

7. ¹THE ALL INDIA SERVICES (PROVIDENT FUND) RULES, 1955.

In exercise of the powers conferred by sub-section (1) of section 3 of the All India Services Act, 1951 (LXI of 1951), the Central Government, after consultation, with the Governments of the States concerned hereby makes the following rules, namely:—

1. **Short title.**—These rules may be called the All India Services (Provident Fund) Rules, 1955.

2. **Definitions.**—

2(1) In these rules, unless the context otherwise requires:—

²(a) **‘Account Officers’** means the officer to whom the duty to maintain the provident fund account of the subscriber has been assigned by the Comptroller and Auditor General of India or Government, as the case may be.

NOTE:— In relation to a subscriber borne on the cadre of State or Union Territory where the provident fund accounts have not been departmentalised, the duty maintain the provident fund accounts is assigned by the Comptroller and Auditor General of India. In case of other subscribers, this duty is assigned by Government.

(b) **‘child’** means a legitimate child, a stepchild and shall include an adopted child if, under the personal law of the subscriber, adoption is legally recognised as conferring the status of a natural child;

(c) **‘emoluments’** means, except where otherwise expressly provided, pay, special pay, personal pay, leave salary or subsistence allowance and includes any remuneration in the nature of pay received by a member of the Service while on foreign service;

(d) **‘family’** means—

(i) in the case of a male subscriber, the wife or wives and children of a subscriber and the widow, or widows, and children of a deceased son of the subscriber.

Provided that if a subscriber proves that his wife has been judicially separated from him or has ceased under the customary law of the community to which she belongs to be entitled to maintenance, she shall thenceforth be deemed to be no longer a member of the subscriber’s family in respect of matters to which rules relate, unless the subscriber subsequently indicates in writing to the Account Officer that she shall continue to be so regarded;

(ii) in the case of a female subscriber, the husband and children of a subscriber, and the widow or widows and children of a deceased son of a subscriber.

¹ Principal Rules were published vide Notification No. 12/1/54—AIS—II dated 12.09.1955 (SRO 1980 dt. 12.09.1955)

² Substituted vide DP & AR Notification No. 11026/11/77—AIS(III) dated 27.11.1979 (GSR No. 1529 dt. 29.12.1979)

Provided that if a female subscriber notifies in writing to the Account Officer expressing her intention to exclude her husband from her family, the husband shall thenceforth be deemed to be no longer a member of the subscribers' family in respect of matters to which these rules relate, unless the subscriber subsequently indicates in writing to the Accounts Officer that her husband shall continue to be so regarded;

- (e) **'form'** means a form annexed to these rules;
- (f) **'Fund'** means the All India Services Provident Fund;
- (g) **'Government'** means—
 - (i) in the case of a member of the Service serving in connection with the affairs of the Union, the Central Government, or
 - (ii) in the case of a member of the Service serving under a foreign Government (whether on duty or on leave), the Central Government, or
 - (iii) in the case of a member of the Service serving in connection with the affairs of a State, the Government of that State:

Provided that the President in the case of members of the Service referred to in sub-clause (i) or (ii) and the Governor in the case of members of the Service referred to in sub-clause (iii) shall be deemed to be the Government for the purposes of assignment of an insurance policy or mortgage to the Government.

Explanation.—A member of the Service whose services are placed at the disposal of any company, corporation, organisation or any local authority by the Central Government or the Government of a State, shall, for the purposes of these rules, be deemed to be a member of the Service serving in connection with affairs of Union or the affairs of that State, as the case may be, notwithstanding that his salary is drawn from sources other than the Consolidated Fund of the Union or of that State.

- (iv) in the case of a member of the Service on leave, the Government who sanctioned him the leave.

³(g)(g) **"Indian Civil Service member of the Indian Administrative Service"** means a person who was initially appointed to the Civil Service of the Crown in India known as the Indian Civil Service and who subsequently became a member of the Indian Administrative Service;

⁴(g)(g)(g) **"Indian Police member of the Indian Police Service"** means a person who was initially appointed to the Police Service of the Crown in India known as the Indian Police and who subsequently became a member of the Indian Police Service;

³ Inserted vide Department of Personnel Order No. 31/7/72—AIS—III dated 01.10.1972.

⁴ Substituted vide MHA Notification No. 5/28/66—AIS—II dated 13.12.1966 (GSR No. 1913 dt. 27.12.1966)

- (h) **'insurer'** has the same meaning as assigned to it in the Insurance Act, 138 (IV of 1938);
 - (i) **'leave'** means any kind of leave granted under the All-India Services (Leave) Rules, 1955;
 - ⁵(j) **'member of the Service'** means a member of [an All India Service as defined in section 2 of All India Services Act, 1951 (61 of 1951)];
 - (k) **'year'** means a financial year.
- (2) All words and expressions used in these rules and not defined but defined in the Provident Fund Act, 1925 (XIX of 1925) or in the Indian Administrative Service (Pay) Rules, 1954, or in the Indian Police Service (Pay) Rules, 1954, shall have the meanings respectively assigned to them in the said Act or in the said Rules.

3. Constitution of the Fund.—

- (1) The Fund shall be maintained in India in rupees:
- (2) Every member of the Service shall subscribe to the Fund.

*Provided further that nothing contained in this rule shall apply to the persons appointed on or after the 1st day of January, 2004,

Explanatory Memorandum

A new pension system based on defined contribution has been introduced in respect of persons recruited to Government service from the 1st day of January, 2004. As the new pension system shall not be applicable to the existing Government servants. the interest of the existing officers of All India Service shall not be affected by giving retrospective effect to the amendment.

- (3) In the case of a member of the Service who immediately before joining the Fund was a subscriber to any other non-contributory provident fund or funds maintained by the Government under whom he was at that time serving, his credit in, and liabilities to, any such fund or funds shall be transferred to this Fund.
- ⁶(4) In the case of a member of the Service who immediately before joining the Fund was a subscriber to any Contributory Provident Fund or Funds maintained by the Government under whom he was at that time serving, his credit in, and liabilities to, any such Fund or Funds shall, insofar as the subscriber's contribution and interest thereon are concerned, be transferred to this Fund and the Government's contribution with interest there on shall be dealt with in the manner indicated in Rule 8 of All India Services (Death-cum-Retirement Benefits) Rules, 1958.
- (5) In the case of an Indian Civil Service member of the Indian Administrative Service, his credit in the Indian Civil Service Provident Fund and in the

⁵ Introduced w.e.f 12.09.1955 vide MHA Notification No.13/8/56—AIS—II dated 21.01.1957 (GSR No. 275 dt. 26.01.1957)

* Inserted vide DOPT Notification No.11026/03/2003-AIS-III dated 17.04.2004 (GSR No.176 dt.29.05.2004)

⁶ Substituted vide MHA Notification No. 29/64/64—AIS—II dated 13.08.1965 (GSR No. 1175 dt. 21.08.1965)

Indian Civil Service (Non-European Members) Provident Fund shall be transferred to this Fund.

- ⁷(6) In the case of an Indian Police member of the Indian Police Service, his credit in the Secretary of State's Services General Provident Fund shall be transferred to this Fund.

4. Nomination.—(1) Each subscriber shall, as soon as may be after joining the Fund, send to the Accounts Officer a nomination conferring on one or more persons the right to receive the amount that may stand to his credit in the Fund, in the event of his death before the amount has become payable or having become payable, has not been paid:

Provided that if at the time of making the nomination the subscriber has a family, the nomination shall not be in favour of any person or persons other than the members of his family.

- (2) If a subscriber nominates more than one person under sub-rule (1), he shall specify in the nomination the amount or share payable to each of the nominees in such manner as to cover the whole of the amount that may stand to his credit in the Fund at any time.
- (3) Every nomination under sub-rule (2) shall be in such one of the forms I to IV as may be appropriate to each case.
- (4) A subscriber may at any time cancel a nomination by sending a notice in writing to the Accounts Officer:

Provided that the subscriber shall, along with such notice, send a fresh nomination made in accordance with the provisions of this rule.

- (5) A subscriber may provide in a nomination—
- (a) in respect of any specified nominee, that in the event of his predeceasing the subscriber the right conferred upon that nominee shall pass to such other person or persons as may be specified in the nomination:
- Provided that such other person or persons shall, if the subscriber has other members of the family, be a member or members of his family;
- (b) that the nomination shall become invalid in the event of the happening of a contingency specified therein:

Provided that if at the time of making the nomination the subscriber has no family, he shall provide in the nomination under that it shall become invalid in the event of his subsequently acquiring a family;

⁸Provided further that, if at the time of making the nomination the subscriber has only one member of the family, he shall provide in the nomination that the right conferred upon the alternate nominee under clause (a) shall also become invalid in the event of his subsequently acquiring other member or members in his family.

- (6) Immediately on the death of a nominee in respect of whom no special provision has been made in the nomination clause (a) of sub-rule (5) or on the occurrence of any event by reason of which the nomination becomes

⁷ Inserted vide Deptt. of Personnel Order No. 31/7/72—AIS—III dated 01.10.1972.

⁸ Introduced vide MHA Notification No. 13/11/57—AIS(III) dated 20.02.1958 (GSR No. 62 dt. 01.03.1958)

invalid in pursuance of clause (b) of sub-rule (5) or the proviso thereto, the subscriber shall send to the Accounts Officer a notice in writing cancelling the nomination, together with a fresh nomination made in accordance with the provisions of this rule.

- (7) Every nomination made, and every notice of cancellation given, by a subscriber shall, to the extent that it is valid take effect on the date on which it is received by the Accounts Officer, who shall acknowledge the receipt of every such communication.

⁹*Explanation:*—For the purpose of this rule ‘person’ or ‘persons’ shall include ‘a company or association or body of individuals, whether incorporated or not’. It shall also include a Fund such as the Prime Minister’s National Relief Fund or any of charitable or other Trust or Fund, to which nominations may be made through the Secretary or other executive, authorised to receive payments.

5. Subscriber’s account.— An account shall be prepared in the name of each subscriber and shall show the amount of his subscriptions with interest there on calculated as prescribed in sub-rule (2) of rule 9.

6. Conditions and rates of subscriptions.— (1) A subscriber shall subscribe monthly to the Fund except during a period of suspension:

Provided that a subscriber may, at his option, elect not to subscribe during leave;

Provided further that a subscriber on reinstatement after a period passed under suspension shall be allowed the option of paying in one sum, or in instalments, any sum not exceeding the amount of subscriptions in arrear payable for that period.

Explanation.— A subscriber shall be deemed to have intimated his election not to subscribe during leave if he makes no deduction on account of subscription in his first pay bill drawn after proceeding on leave and the option so intimated shall be final.

¹⁰(1A) Notwithstanding anything contained in sub-rule (1): (a) a subscriber due to retire shall not subscribe to the fund during the last three months his service;

(b) a subscriber not covered by ‘(a)’ above shall not subscribe to the fund for the month in which he quits service unless, before commencement of the said month, he communicates to the Head of the Office in writing his option to subscribe for the said month;

(2) A subscriber, who has under rule 29 withdrawn the amount standing to his credit in the Fund shall not subscribe to the Fund after such withdrawal unless and until he returns to duty.

(3) The amount of subscription shall be fixed by the subscriber himself subject to the following conditions, namely:

(a) it shall be expressed in whole rupees;

(b) It may be any sum, so expressed, not less than ¹¹six per cent of his emolument ¹²[] and not more than ¹³(his emoluments).

⁹ Inserted vide DP & AR Notification No. 11026/18/83—AIS(III) dated 27.06.1984 (GSR No. 741 dt. 14.07.1984)

¹⁰ Substituted vide DP&T Notification No. 11026/15/84—AIS(III) dated 22.10.1986 (GSR No.932 dt. 01.11.1986)

¹¹ Substituted vide DP&AR Notification No. 11026/4/77—AIS(III) dated 21.11.1977 (GSR No. 1657 dt. 10.12.1977)

¹² i.e. [One anna in the rupee] was omitted w.e.f. 27.05.1958 vide MHA Notification No.18/29/57—AIS(III), dated 27.05.1958 (GSR No. 447 dt. 07.06.1958)

¹³ Substituted for 15-5/8% the 2 annas in the rupee vide MHA Notification No.13/29/57 AIS(III—A) dated 27.05.1958 (GSR No.407 dt.07.06.1958)

6(4) For the purpose of sub-rule (3), the emoluments of the subscriber shall be—

- (a) in the case of a subscriber who was a member of the Service on the 31st day of March of the preceding year, the emoluments to which he was entitled on that date, provided as follows—
 - (i) if the subscriber was on deputation out of India on the said date and elected not to subscribe during such leave or was under suspension on the said date, his emoluments to which he was entitled on the first day after his return to duty;
 - (ii) if the subscriber was on deputation out of India on the said date or was on leave on the said date and continues to be on leave and has elected to subscribe during such leave, his emoluments shall be the emoluments to which he would have been entitled had he been on duty in India;
- (b) in the case of a subscriber who was not a member of the Service on the 31st day of March of the proceeding year, the emoluments to which he was entitled on the first day of his Service.

6(5) A subscriber shall intimate the fixation of the amount of his monthly subscription in each year in the following manner:—

- (a) if he was on duty on the 31st day of March of the preceding year, by the deduction which he makes in this behalf from his pay bill for that month;
- (b) if he was on leave on the 31st day of March of the proceeding year and elected not to subscribe during such leave, or was under suspension on that date, by the deduction which he makes in this behalf from his first pay bill after his return to duty;
- (c) if he has been appointed as a member of the Service during the year, by the deduction he makes in this behalf from his pay bill for the month following the month in which he was appointed to the Service;
- (d) if he was on leave 31st day of March of the preceding year and continues to be on leave and has elected to subscribe during such leave, by the deduction which he causes to be made in this behalf from his salary bill for that month;
- (e) if he was on foreign service on the 31st day of March of the preceding year, by the amount credited by him into the treasury on account of subscription for the month the April in the current year.

6(6) The amount of subscription so fixed may be—

- (a) reduced once at any time during the course of the year; or
- (b) enhanced twice during the course of the year; or
- (c) reduced and enhanced as aforesaid:

Provided that when the amount of subscription is so reduced, it shall not be less than the minimum in sub rule (3).

¹⁴6(7) If a subscriber is on leave without pay or leave on half-pay for a part of a calendar month and he has elected not to subscribe during such leave, the amount of subscription payable shall be proportionate to the number of days spent on duty, including leave, if any, other than the leave referred to above.”

7. Transfer to foreign service or deputation out of India.—When a subscriber is transferred to foreign service or sent on deputation out of India, he shall continue to be subject to the rules of the Fund in the same manner as if he was not so transferred or sent on deputation.

8. Realisation of subscription.—

8(1) When emoluments are drawn from treasury in India, subscriptions on account of such emoluments and the principal and interest of advances if any, shall be deducted from the emoluments; but when emoluments are drawn from any other source, the subscriber shall forward his dues monthly to the Accounts Officer.

¹⁵Provided that in the case of subscribers on deputation to a body corporate owned or controlled by Government, the subscriptions shall be recovered and forwarded to the Accounts Officer by such body.

8(2) If a subscriber fails to subscribe with effect from the date on which he joined the Fund or is in default in any month or months during the course of a year otherwise than as provided in rule 6, the total amount due to Fund on account of arrears of subscription shall with interest thereon at the rate provided in rule 9, forthwith be paid by the subscriber to the Fund or in default be ordered by the Account Officer to be recovered by deduction from the emoluments of the subscriber by instalments or otherwise as may be directed by the Government:

Provided that subscribers whose deposits in the Fund carry no interest shall not be required to pay any interest.

9. Interest.—

9(1) Subject to the provisions of sub-rule (5), interest at such rate as may be determined for each year according to the method of calculation prescribed from time to time by the Central Government shall be paid to the credit of the account of a subscriber.

9(2) Interest shall be credited with effect from the last day in each year in the following manner:—

- (i) on the amount at the credit of a subscriber on the last day of the preceding year, less any sums withdrawn during the current year-interest for twelve months;
- (ii) on sums withdrawn during current year-interest from the beginning of the current year up to the last day of the month preceding the month of withdrawal;

¹⁴ Substituted vide DP & AR Notification No. 11026/4/77—AIS(III), dated 21.11.1977 (GSR No. 1657, dt. 10.12.1977)

¹⁵ Added vide MHA Notification No. 5/22/67—AIS(II)—A, of 18.03.1968 .(GSR No. 584, dt. 30.03.1968).

- (iii) on all sums credited to the subscribers account after the last day of the preceding year-interest from the date of deposit upto the end of the current year;
- (iv) the total amount of interest shall be rounded to the nearest whole rupee, a fraction of a rupee less than ¹⁶[Fifty Naye Paise] being regarded and a fraction of rupee equal to or exceeding (Fifty Naye Paise) being regarded as one rupee.

Provided that when the amount standing at the credit of a subscriber has become payable, interest shall be credited under this rule in respect only of the period from the beginning of the current year or from the date of deposit, as the case may be, upto the date on which the amount standing at the credit of the subscriber became payable.

9(3) In this rule, the date of deposit shall:—

- (a) in the case of a recovery from emoluments, be deemed to be the first day of the month in which it is recovered; and

¹⁷Provided that where there has been a delay in the drawal of pay of leave salary and allowances of a subscriber and consequently in the recovery of his subscription towards the Fund, the interest on such subscriptions shall be payable from the month in which the pay or leave salary of the subscriber was due under the rules irrespective of the month in which it was actually drawn.

Provided further that where the emoluments for a month are drawn on the last working day of the same month the date of deposit shall in the case of recovery of his subscriptions, be deemed to be the first day of the succeeding month.

- (b) In the case of an account forwarded by the subscriber be deemed to be the first day of the month of receipt if it is received by the Accounts Officer before the fifth day of that month and if it is received on or after the fifth day of that month, the first day of the next succeeding month:

¹⁸Provided that in the case of an amount forwarded in accordance with the proviso to sub-rule (1) of rule 8, the date of deposit shall be deemed to be the first day of the month if it is received by the Accounts Officer before the fifteenth day of that month.

