2022 (**Annexure under heading-Certificate**) that he had taken a temporary advance of Rs.1,85,000/- in F.Y. 2017-18, which has already been debited from GPF A/C as well as repayed in 20 equal monthly instalments. He has further informed that he has not taken any final withdrawal in his entire service-period. He had joined U.P.Judicial services on 16.03.1996 and is due to retire on 30.11.2025. His basic pay is Rs.70,290/-. Further, he has annexed justification certificate dated 28.09.2022 (**attachment at page 3 under heading- Letter**) 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, as indicated in tentative expense chart (**attachment at page 5 under heading- Letter**).

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.30,00,000/- may be sanctioned to Dr. Bal Mukund from his GPF Account No. LJU-21095, 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 Dr. Bal Mukund, without delay.**
- 5. That as per undertaking dated 28.09.2022 (attachment at page 4 under heading- Letter), issued by Dr. Bal Mukund, aforesaid as applicant as well as in the capacity of D.D.O., Motor Accident Claims Tribunal, Fatehpur 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 Dr. Bal Mukund, Presiding Officer, Motor Accident Claims Tribunal, Fatehpur 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 Fatehpur District), for His Lordship's kind perusal and order to the effect that an amount of Rs.30,00,000/-(Thirty Lacs) only as final withdrawal may be sanctioned to Dr. Bal Mukund, Presiding Officer, Motor Accident Claims Tribunal, Fatehpur against his GPF Account No. LJU-21095, 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 Kumar Srivastava
Assistant Registrar
Admin A-1

Hon'ble Mr. Justice Manoj Kumar Gupta,

Nominated Judge, Fatehpur

Submitted for kind perusal & order

I/c Joint Registrar (Judicial) (Budget)