
Withdrawals (MP GPF Rule)

16 [(1) Recovery of advances shall be made in the manner prescribed in the rule for the realization of subscriptions, and shall commence with the issue of pay for the month following the one in which the advance was drawn. Recovery shall not be made, except with the subscriber's consent, while the subscriber is under suspension and may be postponed on the subscriber's written request by the sanctioning authority during those months in which the subscriber is on half pay leave for the whole month or extraordinary leave without pay for at least half of the month.

Provided that no advance can be sanctioned or drawn in case where the application for final payment had been forwarded to the Account officer under clause (ii) of sub-rule (3) of rule 32.

(2) An advance granted under sub-rule (1), (3) or (4) of Rule 15 shall be recovered in such number of monthly instalments as the subscriber may elect subject to the maximum number of instalments being twenty-four in case of an advance under sub-rule (1) and thirty-six in case of an advance under sub-rule (3) or (4) of Rule 15. Each instalment shall be in whole rupees, the amount of the advance being reduced, if necessary, to admit the fixation of such instalments.

(3) When an advance is sanctioned under sub-rule (2) of rule 15 before payment of last instalment of any previous advance is completed the balance of any advance so sanctioned and the instalments for recovery shall be fixed with reference to the consolidated amount.

(4) An advance granted under sub-rule (5) of rule 15 shall be recovered in monthly instalments in whole rupees to be determined by the subscriber subject to a minimum of 13% of the monthly emoluments of the subscriber till the advance together with the compound interest under sub-rule (7) of Rule 15 is recovered, the last instalment, if necessary, being less than other instalments.

(5) A subscriber may elect to pay more than one instalment in a particular month.

(6) If an advance has been drawn by a subscriber and the advance granted is subsequently disallowed before the repayment is completed, the whole or balance of the amount withdrawn, shall forthwith be repaid by the subscriber to the Fund, or in default, be ordered to be recovered by deduction from the emoluments of the subscriber in lump sum or in monthly instalments not exceeding twelve, as may be directed by the authority as specified in sub-rule (9) of Rule 15.

Provided that, before such advance is disallowed, the subscriber shall be given an opportunity to explain to the sanctioning authority in writing and within fifteen days of the receipt of the communication, as to why the repayment should not be enforced, and if an explanation is submitted by the subscriber within the said period it shall be referred to the administrative department for decision and if no explanation within the said period is submitted by him, the repayment of the advance shall be enforced in the manner prescribed in this sub-rule.

(7) Recoveries made under this rule shall be credited as they are made to the subscriber's account in the Fund.]

16-A. (1) Subject to the conditions specified therein withdrawals may be sanctioned by the authorities competent to sanction [an advance under sub-rule (9) of rule 15], at any time

(A) After the completion of twenty years of service (including broken periods of service, if any) of a subscriber or within ten years before the date of his retirement on Superannuation, whichever is earlier, from the amount standing to his credit in the fund, for one or more of the following purposes, namely: -

(a) meeting the cost of higher education, including where necessary, the travelling expenses of the subscriber or any child of the subscriber in the following cases, namely: -

(i) for education outside India for academic, technical, professional or vocational Course beyond the High School stage; and

(ii) for any medical, engineering or other technical or specialised Course in India beyond the High School stage;

(b) meeting the expenditure in connection with the betrothal/marriage of the subscriber or his sons or daughters and any other female relations actually dependent on him;

(c) meeting the expenses in connection with the illness, including where necessary, the travelling expenses of the subscriber and members of his family or any person actually dependent on him;

(B) after the completion of ten years of service (including broken periods of service, if any) of a subscriber or within [ten]years before the date of his retirement on superannuation, whichever is earlier, from the amount standing to his credit in the fund for one or more of the following purposes:-

(a) building or acquiring a suitable house or ready built flat for his residence including the cost of site;

(b) repaying an outstanding amount on account of loan expressly taken for building or acquiring a suitable house or ready built flat for his residence;

(c) purchasing house site for building a house thereon for his residence or repaying any outstanding amount of loan expressly taken for this purpose;

(d) reconstructing or making additions or alterations to a house or a flat already owned or acquired by a subscriber;

(e) renovating, additions or alterations or up keep of an ancestral house at a place other than the place of duty or to a house built with assistance of loan from Government at a place other than the place of duty;

(f) constructing a house on a site purchased under sub-clause (c);

(C) Acquiring a farm land or business premises or both within six months before the date of the subscriber's retirement.