9(4) In addition to any amount to be paid under rules 28, 29 or 30, interest thereon up to the end of the month preceding that in which the payment is made or up to the end of six month after the month in which such amount became payable whichever of these periods be less, shall be payable to the person to whom such amount is to be paid:

Provided that where the Accounts Officer has intimated to that person (or his agent) a date on which he is prepared to take payment in cash, or has posted a cheque for the amount to that person, interest shall be payable only up to the end of the month preceding the date so intimated or the date of posting of the cheque, as the case may be:

¹⁶ [] Substituted in place of 'eight annas' vide M.H.A. Notification No. 13.29.1957—AIS(III)—A, dated the 27.05.1958 (GSR No.407 dt. 07.06.1958)

¹⁷ Added vide MHA Notification No. 5/22/67—AIS (II)—A dated 18.03.1968 (GSR No. 584 dt. 30.03.1968)

¹⁸ Added vide Deptt. of Personnel Notification No. 5/8/71—AIS—(II), dated 09.02.1972 (GSR No. 2249, dt. 26.02.1972)

¹⁹ Provided further that where a subscriber on deputation to a body corporate owned or controlled by the Government or an autonomous organisation registered under the Societies Registration Act, 1860 (21 of 1860) is subsequently absorbed in such body corporate or organisation with effect from a retrospective date, for the purpose of calculating the interest due on the Fund accumulations of the subscriber, the date of issue of the orders regarding absorption shall be deemed to be the date on which the amount to the credit of the subscriber became payable subject, however, to the condition that the amount recovered as subscription during the period commencing from the date of absorption and ending with the date of issue of orders of absorption shall be deemed to be the subscription to the Fund only for the purposes of awarding interest under this sub-rule.

NOTE: Payment of interest on the Fund balance beyond a Period six months may be authorised:—

- (a) up to a period of one year, by an officer (which expression includes the Pay and Accounts Officer in a Union Territory where the accounts have been departmentalised) nominated by the Head of Accounts Office; and
- (b) up to a period, exceeding one year by the Head of Accounts Office (which expression includes a Controller of Accounts in a Union Territory where the accounts have been departmentalised, after the said officer or as the case may be the Head of Accounts Office has personally satisfied himself that the delay in payment was occasioned by circumstances beyond the control of the subscriber or the person to whom such payment was to be made and in every such cases the administrative delay involved, in the matter shall be fully investigated and action, if any required, taken.

²⁰[]

9(5) Interest shall not be credited to the accounts of a subscriber if he informs the Accounts Officer that he does not wish to receive it; but if he subsequently asks for interest, it shall be credited with effect from the first day of the year in which he asks for it.

9(6) Interest on amounts which under sub-rule (2) of rule 8, ²¹[] rule 28 or 29, are replaced at the credit of the subscriber in the Fund, shall be calculated at such rates may be successively prescribed under sub-rule (1) of this rule and so far as may be in the manner described in this rule.

²²9(7) In case a subscriber is found to have drawn from the fund an amount in excess of the amount standing to his credit on the date of the drawal, the overdrawn amount, irrespective of whether the overdrawal occurred in the course of an advance or a withdrawal or the final payment from the fund, shall be repaid by him with interest thereon, in one lumpsum, or in default, be ordered to be recovered by deduction in one lumpsum from the

¹⁹ Inserted vide Notification No. 11026/4/77—AIS(III), dated 14.02.1979 (GSR No. 295, dt. 24.02.1979) and further modified vide Not. 11026/7/79—AIS(III) dated 17.11.1980 (GSR No. 1235, dt. 06.12.1980).

²⁰ Deleted vide DP&D AR Notification No. 11026/4/77—AIS(III) dated 21.11.1977 (GSR No.1657 dt. 10.12.1977).

²¹ Deleted vide Deptt. of Personnel & A.R. Notification No.11026/1/75—AIS(III) dated 16.04.1975 (GSR No. 515 dt.26.04.1975)

²² Inserted vide Notification No. 11026/19/83 AIS (III) dated 22.07.1985 (GSR No. 710 dt. 03.08.1985).

emoluments of the subscriber. If that total amount to be recovered is more than half of the subscriber's emoluments recoveries shall be made in monthly instalments of moieties of his emoluments till the entire amount together with interest, is recovered. For this rule, the rate of interest to be charged on overdrawn amount would be 2 1/2% over and above the normal rate of Provident Fund balances under sub-rule (1). The interest realised on the overdrawn amount shall be credited to Government account under a distinct, sub-head "Interest on overdrawal from Provident Fund".

10. Advance from the Fund.—(1) The Government ²³(or an officer not below the rank of the subscriber and specified in this behalf by the Government) may sanction the payment to a subscriber of a temporary advance from the amount standing to his credit in the Fund, subject to the following conditions:—

10(1)(a) No advance shall be granted unless the sanctioning authority is satisfied that subscriber's pecuniary circumstances justify it and that it will be expended on any of the following objects namely:—

- (i) to pay expenses incurred in connection with the serious or prolonged illness of the subscriber or any person actually dependent on him;
- (ii) to pay for the overseas passage for reasons of health or education of the subscriber or any person actually dependent on him and also to meet the cost of education of the subscriber or of any person actually dependent on him outside India, whether for an academic, technical, professional or vocational course; or in India for medical, engineering or other technical or specialised courses beyond the high school stage, provided that the course of study is not less than 3 years;
- (iii) to pay obligatory expenses on a scale appropriate to the subscriber's status which by customary usage the subscriber has to incur in connection with marriages, funerals or other ceremonies;
- ²⁴(iv) to meet the cost of legal proceedings instituted by or against the subscriber, any member of his family or any person actually dependent upon him, the advance in this case being available in addition to any advance admissible for the same purpose from any other Government source;
- ²⁴(v) to meet the cost of subscriber's defence where he engages a legal practitioner to defend himself in an inquiry in respect of any alleged official misconduct on his part.
- ²⁵(vi) to meet the cost of plot or construction of a house or flat for his residence or to make any payment towards the allotment of plot or flat by any Urban Development Authority or a State Housing Board or a House Building Co-operative Society;

²³ Inserted or substituted vide M.H.A. Notification No. 8/34/57—AIS(II) dated the 21.07.1959. (GSR No. 850 dt. 25.07.1959)

²⁴ Substituted vide Notification No. 11026/11/79—AIS(III) dated 25.09.1980 (GSR No. 1048, dt. 11.10.1980)

²⁵ Inserted vide Notification No. 11026/11/78—AIS (III) dated 04.08.1979 (GSR No. 1081, dt 25.08.1979)

- ²⁶(vii) to purchase consumer durables such as television, video cassette recorder, video cassette player, washing machine, cooking range, geysers, computers.

²⁷Provided that in special circumstances, the Government at its discretion or where the sanctioning authority is other than the Government, such authority with previous approval of the Government, may sanction an advance if it is satisfied that the subscriber concerned requires the advance for reasons other than those mentioned above:

²⁷Provided that the advance under sub-clause (iv) or sub-clause (v) shall not be admissible to a subscriber who institutes legal proceedings in any court either in respect of any matter unconnected with his official duty or against Government in respect of any condition of service or penalty imposed on him.

10(1)(b) The sanctioning authority shall record in writing its reasons for granting the advance.

10(1)(c) An advance shall not, except for special reasons—

- (i) exceed three month's pay or half the amount standing at the credit of the subscriber in the Fund, whichever is less, or
- (ii) unless the amount already advanced does not exceed two—thirds of the amount admissible under sub-clause (i) above, be granted until at least a period of twelve months has lapsed after the final repayment of all previous advances ²⁸[]

Provided that if any such reason is of a confidential nature it may be communicated to the Account Officer personally or confidentially;

²⁹Provided further that where the sanctioning authority is other than the Government no such advance shall be sanctioned except with the previous approval of the Government.

10(2) In fixing the amount of an advance, the sanctioning authority shall pay due regard to the amount standing at the credit of the subscriber in the Fund.

²⁸10(3) When an advance is sanctioned under clause (c) of sub-rule (1) before repayment of the last instalment of any previous advance is completed, the balance of any previous advance not recovered shall be added to the advance so sanctioned and instalments for recovery shall be fixed with reference to the consolidated amount.

³⁰10 (4) After sanctioning the advance, the amount shall be drawn on an authorisation 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 31.

11. Recovery of advances.—

²⁶ Inserted Vide DP&T Notification No. 11026/2/95—AIS(III)—A, dated 23.12.1996 (GSR No.157 dt. 23.04.1997)

²⁷ Introduced vide M.H.A Notification No 13/9/58—AIS(III),dated 14.05.1958 (GSR No. 401 dt. 24.05.1958)

²⁸ Deleted vide D.P. & A.R. Notification No. 11026/1/75—AIS(III) dated 16.04.1975 (GSR No. 515 dt. 26.04.1975).

²⁹ Inserted or substituted vide M.H.A. Notification No. 8/34/57—AIS(III) dated 21.07.1959 (GSR No. 850 dt. 25.07.1959)

³⁰ Inserted vide Deptt. of Personnel & A.R. Notification No. 11026/4/77—AIS(III), dated 21.11.1977 (GSR No. 1657, dt. 10.12.1977)

11(1) An advance shall be recovered from the subscriber in such number of equal monthly instalments as the ³¹sanctioning authority may direct, but such number shall not be less than twelve unless the subscriber so elects or more than twenty—four. A subscriber may at his option, repay more than one instalment in month. Each instalment shall be a number of whole rupees the amount of the advance being raised or reduced, if necessary to admit of the fixation of such instalments:

Provided that where the amount advanced exceeds three month's pay or half the amount at the credit of the subscriber, the Government or where the sanctioning authority is other than that Government such authority with the previous approval of the Government, may direct that the amount may be recovered in a maximum of thirty—six instalments.

11(2) Provided that

³²(a)

³³(b) recovery may be postponed by sanctioning authority during the recovery of an advance of pay granted to the subscriber.

²¹11(3)

²¹11(4)

11(5) If an advance has been granted to a subscriber and drawn by him and the advance is subsequently disallowed before repayment is completed the whole or balance of the amount withdrawn shall, ²¹[] forth with be repaid by the subscriber to the Fund, or in default, be ordered by the Accounts Officer to be recovered by deduction from the emoluments of the subscriber by instalments or otherwise, as may be directed by the ³¹(sanctioning authority):

²¹[]

³⁴Provided 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 of fifteen days, it shall be referred to the Government 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.

11(6) Recoveries made under this rule shall be credited as they are made to be subscribers account in the Fund.

12. Withdrawal from the Fund.— ³⁵(1) subject to the conditions specified in rules 13, 15 and 16, Government may at any time after the completion of ³⁶ten 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, sanction

³¹ Inserted vide Deptt. of Personnel & A.R. Notification No. 8/34/57—AIS(III), dated the 21.07.1959. (GSR No. 850, dt. 25.07.1959).

³² Omitted vide M.H.A. Notification No. 5/5/67—AIS (II)—B, dated 20.10.1967.(GSR No. 1598, dt. 28.10.1967).

³³ Substituted or inserted as the case may be vide M.H.A. Notification No. 8/3/57—AIS (II), dated 21.07.1959 (GSR No. 850, dt. 25.07.1959).

³⁴ Inserted vide DP Notification No. 11026/19/83 AIS(III) dated 22.07.1985 GSR No.710 dt. 03.08.1985)

³⁵ Substituted vide Notification No. 11026/6/76—AIS (III) dated 28.11.1978 (GSR No. 1491 dt. 16.12.1978).

³⁶ Substituted vide DOPT Notification No. 11026/19/84—AIS (III) dated 17.04.1985

withdrawal by him from the amount standing to his credit in the Fund for one or more of the following purposes, namely:—

- 12(1)(a) building or acquiring a suitable house or a ready—built flat for his residence including the cost of the site;
 - 12(1)(b) repaying an outstanding amount on account of a loan expressly taken for building or acquiring a suitable house or ready—built flat for his residence;
 - 12(1)(c) purchasing a house site for building a house thereon for his residence or repaying any outstanding amount on account of a loan expressly taken for this purpose;
 - 12(1)(d) reconstructing of/or making additions or alterations to a house or a flat already owned or acquired by a subscriber;
 - 12(1)(e) renovating, making additions or alterations to or upkeep of an ancestral house at a place other than the place of duty or to a house built with a loan from Government at a place other than the place of duty;
 - 12(1)(f) constructing a house on a site purchased under clause (c);
 - ²⁶12(1)(g) meeting the cost of consumer durables such as television, video cassette recorder, video cassette player, washing machines, cooking range, geysers, computers.
- 12 (1A) Subject to the conditions specified in rules 14 and 14A, the Government may at any time after the completion of fifteen 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, sanction withdrawal by him from the amount standing to his credit in the Fund for one or more of the following purposes namely:—
- 12(1A)(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;
 - (ii) for any medical, engineering or other technical or specialised course in India beyond the High School Stage;
 - 12(1A)(b) meeting the expenditure in connection with the betrothal or marriage of the subscriber or his sons or daughters, and any other female relation actually dependent on him;
 - 12(1A)(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.

- ³⁷12(1B) The Government may at any time within twelve months before the date of retirement on superannuation sanction withdrawal of upto ninety percent of the amount standing to his credit of a member of an All India Service in the Fund without assigning any reason for such withdrawal by him. This facility shall be admissible only once.
- ³⁸12(1C) The Government may, once during the course of a financial year, sanction withdrawal from the amount standing to his credit in the Fund a sum equivalent to one year's subscription paid for by the subscriber towards the Group Insurance Scheme under the All India Services (Group Insurance) Rules, 1981.
- NOTE 1: A subscriber who has availed himself of an advance under the scheme of the Ministry of Works and Housing for the grant of advance for house—building purpose or has been allowed any assistance in this regard from any other Government source, shall be eligible for the grant of final withdrawal under clauses (a), (c), (d) and (f) of sub-rule (1) for the purpose specified therein and also for the purpose of repayment of any loan taken under the aforesaid Scheme subject to the limit specified in the second proviso to sub-rule (1) of rule 13.
- If a subscriber has an ancestral house or built a house at a place other than the place of his duty ³⁹with the assistance of loan taken from the Government, he shall be eligible for the grant of final withdrawal under clauses (a), (c) and (f) of sub-rule (1) for purchase of a house site or for construction of another house or for acquiring a ready—built flat at the place of his duty.
- NOTE 2: Withdrawal under clauses (a), (d), (e) or (f) of sub-rule (1) shall be sanctioned only after 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 approved.
- NOTE 3: The amount of withdrawal sanctioned under sub-clause (b) of sub-rule (1) shall not exceed 3/4 of the balance on 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: 3/4th balance as on date plus amount of previous withdrawal(s) for the house in question minus the amount of the previous withdrawal (s).
- NOTE 4: Withdrawal under clause (a) and (d) of sub-rule (1) shall also be allowed where the house site or house is in the name of wife/husband provided she/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 rule 12, But marriage/education of different children or illness on different occasions shall not be treated as the same purpose. Second or subsequent withdrawal under clauses (a) or (f) of sub-rule (1) for

³⁷ Substituted vide DOPT Notification No. 11026/5/90—AIS (III) dated 16.03.1993 9 GSR No.190 dt. 10.04.1993)

³⁸ Inserted vide D.P. & A.R. Notification No. 11026/18/83—AIS(III) dated 27.06.1984.(GSR No. 741, dt. 14.07.1984).

³⁹ Deleted vide D.P. & A.R. No. 11026/11/78—AIS (III) dated 04.08.1979 (GSR No. 1981, dt. 25.08.1979).

completion of the same house shall be allowed upto the limit laid down under Note 3.

NOTE 6: A withdrawal under rule 12 shall not be sanctioned if an advance under rule 10 is being sanctioned for the same purpose and at the same time.

⁴⁰12(2) Subject to the conditions specified in rule 14C, the Government may, at any time after the completion of fifteen yeas of service by a subscriber, sanction withdrawal by him from the amount standing to the credit in the Fund for booking or purchasing a motor car or motor cycle/Scooter/moped etc. or for repaying a Government loan already taken by him for the purpose;

⁴¹12(2A) Subject to the conditions laid down in sub-rule (1A) of rule 14C, the Government may, at any time after the completion of twenty eight years of service by a subscriber or within three years before the date of his retirement on superannuation, sanction withdrawal by him from the amount standing to his credit in the Fund for extensive repairs or overhauling of his motor car;

⁴²12(3) Whenever a subscriber is in a position to satisfy the competent authority about the amount standing to his credit in his account with reference to the latest available statement of his account together with the evidence of subsequent contributions 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. For this purpose, the competent authority, while sanctioning withdrawal, shall record a certificate in Form IV A or Form IV B, as the case may be. 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 Accounts officer by the competent authority for ascertaining the amount standing to the credit of the subscriber with a view to enabling the competent authority to determine the admissibility of the amount of withdrawal. The sanction for the withdrawal should prominently indicate the Account Number and the Accounts Officer, maintaining the accounts and a copy of the sanction for withdrawal should invariably be endorsed to that Accounts Officer. The sanctioning authority shall be responsible to ensure that an acknowledgement is obtained from the Accounts Officer that the sanction for withdrawal has been noted in the ledger account of the subscriber. In case the Accounts Officer 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

⁴⁰ Substituted, vide D.P. & A.R. Notification No. 11/24/73—AIS(III) dated 05.03.1974 (GSR No. 282, dt 23.03.1974) and D.P. & A.R. Notification No. 11026/2/86—AIS(III), dt. 09.03.1988.

⁴¹ Inserted vide D.P. & A.R. Notification No. 11026/18/81-AIS(III) dated 06.07.1983. (GSR No. 531, dt. 23.07.1983).

⁴² Inserted vide D.P. & A.R. Notification No. 11026/4/77-AIS(III) dated 21.11.1977 (GSR No.1657 dt. 10.12.1977)

emoluments either in a lump sum or in such number of monthly instalments as may be determined by the President.

- 12(4) Where, a withdrawal has been sanctioned under sub-rule (3), the amount shall be drawn on an authorisation 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 31.

⁴³13. **Maximum amount of withdrawal** ⁴⁴**under sub-rule (1) of rule 12** :— ⁴⁵(1) Any sum withdrawn by a subscriber under clauses (a) to (f) of sub-rule (1) of rule 12 from the amount standing to his credit in the Fund shall not exceed—

- 13 (1) (a) One-half of such amount, or
- 13 (1) (b) in the case of building or acquiring a suitable house for his residence, including the cost of the site or the amount required for repayment of the loan taken for this purpose or for reconstruction, or making additions or alterations, to a house already owned or acquired by him, the actual cost, whichever is less.

⁴⁶“Provided that the sanctioning authority may sanction the withdrawal of an amount in excess of the limit set out in Clause (a) upto ninety percent of the balance at the credit of the subscriber in the Fund:

Provided further that in no case maximum amount of withdrawal shall exceed the maximum limit prescribed from time to time under clause (a) of paragraph 2 and clause (b) of paragraph 3 of the scheme of the then Ministry of Works and Housing for the grant of advances for house building purposes:

Provided also that in the case of a subscriber who has availed himself of an advance under the Scheme of the then Ministry of Works and Housing for the grant of advances for house building purposes, or has been allowed any assistance in this regard from any other Government source, the sum withdrawn under this sub-rule together with the amount of advance taken under the aforesaid Scheme or the assistance taken from any other Government source shall not exceed the maximum limit prescribed from time to time under clause (a) of paragraph 2 and clause (b) of paragraph 3 of the aforesaid Scheme”.

