

THE GENERAL PROVIDENT FUND (CENTRAL SERVICES) RULES, 1960

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THE GENERAL PROVIDENT FUND (CENTRAL SERVICE) RULES, 1960

RULE 1 – SHORT TITLE AND COMMENCEMENT

1. Short title and commencement.-(*a*) These rules may be called the General Provident Fund (Central Services) Rules, 1960.

(*b*) They shall be deemed to have come into force on the 1st April, 1960.

RULE 2- DEFINITIONS

2. Rule 2- Definitions.-

(1) In these Rules unless the context otherwise requires-

(a) "Accounts Officer" means the officer to whom the duty to maintain the Provident Fund Account of the subscriber has been assigned by Government or the Comptroller and Auditor-General of India, as the case may be.

NOTE.- In relation to those subscribers who are officers borne on the cadre of the Indian Audit and Accounts Department or officers belonging to Group 'A', 'B' or 'C' Service and borne on the cadres of those Union Territory Administrations where the Provident Fund Accounts have not been departmentalized, the duty to maintain the Provident Fund Accounts shall be assigned by the Comptroller and Auditor-General of India. In relation to the other subscribers, this duty shall be assigned by Government.

(b) Save as otherwise expressly provided "emoluments" means pay, leave salary, or subsistence grant as defined in the Fundamental Rules and includes dearness pay appropriate to pay, leave salary or subsistence grant, if admissible, and any remuneration of the nature of pay received in respect or foreign service.

[(c) "Family" means-

(i) in the case of a male subscriber, the wife or wives, parents, children, minor brothers, unmarried sisters, deceased son's widow and children and where no parents of the subscriber is alive, a paternal grandparent:

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 henceforth be deemed to be no longer a member of the subscriber's family in matters to which these rules relate unless the subscriber subsequently intimates, in writing to the Accounts Officer that she shall continue to be so regarded;

(ii) in the case of a female subscriber, the husband, parents, children, minor brothers, unmarried sisters, deceased son's widow and children and where no parents of the subscriber is alive, a paternal grandparent:

Provided that if a subscriber by notice in writing to the Accounts Officer expresses her desire to exclude her husband from her family, the husband shall henceforth be deemed to be no longer a member of the subscriber's family in matters to which these rules relate, unless the subscriber subsequently cancels such notice in writing.

NOTE. - "*Child*" means a legitimate child and includes an adopted child, where adoption is recognized by the personal law governing the subscriber * [or a ward under the Guardians and Wards Act, 1890 (8 of 1890), who lives with the Government servant and is treated as a member of the family and to whom the Government servant has, through a special

will, given the same status as that of a natural born child].

(d) "*Fund*" means the **General Provident Fund**.

(e) "*Leave*" means any variety of leave recognized by the **Fundamental Rules or the Civil Service Regulations or the Revised Leave Rules, 1933**.

(f) "*Year*" means a **financial year**.

(2) Any other expression used in these rules which is defined either in the **Provident Funds Act, 1925 (19 of 1925)** or in the **Fundamental Rules** is used in the sense therein defined.

(3) Nothing in these rules shall be deemed to have the effect of terminating the existence of the **General Provident Fund** as heretofore existing or of constituting any new Fund.

*Inserted *vide* Notification No. 13 (5)-P & PW/90-E (GPF), dated the 21st November, 1990, published as S.O. No. 3272 dated the 8th December, 1990.

RULE- 3 : CONSTITUTION OF THE FUND

3. *Constitution of the Fund.* – (1) The Fund shall be maintained in rupees.

(2) All sums paid into the Fund under these rules shall be credited in the books of Government to an account named "The General 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.

Rule-4: CONDITIONS OF ELIGIBILITY

4. Conditions of eligibility - All temporary Government servants after a continuous service of one year, all re-employed pensioners (other than those eligible for admission to the Contributory Provident Fund) and all permanent Government servants shall subscribe to the Fund:

Provided that no such servant as has been required or permitted to subscribe to a Contributory Provident Fund shall be eligible to join or continue as a subscriber to the Fund, while he retains his right to subscribe to such a Fund:

Provided further that a temporary Government servant, who is borne on an establishment or factory to which the provisions of Employees' Provident Funds Scheme, 1952, framed under the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), would apply or would have applied but for the exemption granted under Section 17 of the said Act, shall subscribe to the General Provident Fund if he has completed six months' continuous service or has actually worked for not less than 120 days during a period of six months or less in such establishment or factory or in any other establishment or factory to which the said Act applies, under the same employer or partly in one and partly in the other.

¹[Provided also that nothing contained in these rules shall apply to Government servant appointed on or after the 1st day of January, 2004.]

EXPLANATION. - For the purposes of this rule "continuous service" shall have the same meaning assigned to it in the Employees' Provident Funds Scheme, 1952, and the period of work for 120 days shall be computed in the manner specified in the said scheme and shall be certified by the employer.

NOTE 1.- Apprentices and Probationers shall be treated as temporary Government servants for the purpose of this rule.

NOTE 2.- A temporary Government servant who completes one year of continuous service during the middle of a month shall subscribe to the Fund from the subsequent month.

NOTE 3.- Temporary Government servants (including Apprentices and Probationers) who have been appointed against regular vacancies and are likely to continue for more than a year may subscribe to the General Provident Fund any time before completion of one year's service.

1. Inserted *vide*. Notification F. No. 38/16/2003-P. & P.W. (A), dated the 30th December, 2003 published under S.O. 1485 (E) dated 30th December, 2003.

Rule 5 : NOMINATIONS

5. Nominations - (1) A subscriber shall, at the time of joining the Fund, send to the Accounts Officer through the Head of Office 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 that amount has become payable or having become payable has not been paid:

Provided that where a subscriber is a minor, he shall be required to make the nomination only on his attaining the age of majority:

Provided further that a subscriber who has a family at the time of making the nomination shall make such nomination only in favour of a member or members of his family:

Provided further that the nomination made by the subscriber in respect of any other Provident Fund to which he was subscribing before joining the Fund shall, if the amount to his credit in such other fund has been transferred to his credit in the Fund, be deemed to be a nomination duly made under this rule until he makes a nomination in accordance with this rule.

(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 shall be made in the Form set forth in the First Schedule.

(4) A subscriber may at any time cancel a nomination by sending a notice in writing to the Accounts Officer. The subscriber shall, along with such notice or separately, 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 his family, be such other member or members. Where the subscriber confers such a right on more than one person under this clause, he shall specify the amount or share payable to each of such persons in such a manner as to cover the whole of the amount payable to the nominee.

(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 only one member of the family, he shall provide in the nomination that the right conferred upon the alternate nominee under Clause (a) shall 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 under Clause (a) of sub-rule (5) or on the occurrence of

any event by reason of which the nomination becomes 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.

NOTE.- In this rule, unless the context otherwise requires, "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 charitable or other Trust or Fund, to which nomination may be made through the Secretary or other executive of the said Funds or Trust authorized to receive payments.

RULE 6 : SUBSCRIBER'S ACCOUNT

6. Subscriber's Account - An account shall be opened in the name of each subscriber in which shall be shown-

- (i) his subscriptions;**
- (ii) interest, as provided by Rule 11, on subscriptions;**
- (iii) bonus, as provided by Rule 11-A on subscriptions; and**
- (iv) advances and withdrawals from the Fund.**

RULE 7: CONDITIONS OF SUBSCRIPTION

7. Conditions of subscriptions

(1) A subscriber shall subscribe monthly to the Fund except during the period when he is under suspension:

Provided that a subscriber may, at his option, not subscribe during leave which either does not carry any leave salary or carries leave salary equal to or less than half pay or half average pay:

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

NOTE 1.- Group 'C' and Group 'D' employees of the Survey of India who are sent on departmental leave need not subscribe to the Fund, during the period of such leave.

NOTE 2.- The holder of a seasonal post in an establishment need not subscribe to the Fund, during the period of his unemployment.

NOTE 3. - A subscriber need not subscribe during a period treated as dies non.

(2) The subscriber shall intimate his election not to subscribe during the leave referred to in the first proviso to sub-rule (1) in the following manner:-

(a) if he is an officer who draws his own bills, by making no deduction on account of subscription in his first pay bill drawn after proceeding on leave;

(b) if he is not an officer who draws his own pay bills, by written communication to the Head of his Office before he proceeds on leave.

