

The General Provident Fund (Orissa) Rules, 1938

ODISHA

India

The General Provident Fund (Orissa) Rules, 1938

Rule THE-GENERAL-PROVIDENT-FUND-ORISSA-RULES-1938 of 1938

- Published on 12 March 1938
- Commenced on 12 March 1938
- [This is the version of this document from 12 March 1938.]
- [Note: The original publication document is not available and this content could not be verified.]

The General Provident Fund (Orissa) Rules, 1938Published vide Notification Orissa Gazette Notification No. 2085-F./12.3.1938Notification No. 2085-F., dated the 12th March, 1938. - In exercise of the powers conferred by Clause (b) of Sub-section (2) of Section 241 of the Government of India Act, 1935, the Governor is pleased to make the following rules for servants of the Crown under the rule-making control of the Government of Orissa.Short title and definitions

1.

(a)These rules may be called the General Provident Fund (Orissa) Rules.(b)They shall come into force on the 1st April, 1938.

2.

(1)In these rules -(a)["Accounts Officer" means the Branch Officer in charge of the Fund Sections in the office of the Accountant-General, Orissa;] [Substituted vide Notification No. 14916-F./21.4.1966.](b)[Save as otherwise expressly provided, 'emolument' means pay, leave, salary or subsistence allowance as defined in the Orissa Service Code, if admissible and any remuneration of the nature of pay received in respect of foreign service;] [Substituted vide Notification No. 18741-F./17.5.1969.](c)"Family" means-(i)in the case of a male subscriber, the wife or wives and children of a subscriber, and the widow, or widows, and children of a deceased son of, the subscriber :Provided that if a subscriber proves that his wife has been judicially separated from him or has ceased under the customary law of the community to which she belongs to be entitled to maintenance she shall 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 indicates by express notification in writing to the Accounts Officer that she shall continue to be so regarded ;(ii)in the case of a female subscriber, the husband and children of a subscriber, and the widow or widows and children of a deceased son of a subscriber :Provided that if a subscriber by notification 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 formally if writing her notification excluding him ;Note I. "Children" means legitimate children.Note II. An adopted child shall be considered to be a child when the Accounts Officer, or if any doubt arises in the mind of the Accounts Officer, the Legal Remembrancer, Orissa, is satisfied that under the personal law of the subscriber adoption is legally recognised as conferring the status of a natural child, but in this case only. When a person has given his child in adoption to another person, if then under the personal law of the adopter adoption is legally recognised as conferring the status of a natural child, such a child should, for the purposes of the Provident Fund Rules be considered as excluded from the family of the natural father;(d)"Fund" means the General Provident Fund, Orissa;(e)"Leave" means any variety of leave recognised by the Orissa Service Code;(f)"Year" means a financial year.(2)Any other expression used in these rules which is defined either in the [Provident Funds Act, 1925] [See Appendix 'A'.] [(19 of 1925)] [Substituted vide Notification No. 18741-F./17.5.1969.] or in the Orissa Service Code 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.Constitution of the Fund

3.

[(1)] [Re-numbered vide SRO No. 98/12.2.1970.] The Fund shall be maintained [* * *] [Deleted vide SRO No. 98/12.2.1970.] 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 ordinary rules relating to deposits:] [Inserted vide SRO No. 98/12.2.1970.][Provided that the amount shall not be credited to "Deposit" until the expiration of two years in case of retrenched personnel.] [Inserted vide SRO No. 797/20.8.1979.]

4. [[Substituted vide SRO No. 588/25.7.1974.]

All temporary Government servants after a continuous service of one year, and all permanent Government servants shall subscribe to the Fund :Provided that no such Government 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 the contributory Provident Fund.][Provided further that these rules shall not apply to Government servants appointed on or after the 1st January 2005 to services and posts in connection with the affairs of the State, either temporarily or permanently.] [Added vide S.R.O. No. 490/2007 dated 31.8.2007 (OG No. 35 dated 21.9.2007).]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 a month shall subscribe to the fund from the emoluments for the subsequent month. For example, a temporary Government servant completing one year's continuous service on any day in May will be required to subscribe from his pay for June payable in July.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. Note - (4) Re-employed pensioners (other than those eligible for admission to Contributory Provident Fund) and persons appointed on contract basis desirous of subscribing to the General Provident Fund any time before completion of one year's service may be allowed to do so. Note - A temporary Government servant who completes one year of continuous service during a month shall subscribe to the Fund from the emoluments for the subsequent month. For example, a temporary Government servant completing one year's continuous service on any day in May will be required to subscribe from his pay for June payable in July.