Explanation.— For the purposes of this sub-rule the actual expenditure incurred in connection with the execution of any document relating to transaction may be included in the cost of the house or the amount required for the payment of the loan.

NOTE.— In cases where a subscriber has to pay in instalments for a site or a house or flat purchased, or a house or flat constructed through any Urban Development Authority or a State Housing Board or a House Building Co-operative Society, he shall be permitted to make a withdrawal as and when he is called upon to make a payment of any instalment. Every such

⁴³ Amendment w.e.f. 23.03.1957 vide MHA Notification No.3/12/57-AIS(III), 13.02.1958 (GSR No.31, dt. 22.02.1958.)

⁴⁴ Amendment vide D.P. & A.R. Notification No. 11026/6/76-AIS(III) dated 28.11.1978 (GSR No. 1491, dt. 16.12.1978)

⁴⁵ Substituted vide D.P. & A.R. Notification No. 11026/3/79-AIS(III), dated the 05.11.1980 (GSR No. 1209, dt. 22.11.1980).

⁴⁶ Substituted vide Notification No. 11026/7/2000—AIS(III) dated 14.05.2002 (GSR No.190 dt. 01.06.2002)

payment shall be treated as a payment for a separate purposes for the purpose of sub-rule (1) of rule 13.

⁴⁷13(2) If a subscriber desires to withdraw any sum under sub-rule (1) of rule 12 for constructing, reconstructing or making additions or alterations to a house he shall be permitted to do so only in equal instalments of not less than two and not more than four in number; but the withdrawal of any instalment after the first shall be permitted by the Government only if it is satisfied that there has been sufficient progress in the construction of the house.

13(3) If any sum withdrawn by a subscriber under this rule is found to be in excess of that actually spent for the purpose for which such sum was withdrawn or is not applied for such purpose the excess or the whole of such sum or so much thereof as has not been so applied, shall forthwith be repaid by the subscriber to the Fund; and in default of such repayment, it shall be ordered by the Government to be recovered from his emoluments either in a lump sum or in such number of monthly instalments as may be determined by the Government:

⁴⁸Provided 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 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 enforce the repayment in the manner prescribed in this sub-rule;

⁴⁹[]

14. Maximum amount of withdrawal for meeting the cost of higher education.— (1) ⁵⁰ A subscriber may under ⁵¹ clause (a) of sub-rule (1A) of rule 12, withdraw from the amount standing to his credit in the Fund—

- (i) a sum not exceeding one-half of such amount or six month's pay, whichever is less, when education is imparted outside India: and
- (ii) a sum not exceeding one half of such amount or six month's pay, whichever is less, when education is imparted in India.

⁵²Provided that the sanctioning authority may sanction the withdrawal of an amount in excess of this limit upto three-fourths of the balance at the credit of the subscriber in the fund, having due regard to his status and the amount to his credit in the fund.

⁵³14(2) A withdrawal sanctioned to a subscriber under clause (a) of sub-rule (1A) of rule 12, from the amount standing to his credit in the Fund, may

⁴⁷ Substituted /inserted vide MHA Notification No. 5/1/68—AIS(II) dated 28.11.1968 (GSR No. 2135 dt. 28.11.1969) and further amended vide DP& AR Notification No. 11026/8/75—AIS (III) dated 22.04.1976 (GSR No. 631 dt. 08.05.1976)

⁴⁸ Inserted vide D.P. & A.R. Notification No. 11026/19/83—AIS(III) dated 22.07.1985. (GSR No. 710 dt. 03.08.1985)

⁴⁹ Deleted vide DP&AR Notification No. 11026/1/75—AIS—III dated 16.04.1975 (GSR No. 515, dt. 26.04.1975)

⁵⁰ Substituted vide D.P. & A.R. Notification No. 5/18/69—AIS(II)—A, dated 22.08.1970. (GSR No. 1268, dt. 01.09.1970).

⁵¹ Substituted vide D.P. & A.R. Notification No. 11026/6/76—AIS(II)-A, dated 28.11.1978. (GSR No.1491, dt. 16.12.1978).

⁵² Inserted vide D.P. & A.R. Notification No. 5/12/68-AIS(II)-A dated 03.02.1972 (GSR No. 234, dt. 19.02.1972) and amended vide D.P. & A.R. Notification No. 11026/4/77-AIS(III), dated 21.11.1977 (GSR No. 295, dt. 24.12.1979).

⁵³ Substituted vide D.P. & A.R. Notification No. 11026-4/82-AIS(III) dated 16.10.1982 (GSR No. 890, dt. 30.10.1982).

be drawn instalments the number of which shall not exceed four in a period of twelve calendar months counted from the date of sanction.

14(3) (a) A subscriber who has been permitted to withdraw money under clause ⁵⁴(a) of sub-rule (1A) of rule 12 from the amount standing to his credit in the Fund, shall satisfy the government within a period of six months from the date of withdrawal that the money has been utilised 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 forth with be repaid, ⁵⁵[] by the subscriber to the Fund ⁵⁶[and in default of such repayment, it shall be ordered by the Government to be recovered from his emoluments either in a lump sum or in such number of monthly instalments, as may be determined by the Government].

⁵⁷Provided 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 enforce the repayment in the manner prescribed in this sub-rule.

Provided further⁵⁸ ⁵⁷that where a portion of the money withdrawn is not likely to be spent within the said period and the subscriber desires to withdraw any further sum of money from the Fund during the period of six months immediately following the said period, he shall so fix the amount proposed to be withdrawn during the period as to take into account this excess amount and submit an application in writing to the Government in that behalf within one month of the expiry at the said period:

Provided⁵⁸ ⁵⁹also that such excess amount shall not exceed ten per cent of the amount utilised.

[(b)]

⁵⁹14—A(1). ⁶⁰**Maximum amount of withdrawal by subscriber for meeting expenditure on betrothal/marriage ceremony of his sons or daughters.**— Any sum withdrawn by a subscriber under clause (b) of sub-rule (1A) of rule 12 from the amount standing to his credit in the Fund shall be normally limited to one half of such amount or six months' pay whichever is less:

⁶¹Provided that the sanctioning authority may sanction the withdrawal of an amount in excess of this limit upto three-fourths of the balance at the credit of the subscriber in the Fund, having due regard to his status and the amount to his credit in the Fund.

⁵⁴ Substituted vide D.P. & A.R. Notification No. 11026/66/76-AIS(III) dated 28.11.1978, (GSR No. 1491, dt. 16.12.1978).

⁵⁵ Deleted vide D.P. & A.R. Notification No. 11026/1/75-AIS (III) dated 16.04.1974 (GSR. 515, dt. 26.04.1975).

⁵⁶ [] Introduced vide M.H.A. Notification No. 13/38/56-AIS(III), dated 02.05.1957 (GSR No. 1429, dt. 11.05.1957).

⁵⁷ Inserted (GSR 710 dated 22.07.1985) amended vide & D.P. & T. Notification No. 11026/19/83 AIS (III) dated 22.07.1985 (GSR No. 710 dt. 22.07.1985).

⁵⁸ Introduced w.e.f. 03.01.1956, vide M.H.A. Notification No. 13/28/56-AIS(III), dated 31.07.1957 (GSR No.2543, dt. 10.08.1957).

⁵⁹ () Introduced vide M.H.A. Notification No. 13/38/56-AIS(III), dated 02.05.1957.(GSR No.1429, dt. 11.05.1957).

⁶⁰ Substituted vide D.P. & A.R. Notification No. 11026/66/76-AIS(III) dated 28.11.1978, (GSR No. 1491 ,dt. 16.12.1978).

⁶¹ Added vide Deptt. of Personnel Notification No. 5/1/68-AIS (II)-A, dated 03.02.1972 .(GSR No. 234, dt. 19.02.1972) & amended vide D.P. & A.R. Notification No. 11026/4/76-AIS (III), dated 21-11-77 (GSR No. 1657, dt. 10.12.1977).

NOTE 1.— If two or more marriages are to be celebrated simultaneously, the amount admissible in respect of each such marriage will be determined as if the advances are sanctioned separately, one after the other.

⁶²[]

14—A (2) In respect of the same marriage, the subscriber may either withdraw the money under ⁶³clause (b) of sub-rule (1a) of rule 12 or draw an advance under rule 10.

14—A (2—A) ⁶⁴[Deleted.]

14—A (3) Withdrawal by a subscriber from the amount standing to his credit in the Fund shall be permitted not earlier than three months preceding the month in which the marriage actually takes place.

14—A (4) A subscriber shall satisfy the Government within a period of one month from the date of marriage or, if he is on leave, within one month of his return from leave, that the money has actually been utilised 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 ⁶⁵[] from the month of withdrawal shall be redeposited into the Fund forthwith by the subscriber; and in default of such repayment, it shall be ordered by the Government to be recovered from his emoluments either in a lump sum or in such number of monthly instalments as may be determined by the Government:

⁶⁶Provided 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 enforce the repayment in the manner prescribed in this sub-rule" ⁶⁷[].

⁶⁸14—B (1) **Maximum amount of withdrawal for meeting the expenses in illness etc.—** Any sum withdrawn by a subscriber under clause (c) of sub-rule(1A) of rule 12 from the amount standing to his credit in the Fund shall be limited to one half of such amount or six months pay whichever is less:

Provided that the sanctioning authority may sanction the withdrawal of an amount in excess of this limit upto three—fourths of the balance at

⁶² [] Note 2 deleted vide Deptt. of Personnel & A.R. Notification No. 10/1/74-AIS(III),dated 03.12.1974.(GSR No. 317, dt. 14.12.1974).

⁶³ Substituted vide D.P. & A.R. Notification No. 11026/6/76 AIS (III), dated 28.11.1978 (GSR No.1491, dt. 16.12.1978)

⁶⁴ Deleted vide Notification No. 11026/3/98 AIS (III) dated 27.05.1999 (GSR No.179 dt. 12.06.1999)

⁶⁵ Amended vide Notification No. 11026/3/98 AIS(III),dated 27.05.1999 (GSR No.179 dt. 12.06.1999)

⁶⁶ Inserted vide D.P. & Notification No. 11026/19/83-AIS(III),dated 22.07.1985 (GSR No.710 dt. 03.08.1985)

⁶⁷ Substituted /deleted vide Deptt. of Personnel and A.R. Notification No. 11026/6/76-AIS(III),dated 28.11.1978.(GSR No. 1491, dt. 16.12.1978).

⁶⁸ Inserted vide notification No. 11026/3/79-AIS(III)dated, 05.11.1980.(GSR No. 1209,dt. 22.11.1980).

the credit of the subscriber in the fund, having due regard to his status and the amount to his credit in the Fund.

⁶⁶14—B (2) A subscriber who has been permitted to withdraw money from the fund under the clause (c) of sub-rule (1A) of Rule 12 shall satisfy the Government within a period of six months from the date of withdrawal that the money has been utilised 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 Government to be recovered from his emoluments either in a lump sum or in such number of monthly instalments, as may be determined by the Government:—

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 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 enforce the repayment in the manner prescribed in this sub-rule:

⁶⁹14—C. **Maximum amount of withdrawal for booking**
⁷⁰**Purchase/repairs/ overhauling of motor cars/motor Cycle/ Scooter/Moped etc.** (1) Any sum withdrawn by a subscriber under sub-rule (2) of rule 12 from the amount standing to his credit in the Fund shall be limited to :—

⁷⁰(i) rupees one lakh and ten thousand for purchase of motor car and rupees twenty thousand for the purchase of motor cycle, scooter or moped

Provided that the advance admissible for purchase of motor car or motor cycle or scooter or moped plus the withdrawal from the provident fund account does not exceed the cost of the vehicle proposed to be purchased.

⁷¹(ii) rupees ten thousand for booking a motor car or repair or over hauling of motor car and rupees five thousand for booking motor cycle or scooter or moped ;or

(iii) the actual price/actual amount for purchase/booking of the car or motor-cycle/ scooter/moped etc. as the case may be whichever is less.

⁶⁹ Modified vide D.P. & A.R. Notification No. 11026/2/81-AIS(III),dated 06.07.1983.(GSR No. 531 dt. 23.07.1983) and DP & T Notification No. 11026/7/86-AIS(III) dated 07.03.1988. 9GSR No.255 dt. 09.04.1988)

⁷⁰ Inserted vide D.P & T Notification No. 11026/19/83-AIS(III),dated 22.07.1985 9GSR No.710 dt. 03.08.1985)

⁷¹ Inserted vide Notification No. 11026/2/81-AIS(III), dated 06.07.1983 (GSR No. 531,dt. 23.07.1983).

NOTE. 1: The subscriber shall produce the deposit receipt for verifications by the government within a period of one month from the date of drawal and if he fails to do so the total amount of withdrawal shall be redeposited into the Fund forthwith.

NOTE. 2: The subscriber shall redeposit into the fund the amount of final withdrawal together with the interest received thereon from the manufacturer/dealer, if he does not purchase a car/motor-cycle/scooter/moped etc. or opts out of the scheme.

NOTE. 3: Withdrawal for booking shall not be counted as withdrawal for purchase of motor car or motor-cycle/scooter/moped etc. but the amount of withdrawal for booking sanctioned earlier shall be adjusted against the amount admissible and sanctioned for the purchase;

Provided that the sanctioning authority may, if considered necessary, and as a special case sanction the withdrawal of an amount in excess of this limit upto one half of the balance at subscriber's credit in the fund account or the price of the motor car which ever is less.

⁷¹14—C(1A) Any sum withdrawn by subscriber under sub-rule (2A) of rule 12 from the amount standing to his credit in the Fund shall not exceed five thousand rupees or one third of the amount standing to his credit in the fund or the actual amount of extensive repairing/overhauling whichever is the least;

Provided that no withdrawal shall be allowed unless a period of 5 years has elapsed from the date of purchase of the car by the subscriber or in the case of a second hand car from the date of purchase by the first purchaser.

⁷²14—C(2) Withdrawal by a subscriber under sub-rule (2) or sub-rule (2a) of rule 12 from the amount standing to his credit in the Fund shall be permitted only on one occasion.

⁷³15. **Conditions for withdrawal under⁷² sub-rule (1) of rule 12.** —(1) No, withdrawal shall be permitted for any purpose specified in clause (a) to (f) of sub-rule (1) of rule 12 unless the Government is satisfied—

15(1)(a) that, except in the case of withdrawal for the reconstructing, or making additions or alterations to a house under clauses (a) to (f) of sub-rule (1) of rule 12, the subscriber does not already own a house at the place of his duty ⁷⁴[] and that only one house will be built, acquired, or redeemed by the subscriber at such place;

15(1)(b) that the sum which it is proposed to withdraw is actually required for that purpose;

15(1)(c) that such sum, together with the private savings, if any, of the subscriber would be sufficient for that purpose;

15(1)(d) that in the case of withdrawal for the construction of a house—

⁷² Substituted, vide Deptt. of Personnel & A.R. notification No. 11026/6/76-AIS (III), dated 28.11.1978. (GSR No. 1491, dated 16.12.1978).

⁷³ Added vide M.H.A. Notification No. 13/25/57-AIS(III), dated 23.07.1957 (GSR No. 2405, dt. 27.07.1957).

⁷⁴ [] Deleted vide Notification No. 11026/11/78-AIS(III), dated 04.08.1979. (GSR No. 1081, dt. 25.08.1979).

- (i) the subscriber possesses or intends to acquire forthwith the right to build it on the site therefore;
- (ii) the subscriber has an approved plan;
- (iii) the construction shall commence within six months from the date of withdrawal of money and shall be completed within a period of one year from the date of commencement of construction;

15(1)(e) that in the case of withdrawal for the acquisition of a house—

- ⁷⁵(i) the subscriber has produced an agreement of sale together with the title deeds of the vendor, whether original or certified copies thereof, showing that the vendor has an indivisible and clear title to the land and house which he agrees to sell to the subscriber:

Provided that this condition shall not preclude withdrawal for the purpose of building a house on any plot of land taken on lease from the Government or from any local authority as defined in the General Clauses Act, 1897, including an improvement trust;

- (ii) the house shall be purchased or redeemed within three months from the date of withdrawal;

15(1)(f) that in the case of withdrawal for the purpose of repayment of loan, the subscriber has produced necessary deeds and papers before the Government proving his undisputed title to the land and the house thereon and the loan shall be repaid within three months from the date of withdrawal;

15(1)(g) ⁷⁶[]

⁷⁷15(1) (h) that in the case of withdrawal for reconstruction of, or making additions or alterations to a house under clauses ⁷⁸(a) to (f) of sub-rule (1) of rule 12, the work shall commence within six months from the date such withdrawal and shall be completed within a period of one year from such commencement.

(2) A subscriber who has been permitted to withdraw money from the fund under the clause(c) of sub-rule (1A) of Rule 12 shall satisfy the Govt., 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 our lumpsum by the subscriber to the Fund, and in default of such payment it shall be ordered by the Government to be recovered from his emoluments either in a lumpsum or in such number of monthly instalments, as may be determined by the Government .

Provided that before repayment of withdrawal is enforced under the sub-rule, the subscriber shall be given opportunity to explain in writing and within fifteen days of receipt of the communications as to why the repayment should not be enforced and if

⁷⁵ Substituted, vide MHA Notification No. 13/2/57-AIS(III), dated 12.03.1957. (GSR No. 855, dt. 23.03.1957).

⁷⁶ Added with effect from 12.09.1955 vide M.H.A. Notification No. 13/28/56-AIS(III), dated 31.07.1957 (GSR No. 2543, dt. 10.08.1957) and deleted vide DP & T Notification No. 11026/12/84-AIS(III), dated 16.01.1986 (GSR No.82 dt. 01.02.1986)

⁷⁷ Introduced with effect from the 23.03.1957 vide M.H.A. Notification No. 13/12/57-AIS(III), dated 13.02.1958. (GSR No.31 dt. 22.02.1958)

⁷⁸ Substituted vide D.P. & A.R. Notification No. 11026/6/76-AIS(III), dated 28.11.1978 (GSR No. 1491, dt. 16.12.1978.)

the Govt. is not satisfied with the explanation or no explanation is submitted by the subscriber within the said period of 15 days, it shall be ordered by the Govt. to enforce the repayment in the manner prescribed in this sub-rule.

