

In-charge Joint Registrar(J)(Budget)

May kindly see online request dated 15.11.2022 bearing case id S00025922022 accompanied with application dated 23.11.2022 (**attachment under heading - Proforma III**) and other essential documents submitted as attachments of Sri Parmeshwar Prasad, Additional District & Sessions Judge, Kanpur Nagar regarding sanction of final withdrawal of Rs.14,00,000/- to him out of the total amount standing to his credit in G.P.F Account No. LJU-23246, to meet out the expenses due to arise in upcoming marriage of his daughter, Kumari Sukirti Patel.

Sri Parmeshwar Prasad has informed vide aforesaid request that the marriage of his daughter Kumari Sukirti Patel with Mr. Hari Nath Singh @ Ravi S/o Shri Harishchandra Singh, R/o Dhoomanganj, Prayagraj is due to be solemnized on 30.01.2023. He has also annexed copy of Lagan Patri (**attachment at page 12 under heading - Documents related for withdrawal of GPF**) as the evidence of purpose. Thus, he has requested for sanction of Rs.14,00,000/- from his GPF account.

In this connection it is submitted that the aforesaid request of Sri Parmeshwar Prasad 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).....सत्यमेव जयते

(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 Parmeshwar Prasad has also enclosed self-attested photo-copy of last five and current F.Y. G.P.F pass-book statements and certificate dated 11.11.2022, countersigned by Drawing and Disbursing Officer, Kanpur Nagar as the evidence of total amount standing to his credit in his GPF Account No. LJU-23246 till October, 2022.

As per G.P.F. pass-book statement for the F.Y 2021-22 & 2022-23 (**attachment at Page 8 & 9 under heading- Documents related for withdrawal of GPF**) and certificate dated 11.11.2022 (**attachment at page 10 under heading- Documents related for withdrawal of GPF**) countersigned by Drawing and Disbursing Officer, Kanpur Nagar a total amount of Rs.29,66,215/- (including prohibited amount of Rs.55,088/-) stands to his credit in his G.P.F. Account till October, 2022, out of which final withdrawal of Rs.14,00,000/- can be sanctioned.

Further, he has informed vide certificate dated 11.11.2022 (**attachment at page 3 under heading- Documents related for withdrawal of GPF**) that he has not taken any temporary advance or final withdrawal in his entire service-period. He had joined U.P.Judicial services on 17.06.2006 and is due to retire on 30.06.2029. His basic pay is Rs.55,240/- only.

Further, he has annexed justification certificate dated 11.11.2022 (**attachment at page 11 under heading- Documents related for withdrawal of GPF**) vide which he has intimated that said request is being made under pecuniary circumstances 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, 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.14,00,000/- may be sanctioned to Sri Parmeshwar Prasad from his GPF Account No. LJU-23246, 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 reasonable time.**
- 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 Parmeshwar Prasad, without delay.**
- 5. That as per undertaking dated 11.11.2022 (attachment at page 13 under heading- Documents related for withdrawal of GPF), issued by Sri Parmeshwar Prasad, aforesaid and countersigned by D.D.O., Kanpur Nagar 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 Parmeshwar Prasad, Additional District & Sessions Judge, Kanpur Nagar may kindly be placed before Hon'ble Mr. Justice Anjani Kumar Mishra (**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.14,00,000/-(Fourteen Lacs) only as final withdrawal may be sanctioned to Sri Parmeshwar Prasad, Additional District & Sessions Judge, Kanpur Nagar against his GPF Account No. LJU-23246, 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
Section Officer

Arvind Kumar Srivastava
Assistant Registrar
Admin A-1

Hon'ble Mr. Justice Anjani Kumar Mishra,

Nominated, Kanpur Nagar

Submitted for kind perusal & order

I/c Joint Registrar (Judicial) (Budget)