Failure to make due and timely intimation shall be deemed to constitute an election to subscribe.

The option of a subscriber intimated under this sub-rule shall be final.

(3) A subscriber who has under Rule 32 withdrawn the amount standing to his credit in the Fund shall not subscribe to the Fund after such withdrawal unless he returns to duty.

(4) Notwithstanding anything contained in sub-rule (1) a subscriber shall not subscribe to the Fund for the month in which he quits service unless, before the commencement of the said month, he communicates to the Head of Office in writing his option to subscribe for the said month.

Rule-8: RATES OF SUBSCRIPTION

(1) 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 6 per cent of his emoluments and not more than his total emoluments:**

Provided that in the case of a subscriber who has previously been subscribing to a Government Contributory Provident Fund at the higher rate of $8\frac{1}{3}$ per cent, it may be any sum, so expressed, not less than $8\frac{1}{3}$ per cent, of his emoluments and not more than his total emoluments.

- (c) When a Government servant elects to subscribe at the minimum rate of 6 per cent, or $8\frac{1}{3}$ per cent, as the case may be, the fraction of a rupee will be rounded to the nearest whole rupee, 50 p. counting as the next higher rupee.**

(2) For the purpose of sub-rule (1), the emoluments of a subscriber shall be-

- (a) in the case of a subscriber who was in Government service on the 31st March of the preceding year, the emoluments to which he was entitled on that date:**

Provided that-

- (i) if the subscriber was on leave on the said date and elected not to subscribe during such leave or was under suspension on the said date, his emoluments shall be the 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 in Government service on the 31st March of the preceding year, the emoluments to which he was entitled on the day he joins the Fund.**

(3) The 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 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 March of the preceding 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 entered Government service for the first time during the year, by the deduction which he makes in this behalf, from his pay bill for the month during which he joins the Fund;
- (d) If he was on leave on the 31st 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 March of the preceding year, by the amount credited by him into the treasury on account of subscription for the month of April in the current year;

(4) The amount of subscription so fixed may be-

- (a) reduced once at any time during the course of the year;
- (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 prescribed in sub-rule (1):

Provided further that if a subscriber is on leave without pay or leave on half pay or half average 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 those referred to above.

Rule-9: 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 remain subject to the rules of the Fund in the same manner as if he were not so transferred or sent on deputation.

RULE 10 : REALIZATION OF SUBSCRIPTIONS

10.Realization of subscriptions - (1) When emoluments are drawn from a Government treasury in India or from an authorized office of disbursement outside India, recovery of subscriptions on account of these emoluments and of the principal and interest of advances shall be made from the emoluments themselves.

(2) When emoluments are drawn from any other source, the subscriber shall forward his dues monthly to the Accounts Officer:

Provided that in the case of a subscriber 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.

(3) If a subscriber fails to subscribe with effect from the date on which he is required to join the Fund or is on default in any month or months during the course of a year otherwise than is provided in Rule 7, the total amount due to the Fund on account of arrears of subscription shall, with interest thereon at the rate provided in Rule 11, forthwith be paid 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 authority competent to sanction an advance for the grant of which special reasons are required under sub-rule (2) of Rule 12:

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

RULE-11: INTEREST

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

Provided that, if the rate of interest determined for a year is less than 4 per cent, all subscribers to the Fund in the year preceding that for which the rate has for the first time been fixed at less than 4 per cent, shall be allowed interest at 4 per cent:

Provided further that a subscriber who was previously subscribing to any other Provident Fund of the Central Government and whose subscriptions, together with interest thereon, have been transferred to his credit in his Fund under Rule 35, shall also be allowed interest at 4 per cent, if he had been receiving that rate of interest under the rules of such other Fund under a provision similar to that of the first proviso to this rule.

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

- (i) on the amount to the credit of a subscriber on the last day of the preceding year, less any sums withdrawn during the current years - interest for twelve months;**
- (ii) on sums withdrawn during the current year - interest from the beginning of the current year up to the last day of the month preceding the month of withdrawal;**
- (iii) on all the sums credited to the subscriber's account after the last day of the preceding year - interest from the date of deposit up to the end of the current year;**
- (iv) the total amount of interest shall be rounded to the nearest whole rupee (fifty paise counting as the next higher rupee):**

Provided that when the amount standing to the credit of a subscriber has become payable, interest shall thereupon 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, up to the date on which the amount standing to the credit of the subscriber became payable.

(3) In this rule, the date of deposit shall in the case of recoveries from emoluments be deemed to be the first day of the month in which it is recovered, and in the case of amounts forwarded by the subscriber, shall be deemed to be the first day of the month of receipt, it is received on or after the fifth day of that month, the first day of the next succeeding month:

Provided that where there has been delay in the drawal of pay or 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 in the case of an amount forwarded in accordance with the proviso to sub-rule (2) of Rule 10, 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:

Provided further that where the emoluments for a month are drawn and disbursed 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.

(4) In addition to any amount to be paid under Rules 31, 32 or 33, interest thereon up to the end of the month preceding that in which the payment is made, or up to the end of the sixth 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 make payment in cash, or has posted a cheque in payment 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 the cheque, as the case may be:

Provided further that where a subscriber on deputation to a body corporate, owned or controlled by the Government or an autonomous organization registered under the Societies Registration Act, 1860 (21 of 1860), is subsequently absorbed in such body corporate or organization 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 subscription to the Fund only for the purpose of awarding interest under this sub-rule.

NOTE.- Payment of interest on the Fund balance beyond a period of 6 months may be authorized by-

- (a) the Head of Accounts Office (which expression includes the Pay and Accounts Officer, where there is one) up to a period of one year; and
- (b) the immediate superior to the Head of Accounts Office (which expression includes a Controller of Accounts, where there is one or the Financial Adviser to the concerned Administrative Ministry or Department) up to any period;

after he 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 case the administrative delay involved in the matter shall be fully investigated and action, if any required taken.

(5) Interest shall not be credited to the account 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.

(6) The interest on amounts which under sub-rule (3) of Rule 10, Rule 31 or Rule 32 are replaced to the credit of the subscriber in the Fund, shall be calculated at such rates as may be successively prescribed under sub-rule (1) of this rule and so far as may be in the manner described in this rule.

(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 lump sum or in default, be ordered to be recovered, by deduction in one lump sum, from the emoluments of the subscriber. If the 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 sub-rule, the rate of interest to be charged on overdrawn amount would be 2 ½% over and above the normal rate on Provident Fund balance under sub-rule(1). The interest realized on the overdrawn amount shall be credited to Government account, under a distinct sub-head "Interest on overdrawals from Provident Fund" under the Head "049-Interest Receipts-C-Other interest receipts of Central Government - Other Receipts".

RULE-12:ADVANCES FROM THE FUND

12. Advances from the fund - (1) The appropriate sanctioning authority may sanction the payment to any subscriber of an advance consisting of a sum of whole rupees and not exceeding in amount three months' pay or half the amount standing to his credit in the Fund, whichever is less, for one or more of the following purposes:-

- (a) to pay expenses in connection with the illness, (confinement) or a disability, including where necessary, the travelling expenses of the subscriber and members of his family or any person actually dependent on him;**
- (b) to meet cost of higher education, including where necessary, the travelling expenses of the subscriber and members of his family or any person actually dependent on him in the following cases, namely:-**
 - (i) for education outside India for academic, technical, professional or vocational course beyond the High School stage; and**
 - (ii) for any medical, engineering or other technical or specialized course in India beyond the High School stage, provided that the course of study is for not less than three years;**
- (c) 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 betrothal or marriages, funerals or other ceremonies;**
- (d) 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.**
- (e) to meet the cost of the subscriber's defence where he engages a legal practitioner to defend himself in an enquiry in respect of any alleged official misconduct on his part.**
- ¹(f) [to purchase consumer durables such as TV, VCRNCP, washing machines, cooking range, geysers and computers.]**
- ²(g) [to meet the expenses for visiting places which, to the satisfaction of the sanctioning authority, are considered as places of pilgrimage or places of eminence of any religion.]**

(1-A) The President may, in special circumstances, sanction the payment to any subscriber of an advance if he is satisfied that the subscriber concerned requires the advance for reasons other than those mentioned in sub-rule (1).