⁷⁹**15—A. Conversion of an advance into a withdrawal.**— A subscriber who has already drawn or may draw in future an advance under rule 10 for any of the purposes specified in sub-rules (1), (1A) and 2 of rule 12 may convert at his discretion by a written request addressed to the Accounts officer through the Government the balance outstanding against it into a final withdrawal on his satisfying the conditions laid down in rules 12, 13, 14—A, 14—B, 14—C and 15.

16. Annual declaration and production of documents:—

16(1) A subscriber who has been permitted under clause (a) to (f) of sub-rule (1) of rule 12 to withdraw money from the amount standing to his credit in the Fund shall submit an annual declaration on or before the 31st December, in such form as may from time to time be prescribed by the Government, and satisfy the Government, if called upon to do so, by the production of tax receipts, title deeds, or documents, that the house remains in his sole ownership and that he has not parted with the possession thereof, by way of sale, mortgage, gift, exchange, or lease for a term exceeding three years, without the previous permission of the Government.

16(2) If at any time before retirement a subscriber parts with the possession of the house contrary to the provisions of sub-rule (1), the sum withdrawn by him shall forthwith be repayable ⁸⁰[] by the subscriber to the fund in one instalment ⁸¹and in default of such repayment, it shall be ordered by the Government to be recovered from his emoluments either in a lump sum or in such number of monthly instalments, as may be determined by the Government; ⁸²[]

17. Payment towards insurance policies:— (1) Subject to the conditions hereinafter contained in this rule and in rules 18 to 26:—

17(1)(a) payment towards a policy of life insurance may, at the option of subscriber, be substituted in whole or in part for subscriptions due to the Fund.

⁸³Provided that no insurance policies shall be allowed to be financed from the fund after the normal date of retirement; and any policies which before retirement were being financed from the Fund shall be re-assigned or handed over to the subscriber in accordance with the provisions contained in these Rules.

17(1)(b) the amount of subscription with interest thereon standing to the credit of a subscriber in the Fund may be withdrawn to meet—

(i) a payment toward a policy of life insurance; and

⁷⁹ Inserted vide D.P. & A.R Notification No. 11026/4/80-AIS(III), dated 14.10.1980 (GSR No. 1133 dt. 01.11.1980), and amended vide DP & AR No 11026/7/86 AIS (III), dated 09.03.1986.

⁸⁰ Deleted vide Department of Personnel and A.R. Notification No. 11026/1/75-AIS(III), dated 16.04.1975. (GSR No. 515, dt. 26.04.1975).

⁸¹ Introduced vide M.H.A. Notification No. 13/38/56-AIS(III), dated 02.05.1957. (GSR No. 1429, dt. 11.05.1957).

⁸² Deleted vide D.P. & A.R. Notification No. 11026/1/75-AIS(III), dated 16.04.1975. (GSR 575, dt. 26.04.1975).

⁸³ Introduced vide M.H.A. Notification No. 8/8/58-AIS(III) dated 30.05.1959 (GSR No. 652, dt. 06.06.1959)

(ii) the purchase of a single payment insurance policy:

Provided that no amount shall be withdrawn—

- (i) before the details of the purposed policy have been submitted to the Account Officer and accepted by him as suitable, or
- (ii) to meet any payment or purchase made or effected more than six months before the withdrawal, or
- (iii) in excess of the amount required to meet premium actually due for payment within six months of the date of withdrawal:

Provided further that payments towards an educational endowment policy may not be substituted for subscriptions to the Fund and that no amount may be withdrawn to meet any payment or purchase in respect of such a policy if that policy is due for payment in whole or part thereof before the subscriber's age of normal superannuation:

Provided also that amounts withdrawn shall be rounded to the nearest whole rupee in the manner prescribed in clause (iv) of sub-rule (2) of rule 9.

- 17(2) The number of policies in respect of which substitution for subscriptions due to the Fund or withdrawal of subscriptions from the Fund may be permitted under this rule shall not exceed four:

Provided that where immediately before joining the Fund a member of the Service was a subscriber to any other non-contributory provident fund maintained by the Government, and substitution for subscriptions due to or withdrawal of subscriptions from that fund was permitted in respect of more than four policies, such substitution or withdrawal shall continue to be permitted in respect of these policies under this rule.

- 17(3) The premium for a policy in respect of which withdrawal of subscriptions may be permitted under this rule shall be payable annually and not otherwise.

Explanation:—In computing the maximum number of policies specified in sub-rule (2), policies which have matured shall be excluded.

18. Payment of difference between substituted payments and minimum subscription:—

- 18(1) If the total amount of any payments substituted under clause (a) of sub-rule (1) of rule 17 is less than the amount of the minimum subscription payable to the Fund under sub-rule (3) of rule 6, the difference shall be rounded to the nearest rupee in the manner provided in clause (iv) of sub-rule (2) of rule 9 and paid by the subscriber as a subscription to the Fund.
- 18(2) If the subscriber withdraws any amount standing to his credit in the fund for any of the purposes specified in clause (b) of sub-rule (1) of rule 17, he shall subject to his option under clause (a) of sub-rule (1) of the said rule continue to pay to the Fund the subscription payable under rule 6.

19. Reduction of subscription in certain cases:—(1) A subscriber who desires to substitute a payment under clause (a) of sub-rule (1) of rule 17, may reduce his subscription to the Fund accordingly:

Provided that the subscriber shall—

- 19(1)(a) intimate to the Account Officer on his pay bill or in writing the fact of, and reason for, the reduction;
- 19(1)(b) send to the Account Officer, within such period as the Account Officer may require, receipts or certified copies of receipts in order to satisfy the Account Officer that the amount by which the subscription has been reduced was duly applied for the purpose specified in clause (a) of sub-rule (1) of rule 17.
- 19(2) A subscriber who desires to withdraw any amount under clause (b) of sub-rule (1) of the rule 17 shall—
 - (a) intimate in writing the reasons for the withdrawal to the Account Officer;
 - (b) make arrangements with the Account Officer for the withdrawal; and
 - (c) send to the Account Officer within such period as the Account Officer may require, receipts or certified copies of receipts in order to satisfy the Account Officer that the amount withdrawn was duly applied for the purposes specified in clause (b) of sub-rule (1) of rule 17.
- 19(3) The Account Officer shall cause the recovery of any amount by which subscriptions have been reduced, or of any amount withdrawn, in respect of which he has not been satisfied in the manner required by clause (b) of sub-rule (1) and clause (c) of sub-rule (2),⁸⁴ [] from the emoluments of the subscriber and place it to the credit of the subscriber in the Fund:
⁸⁴ []

20. Government not to make payments to insurer on behalf of subscribers—

- 20(1) The Government shall not make any payments on behalf of subscribers to the insurer nor take steps to keep policy alive.
- 20(2) A policy to be acceptable under these rules shall be one effected by the subscriber himself on his own life, and shall (unless it is a policy effected by a male subscriber which is expressed on the face of it to be for the benefit of his wife and children or any of them) be such as may be legally assigned by the subscriber to the Government.

Explanation 1—A policy on the joint lives of the subscriber and the subscriber's wife or husband shall be deemed to be a policy on the life of the subscriber for the purpose of this sub-rule.

Explanation 2—A policy which has been assigned to the subscriber's wife shall not be accepted unless either the policy is first reassigned to the subscriber or the subscriber and his wife both join in an appropriate assignment.

⁸⁴ Deleted vide D.P. & A.R. Notification No. 11026/1/75-AIS(III), dated 16.04.1975.(GSR No. 515, dt. 26.04.1975).

Explanation 3—The policy any not be effected for the benefit of may beneficiary other than the wife or husband of the subscriber of the wife or husband and children of the subscriber or any of them.

21. Assignment of policies.—

- 21(1) The policy within six months after the first withholding of a subscription or withdrawal from the Fund in respect of the policy, ⁸⁵or within six months of joining the Fund in the case of a member of the Service, who was previously subscribing to some other Provident Fund] or in the case of an insurer whose headquarters are outside India, within such further period as the Account Officer, if he is satisfied by the production of the completion certificate (interim receipt) may fix, shall—
- (a) unless it is a policy effected by a male subscriber which is expressed on the face of it to be for the benefit of the wife of the subscriber, and children, or any of them, be assigned ⁸⁶[further assigned] to the Government as security for the payment of any sum which may become payable to the fund under rule 25, and delivered to the Account Officer the assignment⁸⁶[further assignment] being made endorsement on the policy in form Vi or form VII or form VIII or form IX or form X according as the policy is on the life of the subscriber or on the joint lives of the subscriber and the subscriber's wife or husband or the policy has previously been assigned ⁸⁶ [further assigned] to the subscriber's wife, ⁸⁷[or the policy is on the life of the subscriber and was previously, assigned to the President/Governor in accordance with some other Provident Fund Rules or policy is on the joint lives of the subscriber and the subscriber's wife or husband and was previously assigned to the President/Governor in accordance with the some other Provident Fund Rules.]
- (b) if it is a policy effected by a male subscriber which is expressed on the facts of it to be for the benefit of the wife of the subscriber or of his wife and children or any of them, be delivered to the Account Officer.
- 21(2) The Account Officer shall satisfy himself by reference to the insurer when possible, that no prior assignment of the policy exists except in the case of a subscriber who prior to joining the Fund was subscribing to some other Provident Fund]
- 21(3) Once a policy has been accepted by a Account Officer for the purpose of being financed from the Fund, the terms of the policy shall not be altered nor shall the policy be exchanged for another policy without the prior consent of the Account Officer to whom details of the alteration or of the new policy shall be furnished.

⁸⁵ Introduced or substituted, vide M.H.A. Notification No. 13/43/57-AIS(III), dated 27.06.1958.(GSR No. 549, dt. 05.07.1958).

⁸⁶ Introduced or substituted, vide M.H.A. Notification No. 13/43/57-AIS(III), dated the 27.06.1958.(GSR No. 549, dt. 05.07.1958).

⁸⁷ [] Introduced or substituted, vide M.H.A. Notification No. 13/43/57-AIS(III), dated the 27.06.1958.(GSR No. 549, dt. 05.07.1958).

21(4) If the policy is not assigned and delivered, or delivered, within the said period of six months or such further period as the Account Officer may under sub-rule (1), have fixed, any amount with—held or withdrawn from the Fund in respect of the policy shall [⁸⁴] forthwith be paid or repaid, as the case may be, by the subscriber to the Fund, or, in default, be ordered by the Account Officer to be recovered by deduction from the emoluments of the subscriber, by instalments or otherwise, as may be directed by the Government:

⁸⁴[]

21(5) Notice of assignment ⁸⁸[further assignment] of the policy shall be given by the subscriber to the insurer and the acknowledgement of the notice by the insurer shall be sent to the Account Officer within six months of ⁸⁸the date of assignment [further assignment].⁸⁹

22. Bonus on policies—The subscriber shall not during the currency of the policy draw any bonus, the drawal of which during such currency is optional under the terms of the policy, and the amount of any bonus which under the terms of the policy the subscriber has no option to refrain from drawing during its currency shall be paid forthwith into the Fund by the subscriber or in default recovered by deduction from his emoluments, by instalments or otherwise, as may be directed by the Government.

23. Reassignment of Policies.—(1) Save as provided by rule 26 when the subscriber—

- (a) quits the Service; or
- (b) has proceeded on leave preparatory to retirement and applies to the Account Officer reassignment or return of the policy; or
- (c) while on leave has been permitted to retire or is required to retire on grounds of ill-health and applies to the Account Officer for reassignment of return of the policy; or
- (d) pays or repays to the Fund the whole of any amount withheld or withdrawn from the Fund for any of the purposes mentioned in clauses (a) and (b) of sub-rule (1) of rule 17⁹⁰
- ⁸⁹ (e) has completed twenty years of service (including broken periods of service, if any), the Account Officer shall—
 - (i) if the policy has been assigned ⁹¹[further assigned] to the Government reassign the policy in form ⁹²[XI] to the subscriber, or to the subscriber and the joint assured, as the case may be, and make it over to the subscriber together with a signed notice of the reassignment addressed to the insurer;
 - (ii) if the policy has been delivered to him, make over the policy to the subscriber;

⁸⁸ [] Introduced or substituted ,vide M.H.A. Notification No. 13/43/57-AIS(III), dated the 27.06.1958.(GSR No. 549, dt. 05.07.1958).

⁸⁹ Inserted vide DP & AR Notification No. 11026/15/83-AIS(III),dated 23.09.1983. (GSR No.733 dt. 08.10.1983.)

⁹⁰ ibid note 28

⁹¹ Submitted ,vide Deptt. of Personnel & A.R. Notification No. 11026/6/76-AIS(III), dated 28.11.1978. (GSR No.1491 dt. 16.12.1978).

⁹² Submitted vide 11026/7/76-AIS (III), dated 17.11.1980 (GSR No. 1235, dt. 06.12.1980).

Provide that if a subscriber to whom clause (b) or clause (c) applies return to duty, any policy so reassigned or made over shall, if it has not matured or been assigned or charged or encumbered in any way be again assigned to the Government and delivered to the Account Officer, or again be delivered to the Account Officer, as the case may be, in the manner provided in rule 21, and thereupon the provisions of these rules shall, so far as may be again apply in respect of the policy;

Provided further that, if the policy has matured or been assigned or charged or encumbered in any way, the provision of sub-rule (4) of rule 21 applicable to a failure to assign and deliver a policy shall apply: []²⁸

23(2) Save as provided by rule 26, when the subscriber dies before quitting the Service, the Account Officer shall—

- (i) if the policy has been assigned [further assigned] ⁹⁰ to the Government reassign it in form XII to such person as may be legally entitled to receive it, and make it over to him together with a signed notice of the reassignment addressed to the insurer;
- (ii) if the policy has been delivered to him make it over to the beneficiary, if any, or if there is no beneficiary, to such person as may be legally entitled to receive it.

24. Procedure on maturity of policies.— ⁹¹ (1) If a policy assigned (further assigned) to the Government under rule 21 or under the ⁹² corresponding rule heretofore in force, matures before the subscriber quits service, or if a policy on the joint lives of a subscriber and the subscriber's wife or husband assigned under the said rule, or under the corresponding rule heretofore in force, falls due for payment by reasons of the death of the subscriber's wife or husband, the Accounts Officer shall, save as provided by rule 26, realise the amount assured together with any accrued bonuses and shall place the amount so realised to the credit of the subscriber in the Fund;

⁹²Provided that if the amount assured together with the amount of any accrued bonus is more than the whole of the amount withheld or withdrawn, it shall be the duty of the subscriber to inform the Account Officer in writing, within a month from the date of maturity of the policy, whether the difference or a part of the difference as specified by the subscriber be paid to him; and it shall be the duty of the Accounts Officer to act in accordance with the option of the subscriber.

NOTE — If no option is exercised by the subscriber in writing to the Account Officer within the period prescribed, he shall be deemed to have opted to deposit the differences in his account in the fund such deposit will be merged in the amount standing to the subscribers' credit in the Fund.

24 (2) Save as provided by rule 26, if a policy delivered to the Account Officer under rule 21 matures before the subscriber quits the Service, the Account Officer shall make over the policy to the subscriber:

Provided that if the interest in the policy of the wife of the subscriber, or of his wife and children, or any of them as expressed on the face of the policy, expires when the policy matures, the subscriber, if the policy moneys are paid to him by the insurer, shall immediately on receipt thereof, pay or repay to the Fund either—

- (i) the whole of any amount withheld or withdrawn from the Fund in respect of the policy

⁹³ [], or

- (ii) an amount equal to the amount assured together with any accrued bonuses thereon whichever is less, and in default, the provisions of sub-rule (4) of rule 21 applicable to a failure to assign and deliver a policy shall apply.

⁹³ []

25. Lapse or wrongful assignment of policies.— If the policy lapses, or is assigned otherwise than to the Government under rule 21, charged or encumbered, the provisions of sub-rule (4) of rule 21 applicable to a failure to assign and deliver a policy shall apply.

26. Duty of Account Officer when he receives notice of assignment, charge or encumbrance of policies—if the Account Officer receives notice of—

- (a) an assignment (otherwise than an assignment to the Government under rule 21), or
- (b) a charge or encumbrance on, or
- (c) an order of a Court restraining dealings with the policy or any amount realised thereon, the Account Officer shall not—
 - (i) reassign or make over the policy as provided in rule 23, or
 - (ii) realise the amount assured by the policy or reassign, or make over the policy, as provided in rule 24; but shall forthwith refer the matter to the Government.

⁹⁴26—A. **Restriction of the provisions relating to financing of policies to existing subscribers in respect of existing policies.**—The provisions of rules 17 to 26 shall apply only to the subscribers who, before 1st October, 1967 have been substituting in whole or in part payment towards policies of life insurance for subscription to the fund or making withdrawals from the Fund for such payment:

Provided that the subscribers aforesaid shall not be permitted to substitute such payments for subscriptions due to the Fund withdrawn from the Fund for making payments in respect of any new policy.

27. Wrongful use of advance.— Notwithstanding anything contained in these rules, if the Government is satisfied that the money drawn as an advance from the Fund under rule 10 or withheld or withdrawn from the Fund under rule 17 or any portion thereof has been utilised for a purpose other than that for which sanction was given to the drawal, withholding, or withdrawal of the money, the amount in question or any portion thereof shall ⁹⁵[] forthwith be repaid or paid as the case may be, by the subscriber to the Fund or in default be caused by the Government to be recovered from the subscriber's emoluments even if he be on leave in one or more instalments as it thinks fit:

Provided that the subscribers whose deposits in the Fund carry no interest shall not be required to pay any interest.

⁹³ Deleted vide Department of Personnel and A.R. Notification No. 11026/1/75-AIS(III), dated 16.04.1975. (GSR No. 515, dated 26.04.1975).

⁹⁴ Added vide MHA Notification 5/12/64-AIS(II) dated 10.10.1967 (GSR No. 1549, dt. 21.10.1967).

⁹⁵ Deleted vide DP & AR Notification No. 11026/1/75-AIS (III) dated 16.04.1975 (GSR No. 515, dt. 26.04.1975).

Explanation.— The expression “emoluments’ in this rule does not include a subsistence allowance.

⁹⁶Provided further that if the sanctioning authority has reason to doubt that money drawn as an advance from the Fund under rule 10 has been utilised for a purpose other than that for which sanction was given to the drawal of the money the said authority shall communicate to the subscriber the reasons for his doubt and require him to explain in writing, and within fifteen days of the receipt of such communication, whether the advance has been utilised for the purpose for which sanction was given to the drawal of the money. If the sanctioning authority is not satisfied with the explanation or no explanation is furnished by the subscriber within the said period of fifteen days, the sanctioning authority shall enforce the repayment in the manner prescribed in this rule.