Note 1.- A subscriber who has availed himself of an advance from Government for house building purpose under sub-section (1) of section IV under Chapter 13 of the Madhya Pradesh Financial Code, Volume I shall be eligible for grant of withdrawal under Clauses (a), (c),(d) and (f) of clause (B) for the purposes specified therein and also for the purpose of repayment of any loan taken from Government subject to the limit specified in the clause (i) and (ii) of sub-rule (4) of Rule 16-B.

If a subscriber has an ancestral house or built a house at a place other than the place of his duty with the assistance of loan taken from the Government, he shall be eligible for the grant of a part-final withdrawal under Sub-clauses (a), (c) and (f) of Clause (B) for purchase of a house site or for construction of another house or acquiring a ready built flat at the place of his duty.

Note 2.- Withdrawal under sub-clauses (a),(d),(e) or (f) of Clause (B) shall be sanctioned only after a subscriber has submitted a plan of the house to be constructed or of the additions or alterations to be made, duly approved by the local municipal body of the area where the site or house is situated and only in cases where the plan is actually got to be approved.

Note 3.- The amount of withdrawal sanctioned under sub-clause (b) of clause (B) shall not exceed 3/4 th of the balance on the date of application together with the amount of previous withdrawal under sub-clause (a), reduced by the amount of previous withdrawal.

The formula to be followed is:-

$\frac{3}{4}$ th of [balance as on the date + amount of previous withdrawal(s) for the house in question] minus the amount of previous withdrawal(s).

Note 4.- A withdrawal under sub-clause (a) or (d) of Clause (B) shall also be allowed where the house site or house is in the name of wife or husband provided she or he is the first nominee to receive Provident Fund money in the nomination made by the subscriber.

Note 5.- Only one withdrawal shall be allowed for the same purpose under this rule. But marriage or education of different children or illness on different occasions or a further addition or alteration to a house or flat covered by a fresh plan duly approved by the local municipal body of the area where the house or flat is situated, shall not be treated as the same purpose. Second or subsequent withdrawals under sub-clause (a) or (f) of Clause (B) for completion of the same house shall be allowed up to the limit laid down under Note 3.

Note.6.- A withdrawal under this rule shall not be sanctioned if an advance under rule 15 has been sanctioned for the same purpose and at the same time.

16(2) The authorities competent to sanction [an advance under sub-rule (9) of Rule 15] may sanction withdrawal for the purpose of acquisition of farm land and/or business premises within 6 months of the date of retirement of a subscriber from the amount standing to his credit in the fund.

(3) Whenever a subscriber is in a position to satisfy the competent authority about the amount standing to his credit in the General Provident Fund account with reference to the latest available statement of General Provident Fund Account together with the evidence of subsequent contribution, the competent authority may itself sanction withdrawal within the prescribed limits,

as in the case of a refundable advance. In doing so, the competent authority shall take into account any withdrawal or refundable advance already sanctioned by it in favour of the subscriber. Where, however, the subscriber is not in a position to satisfy the competent authority about the amount standing to his credit or where there is any doubt about the admissibility of the withdrawal applied for a reference may be made to the Accountant-General by the competent authority for ascertaining the amount standing to the credit of the subscriber with a view to enable the competent authority to determine the admissibility of the amount of withdrawal. The sanction for the withdrawal should prominently indicate the General Provident Fund Account Number and a copy of the sanction for withdrawal should invariably be endorsed to the Accountant General. The sanctioning authority shall be responsible to ensure that an acknowledgment is obtained from the Accountant-General's Office that the sanction for withdrawal has been noted in the ledger account of the subscriber. In case the Accountant-General's Office reports that the withdrawal as sanctioned is in excess of the amount to the credit of the subscriber or otherwise inadmissible the sum withdrawn by the subscriber shall forthwith be repaid in one lump sum by the subscriber to the Fund and in default of such repayment, it shall be ordered by the sanctioning authority to be recovered from his emoluments either in lump sum or in such number of monthly instalments as may be determined by the Governor.

(4) After sanctioning the withdrawal, the amount shall be drawn, on an authorization from the Accounts Officer in cases where the application for final payment had been forwarded to the Accounts Officer under clause (ii) of sub-rule (3) of rule 32.

16-B (1) For the purposes mentioned in sub-clause (a) of clause (A) of sub-rule (1) of rule 16-A-

(i) The amount of withdrawal should not exceed three months' pay or half the balance to the credit of the subscriber in the fund, whichever is less.