(2) An advance shall not, except for special reasons to be recorded in writing, be granted to any subscriber in excess of the limit laid down in sub-rule (1) or until repayment of the last instalment of any previous advance.

(3) When an advance is sanctioned under sub-rule (2) before repayment of 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 the instalments for recovery shall be fixed with reference to the consolidated amount.

(4) After sanctioning the advance, the amount shall be drawn on an authorization from the Accounts Officer in case where the application for final payment had been forwarded to the Accounts Officer under Clause (ii) of sub-rule (3) of Rule 34.

NOTE 1.- For the purpose of this rule, pay includes dearness pay where admissible.

NOTE 2.- The appropriate sanctioning authority for the purpose of this rule is specified in the Fifth Schedule.

NOTE 3.- A subscriber shall be permitted to take an advance once in every six months under item (b) of sub-rule (1) of Rule 12.

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1. Inserted *vide* Notification No. 20 (2)/92-P. & P.W (E)/(A), dated the 28th December, 1995, published as S.O. No. 379 in the Gazette of India, dated the 10th February, 1996.
 2. Inserted *vide* Notification No.13/1/06-P& PW(F), dated the 20th November, 2006, published as S.O. No.2689 in the Gazette of India, dated the 22nd September, 2009.

RULE 13- RECOVERY OF ADVANCES

(1) An advance shall be recovered from the subscriber in such number of equal monthly instalments as the sanctioning authority may direct; but such number shall not be less than twelve unless the subscriber so elects and more than twenty-four. In special cases where the amount of advance exceeds three months' pay of the subscriber under sub-rule (2) of Rule 12, the sanctioning authority may fix such number of instalments to be more than twenty-four but in no case more than thirty-six. A subscriber may, at his option, repay more than one instalment in a 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.

(2) Recovery shall be made in the manner prescribed in Rule 10 for the realization of subscriptions, and shall commence with the issue of pay for the month following the one in which the advance was drawn. Recovery shall not be made, except with the subscriber's consent while he is in receipt of subsistence grant or is on leave for ten days or more in a calendar month which either does not carry any leave salary or carries leave salary equal to or less than half pay or half average pay, as the case may be. The recovery may be postponed, on the subscriber's written request, by the sanctioning authority during recovery of an advance of pay granted to the subscriber.

(3) 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 forthwith 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 in a lump sum or in monthly instalments not exceeding twelve as may be directed by the authority competent to sanction an advance for the grant of which, special reasons are required under sub-rule (2) of Rule 12:

Provided that, before such advance is disallowed, the subscriber shall be given an opportunity to explain to the sanctioning authority in writing and within fifteen days of the receipt of the communication why the repayment shall 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 President 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.

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

RULE 14- WRONGFUL USE OF ADVANCE

***Wrongful use of advance.* -Notwithstanding anything contained in these rules, if the sanctioning authority has reason to doubt that money drawn as an advance from the Fund under Rule 12 has been utilized for a purpose other than that for which sanction was given to the drawal of the money, he 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 utilized for the purpose for which sanction was given to the drawal of the money. If the sanctioning authority is not satisfied with the explanation furnished by the subscriber within the said period of fifteen days, the sanctioning authority shall direct the subscriber to repay the amount in question to the Fund forthwith or, in default, order the amount to be recovered by deduction in one* sum from the emoluments of the subscriber even if he be on leave. If, however, the total amount to be repaid be more than half the subscriber's emoluments, recoveries shall be made in monthly instalments of moieties of his emoluments till the entire amount is repaid by him.**

NOTE.-- The term "emoluments" in the rule does not include subsistence grant.

RULE 15-WITHDRAWALS FROM THE FUND

15. Withdrawals from the Fund

(1) Subject to the conditions specified therein, withdrawals may be sanctioned by the authorities competent to sanction an advance for special reasons under sub-rule (2) of Rule 12, at any time-

(A) after the completion of ¹[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, from the amount standing to his credit in the Fund, for one or more of the following purposes, namely:-

- (a) meeting the cost of higher education, including where necessary, the travelling expenses of the subscriber or any child of the subscriber in the following cases, namely:-**
 - (i) for education outside India for academic, technical, professional or vocational course beyond the High School stage; and**
 - (ii) for any medical, engineering or other technical or specialized course in India beyond the High School stage;**
- (b) meeting the expenditure in connection with the betrothal/ marriage of the subscriber or his sons or his daughters, and any other female relation actually dependent on him;**
- (c) meeting the expenses in connection with the illness, including where necessary, the travelling expenses of the subscriber and members of his family or any person actually dependent on him;**
- ²(d) meeting the cost of consumer durables such as TV, VCR/VCP, washing machines, cooking range, geysers and computers.**

(B) ³[During the service of a subscriber] from the amount standing to his credit in the Fund for one or more of the following purposes, namely:

- (a) building or acquiring a suitable house or ready-built flat for his residence including the cost of the site ⁴[or any payment towards allotment of a plot or flat by the Delhi Development Authority, State Housing Board or a House Building Society];**
- (b) repaying an outstanding amount on account of loan expressly taken for building or acquiring a suitable house or ready-built flat for his residence;**
- (c) purchasing a house-site for building a house thereon for his residence or repaying any outstanding amount on account of loan expressly taken for this purpose;**
- (d) reconstructing or making additions or alterations to a house or a flat already owned or acquired by a subscriber;**
- ⁵(e) [renovating, additions or alterations or upkeep of an ancestral house or a**

house built with the assistance of loan from Government];

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

⁶(C) within twelve months before the date of subscriber's retirement on superannuation from the amount standing to the credit in the Fund, without linking to any purpose.

(D) Once during the course of a financial year, an amount equivalent to one year's subscription paid for by the subscriber towards the Group Insurance Scheme for the Central Government employees on self-financing and contributory basis.

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 sub-clauses (a), (c), (d) and (f) of Clause (B) for the purposes specified therein and also for the purpose of repayment of any loan taken under the aforesaid Scheme subject to the limit specified in the proviso to sub-rule (1) of Rule 16.

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

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

NOTE 3.- The amount of withdrawal sanctioned under sub-clause (b) of clause (B) shall not exceed $3/4^{\text{th}}$ 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 $3/4^{\text{th}}$ of (the 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 sub-clause (a) or (d) of Clause (B) shall also be allowed where the house-site or house is in the name of wife or husband, provided she or he is the first nominee to receive Provident Fund money in the nomination made by the subscriber.

⁷[NOTE 5.- Only one withdrawal shall be allowed for the same purpose under this rule. But marriage or education of different children or illness on different occasions or a further addition or alteration to a house or flat covered by a fresh plan duly approved by the Local Municipal Body of the area where the house or flat is situated shall not be treated as the same purpose. Withdrawal for meeting the cost of education of a child may be allowed on annual basis till the concerned child continues to pursue the technical or professional course. Second or subsequent withdrawal under sub-clause (a) or (f) of Clause (B) for completion of the same house shall be allowed up to the limit laid down under Note 3.]

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

(2) Whenever a subscriber is in a position to satisfy the Competent Authority about the amount standing to his credit in the General Provident Fund Account with reference to the latest available statement of General Provident Fund Account together with the evidence of subsequent contribution, the Competent Authority may itself sanction withdrawal within the prescribed limits, as in the case of a refundable advance. In doing so, the Competent Authority shall take into account any withdrawal or refundable advance already sanctioned by it in favour of the subscriber. Where, however, the subscriber is not in a position to satisfy the Competent Authority about the amount standing to his credit or where there is any doubt about the admissibility of the withdrawal applied for, a reference may be made to the Accounts Officer by the Competent Authority for ascertaining the amount standing to the credit of the subscriber with a view to enable the Competent Authority to determine the admissibility of the amount of withdrawal. The sanction for the withdrawal should prominently indicate the General Provident Fund Account Number and the Accounts Officer maintaining the accounts and a copy of the sanction should invariably be endorsed to the 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 shall forthwith be repaid in one lump sum* by the subscriber or otherwise inadmissible, the sum withdrawn by the subscriber to the fund and in default of such repayment, it shall be ordered by the Sanctioning Authority to be recovered from his emoluments either in a lump sum or in such number of monthly instalments as may be determined by the President.