28. Final withdrawal of accumulations in the Fund.— When a subscriber quits the Service, the amount standing to his credit in the Fund shall become payable to him :

Provided that a subscriber, who has been dismissed or removed or compulsorily retired from the service and is subsequently reinstated in the service under the relevant provisions of the All India Services (Discipline and Appeal) Rules ⁹⁷1969, shall if required to do so by the Government, repay any amount paid to him from the Fund in pursuance of this rule, with interest thereon at the rate provided in rule 9, and in the manner provided in the proviso to rule 29. The amount so repaid shall be credited to his account in the fund.

Provided further that the subscribers whose deposits in the Fund carry no interest shall not be required to pay any interest.

⁹⁸28A. Deleted.

29. Retirement of subscriber.—

29(1) ⁹⁹When a subscriber—

- (a) has proceeded on leave preparatory to retirement, or
- (b) while on leave, has been permitted to retire or is required to retire on grounds of ill-health, the amount standing to his credit in the Fund shall, upon application made by him in that behalf to the Accounts Officer, become payable to the subscriber:

Provided that the subscriber, if he returns to duty, shall, if required to do so by the Government, repay to the Fund for credit to his account, the whole or part of any amount paid to him from the fund in pursuance of this rule with interest thereon at the rate provided in rule 9, in cash or securities or partly in cash and partly in securities, by instalments or otherwise, by recovery from his emoluments as may be directed by the Government;

Provided further that the subscribers whose deposits in the Fund carry no interest shall not be required to pay any interest.

⁹⁶ Inserted vide DP & AR Notification No. 11026/19/83-AIS(III) dated 22.07.1983.(GSR No.714 dt. 03.08.1985)

⁹⁷ Amended vide DP & AR Notification No. 6-4-77-AIS(II) dated 21.11.1977 (GSR No. 1657 dt. 10.12.1977).

⁹⁸ Deleted vide DP & AR Notification No. 11026/1/75-AIS (III) dated 16.04.1975 (GSR No. 515, dt. 26.04.1975).

⁹⁹ Renumbered vide DP Notification No. 31-1-72-AIS(III), dated 01.10.1972

- (2) ¹⁰⁰The account of each Indian Civil Service member of Indian Administrative Service shall be credited on his retirement, or previous death, with a sum of Rs. 6,000.

30. Procedure on death of subscriber.—On the death of a subscriber before the amount standing to his credit has become payable, or where the amount has become payable, before payment has been made—

- 30(i) when the subscriber leaves a family—
- (a) if a nomination made by the subscriber in accordance with the provisions of rule 4 in favour of a member or members of his family subsists, the amount standing to his credit in the Fund or part thereof to which the nomination relates, shall become payable to his nominee or nominees in the proportion specified in the nomination.
 - (b) if no such nomination in favour of a member or members of the family of the subscriber subsists, or if such nomination relates only to a part of the amount standing to his credit in the Fund, whole amount or the part thereof to which the nomination does not relate, as the case may be, shall, notwithstanding any nomination purporting to be in favour of any person or persons other than a member or members of his family, become payable to the members of his family in equal shares:

Provided that no share shall be payable to—

- (i) sons who have attained legal majority;
- (ii) sons of a deceased son who have attained legal majority;
- (iii) married daughters whose husband are alive; or,
- (iv) married daughters of a deceased son where husbands are alive;

if there is any member of the family other than those specified in clauses (i), (ii), (iii) and (iv);

Provided further that the widow or widows and the child or children of a deceased son shall receive between them in equal parts only the share which that son would have received if he had survived the subscriber and had been exempted from the provisions of clause (i) of the first proviso.

- 30(ii) when the subscriber leaves no family:— if, nomination made by him in accordance with the provisions, of rule 4 in favour of any person or persons subsists, the amount standing to his credit in the Fund or the part thereof to which the nomination relates, shall become payable to his nominee or nominees in the proportion specified in the nomination.
- 30(iii) nominee(s) or any other claimant(s) may claim final payments of balance, in the Provident Fund Account in the prescribed form XIV.

31. Manner of payment of amount to credit in the Fund.—

¹⁰⁰ Inserted vide DP Notification No. 31-1-72-AIS(III) dated 01.10.1972.

31(1) When the amount standing to the credit of a subscriber in the Fund becomes payable, it shall be the duty of the Account Officer to make payment as provided in section 4 of the Provident Fund Act, 1925 (XIX of 1925) ¹⁰¹ on receipt of an application from the subscriber in the prescribed form XV.

31(2) If the person to whom, under these rules, any amount of policy to be paid, assigned, reassigned or delivered, is a lunatic for whose estate a manager has been appointed in this behalf under the Indian Lunacy Act, 1912 (IV of 1912), the payment, or reassignment or delivery shall be made to such manager and not to the lunatic.

¹⁰² Provided that where no manager has been appointed and the person to whom the sum is payable is certified by a Magistrate to be lunatic, the payment shall, under the orders of the Collector be made in terms of sub-section (1) of section 95 of the Indian Lunacy Act, 1912 to the person having charge of such lunatic and the accounts officer shall pay only the amount which he thinks fit to the person having charge of the lunatic and the surplus if any shall be paid for the maintenance of such members of the lunatics family as are dependent on him for maintenance.

¹⁰³ 31 (3) Payments of the amount withdrawn shall be made in India only. The persons to whom the amounts are payable shall make their own arrangements to receive payment in India. The following procedure shall be adopted for claiming payments by a subscriber namely:—

31(3) (i) To enable a subscriber to submit an application for withdrawal of the amount in the Fund, the Head of Office shall send to every subscriber necessary forms either one year in advance of the date on which the subscriber attains the age of superannuation, or before the date of his anticipated retirement, if earlier, with instructions that they should be returned to him duly completed within a period of one month from the date of receipt of the forms by the subscriber. The subscriber shall submit the application to the Accounts Officer through the Head of Office or Department for payment of the amount in the Fund. The application shall be made:—

(a) for the amount standing to his credit in the Fund as indicated in the Accounts Statement for the year ending one year prior to the date of his superannuation, or his anticipated date of retirement, or

(b) for the amount indicated in his ledger account in case the Accounts Statement has not been received by the subscriber.

¹⁰¹ Inserted vide M.H.A. Notification No. 5/1/69-AIS (III), dated 01.01.1970 (GSR. No. 55, dt. 10.01.1970).

¹⁰² Inserted vide M.H.A. Notification No. 5/14/70-AIS(II), dated 02.04.1971 (GSR. No. 536, dt. 17.04.1971).

¹⁰³ Substituted, vide Deptt. of Personnel and A.R. Notification No. 11026/4/77-AIS(III), dated 21.11.1977 (GSR No.1657 dt. 10.12.1977)

¹⁰⁴31(3) (ii) the subscriber shall make another application immediately after the last fund deduction has been made and the exemption from subscription to the fund has begun to operate, for the payment of subscriptions made by him and the recoveries effected against advances, if any, during the periods not covered by the first application referred to at (1) above.

31(3) (iii) The Head of Office/Department shall forward the applications to the Accounts Officer indicating the advances taken and the recoveries effected against the advance which are still current and the number of instalments yet to be recovered in respect of each advance and also indicate the withdrawals, if any, taken by the subscriber;

31(3) (iv) The Accounts Officer shall after verification with the ledger account issue an authority for the consolidated amount indicated in the two applications referred to (i) & (iii) above at least a month before the date of superannuation but payable on the date of the superannuation;

31(3) (v) The authority mentioned in clause (iii) will constitute the first instalment of payment. A second authority for payment will be issued as soon as possible after superannuation. This will be related to the contribution made by the subscriber subsequent to the amount mentioned in the application submitted under clause (i) plus the refund of instalments against advances which are current at the time of the first application.

31(3) (vi) After forwarding the application for the final payment to the Accounts Officer, advance/withdrawal may be sanctioned but the amount of advance/withdrawal shall be drawn on an authorisation from the Account Officer concerned who shall arrange this as the formal sanction of sanctioning authority is received by him.

31(4) When the amount standing to the credit of a subscriber has become payable under rule 28, 29 or 30 the Accounts Officer shall authorise prompt payment of the amount in the manner indicated in sub-rule (3).

32. Method of maintaining accounts.—All sums paid into the Fund under these rules shall be credited in the books of the Government to an account named “The All India Service Provident Fund”. Sums of which payment has not been taken within six months after they become payable under these rules shall be transferred to “Deposits” at the end of the year and treated under the ordinary rules relating to deposits.

33. Number of account to be quoted at the time of payment of subscription.—When paying a subscription, either by deduction from emoluments or in cash, a subscriber shall quote the number of his account in the Fund, which shall be communicated to him by the Account Officer. Any change in the number shall similarly be communicated to the subscriber by the Accounts Officer.

¹⁰⁴ Inserted and amended vide Notification No. 11026/15/84-AIS(III), dated 22.10.1986. (GSR No.932 dt. 01.11.1986)

34. Annual statements of accounts to be supplied to subscriber.—

- 34(1) As soon as possible after the close of each year, the Account Officer shall send to each subscriber a statement of his account in the Fund showing the opening balance as on the 1st April of the year, the total amount credited or debited during the year, the total amount of interest credited as on the 31st March of the year and the closing balance on that date. The Account Officer shall attach to the statements of account an enquiry whether the subscriber—
- (a) desires to make any alteration in any nomination made;
 - (b) has acquired a family in a case where the subscriber has made no nomination in favour of a member of his family.
- 34(2) Subscribers should satisfy themselves as to the correctness of the annual statement, and errors should be brought to the notice of the Account Officer within three months from the date of receipt of the statement.
- 34(3) The Account Officer shall, if required by a subscriber, once, but no more than once, in a year inform the subscriber of the total amount standing to his credit in the Fund at the end of the last month for which his account has been written up.

35. Relaxation of the provisions of the rules in individual cases.— When the Government is satisfied that the operation of any of these rules causes or is likely to cause undue hardship to a member of the Service, it may, after recording the reasons for so doing and notwithstanding anything contained in those rules, deal with the case of such member in such manner as may appear to it to be just and equitable:

Provided that the case shall not be dealt with in any manner less favourable to such member than that prescribed in these rules.

¹⁰⁵*Explanation.*— For the purpose of this rule Government, in relation to a member of the Service borne on a joint Cadre serving in connection with the affairs of a Constituent State, means the Joint Cadre Authority.

36. ¹⁰⁶Interpretation.—If any question arises as to the interpretation of these rules, the Central Government shall decide the same.

37. ¹⁰⁷[]

¹⁰⁵ Inserted vide Deptt. of Personnel Notification No. 13/4/71-AIS(I) dated 11.01.1972.

¹⁰⁶ Substituted vide DP & AR Notification No. 7/1/73-AIS(III), dt. 02.01.1975 (GSR No.41, dt. 18.01.1975).

¹⁰⁷ Omitted vide DP Notification No. 31/7/72-AIS(III) dated 22.05.1973

FORM 1

[Rule] 4(3)]

When the subscriber has a family and wishes to nominate one member thereof—

I hereby nominate the person mentioned below, who is a member of my family as defined in rule 2 of the All India Services (Provident Fund) Rules, 1955, to receive the amount that may stand to my credit in the Fund, in the event of my death before that amount has become payable, or having become payable has not been paid:—

Name and address of nominee	Relationship with subscriber	Age/Contingencies on the happening of which the nomination shall become invalid	Name, address and relationship of the person or persons if any to whom the right of the nominee shall pass in the event of his predeceasing the subscriber ¹⁰⁸ []
-----------------------------	------------------------------	---	---

Dated this _____ day of _____ 20 at _____

Two witnesses to signature

- 1.
- 2.

Signature of Subscriber.

FORM II

[Rule 4(3)]

When the subscriber has a family and wishes to nominate more than one member thereof—

I, hereby nominate the persons mentioned below, who are members of my family as defined in rule 2 of the All India Services (Provident Fund) Rules, 1955, to receive the amount that may stand to my credit in the Fund, in the event of my death before that amount has become payable, or having become payable has not been paid, and direct that the said amount shall be distributed among the said persons in the manner shown below against their names:—

Name and address of nominees	Relationship with subscriber	Age	¹⁰⁹ Amount or share of accumulation to be paid to each	Contingencies on the happening of which the nomination shall become invalid	Name, address of the person or persons if any to whom the right of the nominee shall pass in the event of his predeceasing the subscriber ¹¹⁰
------------------------------	------------------------------	-----	---	---	--

Dated the _____ day of _____ 20 at _____

Two witnesses to signature

¹⁰⁸ The words or no the happening of the contingency or contingencies a specified in the previous column deleted vide MHA Notification No. 5/10/59-AIS II dated the 19.08.1959.(GSR No.982 dt. 29.08.1959)

¹⁰⁹ NOTE- Where a subscriber who has no family makes a nomination, he shall specify in this column that the nomination shall become valid in the event of his subsequently acquiring a family.

¹¹⁰ Ibid note 108

1.

2.

Signature of Subscriber

FORM III

[Rule 4(3)]

When the subscriber has no family and wishes to nominate one person—

I, having no family as defined in rule 2 of the All India Services (Provident Fund) Rules, 1955, hereby nominate the persons mentioned below to receive the amount that may stand to my credit in the Fund, in the event of my death before that amount has become payable, or having become payable has been paid:—

Name and address of nominee	Relationship with subscriber	Age	¹¹¹ Contingencies on the happening of which the nomination shall become invalid	Name, address and relationship of the person or persons if any to whom the right of the nominee shall pass in the event of his predeceasing the subscriber ¹¹² []
-----------------------------	------------------------------	-----	--	---

Dated this _____ day of _____ 20 at _____

Two witnesses to signature

1.

2.

Signature of Subscriber.

FORM IV

[Rule 4(3)]

When the subscriber has no family and wishes to nominate more than one person—

I, having no family as defined in rule 2 of the All India Services (Provident Fund) Rules, 1955, hereby nominate the persons mentioned below to receive the amount that may stand to my credit in the Fund, in the event of my death before that amount become payable, or having become payable has not been paid, and direct that the said amount shall be distributed among the said persons in the manner shown below against their names:—

¹¹¹The words or no the happening of the contingency or contingencies as specified in the previous column deleted vide MHA Notification No. 5/10/59-AIS II dated the 19.08.1959. (GSR No.982 dt. 29.08.1959)

¹¹²Note : where a subscriber who has no family makes a nomination, he shall specify in this column that the nomination shall become invalid in the event of his subsequently acquiring a family.

Name and address of nominees	Relationship with subscriber	Age	¹¹³ Amount or share of accumulation to be paid to each	¹¹⁴ Contingencies on the happening of which the nomination shall become invalid	Name, address and relationship of the person or persons if any to whom the right of the nominee shall pass in the event of his predeceasing the subscriber
------------------------------	------------------------------	-----	---	--	--

Dated the _____ day of _____ 20 at _____

Two witnesses to signature

- 1.
- 2.

Signature of Subscriber.

NOTE : Where a subscriber who has no family makes a nomination, he shall specify in this column that the nomination shall become invalid in the event of his subsequently acquiring a family.

FORM IV A

¹¹⁵[Rule 12(3)]

When the subscriber wishes to take part—final withdrawal.

Shri.....was last sanctioned a part—final withdrawal by this office for an amount of Rs.....vide.....after the statement of his accounts for the year.....was issued by the Accounts Officer.

Signature of sanctioning Authority.

FORM IV B

[Rule 12 (3)]

When the subscriber wishes to take part—final withdrawal.

Shri.....is understood (as stated by him) to have been last sanctioned a part—final withdrawal of Rs.....by.....

Signature of sanctioning Authority.

FORM V

¹¹³ Inserted vide D.P. & A.R. Notification N..11026/4/77-AIS(III) dated 21.11.1977 (GSR No.1657 dt. 10.12.1977)

¹¹⁴ This form was introduced with effect from 03.01.1956 vide MHA Notification No.13/28/56 (AIS-II) dated 31.07.1957 (GSR No.2543 dt. 10.08.1957)

¹¹⁵ ibid note 113

¹¹⁶[Rule 15(1)(g)]

FORM VI

[Rule 21(1) (a)]

I, A.B. of..... herby assign unto the President of India /Governor of the State of.....the within policy of assurance as security for payment of all sums which under rule 25 of the All India Services (Provident Fund) Rules, 1955, I may hereafter become liable to the All India Services Provident Fund.

I hereby certify that no prior assignment of the within policy exists.

Dated this.....day of.....20

Station

Signature of Subscriber.

One witness to signature.

NOTE :— The assignment may be executed on the policy itself either in the subscriber's handwriting or in type, or alternatively a typed or printed slip containing the assignment may be pasted on the blank space provided for the purpose on the policy. A typed or printed endorsement must be duly signed and if pasted on the policy, it must be initialised across all four margins.

FORM VII

[Rule 21(1) (a)]

We, A.B. (the subscriber)of.....and C.D. (the joint assured).....in consideration of the ¹¹⁷President of India/ Governor of the State of.....agreeing at our request to accept payments towards the within policy of assurance in substitution for the subscription payable by me the said A.B. to the All India Services Provident Fund (or, as the case may be, to accept the withdrawal of the sum of Rs.....from the sum to the credit of the said A.B. in the All India Services Provident Fund for payment of the premium of the within policy of assurance), hereby jointly and severally further assign unto the said. *President of India/Governor of the State of.....the within policy of assurance as security for payment of all sums which under rule 25 of All India Services (Provident Fund) Rules, 1955, the said A.B. may hereafter become liable to pay to that Fund.

We hereby certify that no prior assignment of the within policy exists.

Dated thisday of.....20

Station

¹¹⁶ This form was introduced with effect from 03.01.1956 vide MHA Notification No.13/28/56 (AIS-II) dated 31.07.1957 (GSR No.2543 dt. 10.08.1957) and omitted vide DP&T Notification No.11026/12/84-AIS(III) dated 16.01.1986(GSR No.982 dt. 01.02.1986)

¹¹⁷ Strike off the alternative which does not apply

Signature of Subscriber and the Joint Assured,
One witness of signature.

NOTE. — The assignment may be executed on the policy itself either in the subscriber's handwriting in type or alternatively a type or printed slip containing the assignment may be pasted on the blank space provided for the purpose on the policy. A type or printed endorsement must be duly signed and if pasted on the policy, it must be initialled across all four margins.

FORM VIII

[Rule 21(1)(a)]

I, C.D., wife of A.B., and assignee of within policy, having, at the request of A.B. the assured, agreed to release my interest in the policy in favour of A. B., in order that A.B. may be assign the policy to the.....¹¹⁸President of India/Governor of the State of.....who has agreed to accept payments towards the within policy of assurance in substitution for the subscriptions payable by A.B. to the All India Services Provident Fund hereby at the request and by the direction of A.B. assign and I the said A.B. assign and confirmed unto the

¹¹⁹President of India/Governor of the State of.....the within policy of assurance as security for payment of all sums which under rule 25 of the rules of the Fund the said A.B. may thereafter become liable to pay to the Fund.