(ii) The withdrawal will be permissible once every six months, i.e., twice in any financial year provided that it will not ordinarily be allowed before the expire of six months from the date of the previous withdrawal.

(iii) No temporary [advance under clause (c) of rule 15 (1)] shall be admissible in addition to the withdrawal under this rule.

(iv) The officer concerned should satisfy the sanctioning authority within a period of six months from the date of drawing the money that it has been utilized for the purpose for which it was intended, otherwise the whole amount of withdrawal will be liable to recovery in one lump sum. In cases where a portion of the money withdrawn is not likely to be spent within six months of the date of withdrawal and the officer contemplates making a further withdrawal during the following half year, he may by notifying in writing to the sanctioning authority before the expiry of the period of six months adjust the excess amount in the proposed withdrawal provided that such excess amount is not more than 10 per cent of the amount utilized and action to withdraw the further amount is taken within one month of the expiry of the six months' period, and if no further withdrawal is contemplated, the excess amount should be deposited forthwith in the provident fund; any amount withdrawn from the fund which is found to be in excess of that actually required by the officer for the purpose should be re deposited forthwith into the fund.

The sanctioning authorities will satisfy themselves within six months of the withdrawal that the above conditions are fulfilled, and furnish a certificate to that effect to the Accounts Officer.

[Provided that ,before repayment of a withdrawal is enforced under this sub-rule, the subscriber shall be given an opportunity to explain in writing, and within fifteen days of the receipt of the communication as to why the repayment should not be enforced and if the Government is not satisfied with the explanation or no explanation is submitted by the subscriber within the said period of fifteen days, it shall be ordered by the Government to enforced the repayment in the manner prescribed in this sub-rule.

(2) For the purpose mentioned in sub-clause (b) of clause (A) of sub-rule (1) of Rule 16-A-

(i) The amount of withdrawal will normally be limited to ten months' pay or one-half of the amount standing to the credit of the subscriber, in the fund, whichever is less.

(ii) If two or more marriages are to be celebrated the amount admissible in respect of each marriage will be determined as if the withdrawals are sanctioned separately one after other.

(iii) in special cases the sanctioning authority may relax the limit of clause (i) above but in no case more than fifteen months' pay or 75% of the balance standing to the credit of a subscriber, whichever is less, be sanctioned.

(iv) In respect of the same marriage either final withdrawal under rule 16-A (1) or advance under rule 15 may be drawn and not both.

(v) The withdrawal may be allowed to the subscriber not earlier than three months preceding the month in which marriage actually takes place.

(vi) The subscriber shall furnish a certificate to the sanctioning authority within the period of one month from the date of marriage, or if he is on leave from return of leave, that the money withdrawn has actually been utilized for the purpose for which it was intended. If the subscriber fails to furnish the requisite certificate, or if the amount withdrawn is utilized for the purpose other than that for which sanction was given, the entire amount shall be re deposited forthwith into the fund in one lump sum.

[Provided that ,before repayment of a withdrawal is enforced under this sub-rule the subscriber shall be given an opportunity to explain in writing and within fifteen days of the receipt of the communication as to why the repayment should not be enforced, and if the sanctioning authority is not satisfied with the explanation or no explanation is submitted by the subscriber within the period of fifteen days, it shall be ordered by the sanctioning authority to enforce the repayment in the manner prescribed in this sub-rule.]

(vii) Any amount actually withdrawn from the fund which is found to be in excess of that actually utilized by the subscriber for the purpose shall be re deposited forthwith into the fund.

(3) For the purpose specified in sub-clause (C) of clause (A) of sub-rule (1) of rule 16-A-

(i) Any sum withdrawn by a subscriber at any one time for the above purpose from the amount standing to his credit in the Fund shall not exceed one-half of such amount or six months' pay, whichever is less.

[(ii) A subscriber who has been permitted to withdraw money from the fund under sub-clause (c) of clause (A) of sub-rule (1) of rule 16-A of the said rules shall satisfy the sanctioning authority within a period of six months from the date of withdrawal that the money has been utilized for the purpose for which it was withdrawn, and if he fails to do so the whole of the sum so withdrawn or so much thereof as has not been applied for the purpose for which it was withdrawn shall forthwith be repaid in one lump sum by the subscriber to the fund, and in default of such payment, it shall be ordered by the sanctioning authority to be recovered from his emoluments either as may be determined by the sanctioning authority:

Provided that, before repayment of withdrawal is enforced under this sub-rule, the subscriber shall be given an opportunity to explain in writing and within fifteen days of the receipt of the communication as to why the repayment should not be enforced and if the sanctioning authority is not satisfied with the explanation or no explanation is submitted it shall be ordered by the sanctioning authority to enforce the repayment in the manner prescribed in the sub-rule.]