(3) After sanctioning the withdrawal, the amount shall be drawn on an authorization from the Accounts Officer in cases where the application for final payment had been forwarded to the Accounts Officer under Clause (ii) of sub-rule (3) of Rule 34.

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1. Substituted for "twenty" *vide* Notification No. 20 (2)/ 92-P.& P.W. (E)/(A), dated the 28th December, 1995, published as S.O. No. 379 in the Gazette of India, dated the 10th February, 1996.
 2. Inserted *vide* Notification No, 20 (2)/92-P, & P,W, (E)/(A), dated the 28th December, 1995, published as S,O, No, 379 in the Gazette of India, dated the 10th February, 1996.
 3. Substituted *vide* Notification No, 20 (11)-P, & P,W.186 (GPF), dated the 23rd October, 1990, published as S.O. No. 3006 in the Gazette of India, dated the 17th November, 1990,

4. Substituted *vide* Notification No, 20 (II)-P, & P.W.186 (GPF), dated the 23rd October, 1990, published as S.O. No. 3006 in the Gazette of India, dated the 17th November, 1990,
5. Substituted *vide* Notification No. 20 (5)/92-E. (Pt.), dated the 18th July, 1995, published as S.O. No. 377 in the Gazette of India, dated the 10th February, 1996.
6. Substituted *vide* Notification No. 20 (26)-P. & P.W./ 88-E, dated the 8th November, 1990, published as S.O. No. 3272 in the Gazette of India, dated the 8th December, 1990.
7. Substituted *vide* Notification No. 45/44/97-P & PW (F), dated the 18th November, 1998, published as S.O. No. 2500 in the Gazette of India, dated the 5th December, 1998.

RULE 16- CONDITIONS FOR WITHDRAWAL

(1) Any sum withdrawn by a subscriber at any one time for one or more of the purposes specified in Rule 15 from the amount standing to his credit in the Fund shall not ordinarily exceed one-half of such amount or six months' pay, whichever is less. The sanctioning authority may, however, sanction the withdrawal of an amount in excess of this limit up to $\frac{3}{4}$ ths of the balance at his credit in the Fund having due regard to (i) the object for which the withdrawal is being made, (ii) the status of the subscriber, and (iii) the amount to his credit in the Fund ¹[in case of withdrawal under Clause (A) and up to 90% of balance at credit in cases of withdrawals under Clause (B) of sub-rule (1) of Rule 15].

Provided that in no case the maximum amount of withdrawal for purposes specified in Clause (B) of sub-rule (1) of Rule 15 shall exceed the maximum limit prescribed from time to time under Rules 2 (a) and 3 (b) of the Scheme of the Ministry of Works and Housing for the grant of advances for house-building purposes:

Provided further that in the case of a subscriber who has availed himself of an advance under the Scheme of the 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 Rules 2 (a) and 3 (b) of the aforesaid Scheme:

- ² **[Provided further that the withdrawal admissible under Rule 15 (1) (C) shall not exceed 90% of the amount standing to the credit of the subscriber in the fund.]**
3. **[NOTE 1.--A withdrawal to a subscriber under sub-clause (a) of Clause (A) of sub-rule (1) of Rule 15, may be permitted annually so long as the concerned child of the subscriber continues to pursue the course.]**

NOTE 2.-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 the Delhi Development Authority or a State Housing Board, 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 in any instalment. Every such payment shall be treated as a payment for a separate purpose for the purposes of sub-rule (1) of Rule 16.

NOTE 3.- In case the sanctioning authority is satisfied that the amount standing to the credit of a subscriber in the Fund is insufficient and he is unable to meet his requirements otherwise than by withdrawal, the amount already withdrawn by the subscriber from the Fund to finance any insurance policy or policies under rule 17, may be taken into account as an addition to the actual amount standing to his credit in the Fund for the purpose of the limit laid down in this sub-rule. After the amount of withdrawal admissible has been so determined-

- (i) if the amount so determined exceeds the amount already withdrawn from the Fund to finance insurance policy or policies under rule 17, the amount so withdrawn may be treated as final withdrawal and the difference, if any, between the amount so treated and the total amount of withdrawal admissible may be paid in cash; and
- (ii) if the amount so determined does not exceed the amount already withdrawn from the Fund to finance any insurance policy or policies under rule 17, the amount so withdrawn may, irrespective of the limit specified in sub-rule (1), be treated as final withdrawal.

For the above purpose, the Accounts Officer shall reassign the policy or policies to the subscriber or to the subscriber and the joint assured, as the case may be, and make it over to the subscriber who will then be free to utilize the same for the purpose for which it has been released.

(2) A subscriber who has been permitted to withdraw money from the Fund under Rule 15 shall satisfy the sanctioning authority within a reasonable period as may be specified by that authority that the money has been utilized for the purpose for which it was withdrawn, and if he fails to do so, the whole of the sum so withdrawn or so much thereof as has not been applied for the purpose for which it was withdrawn shall forthwith be repaid in one lump sum by the subscriber to the Fund and in default of such payment, it shall be ordered by the sanctioning authority to be recovered from his emoluments either in a lump sum or in such number of monthly instalments, as may be determined by the President.

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

(3) (a) A subscriber who has been permitted under sub-clause (a), sub-clause (b) or sub-clause (c) of Clause (B) of sub-rule (1) of Rule 15 to withdraw money from the amount standing to his credit in the Fund, shall not part with the possession of the house built or acquired or house-site purchased with the money so withdrawn, whether by way of sale, mortgage (other than mortgage to the President), gift, exchange or otherwise, without the previous permission of the President:

Provided that such permission shall not be necessary for-

- (i) the house or house-site being leased for any term not exceeding three years, or
- (ii) its being mortgaged in favour of a Housing Board, *Nationalized Banks, the Life Insurance Corporation or any other Corporation owned or controlled by the Central Government which advances, loans for the construction of a new house or for making additions or alteration to an existing house.

(b) The subscriber shall submit a declaration not later than the 31st day of December of every year as to whether the house or the house-site, as the case may be, continues to be in his possession or has been mortgaged, otherwise transferred or let out as aforesaid and shall, if so required, produce before the sanctioning authority on or before the date specified by that authority in that behalf, the original sale, mortgage or lease deed and also the documents on which his title to the property is based.

(c) If, at any time before his retirement, the subscriber parts with the possession of the house or house-site without obtaining the previous permission of the President, he shall forthwith repay the sum so withdrawn by him in a lump sum to the Fund, and in default of such repayment, the sanctioning authority shall, after giving the subscriber a reasonable opportunity of making a representation in the matter, cause the said sum to be recovered from the emoluments of the subscriber either in a lump sum or in such number of monthly instalments, as may be determined by it.

NOTE.- A subscriber who has taken loan from Government in lieu thereof mortgaged the house or house-site to the Government shall be required to furnish the declaration to the following effect, namely:-

"I do hereby certify that the house or house-site for the construction of which or for the acquisition of which I have taken a final withdrawal from the Provident Fund continues to be in my possession but stands mortgaged to Government."

1. Inserted vide Notification No. 20(11)-PP&PW/86-GPF dtd the 23rd October, 1990 published as S.O No.3006 in the Gazette of India dated the 17th November, 1990.

2. Inserted *vide* Notification No. 20 (26)-P & P. W./88-E, dated the 8th November, 1990.

3. Substituted *vide* Notification No. 45/44/97-P & P.W. (F), dated the 18th November, 1998 and published as S.O. 2500 in the Gazelle of India, dated the 5th December, 1998.

RULE 16-A – CONVERSION OF AN ADVANCE INTO A WITHDRAWAL

A subscriber who has already drawn or may draw in future an advance under Rule 12 for any of the purposes specified in sub-rule (1) of Rule 15 may convert, at his discretion by written request addressed to the Accounts Officer through the sanctioning authority, the balance outstanding against it into a final withdrawal on his satisfying the conditions laid down in Rules 15 and 16.

NOTE 1.- The Head of Office in the case of non-Gazetted subscribers and the Treasury Officer concerned in the case of Gazetted subscribers may be asked by the administrative authority to stop recoveries from the pay bills when the application for such conversion is forwarded to the Accounts Officer by that authority. In the case of Gazetted subscribers, the administrative authority shall endorse a copy of the letter forwarding the subscriber's intimation to the Treasury Officer from where he draws his pay in order to permit stoppage of further recoveries.