We hereby certify that no prior assignment of the within policy; exists.

Dated this.....day of.....20

Signature of the assignee and the subscriber.
One witness to signature.

FORM IX

[Rule 21(1)(a)]

I, A.B. ofhereby further assign unto the

¹²⁰President of India/Governor of the State of.....the within policy of assurance as security for payment of all sums, which under rule 25 of the All India Services (Provident Fund) Rules, 1955, I may hereafter become liable to pay to the All India Services Provident Fund.

¹¹⁸ Strike off the alternative which does not apply

¹¹⁹ Strike off the alternative which does not apply

¹²⁰ Strike off the alternative which does not apply

I hereby certify that except an assignment to the ¹²¹President of India/Governor of the State of.....as security for payment of all sums, which I have become liable to pay under rule.....of theProvident Fund Rules, no prior assignment of the within policy exists.

Dated this.....day of.....20

Station

Signature of Subscriber
One witness to signature.

FORM X

¹²²[Rule 21(1)(a)]

We, A.B. (the subscriber) of.....and C.D. (the joint assured) of.....in consideration of the..... ¹²³President of India/Governor of the State ofagreeing at our request to accept payments towards the within policy of assurance in substitution for the subscriptions payable by me the said A.B. to the All India Services Provident Fund (or, as the case may be, to accept the withdrawal of the sum of Rs..... from the sum to the credit of the said A.B. in the All India Services Provident Fund for payment of the premium of the within policy of assurance), hereby jointly and severally further assignment unto the said.

¹²⁴President of India/Governor of the State of..... the within policy of assurance as security for payment of all sums which under the rule 25 of the All India Services (Provident Fund) Rules, 1955, the said A.B. may hereafter become liable to pay to the Fund.

We hereby certify that except an assignment to the ¹²⁵President of India/Governor of the State of.....as the security for payment of all sums, which the said A.B. has become liable to pay under ruleof theProvident Fund Rules, no prior assignment of the within policy exists.

Dated this.....day of.....20

Station

Signature of Subscriber, and joint Assured,
One witness to signature.

FORM XI

[Rule 23(1)(i)]

All sums which have become payable by the above named. A.B. under rule 25 of the All India Services (Provident Fund) Rules, 1955, having been paid and all liability for payment by him of such sum in the future having ceased, the..... ¹²⁶President of India/Governor of the State of.....doth here by reassign the within policy of assurance to the said ¹²⁷A.B. and C.D.

¹²¹ Strike off the alternative which does not apply

¹²² Introduced vide MHA Notification No.13/43/57-AIS-III dated 27.06.1958(GSR No.549 dt. 05.07.1958)

¹²³ Strike off the alternative which does not apply

¹²⁴ Strike off the alternative which does not apply

¹²⁵ Strike off the alternative which does not apply

¹²⁶ Strike off the alternative which does not apply

¹²⁷ Strike off the alternative which does not apply

A.B.

Dated thisday of.....20

Executed byAccount Officer of the Fund for and on behalf of the *President of India/ Governor of the State of.....in the presence of.....

X.Y.

(Signature of Account Officer)

(One witness who should add his designation and address).

FORM XII

[Rule 24(1)(i)]

The above—named A.B. having died on the.....day of.....20....., ¹²⁸President of India/Governor of the State of.....doth hereby reassign the within policy of assurance to C.D..... doth hereby reassign the within policy of assurance to C.D.

Date the.....day of.....20.....

Executed by.....Account Officer of the Fund for and on behalf of the ¹²⁹President of India/Governor of the State of in the presence of

X.Y.

(Signature of Account Officer)

Y.Z.

(One witness who should add his designation and address).

(Signature of Account Officer)

FORM XIII

[Rule 24(1)(i)]

¹³⁰President of India/Governor of the State of.....both hereby reassign the within policy of assurance.

A. B.

to_____

A.B and C.D

Dated theday of.....20

¹²⁸ Strike off the alternative which does not apply
¹²⁹ Strike off the alternative which does not apply
¹³⁰ Strike off the alternative which does not apply

Executed byAccount Officer of the Fund for and on
behalf of the ¹³¹President of India/Governor of the State of in
the presence of

X.Y.

(Signature of Account Officer)

Y.Z.

(One witness who should add his designation and address).

(Signature of Account Officer)

[No.12/1/54-AIS-II dated 12.09.1955]

¹³²**FORM XIV**

[Rule 30(ii)]

Form of application for final payment of balances in the provident fund account of a subscriber to be used by the nominees or any other claimants where no nomination subsists.

To

The Accountant General,

(Through the Head of Office)

Sir,

It is requested that arrangements may kindly be made for the payment of the accumulations in the Provident Fund Account of Shri/Shrimati..... The necessary particulars required in this connection are given below:—

1. Name of the Government Servant.
2. Date of birth.
3. Post held by the Government servant.
4. Date of death.
5. Proof of death in the forms of a death certificates issued by the municipal authorities etc., if available.
6. Provident Fund Account Number allotted to the subscriber.
7. Amount of Provident Fund money standing to the credit of the subscriber at the time of his death, if known
8. Details of the nominees alive on the date of death of the subscriber if a nomination subsist.

Name of the Nominee	Relationship with the subscriber	Share of nominee
---------------------	----------------------------------	------------------

¹³¹ Strike off the alternative which does not apply

¹³² Inserted vide MHA NotificarionNo.5/1/69-AIS(II) dated 01.10.1970 (GSR No.55 dt.10.01.1970)

- 1.
- 2.
- 3.

9. In case the nomination is in favour of a person other than a member of the family, the details of the family if the subscriber subsequently acquired a family.

Name	Relationship with the subscriber	Age on the date of death
------	----------------------------------	--------------------------

- 1.
- 2.
- 3.

10. In case no nomination subsists, the details of the surviving members of the family on the death of the subscriber. In the case of a daughter or of a daughter of a deceased son of the subscriber, married before the death of the subscriber, it should be stated against her name whether her husband was alive on the date of death of the subscriber.

Name	Relationship with the subscriber	Age on the date of death
------	----------------------------------	--------------------------

- 1.
- 2.
- 3.

11. In the case of amount due to a minor child whose mother (widow of subscriber) is not a Hindu, the claim should be supported by Indemnity Bond or Guardianship certificate, as the case may be.

12. If the subscriber has left no family and no nomination subsists, the names of persons to whom the Provident Fund money is payable (to be supported by letter of probate or succession certificate etc.)

Name	Relationship with the subscriber	Address
------	----------------------------------	---------

- 1.
- 2.
- 3.

13. Religion of the claimant(s)

14. The payment is desired ¹³³through the office of.....through the ..Treasury/Sub—Treasury. In this connection the following documents duly attested by a Gazette Officer in Service/ Magistrate are attached.

- (i) Personal marks of identification.
- (ii) Left/Right hand thumb and finger impressions (in the case of illiterate claimants).
- (iii) Specimen signature in duplicate (in the case of literate claimants.)
- (iv) Photographs in duplicate.

¹³³ This applies only when payment is not desired through the Head of Office

Yours faithfully,
(Signature of claimant)
Full name and Address

Station

Date.....

(FOR USE OF HEAD OF OFFICE/DEPARTMENT)

Forwarded to the Accountant General.....for necessary action. The particulars furnished above have been duly verified.

2. The Provident Fund Account No.....of Shri/Smt/Kumari(As verified from the annual statement furnished to him/her) is

3. He/She died on.....A death certificate issued by the Municipal authorities has been produced/is not required in this case as there is no doubt about his/her death.

4. The last fund deduction was made from his/her pay for the month of.....drawn in this office Bill.....No..... dated.....for Rs.....(Rupees.....) Cash Voucher No..... of.....Treasury the amount of deduction being Rs..... and recovery on account of refund of advance Rs.....

5. Certified that he/she was neither sanctioned any temporary advance nor any final withdrawal from his/her Provident Fund Account during the 12 months immediately preceding the date of his/her death.

OR

Certified that the following temporary advances/final withdrawals were sanctioned to him/her and drawn from his/her Provident Fund Account during the 12 months immediately preceding the date of his/her death.

Amount of advances /withdrawal	Date of place of encashment	Voucher No.
--------------------------------	-----------------------------	-------------

- 1.
 - 2.
 - 3.
-

6. Certified that no amount was withdrawn/the following amounts were withdrawn from his/her Provident Fund Account during the 12th months immediately preceding the date of his/her death for payment of insurance premier or for the purchase of a new policy.

Policy No. and name of the company	Amount	Date	Voucher No.
------------------------------------	--------	------	-------------

- 1.
- 2.

3.

7. It is certified that no demands of /following demands Government are due for recovery.

(Signature of the Head of Office/Deptt.)

Note.— Certificate No. 7 to be furnished in the case of C.P.F. only

¹³⁴”FORM” XV”

[Rule 31(1)]

Form of Application for Final Payment/of Balances in the _____ Provident Fund Account.

To

The Pay and Accounts Officer/Accountant General,

(Through the Head of Office)

Sir,

I am due to retire/have retired/have proceeded on leave preparatory to retirement for _____months/have been discharged/dismissed/have permanently been transferred to service/have resigned service under _____Government to take up appointment with _____ and my resignation has been accepted with effect from _____ forenoon/afternoon, I joined service with _____ on _____ forenoon/afternoon.

2. I request that the entire amount at my credit with interest due under the rules may be paid to me through ___Treasury/Sub—Treasury. My Provident Fund Account No. is _____

PART—I

(To be filled in when the application for final payment is submitted upto one year prior to retirement.)

3. An amount of Rs. _____ stood to the credit in my Provident Fund Account as indicated in the Accounts statement issued to me for the year _____ as appearing in my ledger account being maintained by you. I request you that my Provident Fund Account may be reviewed and brought up-to-date.

4. The undermentioned Life Insurance Policies were being financed by me from my Provident Fund Account.

Number	Name of the Company	Sum assured.
1.	_____	_____
2.	_____	_____

¹³⁴ Modified vide DP&T Notification No.11.26/15/84-AIS-III dated 22.10.1986

3. _____

5. I will make another application immediately after last fund deduction has been made from my salary, in part II of the Form.

Yours faithfully,

Signature_____

Station_____

Date_____

Name _____

Address_____

(FOR USE BY HEADS OF OFFICE)

Forwarded to the pay and Accounts officer/Accountant General,_____ for necessary action.

2. The Provident Fund Account No. /of Shri/Smt./Kum._____ as verified from the statement issued to him/her from year_____.

3. He/She is due to retire form Govt. Service with effect from _____afternoon.

4. Certified that he/she had taken the following advances in respect of which_____ instalments of Rs._____are yet to be recovered and credited to the Fund Account. The details of the final withdrawals granted to him/her after the period covered by the aforesaid accounts Statements are as indicated below:—

	Temporary advances	Final withdrawals
1.	_____	_____
2.	_____	_____
3.	_____	_____

Signature of the Head of Office

PART II

(To be submitted by the subscriber immediately after the last fund deduction has been made from his salary. This part is also applicable in the case of subscribers who

apply for final payment for the first time after the date of superannuation, discharge, resignation etc.)

In continuation of my earlier application, dated for _____ for the final payment of Provident Fund balance, I request that entire balance at my credit with interest due under the rules may be paid to me.

OR

I request that the entire amount at my credit with interest due under rules may be paid to me/transferred to _____

Signature _____

Name _____

Address _____

(FOR USE BY HEADS OF OFFICE)

Forwarded to the Pay & Accounts officer/Accountant General, _____ for necessary action/ in continuation of endorsement No. _____

2. He/She is due to retire from service on _____ /has proceeded on leave preparatory to retirement for _____ months from _____ /has been discharged/dismissed/permanently transferred to _____ /has resigned finally from Government service/has resigned service under _____ Government to take appointment with _____ and his/her resignation has been accepted with effect from _____ fore noon/afternoon. He/she joined service with _____ on _____ forenoon/afternoon.

3. The last fund deduction was made from his/her pay in this office Bill No. _____ dated _____ for Rs _____ (Rupees) _____, Cash Voucher No. _____ of Treasury, the amount deduction being Rs. _____ and recovery on account of refund of advance Rs. _____

4. Certified that he/she was neither sanctioned any temporary advances nor any final withdrawals from his/her provident fund account during the 9 months immediately preceding the date on which the last fund deduction has been made from his/her salary or thereafter.

OR

Certified that the following temporary advances final withdrawals were sanctioned to him/her and drawn from his/her Provident Fund Account during the 9 months immediately preceding the date on which the last fund deduction has been made from his/her salary or thereafter.

Amount of advance/withdrawal	Date	Voucher number
------------------------------	------	----------------

1. _____

2. _____

3. _____

(Signature of Head of Office)

APPENDIX—I

Copy of Letter No. 10026/6/67—AIS III dated 13.10.1987 of Government of India, Ministry of Personnel, Public Grievances and Pensions Department of Personnel & Training.

Subject : All India Service (Provident Fund) Rules, 1955—Introduction of Pass—Book for AIS Officers.

I am directed to say that in pursuance of the recommendation of the Fourth Pay Commission it has been decided that the system of Pass—books on a voluntary basis for Provident Fund accounts should be introduced by the Central Government in respect all Group 'A' employees and All India Services officering in the Centre. The system will be introduced from the financial year 1988—89. In this connection , a copy of the Office Memorandum dated 1st September, 1987 issued by the Department of Pensions & Pensioners Welfare is enclosed.

2. The State Government may consider introducing the system of Pass—books on a voluntary basis for Provident Fund accounts should be introduced by the Central Government in respect all Group 'A' employees and All India Services officers serving under them. The scheme may be operated as under :

- (a) The passbook may be in the annexed to the OM of 1.9.1987 referred to above.
- (b) As soon as the scheme is introduced, the State Government shall inform the members of the All India Service (borne on the cadre of that State) serving under the State and also on Central deputation.
- (c) In the case of officers on Central Deputation, the State Government concerned may obtain the option and in cases where the option has been exercised in favour of the passbook, entries upto the month upto which Provident Fund Contribution was made may be completed and the following certificate recorded in the passbook:

'Provident Fund account transferred to _____ vide Government of _____ letter No. _____ dated _____ consequent on the deputation of Shri _____ to _____ w.e.f. _____ The pass—book will then be sent to the member of the Service'.

- (d) When a member of the AIS is transferred on Central deputation, the entries in the PF account shall be completed upto the month for which the PF contribution has been made by the member of the Service concerned and the pass book shall be given to the officer at the time of his transfer.

- (e) After the officer has taken over his assignment in the Central Department, the D.D.O. of the Administrative Ministry /Organisation concerned with the preparation of the Pay bill of the officer shall complete the entries in the pass book at the end of each year as indicated in item (f) para 3 of the OM cited above.
- (f) At the time of his reversion to his cadre, the entries in the pass—book shall be completed upto the month in which PF deductions have been made in the Pay Bill of the officer and the pass—book shall be returned to him with the following endorsement :

'The PF account has been transferred to _____vide Ministry/Department_____ letter No._____ dated_____'

3. In regard to the adjustment of missing credits, the instructions on para 4 of the aforesaid OM shall apply.

4. It is requested that the decision taken by the State Government regarding the introduction of the pass—book may be intimated to this Department early.

Copy of O.M. No. 20011/—P&PW/86 dated 1.9.87 of Government of India, Ministry of Personnel, Public Grievances & Pensions (Department of Pension & P.W.)

Subject :— Fourth Central Pay Commission— Recommendation regarding introduction of Pass Books for employees.

1. The undersigned is directed to say that the Fourth Central Pay Commission had recommended that Pass Books should be issued to all employees showing the up—to—date position of their Provident Fund accounts. The recommendation of the Pay Commission was under consideration of the Government and it has now been decided to introduce the system of Pass Books on a voluntary basis in respect of all Group 'A' employees and All India, Services officers. The pass book system for group 'D' employees is already in vogue since 1974—75. The system will be introduced from the financial year 1986—89. The format of the Pass Book is enclosed(Annexure).

2. Each subscriber will be given an option to be exercised within three months from the date of issue of these orders, if he/she is willing to have a Pass Book for his/her G.P. Fund account. Option once exercised will be final.

3. The scheme will be operated as follows :—

- (a) The Pass Book will be got printed locally by each Ministry/Department in exercise of the powers delegated to it.
- (b) The Pass Books will be supplied by DDO of each officer.
- (c) Every employees opting for Pass Book and subscribing to the General Provident Fund will be provided a Pass Book which at the time of its supply will indicate the balance will be indicated by the DDO.
- (d) Every employees opting for Pass Book will be provided with the Pass Book at the end of the financial year during which he commences contribution to the General Provident Fund.
- (e) In case a subscriber loses his Pass Book and asks for a copy thereof, he may be charged Rs. 10/— for supply of another Pass Book.

- (f) At the end of each year, the Head of Office will obtain the Pass Book of the subscriber for completion and return. Entries in the Pass Book will be certified by the P&AO/DDO.
- (g) Every optee for the Pass Book is expected to satisfy himself as to the correctness of the entries made in the Pass Book and bring to the notice of the Head of Office errors, if any, within three months. The Pay Bill Register of the subscriber, if desired by him, will be made available for inspection.
- (h) When a subscriber is transferred to another Ministry/Department, the Head of office will obtain the Pass Book from the employees, complete it and record the following endorsement therein and thereafter return the Pass Book to him :

“The GPF account has been transferred to Ministry/Department of _____ vide this Ministry/Department letter No. _____ dated the _____.”

4. In case the P&AO/DDO is not able to trace the missing credits, he will arrange for payment of GPF balance on the basis of entries made in the Pass Book. Adjustment of debits will be made on the basis of entries made in the Pass Book.

5. In so far as AIS officer are concerned , the Deptt. of Personnel & Training (AIS Division) will issue necessary instructions separately.

6. In so far as officers Serving in the India Audit and Accounts Deptt. are concerned, there orders issue with the concurrence of Comptroller and Auditor General of India.

FORM OF PASS BOOK

The Pass Books may be of size 13 cms. X 11cms. It may have a thick cover and be provided with a plastic jacket. This format of the cover page and other pages may be as follows:—

- | | |
|------------------------------|---|
| (i) First cover page | Inside |
| Outside | |
| EMBLEM | Name of subscriber |
| Government of India | Designation |
| Pass Book | Residential |
| | Address : |
| General Provident Fund | Name of nominee and his/her relation with the subscriber. |
| Name | |
| Account No. | |
| (ii) Back cover page—outside | |

Note :— (i) The subscriber is requested to satisfy himself as to the correctness of the statement and to bring errors, if any, to the notice of the Cash Section within

three months from the date of entries in the pass book. The pay bill registrar, if so required by him, will be available for inspection.