(iii) No temporary [advance under clause (a) of rule 15 (1)] shall be admissible in addition to the withdrawal under this rule.

(4) For the purpose specified in sub-clauses (a), (b),(c),(d),(e),(f) of clause (B) and in clause (C) of sub rule (1) of rule 16-A.

(i) Any sum withdrawn by a subscriber at any one time for one or more of the purposes, 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. The sanctioning authority may, however, sanction the withdrawal of an amount in excess of this limit up to 3/4 of the balance at his credit in the fund having due regard to (a) the object for which the drawal is being made, (b) the status of the subscriber, and (c) the amount to his credit in the fund. Provided that in the case of a subscriber who has availed himself of an advance from Government for house building purpose under sub-section (1) of section IV under Chapter 13 of the Madhya Pradesh Financial Code, Volume I, the sum withdrawn under this sub-rule together with the amount of advance shall not exceed [Rupees five lakhs.]

(ii) The whole amount may be allowed to be withdrawn in one instalment in cases of outright purchase of a house-site or ready-made house or for repayment of a loan earlier taken for the purpose and in three equal instalments if the payment for the site is to be made on an instalment basis or withdrawal is intended for construction of house the instalments after the first being authorized by the sanctioning authority after verification regarding progress of construction of the house.

Withdrawal of money for the purposes of additions and alterations to a house shall be regulated as under: -

Up to Rs. 3,000 ---- in one instalment,

Rs. 3,001 to 6,000---- in two equal instalments, the second instalment being authorized by the sanctioning authority after verification of progress of the work,

Above Rs. 6,000---- in three equal instalments, the second and third instalments being authorized after verification of the progress of the work.

Withdrawal of the amount to the extent admissible may be allowed in one or more instalments as fixed under rules of M.P. Housing Board where a house is to be acquired on hire-purchase system in accordance with the scheme of the Board.

(iii) A subscriber who has been permitted to withdraw money from the fund shall satisfy the sanctioning authority within a reasonable period as may be specified by that authority that the money has been utilized for the purpose for which it was withdrawn and if he fails to do so the whole of the sum so withdrawn or so much there of as has not been applied for the purpose for which it was withdrawn shall forthwith be repaid in one lump sum, and in default of such payment it shall be ordered by the sanctioning authority to be recovered from his emoluments either in a lump sum or in such number of monthly instalments as may be determined by the State Government.

[Provided that ,before repayment of a withdrawal is enforced under this sub-rule, the subscriber shall be given an opportunity to explain in writing and within fifteen days of receipt of the communication, as to why the repayment should not be enforced, and if the sanctioning authority is not satisfied with the explanation or no explanation is submitted by the subscriber within the said period of fifteen days, it shall be ordered by the sanctioning authority to enforce the repayment in the manner prescribed in this sub-rule.]

(iv) A subscriber who has been permitted under clause (a), (b), (c), (d), and (f) of rule 16-A (1) (B) and rule 16-A (1) (c) to withdraw money from the amount standing to his credit in the fund shall not part with the possession of the house so built or acquired or house site so purchased, by way of sale, mortgage, gift, exchange or lease for a term exceeding three years, without the previous permission of the sanctioning authority. He shall submit a declaration not later than the 31st day of December every year to the effect that the house or, as the case may be, the house site continues to be in his possession and shall, if so required produce before the sanctioning authority on or before the date specified by the authority in that behalf, the original sale deed and other documents on which his title to the property is based.

If at any time before retirement, he parts with the possession of the house or house site without obtaining the previous permission of the sanctioning authority the sum withdrawn by him shall forthwith be repaid in one lump sum by the subscriber to the Fund and in default of such repayment, it shall be ordered by the sanctioning authority to be recovered from him in a lump sum or in such number of monthly instalments, as may be determined by the State Government.

16-C Conversion of an advance into a withdrawal. - Subject to eligibility for part final withdrawal a subscriber who has already drawn or may draw in future an advance for any purpose [specified in clauses (a), (b), (c), (e) and (k) or sub-rule (1) of rule 15] may convert at his discretion by written request addressed to the Account Officer through the sanctioning authority, the balance outstanding against it into a final withdrawal on his satisfying the conditions laid down in Rules 16-A and 16-B.