NOTE 2.-For the purposes of sub-rule (1) of Rule 16, the amount or subscription with interest thereon standing to the credit of the subscriber in the account at the time of conversion *plus* the outstanding amount of advance shall be taken as the balance. Each withdrawal shall be treated as a separate one and the same principle shall apply in the event of more than one conversion.

RULE 17- PAYMENT TOWARDS INSURANCE POLICIES AND FAMILY PENSION FUNDS

17. *Payment towards Insurance Policies* .- Subject to the conditions hereinafter contained in rules 18 to 28-

- (a) (i) subscription to a family pension fund approved in this behalf by the President; or
 - (ii) payment towards a policy of life insurance, may at the option of a subscriber; be substituted in whole or part for subscriptions due to the Fund;
- (b) the amount of subscriptions with interest thereon standing to the credit of a subscriber in the Fund may be withdrawn to meet-
 - (i) a payment towards a policy of life insurance;
 - (ii) the purchase of a single payment insurance policy;
 - (iii) the payment of a single premium or subscriptions to a family pension fund approved in this behalf by the President:

Provided that no amount shall be withdrawn (1) before the details of the proposed policy have been submitted to the Accounts Officer and accepted by him as suitable, or (2) to meet any payment or purchase made or effected more than three months before the date of application or presentation of claim for withdrawal, or (3) to meet payment of any premium or subscription more than three months in advance of the due date of payment.

NOTE.--Due date of payment for the purpose of this proviso will be the date up to which payment can be made including the grace period allowed by the insurance companies.

Explanation.--Under clause (3) of this proviso no withdrawal from the fund for financing a policy of life insurance shall be made after the due date of payment without production of the premium receipt in token of such payment:

Provided further that payments towards an educational endowment policy may not be substituted for subscriptions to the Fund and that no amounts 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 before the subscriber's age of normal superannuation :

Provided further that amounts withdrawn shall be in whole rupees, but shall not include fraction of a rupee although such amount is less than the amount actually required.

RULE 18- NUMBER OF POLICIES THAT CAN BE FINANCED FROM THE FUND

(1) 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 rule 17, shall not exceed four;

Provided that where immediately before the 22nd June, 1953, substitution for subscription due to the Fund or withdrawal of subscriptions from the Fund, was permitted in respect of more than four policies, such substitution or withdrawal shall continue to be permitted in respect of those policies.

(2) The premium for a policy [including any policy referred to in the proviso to sub-rule (1)] in respect of which withdrawal of subscriptions from the Fund may be permitted under rule 17 shall not be payable otherwise than annually.

Explanation - In computing maximum number of policies specified in sub-rule (1), policies which have matured or have been converted into paid up policies shall be excluded.

RULE 19- PAYMENT OF DIFFERENCE BETWEEN SUBSTITUTED PAYMENTS AND MINIMUM SUBSCRIPTIONS

(1) If the total amount of any subscriptions or payments substituted under clause (a) of rule 17 is less than the amount of the minimum subscription payable to the Fund under sub-rule (1) of rule 8, the difference shall be rounded to the nearest rupee in the manner provided in clause (iv) of sub-rule (2) of rule 11 and paid by the subscriber as subscription to the Fund.

(2) If the subscriber withdraws any amount standing to his credit in the Fund for any of the purposes specified in clause (b) of rule 17, he shall, subject to his option under clause (a) of that rule, continue to pay to the Fund the subscription payable under rule 8.

RULE 20 – REDUCTION OF SUBSCRIPTION IN CERTAIN CASES

(1) A subscriber who desires to substitute a subscription or payment under clause (a) of rule 17, may reduce his subscription to the Fund accordingly :

Provided that the subscriber shall-

- (a) Intimate to the Accounts Officer on his pay bill or by letter the fact of, and reason for, the reduction;
- (b) Send to the Accounts Officer, within such period as the Accounts Officer may require, receipts or certified copies of receipts in order to satisfy the Accounts Officer that the amount by which the subscription has been reduced was duly applied for the purposes specified in clause (a) of rule 17.

(2) A subscriber who desires to withdraw any amount under clause (b) of rule 17 shall-

- (a) intimate the reason for the withdrawal to the Accounts Officer by letter;
- (b) make arrangements with the Accounts Officer for the withdrawal;
- (c) send to the Accounts Officer, within such period as the Accounts Officer may require, receipts or certified copies of receipts in order to satisfy the Accounts Officer, that the amount withdrawn was duly applied for the purposes specified in clause (b) of rule 17.

(3) The Accounts Officer shall order 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), from the emoluments of the subscriber and place it to the credit of the subscriber in the Fund.

RULE 21- GOVERNMENT NOT TO MAKE PAYMENTS TO INSURER ON BEHALF OF SUBSCRIBERS

(1) Government shall not make any payments on behalf of subscribers to Insurance Companies nor take steps to keep a policy alive.

(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 or of his wife and children or any of them) be such as may be legally assigned by the subscriber to the President.

Explanation 1.-A policy on type 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-re-assigned to the subscriber or the subscriber and his wife both join in an appropriate assignment.

(3) The policy may not be effected for the benefit of any beneficiary other than the wife or husband of the subscriber or the wife or husband and children of the subscriber or any of them:

Provided that subscribers who took out policies under Note 1 to Rule 21 (ii) or under clause (b) or (C) of Rule 21A of the Rules in force prior to the 1st April, 1934 shall remain subject to the provisions of those rules in so far as policies so taken out are concerned.

RULE 22- ASSIGNMENT OF POLICIES

(1) The policy within six months after the first withholding of a subscription or withdrawal from the Fund in respect of the policy or in the case of an insurance company whose headquarters are outside India, within such further period as the Accounts 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, or of his wife and children or any of them, be assigned to the President as security for the payment of any sum which may become payable to the Fund under rule 27, and delivered to the Accounts Officer, the assignment being made by endorsement on the policy in Form (1) or Form (2) Or Form (3) of the Forms in the Second Schedule 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 to the subscriber's wife;
- (b) if 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 or of his wife and children or any of them, be delivered to the Accounts Officer.

(2) The Accounts Officer shall satisfy himself by reference to the Insurance Company where possible, that no prior assignment of the policy exists.

(3) Once a policy has been accepted by an Accounts 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 Accounts Officer to whom details of the alteration or of the new policy shall be furnished.

(4) If the policy is not assigned and delivered, or delivered, within the said period of six months or such further period as the Accounts Officer may, under sub-rule (1), have fixed, any amount withheld or withdrawn from the Fund in respect of the policy shall, forthwith be paid or repaid, as the case may be, 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 authority competent to sanction an advance for the grant of which special reasons are required, under sub-rule (2) of rule 12.

(5) Notice of assignment of the policy shall be given by the subscriber to the Insurance Company, and the acknowledgement of the notice by the Insurance Company shall be sent to the Accounts Officer within three months of the date of assignment.

Note 1.-Subscribers are advised to send notice of the assignment to the Insurance Company in duplicate, accompanied in cases in which the notice has to be sent to a company in Great Britain or Ireland, by a remittance of five shillings, which is the fee for the acknowledgement authorized by the Policies of Assurance Act, 1867.

Note 2 - Subscribers who proceed to Great Britain or Ireland on quitting the service are advised that under the English Stamp Law assignments or re-assignments are required to be stamped within 30 days of their first arrival in those countries. Otherwise penalty will be incurred under the Stamp Act, and difficulties may arise when the policy matures for payment.

RULE 23- BONUS OF 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 authority competent to sanction an advance for the grant of which special reasons are required under sub-rule (2) of rule 12.

RULE 24- REASSIGNMENT OF POLICIES

1) Save as provided by Rule 28 when the subscriber-

- (a) quits the service; or
return of the policy; or
- (b) has proceeded on leave preparatory to retirement and applies to the Accounts Officer for re-assignment or turn of the policy; of
- (c) while on leave has been permitted to retire or declared by a competent medical authority to be unfit for further service and applies to the Accounts Officer for reassignment or 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 sub-clause (ii) of clause {a} of rule 17 and sub-clauses (i) and (ii) of clause (b) of rule 17.
- (e) has been sanctioned withdrawal under rule 15 read with Note 3 below sub-rule (1) of rule 16.