(ii) If this Pass Book is lost, the matter should be reported to the office. An amount of Rs. 10/— will be charged from the subscriber for issue of each extra pass book.

(iii) First Page

NAME OF OFFICE

DATE OF JOINING

GPF ACCOUNT NUMBER

(IV) Page 2 onwards

Deposit								
Year	PBR No.	Opening Balance	Subscription	Refunds	Rate	Interest Amount Withdrawals	Closing balance	Full signature of DDO/P&AO

GOVERNMENT OF INDIA'S DECISIONS

GOVERNMENT OF INDIA'S DECISIONS UNDER RULE 3

1. Officers appointed before promulgation of this rule should subscribe to the Fund from the date of their confirmation: - Officers appointed to the Indian Administrative Service and the Indian Police Service from various sources prior to 12th September, 1955, the date of promulgation of these Rules, should subscribe to the General Provident Fund (Central) from the date of confirmation and not from the date of appointment on probation, though they would be eligible to subscribe to the fund at their own option during the period of probation. The amount so subscribed voluntarily during the probationary period should not be refunded to them.

{G.I., M.H.A. letter No. 13/35/56—AIS(II), dated the 8th October, 1956}.

2. Officers should subscribe compulsorily to the Fund from the date of their appointment on probation: - A question was raised whether officers of the All India Services should be required to subscribe to the fund compulsorily from the date of their appointment on probation or from the date of their confirmation in the service. The status of a probationer is the same as that of a person appointed substantively to the service from the date of appointment on probation. The Government of India have, therefore, decided that the officers of the Indian Administrative/Police Service should be required to subscribe compulsorily to the Funds from the date of their appointment on probation.

{G.I., M.H.A letter No. 13/35/56—AIS(II), dated the 27th October, 1956}.

3. Eligibility for incentive bonus under the new bonus scheme: - It was clarified vide Department of Personnel & A.R, letter No. 11026/4/77—AIS(III), dated the 11th January, 1979 that the new bonus scheme for the members of the All India Services under the All India Services (Provident Fund) Rules, 1955 would take effect from the 1st April, 1978. Consequently, the incentive bonus for not withdrawing any amount from the Provident Fund account would be payable as on 31.3.1979 provided, the subscriber has not withdrawn any amount from his account during the preceding five years commencing from 1.4.1974.

2. The period of 5 years has been reduced to 3 years from 1.4. 1979, i.e the bonus of one percent on the entire balance at the credit of the subscriber in case he has not withdrawn any amount from the fund during the preceding 3 years commencing from 1.4.1979 vide the Ministry of Finance Resolution No. F.6(1)—PD—81 dated the 1st July, 1981.

3. It is also clarified, having regard to the provisions of rule 3 of the All India Services (PF) Rules, 1955, according to which the credit in and liabilities to any Provident Fund (only the subscriber's contribution and interest thereon in respect of a Contributory Provident Fund) to which a member of the All India Service was subscribing prior to his joining the All India Services (Provident Fund), that the previous service rendered under the State or Central Govt., by a member of the Service, during which such member was subscribing to the P.F. shall be reckoned for calculating the incentive bonus in accordance with the provisions on the new bonus scheme referred to above.

{G.I., DP & AR letter No. 11026/8/83—AIS(III) dated the 14th July, 1983}

GOVERNMENT OF INDIA'S DECISIONS UNDER RULE 4

1. *Subscribers should make fresh nominations after promulgation of these rules:* - Subscribers to the Fund, who had made their nominations under the General Provident Fund (Central Services) Rules, prior to promulgation of these rules, should be required to make fresh nominations in the prescribed forms.

{G.I., MHA letter No. 13/33/56—AIS (II) dated the 14th September, 1956}

GOVERNMENT OF INDIA'S DECISIONS UNDER RULE 5

1. The subscribers should be provided with an annual statement of GPF contribution/deductions: - The problem regarding missing credits in the Provident Fund Accounts of members of the All India Services was considered by the Ministry of Finance (Department of Expenditure—Controller General of Accounts) and they have issued instructions in this regard to all Chief Controllers of Accounts/Controllers of Accounts of various Ministries/ Departments of Government of India, according to which members of All India Services and other Central Services on deputation with the Central Ministries/ Departments should be supplied with an annual statement in the prescribed performa indicating the amount of GPF and other deductions made from their salary. A copy of this statement will also have to be sent simultaneously to the accounting authority concerned. In this connection, a copy of Ministry of Finance (Controller General of Accounts) letter No. C. 30012/Coord/ 2/CGA /307 dated 31st October, 1981, addressed to all Chief Controllers of Accounts/ Controllers of Accounts of various Ministries/Departments along with its enclosure, is annexed.

[DP & AR letter No. 11026/12/83—AIS(III), dated the 27th May, 1983.]

ANNEXURE TO GOVERNMENT OF INDIA INSTRUCTIONS BELOW RULE 5 OF THE AIS (PROVIDENT FUND) RULES

[Copy of Ministry of Finance, Department of Expenditure Letter No. 30012 /Coord/MF/CGA/307, dated 31st October, 1981.]

It has been reported that in a large number of cases, the Annual Statements of G.P.F. Account of officers who are on deputation to various Ministries/Departments of Central Government for all India Services, I.A. and A.D., Posts and Telegraph, Railway, Defence etc. do not generally reflect all the credits in respect of deductions made in a financial year from their salary disbursed through the departmentalised Pay and Accounts officer even though the recoveries effected are regularly remitted to the concerned accounting authorities before the close of the financial year. The non-inclusion of all credit in the annual statements causes considerable inconvenience to the officers and involves avoidable correspondence

With a view to reassuring the subscribers regarding proper accounting of the deductions made from the salary towards G.P.F and other advances, it would be desirable that each Pay and Accounts Office should send a statement each year in the enclosed proforma to individual officers on deputation to the Ministry/Department under their payment control. A copy of the statement will also be simultaneously sent to the subscriber's accounting authority. This will enable the officer to have in his possession a permanent record of the deductions made from his salary and the details of remittances made to his accounts officer. The latter can also make use of this statement for adjusting missing credits, if any, in the subscriber's account without having to correspond with Pr. PAO/PAOs of Central Government Ministries/Departments.

In this connection, a copy of the circular letter issued by the Controller of Accounts, Ministry of Finance is enclosed. The Procedure set out above may be adopted from 1980—81 onwards.

Copy of D.O. letter No. CA/Fin/Misc/80—81 from the Controller of Accounts, Ministry of Finance.

As you are aware, deductions are made from your salary each month towards GPF contributions. But as the ultimate responsibility for maintaining your GPF account devolves on the Accounting Authority of your parent cadre, we remit to him by cheque the amount deducted from your pay bills

It has come to our notice that in many cases, the Annual Statement of Accounts issued by your Accounting Authority does not reflect all the 'credits' even though the cheques have been received (and in many cases encashed) by him. All this must be causing you considerable inconvenience.

While, by the very nature of the Accounting Procedure, there is necessarily a time lag of 2 to 3 months between 'deductions' and 'remittances', it has been our endeavour to send the requisite cheque to your Accounting Authority promptly. However, with a view to further reassuring you that due care has been taken by us in this matter, we have decided to send you each year a statement (enclosed) with a copy to your Accounting Authority containing necessary details of these deductions and remittances.

We hope that you will find this statement useful both as a permanent record and as a collateral evidence so that if any 'credit' is missing in your Annual Statement, you can pursue the matter direct with your Accounting Authority. The latter can also make use of this statement for adjusting missing 'credits', if any, in your accounts without having to enter into protracted correspondence with us.

Deductions may also have been made from your salary bills on accounts of advances such as House Building, Conveyance etc. We have, therefore, included in the statement details in this regard as well.

Statement showing details of deductions and remittances

Name and Designation of the officer.....Office.....

G.P.F Account Number.....Officer to which remittance sent.....

Year of Account.....

Amount of deductions

Particulars of the cheque sent

Month of Salary	G.P.F.	House Building Advance	Motor Car Advance	No.	Date	Amount of Cheque	Details of the forwarding letter	Date of encashment of cheque	Remarks
March									
April									
May									
June									
July									
August									

September									
October									
November									
December									
January									
February									
March									

2. Missing credits in the accounts of MoS may be completed on the basis of annual statements sent by Pay and Accounts Officers: - The undersigned is directed to say that vide this Department's O.M.No. 11026/12/83—AIS (III) dated 31.5.1983 it was requested that the members of AIS on deputation with Central Ministries/Departments should be supplied with an annual statement in the prescribed proforma circulated by Controller General of Accounts vide their letter No. 30012/Coor/MF/CGA/307 dated 31.10.1981.

2. The Controller and Auditor General have now issued instructions to the Accounts General that missing credits in the accounts of members of All India Services may be completed on the basis of such annual statements sent by Pay and Accounts Officers. A copy of C&A.G;s letter No. 2021—Accounts—II/247—85 dated 16.10.1985 addressed to Accountant General is enclosed.

3. It is requested that the annual statement in the prescribed proforma is supplied regularly to members of All India Services on deputation to Central Govt. It is also requested that the instructions contained in the above said letter of C & A.G may be brought to the notice of members of All India Services on deputation to Central Government for their information.

[DOPT O.M. No. 11026/14/85—AIS(III) dated the 10.12.1985]

Copy of General Circular No. 64—A/CS.II/85 (No. 2021—Accounts—II/247—85) of the Office of the Comptroller & Auditor General of India, New Delhi dated the 16th October, 1985 addressed to all the Accountants General (A&E) Senior Deputy Accountants General (Accounts), Himachal Pradesh, Jammu & Kashmir, Manipur, Nagaland & Sikkim.

Subject:—General Provident Fund credits of All India Service Officers – Adjustment on Collateral Evidence Basis.

According to the existing procedure the Provident Fund Accounts of All India Service Officers who are on deputation to various Central Govt. Ministries/Departments are being maintained by the respective State Accountants General. The Provident Fund credits in respect of these officers are being remitted monthly by the departmentalised Pay and Accounts officers to concerned Accounting authorities through cheques/drafts. It has been reported by a number of officers that in a large number of cases Annual Statements of General Provident Fund Accounts of the officers do not generally reflect all the credits in respect of deductions made in a financial year from their salaries by the Pay & Accounts Officers. The non—inclusion of all credits in the annual statements causes considerable inconvenience to the officers and involves avoidable correspondence.

2. Ministry of Finance, Controller General of Accounts issued instructions vide letter No. C—30012/Co-ord/MF/CGA/307 dated 31.10.1981 according to which the Pay and Accounts Officer should send to individual officers on deputation to the Ministry/Department and also to his accounting authority, an annual statement showing the deductions made from his salary along with the cheque number and date vide which these were remitted to the concerned accounting authority so that the later is able to

take action for having the missing credits, if any, traced and get his General Provident Fund account completed.

3. In this connection, the attention is invited to this office circular letter No. 1581—AC.II/247—85 dated 23.5.1985 wherein it has been mentioned that in case the Pay & Accounts Officer or any other Disbursing Officer relevant to a particular case/Officer has certified that Provident Fund recoveries, in question have been made and the cheque/draft of the amount has already been remitted to Accountant General Office and full particular of the letter No. etc. are also furnished by him, the amount may be adjusted on collateral evidence basis in the Provident Fund Account of the concerned employee of the State by operating the head 'P4. The matter has been examined in this Office and it has been decided that missing credits/debits in respect of All India Service Officers may be completed on the basis of such annual statements sent by the Pay and Accounts Officers. The statements may also be used as collateral evidence, if necessary, for adjustment of credits/debits of the concerned officers by operating the head 'Provident Fund Suspense' in the State Section of Account. The drill prescribed in para 3 of this Office circular dated 23.5.1985 for clearance of amount from the head 'Provident Fund Suspense' by actual tracing of credits/debits may also please be followed scrupulously.

GOVERNMENT OF INDIA'S DECISIONS UNDER RULE 6

1. *It would not be necessary to increase the rate of subscription consequent on the increase in pay, due to revision of pay scales etc. during the course of the year:-* It has been decided that it would not be necessary to increase the rate of subscription consequent on the increase in pay, due to revision of pay scales etc. during the course of the year.

[G.I., M.H.A. letter No. 8/4/57—AIS(III), dated 1-4-1957, and letter No. 6/1/62—AIS(II), dated 29-9-62]

2. *It would be not necessary to increase the rate of subscription to the provident Fund consequent on the increase of pay of the subscribers during the course of the year:* - In the case of subscribers to the General Provident Fund (Central Services) the amount of subscription originally fixed by a subscriber is not to be varied during the course of the year on account of any increase or decrease of pay which might ultimately have been found to be in respect of 31st March preceding or which might take place during the year. The Government of India have decided that similar procedure should be followed in the case of subscribers to the All India Services (Provident Fund) Rules. In view of the above position it would be not necessary to increase the rate of subscription to the provident Fund consequent on the increase of pay of the subscribers during the course of the year.

[M.H.A. letter No. 6/16/62—AIS(II), dated 10th September 1962.]

GOVERNMENT OF INDIA'S DECISIONS UNDER RULE 9

1. *A moS, after promoted to the AIS, is entitled to get interest on GPF according to the Central Rules and not by the State Rules:* - All India Service Officers who prior to their appointment to the All India Services were governed by the State Provident Fund Rules, cease to become entitled to the protected rate of interest from the date of their promotion. As member of AIS, the officer is entitled to get interest according to the G.P Fund (Central Services) Rules, from the date he becomes subject to new Rules.

[G.I., M.H.A. letter No. 8/4/57—AIS(III), dated 1-4-1957, and letter No. 6/1/62—AIS(II), dated 1-9-62]

2. The interest on subscriptions made by subscribers while on Central Deputation shall be payable from the month in which the pay of the subscriber was due under the Rules: - The question relating to entitlement of interest on Provident Fund to subscribers while serving on deputation to the Central Government has been examined. It had been pointed out that in certain cases the respective A.Gs/P.A.Os. are not allowing interest on their accumulations in G.P.F. for the month in which their subscription are deducted from their pay and remitted to them under Demand Draft etc. when these remittances may have been realized in the following months because of administrative delays or otherwise. It is clarified that according to proviso under sub-rule 3 (a) of Rule 9 AIS(PF) Rules, 1955, the interest on subscriptions made by subscribers while on deputation to the Central Govt. shall be payable from the month in which the pay of the subscriber was due under the Rules irrespective of the date or month in which it was actually drawn by the Accounts Officers of the concerned states.

[G.I., DP&T letter No. 11026/1/91—AIS—III dated 26.2.1991]

GOVERNMENT OF INDIA'S DECISIONS UNDER RULE 10

1. Company Secretaryship Course and Pre-Sea Training on TS-Rajendra are recognised courses for grant of advance: - It has been decided to treat the following courses as technical/specialised for the purpose of grant of advance under Rule 10(1)(a)(ii) and withdrawal under 12(1A)(a) respectively of the All India Services (Provident Fund) Rules, 1955:—

- (i) The Company Secretaryship Course of the Institute of Company Secretaries of India; and
- (ii) The Course of Pre—Sea Training imparted on the Training Ship “Rajendra” to prospective navigating officers on merchant ships.

[DP & AR letter No. 11026/3/81—AIS(III), dt. 10-2-1981.]

2. The power to sanction of advance up to 90 percent under first proviso of rule 10 may be exercised by Ministries/Department: - Under the first proviso to Rule 10, the Government (or the sanctioning authority with the previous approval of the Government) may sanction an advance for reasons other than those specified in Clauses (i) to (vi) of Rule 10(1)(a). The power to sanction an advance under this proviso may henceforth be exercised by Ministries/Departments, to the extent of 90 percent of the balance of the Provident Fund accumulation at the credit of subscriber.

[G.I., D.P. & T O.M. 11026/3/86—AIS—III dated 7.4.1986]

3. Power of the Central Government in case of members of the AIS posted in UT Administrations will be exercised by the Administrator of the UT: - The powers of the Central Government to sanction advances under this rule to a member of the Service serving in the Union Territories shall subject to the conditions prescribed in the rule be exercised by the Administrators of the Union Territories within their respective jurisdiction.

[G.I., M.H.A. letter No. 5/34/59—AIS(II), dated 30th July, 1960.]

4. Sanctioning authorities of temporary advances for IPS officers posted in Intelligence Bureau, Special Police Establishment and Central Reserve Police Force: - The sanctioning authority for the purpose of granting temporary advances from the Fund to members of the Indian Police Service serving in the intelligence Bureau, the Special Police Establishment and the Central Reserve Police shall be the Director,

Intelligence Bureau, the Inspector General, Special Police Establishment and the Inspector General, Central Reserve Police respectively.

[G.I., M.H.A. letter No. 16/16/60—p(III), dated 12th December, 1960.]

5. The power to sanction advance for special reasons has been delegated to the Ministries/Departments: - The power to sanction advance for special reasons under rule 10 of the AIS (PF) Rules, 1955 is now being exercised by the Administrative Ministries in consultation with the Deptt. of Pensions and Pensioner's Welfare in terms of Govt. of India Instructions Under the GPF (CCS) Rules the powers in this regard are vested in the Ministries.

2. The question of delegation of powers to sanction advance for special reasons under the AIS (PF) Rules to Ministries/Departments has been considered in consultation with the Department of Pension and Pensioner's Welfare and it has been decided that all such cases where advances are sanctioned for special reasons may be decided by the Administrative Ministries/Departments.

[G.I. M.H.A. Letter No. 11026/12/84—AIS—III dt. 04.10.85]

GOVERNMENT OF INDIA'S DECISIONS UNDER RULE 12

1. Withdrawal for purchase a site may be allowed subject to the condition that construction of house should commence within six months and completed within a year of commencement of construction: - A question arose whether withdrawal could be permitted purely for the purchase of a site. The Government of India have decided that it could be, provided that the conditions in the other rules, especially the one in rule 15, that construction of the house should commence within six months of the withdrawal of money and should be completed within a year from the date of commencement of constructions, are satisfied.

[G.I. M.H.A. U.O. No. 263/557—AIS(III), dated 29th January, 1957.]

2. Withdrawal for pilgrimage to Haj not allowed: - A member of the Service wanted to withdraw money from the fund for meeting expenses in connection with his pilgrimage to Haj. As pilgrimage to Haj is not obligatory, the withdrawal was not sanctioned.