5.

[Omitted] [Omitted vide F. D. No. 882-F./-21.8.1965.].

6.

[Omitted] [Omitted vide F. D. No. 882-F./-21.8.1965.].

7.

[Omitted] [Omitted vide F. D. No. 38571-F./12.12.1965.]. Nomination

8. [Substituted vide SRO No. 157/3.3.1970.]

(1) A subscriber shall, at the time of joining the Fund, send to the Accounts Officer at 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 a subscriber who has a family at the time of making the nomination shall make such nomination only in favour of member or members of his family : Provided further that where a subscriber is a minor, he shall be required to make nomination only on his attaining the age of majority : 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 in accordance with 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 in such one of the Forms set forth in First Schedule as is appropriate in the circumstances. (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 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 contingency specified therein : Provided that if at the time of making the nomination the subscriber has no family, he shall provide in the nomination that it shall become invalid in the event of his subsequently acquiring a family : Provided further that if at the time of making the nomination, the subscriber has only one member of the family, he shall provide in the nomination that the right conferred upon the alternate nominee under Clause (a) shall 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 (8) or on the occurrence of any event by reason of which the nomination becomes invalid in pursuance of Clause (b) of Sub-rule (8) or the provisions 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 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 the expression "person" or "persons" shall include a company or association or body of individuals, whether incorporated or not and shall also include a Fund or Trust such as the Chief Minister's Relief Fund or any charitable or other Trust or Fund, in which case, the nomination conferring the right to receive the amount may be made in favour of the Secretary or any other executive authorised to receive payment on behalf of such Fund or Trust. Subscribers' Accounts

9.

An account shall be prepared in the name of each subscriber and shall show the amount of his subscriptions with interest thereon calculated as prescribed in Sub-rule (2) of Rule 14 [as well as advances and withdrawals from the Fund.] [Inserted vide SRO No. 97/12.2.1970.] Conditions and rates of subscriptions

10. [Substituted vide F. D. No. 38571/12.11.1965.]

(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 :] [Substituted vide SRO No. 754/12.9.1970.] Provided further that a subscriber on reinstatement after a period passed under suspension shall be allowed the option of paying in one sum, or in instalments any sum not exceeding the maximum amount of arrear subscriptions permissible for that period. [Note -(1)] [Re-numbered vide SRO No. 99/12.2.1970.] Vacation where combined with leave should be treated as leave for the purpose of the option to discontinue subscription under this rule. [Note-(2)] [Inserted vide SRO No. 99/12.2.1970.] The holder of a seasonal post in an establishment need not subscribe to the fund during the period of his unemployment. (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 :] [Substituted vide SRO No. 4/2.1.1976.](a)If he is an officer who draws his own pay bills, by making no deductions 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 and 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 30 withdrawn the amount standing to his credit in the Fund shall not subscribe to the Fund after such withdrawal unless he returns to duty.] [Inserted vide SRO No. 99/12.2.1970.](4)[A subscriber shall not subscribe to the Fund during the last four months of his service prior to the date of his retirement on superannuation.] [Inserted vide Orissa Gazette Extraordinary Part III-No. 30 of 1979-SRO No. 842/16.7.1979.]Rates of Subscription

11. [[Substituted vide SRO No. 379/18.5.1970.]