(f) has completed twenty years of service (including broken periods of service if any);
the Accounts Officer shall-

- (i) if the policy has been assigned to the President under rule 22, or under the corresponding rule heretofore in force reassign the policy in Form I in the Third Schedule 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 Insurance Company;
- (ii) if the policy has been delivered to him under clause (b) of sub-rule (1) of rule 22, make over the policy to the subscriber :

Provided that, if the subscriber, after proceeding on leave, preparatory to retirement, or after being, while on leave, permitted to retire or declared by a competent medical authority to be unfit for further service, returns to duty, any policy so reassigned or made over shall, if it has not matured or been assigned charged or encumbered in any way, be again assigned to the President and delivered to the Accounts Officer, or again be delivered to the Accounts Officer, as the case may be, in the manner provided in rule 22, 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 provisions of sub-rule (4) of rule 22 applicable to a failure to assign and deliver a policy shall apply.

(2) Save as provided by rule 28, when the subscriber dies before quitting the service,
the Accounts Officer shall-

- (i) if the policy has been assigned to the President under rule 22, or under the corresponding rule heretofore in force, reassign the policy in Form II in the Third Schedule to such person as may be legally entitled to receive it, and shall make

over the policy to such person together with a signed notice of the reassignment addressed to the Insurance Company;

- (ii) if the policy has been delivered to him under clause (b) of sub-rule (1) of rule 22, make over the policy to the beneficiary, if any, or if there is no beneficiary, to such persons as may be legally entitled to receive it.

RULE 25- PROCEDURE ON MATURITY OF POLICIES

(1) If a policy, assigned to the President under rule 22 or under the corresponding rule heretofore in force, matures before the subscriber quits the 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 28, realise the amount assured together with any accrued bonuses and shall place the amount so realized to the credit of the subscriber in the Fund :

Provided 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 Accounts 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 Accounts Officer within the period prescribed, he shall be deemed to have opted to deposit the difference in his account in the Fund. Such deposit will be merged in the amount standing to the subscriber's credit in the Fund.

(2) Save as provided by rule 28, if a policy, delivered to the Accounts Officer under clause (b) of sub-rule (1) of rule 22, matures before the subscriber quits the service, the Account's 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 Insurance Company 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, or
- (ii) an amount equal to the amount assured together with any accrued bonuses, whichever is less, and, in default, the provisions of Rule 29 shall apply as they apply in relation to cases where money withheld or withdrawn from the Fund under clause (a) or, clause (b) of rule 17 has been utilised for a purpose other than that for which sanction was given to the withholding or withdrawal.

**RULE 26- PROCEDURE ON CESSATION OF INTEREST OF THE SUBSCRIBER IN
THE FAMILY PENSION FUND**

If the interest of the subscriber in the family pension fund ceases, in whole or part, from any cause whatsoever, the provident fund account of the subscriber shall forthwith be reimbursed by the amount of the refund secured by the subscriber from the family pension fund, which amount shall, in default of reimbursement, be deducted from the subscriber's emoluments by instalments or otherwise, as may be directed by the authority competent to sanction an advance for the grant of which, special reasons are required under sub-rule (2) of rule 12.

RULE 27- LAPSE OR WRONGFUL ASSIGNMENT OF POLICIES

If the policy lapses, or is assigned, otherwise than to the President under rule 22, charged or encumbered, the provisions of sub-rule (4) of rule 22 applicable to a failure to assign and deliver a policy shall apply.

**RULE 28- DUTY OF ACCOUNTS OFFICER WHEN HE RECEIVES NOTICES OF
ASSIGNMENT, CHARGE OR ENCUMBRANCE OF POLICIES**

If the Accounts Officer receives notice of-

- (a) an assignment (otherwise than an assignment to the President under rule 22), 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 Accounts Officer shall not-

- (i) reassign or make over the policy as provided in rule 24, or
- (ii) realise the amount assured by the policy or reassign, or make over the policy, as provided in rule 25,

but shall forthwith refer the matter to the Government.

RULE 29- WRONGFUL USE OF MONEY WITHHELD OR WITHDRAWN

Notwithstanding anything contained in these rules, if the sanctioning authority is satisfied that money withheld or withdrawn from the Fund under clause (a) Or clause (b) of rule 17 has been utilised for a purpose other than that for which sanction was given to the withholding or withdrawal of the money, the amount in question, shall forthwith be repaid or paid, as the case may be, by subscriber to the Fund, or in default, be ordered to be recovered by deduction in one sum from the emoluments of the subscriber even if he be on leave. If the total amount to be repaid or paid, as the case may be, be more than half the subscriber's emoluments, recoveries shall be made in monthly instalments of moieties of his emoluments till the entire amount is repaid or paid, as the case may be, by him.

NOTE-- The term 'emoluments' in this rule does not include subsistence grant.

RULE 30- RESTRICTION OF THE PROVISIONS RELATING TO FINANCING OF POLICIES TO EXISTING SUBSCRIBERS IN RESPECT OF EXISTING POLICIES

The provisions of rules 17 to 29 shall apply only to subscribers who before the date of publication of these rules, have been substituting in whole or in part, payments towards policies of life insurance for subscriptions to the fund or making withdrawals from the Fund for such payments:

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

RULE 31- 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 from the service and is subsequently reinstated in the service 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 11 in the manner provided in the proviso to Rule 32. The amount so repaid shall be credited to his account in the Fund.

EXPLANATION I.- A subscriber who is granted refused leave shall be deemed to have quit the service from the date of compulsory retirement or on the expiry of an extension of service.

EXPLANATION II.- A subscriber, other than one who is appointed on contract or one who has retired from service and is subsequently reemployed, with or without a break in service, shall not be deemed to quit the service, when he is transferred without any break in service to a new post under a State Government or in another department of the Central Government (in which he is governed by another set of Provident Fund Rules) and without retaining any connection with his former post. In such case, his subscriptions together with interest thereon shall be transferred-

- (a) to his account in the other Fund in accordance with the rules of that Fund, if the new post is in another department of the Central Government, or**
- (b) to a new account under the State Government concerned if the new post is under a State Government and the State Government consents, by general or special order, to such transfer of his subscriptions and interest.**

NOTE.- Transfers shall include cases of resignation from service in order to take up appointment in another Department of the Central Government or under the State Government without any break and with proper permission of the Central Government. In cases where there has been a break in service, it shall be limited to the joining time allowed on transfer to a different station.

The same shall hold good in cases of retrenchments followed by immediate employment whether under the same or different Government.

EXPLANATION III.- When a subscriber, other than one who is appointed on contract or one who has retired from service and is subsequently re-employed, is transferred, without any break, to the service under a body corporate owned or controlled by Government, or an autonomous organization, registered under the Societies Registration Act, 1860, the amount of subscriptions together with interest thereon, shall not be paid to him but shall be transferred with the consent of that body, to his new Provident Fund Account under that body.

Transfers shall include cases of resignation from service in order to take up appointment under a body corporate owned or controlled by Government or an autonomous organization, registered under the Societies Registration Act, 1860, without

any break and with proper permission of the Central Government. The time taken to join the new post shall not be treated as a break in service if it does not exceed the joining time admissible to a Government servant on transfer from one post to another.

Provided that the amount of subscription together with interest thereon, of a subscriber opting for service under a Public Enterprise may, if he so desires, be transferred to his new Provident Fund Account under the Enterprise if the concerned Enterprise also agrees to such a transfer. If, however, the subscriber does not desire the transfer or the concerned Enterprise does not operate a Provident Fund, the amount aforesaid shall be refunded to the subscriber.

RULE 32- RETIREMENT OF SUBSCRIBER

When a subscriber-

- (a) has proceeded on leave preparatory to retirement or if he is employed in a vacation department, on leave preparatory to retirement combined with vacation, or**
- (b) while on leave, has been permitted to retire or been declared by a competent medical authority to be unfit for further service, the amount standing to his credit in the Fund shall, ¹[] 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, except where the Government decides otherwise, repay to the Fund for credit to his account, the amount paid to him from the Fund in pursuance of this rule with interest thereon at the rate provided in Rule 11 in cash or securities or partly in cash and partly in securities, by instalments or otherwise, by recovery from his emoluments or otherwise, as may be directed by the authority competent to sanction an advance for the grant of which, special reasons are required under sub-rule (2) of Rule 12.