[G.I., M.H.A. letter No. 8/5/57—AIS (II), dated 7th March, 1957.]

3. Withdrawal applied for after the marriage is over should not be entertained: - A question was raised whether final withdrawal could be permitted for meeting the expenditure on a marriage, which had already taken place.

2. Marriage is a foreseeable event and ordinarily it should not be difficult for the member concerned to make up his mind beforehand whether he would be able to meet the entire expenditure thereon from his private resources or whether he would have to resort to a final withdrawal from his provident fund account for this purpose, and, if the latter, to apply for the final withdrawal sufficiently in advance of the date of marriage. Where, however, an officer applies for the withdrawal well before the date of marriage, but the application is sanctioned after the aforesaid date or, if sanctioned before that date, the case is received in audit office for the issue of authority for payment after that date, there will be no objection to the payment of the amount being made after the date of marriage. The certificate in terms of sub-rule (4) should be furnished in such cases to the sanctioning authority within a month of the actual drawal of the amount for the fund. Cases in which withdrawal is applied for after the marriage is over should not ordinarily be entertained.

[G.I. M.H.A. letter No. 8/41/57—AIS(II), dated 20-11-1957.]

4. Previous services rendered by the moS before inducting to AIS shall be counted in computing minimum service for advance/withdrawal: - A question has been raised whether the previous service rendered under the State or Central Government by a subscriber to the All India Service Provident Fund, prior to his becoming a member of an All India Service, shall count for the purpose of computing the minimum service prescribed under sub-rule(1), (1A) and (2) of the All India Services (Provident Fund) Rules, 1955. It is clarified, having regard to the provisions of rule 3 of the All India Services (PF) Rule, 1955, according to which the credit in and liabilities to any provident Fund (only the subscriber's contribution and interest thereon in respect of a Contributory Provident Fund) to which a member of the All India Service was subscribing Prior to his joining the All India Service, shall be transferred to the All India Service Provident Fund, that the previous service rendered under the State or Central Government by a member of the Service during which such member was subscribing to any Contributory or Non—Contributory Provident Fund, shall be counted in computing the minimum service prescribed under sub-rule (1), (1A) and (2) of Rule 12 of the All India Services (PF) rules, 1955.

[G.I., D.P. & A.R. letter No. 11026/32/82—AIS(III), dated 23-4-1983.]

5. There is no objection to allowing part final withdrawal from the Provident Fund for the same child in instalments once in 6 months instead of there being a single withdrawal till the relevant rules are amended: - I am directed to say that in terms of clause (a) of sub-rule (1—A) of rule 12 and Note 5 below rule 12 of the All India Services (Provident Fund) Rules, 1955 for the purpose of higher education of a child, only one withdrawal shall be allowed but education of different children on different occasions shall not be treated as the same purpose. However, sub-rule (2) of rule 14 of the said Rules provides that withdrawal, by a subscriber under clause (a) of sub-rule (1A) of rule 12, from the amount standing to his credit in the fund, shall be permitted once in every six months.

2. The provisions of Rule 12 and Rule 14 referred to above appear to be contradicting each other. The intention of the Government of India is that as higher education is spread over a period of 3 to 5 years and fees and other expenses are payable in instalments the amount of the withdrawal sanctioned under Clause (a) of sub-rule 1(A) of Rule 12 for meeting the cost of higher education of a child may be drawn in instalments once in every 6 months. It is proposed to make this intention clear through suitable amendments in the AIS (PF) Rules, 1955. Till such time this is done, there is no objection to allowing part final withdrawal from the Provident Fund for the same child in instalments once in 6 months instead of there being a single withdrawal.

[G.I., DP & AR letter No. 11026/12/79—AIS(III) dated 8.10.80]

6. Previous services rendered by the moS before inducting to AIS shall be counted for computing minimum service for advance/withdrawal: - I am directed to say that under sub-rule (1) of Rule 12 of the All India Services (PF) Rules, 1955, a subscriber to the All India Service Provident Fund, after 15 years of service (including broken period of service, if any) is eligible to seek final withdrawal from the amount standing to his credit in the fund for acquiring a house/house sit in accordance with the provisions of the rules; and under sub-rule (1A) of Rule 12, a subscriber on completion of 20 years of service (including broken period of service, if any), is eligible to seek final withdrawal for one or more of the purpose mentioned therein. Under sub-rule (2) of Rule 12, a withdrawal for purchasing a motor car can be sought by a subscriber on completing 25 years of service, including broken periods of service.

2. A question has been raised whether the previous service rendered under the State or Central Government by a subscriber to the All India Services Provident Fund, prior to his becoming a member of a All India Service, shall count for the purpose of computing the minimum service, shall count for the purpose of computing the minimum service prescribed under sub-rule (1), (1A) and (2) of Rule 12 of the All India Services (Provident Fund) Rules, 1955. It is clarified, having regard to the provision of Rule 3 of the All India Services (PF) Rules, 1955, according to which the credit in and liabilities to any Provident Fund (only the subscriber's contribution and interest thereon in respect of a Contributory Provident Fund) to which a member of the All India Service was subscribing prior to his joining the All India Service shall be transferred to the All India Service Provident Fund, that the previous service rendered under the State or Central Government by a member of the Service during which such member of the Service during which such member was subscribing to any Contributory or Non-Contributory Provident Fund, shall be counted in computing the minimum service prescribed under sub-rule (1), (1A) and (2) of Rule 12 of the All India Services (PF) Rules, 1955.

[Copy of G.I., MHA, DT & AR letter No. 11026/32/82—AIS—III date 23.4.83]

7. Procedure to be followed for granting advance/withdrawal of AIS officers during their service with the Central Government: - It has been decided in consultation with the Ministry of Finance that the following procedure may be followed for granting advances/final withdrawals to officers of the All India Services, including members of a former Secretary of States Service, under the various Provident Fund Rules, during the period of their service in connection with the affairs of the Central Government.

2. All cases of advances/final withdrawals which are fully covered by the existing rules may be sanctioned by the administrative Ministries themselves. The Ministries of the Government of India shall exercise all the power of the "sanctioning authority" in all such cases.

3. [Deleted vide G.I. MHA letter No. 11026/12/84—AIS—III dated 4.10.1985]

4. All cases of advances/final withdrawals which involve relaxation of the rules should be sanctioned by the administrative Ministries after obtaining the concurrence of both the Department of Personnel and A.R and the Ministry of Finance (Establishment Division)

5 Before an officer's request for advance/final withdrawal is referred to the Ministry of Finance or both to the Department of Personnel and A.R. and Ministry of Finance, the administrative ministries are requested to examine the cases carefully and specify the special reasons or grounds why the rule(s) should be relaxed in favour of the officer.

[G.I., M.H.A. O.M. No. F.5/13/64—AIS(II), dated 20-5-1964.]

2. Power of the Central Government in case of members of the AIS posted in UT Administrations will be exercised by the Administrator of the UT: - The powers of the Central Government to sanction advances under this rule to a member of the Service serving in the Union Territories shall subject to the conditions prescribed in the rule be exercised by the Administrators of the Union Territories within their respective jurisdiction.

[G.I., M.H.A. letter No. 5/34/59—AIS(II), dated 30th July, 1960.]

3. Betrothal ceremony and marriage ceremony of the same child shall also be treated as different purpose.

[F.No. 11026/7/84—AIS(III)]

GOVERNMENT OF INDIA'S DECISIONS UNDER RULE 13

1. ***withdrawal of the second and subsequent instalments for construction of house shall be permitted only if the Government certify:*** - The Government of India have decided that the withdrawal of the second and subsequent instalments shall be permitted only when the Government issues a certificate to the effect that the required formalities regarding the constructions of the house, in pursuance of which the instalments, have become due have been complied with.

[G.I. M.H.A. letter 5/26/59—AIS (II), dated 4th November, 1959.]

2. ***In case a moS constructs a house in a State other than his allotted State, the State concerned should act as an agent for the former State on a reciprocal basis for verifying the details:*** - A question was raised as to how the house building loans to All India Services officers for constructing houses outside the State of their allotment should be regulated.

2. It has been decided that where an All India Services Officer who has been granted loan for house building purposes by the State under whom he is serving at the time of such grant, decides to construct the house outside the state within whose jurisdiction the house is constructed should act as an Agent for the former state, on a reciprocal basis and (i) examine the correctness of title deeds, (ii) watch the progress of construction and (iii) enforce mortgage proceedings in case of default in the observance of the conditions on which the loan has been granted. The cost of verification of title deeds is to be borne by the member of the All India Services seeking loans for house—building purpose.

[M.H.A. letter No. 8/12/58—AIS(II), dated 18th March, 1959.]

3. ***Points to be mentioned in the sanction letter in all cases, where a final withdrawal is sanctioned from the Provident fund for purposes house building:*** - It was noticed that a large in number of cases where final withdrawals were sanctioned for house building purposes under rule 13(l) etc., the information as regards the officer's pay or the amount of advance drawn by him from the Ministry of Works, Housing and Urban Development or any other assistance from any Government source were not specifically mentioned in the sanction letter. The result was that the Account Officer concerned was unable to satisfy whether the relevant provisions of the provident Fund Rules were satisfied in a particular case or not.

2. The Government of India have decided that in future, in all cases, where a final withdrawal is sanctioned from the Provident fund for purposes of building, acquiring, reconstructing, or making additions or alternations to a house, the sanctioning authority must indicate in the sanction letter,

- (i) the pay of the subscriber at the time of sanctioning the final withdrawal;
- (ii) particulars and amount of advance drawn by him for house—building purposes under the scheme of the Ministry of Works, Housing and Urban Development; and
- (iii) the amount of any other assistance in this regard received by him from any other Government source.

[G.I., M.H.A. letter No. 5/1/65—AIS (II), dated 21st March, 1966.]

GOVERNMENT OF INDIA'S DECISIONS UNDER RULE 14

1. ***Withdrawal will not ordinarily be allowed before the expiry of six months from the date of the previous withdrawal, and in any case not more than two***

withdrawals should be allowed in any financial year:- A doubt was raised whether under sub-rule (2), the withdrawals may be made at any time during the first and second halves of the financial year (April—September and October—March), even though the time lag between the dates of the first withdrawal and the second is less than six months. The intention of the sub rule is that a withdrawal will not ordinarily be allowed before the expiry of six months from the date of the previous withdrawal, and in any case not more than two withdrawals should be allowed in any financial year.

[G.I., M.H.A., letter No. 13/16/55—AIS(II), dated 14 July, 1956.]

2. *Ministries/Departments may sanction withdrawals up to 90 per cent under rule 13, 14 and 14A:* - Under Rules 13,14, 14A and 14B, the sanctioning authority is competent to sanction a withdrawal from Provident Fund for the purpose mentioned therein(e.g. House Building, meeting the cost of higher education, expenditure on marriage of subscriber's son/daughter, meeting the expenditure on illness of subscriber or any member of his family) up to three-fourths at the credit of subscriber. Ministries/Departments may henceforth sanction withdrawals up to 90 per cent accumulations at the credit of the subscriber under Rules 13, 14 and 14A referred to above.

[D/P & Trg. No. 11026/3/86—AIS(III)dated 7-4-1986.]

GOVERNMENT OF INDIA'S DECISIONS UNDER RULE 17

1. *The term "matured" occurring in the explanation under sub-rule (3) should be deemed to include "paid up" policies also.*

[G.I., M.H.A. letter No. 8/45/57—AIS (II) 23rd April, 1958.]

GOVERNMENT OF INDIA'S DECISIONS UNDER RULE 21

1. *Further recoveries should be stopped but not refund of the amount already recovered should be allowed in case the policy was assigned, delivered, converted into paid up one or revived:* - A question was raised whether recoveries ordered under sub-rule (4) and rule 25 should be stopped and the amount already recovered be refunded, as soon as the policy was assigned, delivered, converted into paid up one or revived as the case might be.

2. It has been decided that further recoveries should be stopped in such cases but not refund of the amount already recovered should be allowed.

[G.I., M.H.A. letter No. 13/36/56—AIS (II), dated 26-9-1956.]

2. *The policies once assigned to the President or the Governor will hold good throughout the service:* - The policies once assigned to the President or the Governor, under whom a member of the Service is serving for the time being, will hold good throughout the service. The same are not to be reassigned every time the member is transferred from his parent State to the Centre or from the Centre to the parent State.

[G.I. M.H.A. letter No. 13/42/56—AIS(II)dated 2nd November, 1957].

3. *Insurance policies already assigned under the Central or other General Provident Fund Rules need not be reassigned in favour of the subscribers, before they are further assigned to the President or Governor, as the case may be, under the All India Service (Provident Fund) Rules, 1955.*

[G.I. M.H.A. letter No. 8/46/58,— AIS (II), dated the 17th December, 1958].

GOVERNMENT OF INDIA'S DECISIONS UNDER RULE 23

1. ***The amount of policy may be repaid in convenient number of instalments settled between the subscriber and the Accounts Officer:*** - It has been decided that the amount may be repaid in convenient instalments the number of which should be settled between the subscriber and the Accounts Officer; the policy will, however, be assigned by the Accounts Officer only after repayment of the amount with interest is completed.

[G.I., M.H.A. letter No. 5/23/59—AIS (II), dated 3-10-1959.]

2. ***Recognition of second assignment under the policy by the LIC:*** - The Life Insurance Corporation shall register the second assignment in their books on receipt of such assignment along with a notice thereof. When the dues of Central Government have been settled the office of the Accountant General, Central Revenue, will nullify the first assignment either by an assignment in favour of the policy holder or by cancelling or striking out the original assignment on the policy and will give due notice to the Corporation of such reassignment and it is only after the original assignment is so nullified and notice thereof served on the Corporation, that they shall be able to recognise the second assignment under the policy.

[G.I., M.H.A. letter No. F.6/26/62—AIS (II), dated 1st January, 1963]

GOVERNMENT OF INDIA'S DECISIONS UNDER RULE 29

1. ***Regulation of GPF contribution of IAS officers appointed to Public Service Commissions:*** - On a reference from the State of Punjab, it was decided that in accordance with the provision contained in regulation 9 of the Punjab State Public Service Commission (Conditions of Service) Regulations, a member of the Commission can, if he so elects, subscribe to the GPF in accordance with the GPF Rules in force from time to time in the Punjab, whereas in the UPSC (Conditions of Service) Regulations, there is a specific provision that the PF accumulations of an officer who is appointed to the Commission as a member while in service under any Government in India shall become payable to him on the date on which he would have superannuated from service had he not been appointed to the Commission. Unless the Regulations in force governing the conditions of service of members and chairman of the PSC of Punjab specifically provide to the contrary, and unless the officer chooses to retain his accumulations in the fund for a further period under proviso(1) to rule 28 of AIS (PF) Rules, 1955, the accumulations in the AIS PF of the members of the SPSC who was accumulations in the AIS PF of the members of the SPSC who was formerly a member of IAS shall become payable to him on the date of his normal superannuation from IAS in accordance with the IAS (PF) Rules.

[G.I., MHA letter No. 6/16/62—AIS (II)dated 10th September, 1962].

GOVERNMENT OF INDIA'S DECISIONS UNDER RULE 35

1. ***State Governments are competent to order conversion of the Temporary Advance to a non-refundable one in relaxation of the provisions of rule 12, under the powers vested in them under rule 35:*** - A question was raised whether under rule 35 of the All India Services (Provident Fund) Rules, 1955, the State Government were competent to relax the provisions contained in rule 12 thereof, and order conversion of a

Temporary Advance to a non-refundable one for a purpose which was not provided for under the rules.

2. The Government of India have held that rule 35 empowers the Government to decide the case of a subscriber, in a manner other wise than that provided for in the rules, provided that it is convinced that the operation of the rules is likely to cause undue hardship to a subscriber, Rule 35 has a wider scope than merely to provide for relaxation of the existing rules. Accordingly the State Government were competent to order conversion of the Temporary Advance to a non-refundable one in relaxation of the provisions of rule 12, under the powers vested in them under rule 35.

[G.I., M.H.A. letter No. F. 5/22/64—AIS(II), dated 22nd October, 1964]

2. Restrictions suggested for the State Governments while invoking the powers conferred by rule 35: - All India Services (Provident Fund) Rules, 1955 provide for the grant of refundable advances and part-final withdrawal from the Fund for the purpose specified in the Rules, to subscribers who have completed the prescribed period of service. Rule 35 of the Rules ibid vest power in the State Governments to allow refundable advances and part-final withdrawals from the Fund in relaxation of the exhaustive provisions of the general rules and even for the purposes not specified in the rules.

2. The comptroller and Auditor General of India has brought to the notice of the Central Government certain cases in which there seems to be some doubt regarding the propriety of the State Government invoking their special power under the aforesaid Rule 35.

3. Although it is not intended to restrict the powers of the State Government available to them under the above rule, it is considered necessary to draw their attention to the fact that the special powers under this rule are to be invoked only in cases where the operation of any of these rules is likely to cause undue hardship to a member of the Service. Thus, it may not be appropriate to invoke the powers conferred by rule 35 ibid with a view to—

- (a) allowing part-final withdrawal to a subscriber who has not completed the prescribed period of service after the expiry of which one becomes eligible for part-final withdrawal;
- (b) postponing the recovery of an advance for a period after the expiry of which subscriber became entitled to convert that advance into a part-final withdrawal;
- (c) allowing part-final withdrawal for purposes entirely unrelated to those prescribed in the rules (e.g. construction of brother's or son's house, niece's marriage, meeting a bank overdraft etc.)

4. For the enumeration of the State Government, it may be mentioned here that on its part, the Central Government has not invoked its powers under rule 35 ibid in case such as those mentioned at (a & (b) in para 2 above. As for permission for part-final withdrawal, for purposes not prescribed in the rules, it is being granted only for purposes directly concerned with a prescribed purpose (i.e. part-final withdrawal for payment of fees for registration of any for allotment of a DDA Flat is directly connected with payment of the price of the flat.) The Central Government has also been agreeing, on merits, to relax the monetary limit upto which a part-final withdrawal is permitted under the rules, and also the maximum number of instalments in which an advance is recoverable under the rules. The maximum period upto which interest on P.F. balance can be allowed after

the subscriber quits service is also relaxed by the Central Government in cases where the subscriber is not responsible for the delay in final payment. In such cases the Central Government allow interest upto the end of the month preceding the month of the final payment.

5. The above enumeration, which is illustrative and not exhaustive, is not intended to impose any fetters on the exercise of the independent powers of the State Government under Rule 35 *ibid* but to impress upon them the desirability of invoking the special powers referred to above only in hard cases.

[DP&T letter No. 11026/8/77—AIS—III dated 8.6.78]