(1)The amount of subscription shall be fixed by the subscriber himself, subject to the following conditions :(a)It shall be expressed in whole rupee;(b)[It may be any sum not less than seven per cent of his emoluments in case of Class IV Government servant and not less than ten per cent of his emoluments in case of any other Government servant and not more than his total emoluments in any case :]Provided that in case of a Class IV employee, the minimum rate of subscription shall be Rs. 3 per month :Provided further that a subscriber who is at present subscribing to the Fund at the rate of 6½ per cent or more, but less than 8 per cent of his emoluments, shall also subscribe at a rate not less than 8 per cent of his emoluments and not more than his total emoluments.(c)When the Government servant elects to subscribe at the minimum rate, the fraction of a rupee will be rounded to the nearest whole rupee, 50 paise counting at 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 as follows :(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 date he joined 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 reduced once at any time during the course of the year or may be enhanced twice during the course of the year] [Substituted vide SRO No. 18/11.1.1973.] :Provided that the amount of subscription shall not be reduced so as to become less than the minimum prescribed in Sub-rule (1) :Provided further that if a subscriber is on duty for a part of a month and on leave for the remainder of that month and if he has elected not to subscribe during leave, the amount of the subscription payable shall be proportionate to the number of days spent on duty in the month.]

12.

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.Realisation of subscription

13. [[Substituted vide F. D. No. 3857/12.11.1965.]

(1)When emoluments are drawn from a Government Treasury in India or from an authorised 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 subscription 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 in default in any month or months during the course of a year otherwise than as provided in Rule 10, the total amount due to the fund on account of arrears of subscription shall, with interest thereon at the rate provided in Rule 14, be paid forthwith 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 [under Rule 15] :Provided that the subscriber, whose deposits in the Fund carry no interest, shall not be required to pay any interest :][Provided further that in case of an amount forwarded in accordance with the proviso to Sub-rule (2) of Rule 13, 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.] [Added vide SRO No. 152/27.2.1970.]Interest

14.

(1)Subject to the provisions of Sub-rule (5) below Government shall pay to the credit of the account of a subscriber, interest at such rate as may be determined for each year by the Central Government, for payment to the credit of the accounts of subscribers to the General Provident Fund (Central Services), subject however, to a minimum rate of 4 per cent in the case of a subscriber to the Fund from a date prior to 1st April, 1938 and to a minimum rate of 2½ per cent in the case of a subscriber who joins the Fund on or after 1st April, 1938.(2)Interest shall be credited with effect from the last

day in each year in the following manner : (i) on the amount at the credit of a subscriber on the last day of the preceding year, less any sums withdrawn during the current year-interest for twelve months; (ii) on sums withdrawn during 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 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 at the credit of a subscriber has become payable, interest shall thereupon be credited under this Sub-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 at the credit of the subscriber became payable. (3) In this rule, the date of deposit, shall, in the case of a recovery from emoluments, be deemed to be the first day of the month in which it is recovered, and in the case of an amount forwarded by the subscriber, shall be deemed to be the first day of the month of receipt, if it is received by the Accounts Officer before the fifth day of that month, but if it is received on or after the fifth day of that month, the first day of the next, succeeding month : [Provided 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 :] [Inserted vide SRO No. 100/12.2.1970.] [* * *] [Omitted vide SRO No. 152/27.2.1970.] [Provided further that where there has been a 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 subscription shall be payable from the month for which the pay or leave salary of the subscriber was due under the rules, irrespective of the month in which it was actually drawn.] [Inserted vide SRO No. 763/7.8.1973.] (4) [In addition to any amount to be paid under Rules 29, 30 or 31, interest thereon up to the date of final payment 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, is subsequently absorbed in such body corporate, 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 orders regarding absorption shall be deemed to be the date on which the amount to the credit of the subscriber becomes 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 for the fund only for the purpose of awarding interest under this sub-rule.] [Substituted vide Orissa Gazette Part III-No. 4/27.2.1984-SRO No. 84/84/19.1.1984.] (5) Interest shall not be credited to the account of a [* * *] [Omitted vide SRO No. 763/7.8.1973.] 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 13, Sub-rule (5) of Rule 16, Sub-rule (3) of Rule 19, Sub-rule (4) of Rule 21, Sub-rule (1) of Rule 23, Sub-rule (1) or (2) of Rule 24, Rule 29 or Rule 30 are replaced at 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 prescribed in this rule. Advances from the fund

15. [[Substituted vide Notification No. 6156-F./12.5.1988.]