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1. Deleted vide Notification No. 20/12/94-P7P&PW(E) dated, the 15th November, 1996 published as S.O. No.3228 in the Gazette of India dated the 23rd November, 1996

RULE 33- PROCEDURE ON DEATH OF A 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:

(i) When the subscriber leaves a family-

- (a) if a nomination made by the subscriber in accordance with the provisions of Rule 5 in favour of a member or members of his family 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;**
- (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, the 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-

- (1) sons who have attained majority;**
- (2) Sons of a deceased son who have attained majority;**
- (3) married daughters whose husbands are alive;**
- (4) married daughters of a deceased son whose husbands are alive;**

if there is any member of the family other than those specified in Clauses (1), (2), (3) and (4):

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 (1) of the first proviso.

- (ii) When the subscriber leaves no family, if a nomination made by him in accordance with the provisions of Rule 5 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.**

RULE 33-A- DEPOSIT LINKED INSURANCE REVISED SCHEME

33-A. Deposit-Linked Insurance Scheme –

On the death of a subscriber ¹[on or before 30th September, 1991 and to whom Rule 33B does not apply], the person entitled to receive the amount standing to the credit of the subscriber shall be paid by the Accounts officer, an additional amount equal to the average balance in the account during the 3 years immediately preceding the death of such subscriber, subject to the condition that-

- (a) The balance at the credit of such subscriber shall not at any time during the 3 years preceding the month of death have fallen below the limits of –**
- (i) Rs.4000 in the case of a subscriber who has held, for the greater part of the aforesaid period of three years, a post the maximum of the pay scale of which is Rs.1300 or more;**
 - (ii) Rs.2500 in the case of a subscriber who has held, for the greater part of the aforesaid period of three years, a post the maximum of the pay scale of which is Rs.900 or more but less than Rs.1300;**
 - (iii) Rs.1500 in the case of subscriber who has held, for the greater part of the aforesaid period of three years, a post the maximum of the pay scale of which is less than Rs.291 or more but less than Rs.900;**
 - (iv) Rs.1000 in the case of a subscriber who has held, for the greater part of the aforesaid period of three years, a post the maximum of the pay scale of which is less than Rs.291.**

Provided that nothing in this clause shall apply if the death of such subscriber occurs before the 1st day of February, 1978.

- (b) The additional amount payable under this rule shall not exceed Rs.10,000;**
- (c) The subscriber has put in at least 5 years service at the time of his death.**

Note1- The average balance shall be worked out on the basis of the balance at the credit of the subscriber at the end of each of the 36 months preceding the month in which the death occurs. For this purpose, as also for checking the minimum balances prescribed above-

- (a) The balance at the end of March shall include the annual interest credited in terms of rule 11; and**
- (b) If the list of the aforesaid 36 months is not March, the balance at the end of the said last month shall include interest in respect of the period from the beginning of the financial year in which death occurs to the end of the said last month.**

Note2- Payments under this scheme should be in whole rupees. If an amount due includes a fraction of a rupee, it should be rounded to the nearest rupee (50 paise counting as the next higher rupee.

Note 3 – Any sum payable under this scheme is in the nature of insurance-money and,

therefore, the statutory protection given by section 3 of the Provident Funds Act, 1925 (Act 19 of 1925) does not apply to sums payable under this scheme.

Note 4 – This scheme also applies to those subscribers to the Fund who are transferred to an autonomous organization consequent upon conversion of a Government Department into such body and who, on such transfer, opt, in terms of option given to them, to subscribe to this Fund in accordance with these rules.

Note 5 – (a) In case of a Government servant who has been admitted to the benefits of the Fund under rule 35 or rule 34-A, but dies before completion of three years service or, as the case may be, five years service from the date of his admission to the Fund, that period of his service under the previous employer in respect whereof the amount of his subscriptions and the employer's contribution, if any, together with interest have been received, shall count for purposes of clause (a) and clause (c).

(b) In case of persons appointed on tenure basis and in the case of re-employed pensioners, service rendered from the date of such appointment or re-employment, as the case may be, only will count for purposes of this rule.

(c) This scheme does not apply to persons appointed on contract basis.

Note 6 – The budget estimates of expenditure in respect of this scheme will be prepared by the Accounts Officer responsible for maintenance of the accounts of the Fund having regard to the trend of expenditure, in the same manner as estimates are prepared for other retirement benefits.

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1. Notified vide Notification No.13/2/P&PW/88E dated the 1st August, 1989.

¹ [RULE 33B- DEPOSIT-LINKED INSURANCE REVISED SCHEME]

On the death of a subscriber, the person entitled to receive the amount standing to the credit if the subscriber shall be paid by the Accounts Officer, an additional amount equal to the average balance in the account during the 3 years immediately preceding the death of such subscriber, subject to the condition that-

² [(a) **the balance at the credit of such subscriber shall not at any time during the 3 years preceding the month of death have fallen below the limits of-**

- (i) Rs. 25,000 in the case of a subscriber holding a post in the Pay Band-2 (Rs.9,300-34,800) or above and drawing a Grade Pay of Rs.4,800 p.m. or more as per Central Civil Service (Revised Pay) Rules, 2008;
- (ii) Rs. 15,000 in the case of a subscriber holding a post in the Pay Band-2 (Rs.9,300-34,800) and drawing a Grade Pay of Rs.4,200 p.m. or more but less than Rs.4,800 p.m. as per Central Civil Service (Revised Pay) Rules, 2008;
- (iii) Rs. 10,000 in the case of a subscriber holding a post in the Pay Band-2, Pay Band-1 or Pay Band-1S (Rs.4,440-7,440) and drawing a Grade Pay of Rs.1,400 p.m. or more but less than Rs.4,200 p.m. as per Central Civil Service (Revised Pay) Rules, 2008;
- (iv) Rs.6,000 in the case of a subscriber holding a post in the Pay Band-1S (Rs.4,440-7,440) and drawing a Grade Pay of Rs.1,300 p.m. or more but less than Rs.1,400 p.m. as per Central Civil Service (Revised Pay) Rules, 2008; and

(b) the additional amount payable under this rule shall not exceed Rs.60000;]

(c) the subscriber has put in at least 5 years service at the time of his/her death.

Note - Pre-revised Scheme which existed before the Notification published in the Gazette of India vide SO 826 dated 25-4-1998 shall apply in case of death of subscriber on or before the publication of this date and to whom aforesaid amended Rule 33-B does not apply

NOTE 1.- The average balance shall be worked out on the basis of the balance at the credit of the subscriber at the end of each of the 36 months, preceding the month in which the death occurs. For this purpose, as also for checking the minimum balance prescribed above-

- (a) the balance at the end of March, shall include the annual interest credited in terms of Rule 11; and,
- (b) if the last of the aforesaid 36 months is not March, the balance at the end of said last month shall include interest in respect of the period from the beginning of the financial year in which death occurs to the end of the said last month.

NOTE 2.-Payment under this scheme should be in whole rupee. If an amount due includes a fraction of a rupee, it should be rounded to the nearest rupee (50 paise counting as the next higher rupee).

NOTE 3.-Any sum payable under this scheme is in the nature of insurance money and

therefore, the statutory protection given by Section 3 of the Provident Funds Act, 1925 (Act 19 of 1925), does not apply to sums payable under this scheme.

NOTE 4.-The scheme also applies to those subscribers to the funds who are transferred to an autonomous organization consequent upon conversion of a Government Department into such a body and who, on such transfer, opt in terms of option given to them to subscribe to the Fund in accordance with these rules.

NOTE 5.- (a) In case of a Government servant who has been admitted to the benefits of the Fund under Rule 35 or 35-A but died before completion of three years of service or as the case may be, five years of service from the date of his admission to the Fund, the period of his service under the previous employer in respect whereof the amount of his subscription and the employer's contribution, if any, together with interest have been recovered, shall count for purpose of Clause (a) and Clause (c).

(b) In case of persons appointed on tenure basis and in the case of reemployed pensioners, service rendered from the date of such appointment on re-employment, as the case may be, only will count for purposes of this rule.

(c) The scheme does not apply to persons appointed on contract basis.

[NOTE 6.-The Budget Estimates of expenditure in respect of this scheme will be prepared by the Accounts Officer responsible for maintenance of the account of the Fund having regard to the trend of expenditure, in the same manner as estimates are prepared for other retirement benefits.]

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1. Inserted *vide* Notification No.13(2)-P&PW./88-E., dated the 2nd August, 1989, published as S.O. No.2002 in the Gazette of India, dated the 2nd September, 1989. Takes effect from the 1st January, 1989.
 2. Clauses (a) and (b) substituted *vide* Notification No.45/4/2008-P&PW(F), dated the 27th May, 2009, published as S.O. 1529 in the Gazette of India, dated the 6th June, 2009.

RULE 34- MANNER OF PAYMENT OF AMOUNT IN THE FUND

(1) When the amount standing to the credit of a subscriber in the Fund becomes payable, it shall be the duty of the Accounts Officer to make payment ¹[] as provided in sub-rule (3).

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

Provided that where no Manager has been appointed and 'the person to whom the sum is payable is certified by a Magistrate to be a 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, or such part thereof, as he thinks fit, shall be paid for the maintenance of such members of the lunatic's family as are dependent on him for maintenance.

(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 payment by a subscriber, namely:-

²[(i) Deleted]

(ii) The Head of Office/Department shall forward the ³[details of the subscriber retiring or quitting service to the Accounts Officer indicating the recoveries effected against the advances which are still current and the number of instalments yet to be recovered and also indicate the withdrawals, if any, taken by the subscriber after the period covered by the last statement of the subscriber's account sent by the Accounts Officer.

(iii) The Accounts Officer shall, after verification with the ledger account, issue an authority for the amount ⁴[payable to the subscriber] at least a month before the date of superannuation but payable on the date of superannuation.

(iv) 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 relate to the contribution made by the subscriber subsequent to the amount mentioned in the ⁵[details forwarded by the Head of Office/Department under Clause (ii)] *plus* the refund of instalments against advances which were current at the time of the ¹[submission of details by the Head of Office].

(v) After forwarding the ⁶[details referred to in Clause (ii)] for final payment to

the Accounts Officer, advance/withdrawal may be sanctioned but the amount of advance/withdrawal shall be drawn on an authorization from the Accounts Officer concerned who shall arrange this as soon as the formal sanction of sanctioning authority is received by him.

NOTE.-When the amount standing to the credit of a subscriber has become payable under Rules 31, 32 or 33, the Accounts Officer shall authorize prompt payment of the amount in the manner indicated in sub-rule (3).

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1. The words "on receipt of a written application in this behalf deleted *vide* Notification No. 20 (12)/94-P. & P.W., (E), dated the 15th November, 1996, published as S.O. No. 3228 in the Gazette of India, dated the 23rd November, 1996.
 2. Deleted *vide* Notification No. 20 (12)/94-P. & P. W. (E), dated the 15th November, 1996, published as S.O. No. 3228 in the Gazette of India, dated the 23rd November, 1996.
 3. Substituted *vide* Notification No.20(12)/94-P&PW(E) dated 15.11.96 notified *vide* SO No.3228 dated 23.11.96
 4. Substituted *vide* Notification No.20(12)/94-P&PW(E) dated 15.11.96 notified *vide* SO No.3228 dated 23.11.96
 5. Substituted *vide* Notification No.20(12)/94-P&PW(E) dated 15.11.96 notified *vide* SO No.3228 dated 23.11.96
 6. Substituted *vide* Notification No.20(12)/94-P&PW(E) dated 15.11.96 notified *vide* SO No.3228 dated 23.11.96
 7. Substituted *vide* Notification No.20(12)/94-P&PW(E) dated 15.11.96 notified *vide* SO No.3228 dated 23.11.96

Rule 35- Procedure on transfer of a Government servant from one Department to another.

(a) If a Government servant who is a subscriber to any other non-Contributory Provident Fund of the Central Government or of a State Government is permanently transferred to pensionable service in a Department of the Central Government in which he is governed by these rules, the amount of subscriptions, together with interest thereon, standing to his credit in such other fund on the date of transfer shall be transferred to his credit in the Fund:

Provided that where a subscriber was subscribing to a non-Contributory Provident Fund of a State Government, the consent of that Government shall be obtained.

(b) If a Government servant who is a subscriber to the State Railways Provident Fund or any other Contributory Provident Fund of the Central Government or a State Contributory Provident Fund is permanently transferred to pensionable service in a Department of Central Government in which he is governed by these rules and unless such a subscriber elects to continue to be governed by the rules of such Fund, when such an option is given-

- (i) the amount of subscriptions with interest thereon, standing to his credit in such Contributory Provident Fund on the date of transfer shall with the consent of the other Government, if any, be transferred to his credit in the Fund;**
- (ii) the amount of Government contributions, with interest thereon, standing to his credit in such Contributory Provident Fund shall, with the consent of the other Government, if any, be credited to the Central Revenues (Civil); and**
- (iii) he shall thereupon be entitled to count towards pension, service rendered prior to the date of permanent transfer, to the extent permissible under the relevant Pension Rules.**

NOTE 1.-The provisions of this rule do not apply to a subscriber who has retired from service and is subsequently re-employed with or without a break in service, or to a subscriber who was holding the former appointment on contract.

NOTE 2.-The provisions of this rule shall, however, apply to persons who are appointed without break, whether temporarily or permanently to a post carrying the benefits of these rules after resignation or retrenchment from service under another Department of Central Government or under the State Government.

RULE 35A- PROCEDURE ON TRANSFER TO GOVERNMENT SERVICE OF A PERSON FROM THE SERVICE UNDER A BODY CORPORATE OWNED OR CONTROLLED BY GOVERNMENT OR AN AUTONOMOUS ORGANISATION, REGISTERED UNDER THE SOCIETIES REGISTRATION ACT, 1860

If a Government servant admitted to the benefit of the Fund was previously a subscriber to any Provident Fund of a body corporate owned or controlled by Government, or an autonomous organization, registered under the Societies Registration Act, 1860, the amount of his subscriptions and the employer's contribution, if any, together with the interest thereon shall be transferred to his credit in the Fund with the consent of that body.

RULE 36- TRANSFER OF AMOUNT TO THE CONTRIBUTORY PROVIDENT FUND (INDIA)

If a subscriber to the Fund is subsequently admitted to the benefits of the Contributory Provident Fund (India), the amount of his subscriptions, together with interest thereon, shall be transferred to the credit of his account in the Contributory Provident Fund (India).

NOTE.-The provisions of this rule do not apply to a subscriber who is appointed on contract or who has retired from service and is subsequently re-employed with or without a break in service in another post carrying Contributory Provident Fund benefits.

RULE 37- RELAXATION OF RULES

When the President is satisfied that the operation of any of these rules causes or is likely to cause undue hardship to a subscriber, he may, notwithstanding anything contained in these rules, deal with the case of such subscriber in such manner as may appear to him to be just and equitable.

RULE 38- Number of account to be quoted at the time of the payment of subscription

When paying a subscription in India, either by deduction from emoluments or in cash, a subscriber shall quote the number of his account in the Fund, communicated to him by the Accounts Officer. Any change in the number shall similarly be communicated to the subscriber by the Accounts Officer.

RULE 39- ANNUAL STATEMENT OF ACCOUNTS TO BE SUPPLIED TO SUBSCRIBER

1) As soon as possible after the 31st March of each year, the Accounts 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 Accounts Officer shall attach to the statement of accounts an enquiry whether the subscriber-

- (a) desires to make any alteration in any nomination made under Rule 5;**
- (b) has acquired a family in cases where the subscriber has made co nomination in favour of a member of his family under the proviso to sub-rule (1) of Rule 5.**

(2) Subscribers should satisfy themselves as to the correctness of the annual statement and errors should be brought to the notice of the Accounts Officer within three months from the date of the receipt of the statement.

(3) The Accounts Officer shall, if required by a subscriber once, but not 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.

40- INTERPRETATION

If any question arises relating to the interpretation of these rules, it shall be referred to the Central Government whose decision thereon shall be final.

41- REPEALING CLAUSE

The General Provident Fund (Central Services) Rules are hereby repealed.