(1) A temporary advance may be granted to a subscriber from the amount at his credit in the Fund at the discretion of the authority] specified in Sub-rule (3), subject to the following conditions : (a) the subscriber must satisfy the sanctioning authority of the necessity [* * *] [Omitted vide SRO No. 944/17.12.1970.] for the advance ; (b) the authority will record in writing the reason for granting the advance: Provided that if the reason is of a confidential nature, it may be communicated to the Accounts Officer personally and/or confidentially. (2) In fixing the amount of an advance the sanctioning authority shall pay due regard to the amount at the credit of the subscriber in the Fund. (3) [(a) The authority competent to grant the advance shall be as specified below :

Type of cases	Authority competent to sanction advance
1. Where the advance applied for does not exceed half the amount at the credit of the subscriber and previous advances, if any, have been fully repaid	Head of office both in the case of gazetted and non-gazetted employees, provided that in the cases of non-gazetted employees, the Head of office may authorise a Gazetted Officer of his office to sanction the advance.
2. When any or all of the above mentioned conditions are not fulfilled	Head of Department; provided that in the case of non-gazetted employees the Head of Department may authorise a Gazetted Officer of his office to sanction the advance.

(b) In the case of employees of the office of a Head of Department or department of the Secretariat, the Head of Department or the Secretary of the department as the case may be shall be competent to sanction the advance. In case of non-gazetted employees the Head of Department or the secretary of the department, as the case may be, may authorise a gazetted officer of the department to sanction the advance. (4) [After sanctioning the advance the amount shall be drawn on an authorisation 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 32.] [Inserted vide SRO No. 343/19.3.1976.] (5) [No temporary advance shall be granted to a subscriber during the last four months of his service before the date of his retirement on superannuation.] [Inserted vide Notification No. 26210-F./23.6.1962.] Conversion of an Advance into a Withdrawal

15A. Conversion of an advance into a withdrawal.

- A subscriber who has already drawn or may draw in future an advance under Rule 15 for any of the purposes specified in paragraphs 1, 11 (a) and 11 (b) of Appendix 'F' may convert, at his discretion, by written request addressed to the Accounts Officer through the sanctioning authority, the balance outstanding against him into a final withdrawal on his satisfying the conditions laid in paragraphs 1, 11 (a) and 11 (b) of the said Appendix. Recovery of Advances

16.

[(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 cases where the amount of advance exceeds three months' pay of the subscriber the Head of office may fix the number of instalments in excess of twenty-four but in no case more than thirty six. Where the advance exceeds both three months' pay and half the amount at the credit of the subscriber the Head of department may increase the number of instalments up to forty-eight. Administrative Departments of Government shall have power to fix the number of instalments in excess of forty-eight in extremely hard cases. 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.] [Substituted vide Orissa Gazette Part III-No. 28 of 1979.](2) Recovery shall be made in the manner prescribed in Rule 13 for the realisation 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,] [Substituted vide Notification No. 25585-F./24.8.1964.] except with the subscriber's consent while he is in receipt of subsistence grant or is on leave [which either does not carry any leave salary or carries leave salary equal to or less than half pay or half average pay,] [Substituted vide SRO No.753/11.9.1970.] as the case may be. The recovery may be postponed, on the subscriber's written request, by the sanctioning authority during the recovery of an advance of pay granted to the subscriber. Note. - The expression "advance of pay" in this sub-rule includes any ordinary advance of pay granted under the relevant rules, such as Article 159 (a), (b) and (h) of the Civil Account Code Volume I but does not include advances for the building or repair of a house, for the purchase of a conveyance or for the payment of passages overseas, which are of a different nature.(3)[When an advance is sanctioned under Rule 15 before full recovery of any previous advance the balance of any such 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.] [Substituted vide SRO No. 191/5.3.1973.](4)[No interest shall be payable in respect of any advance made under these rules ; provided that no amount recovered prior to the 1st day of May, 1966, as interest due in respect of any such advance shall be refundable.] [Substituted vide Notification No. 19533-F./14.6.1966.](5)If an advance has been granted to a subscriber and drawn by him and the advance is subsequently disallowed before repayment is completed, the whole or balance of the amount withdrawn, shall, with interest at the rate provided in Rule 14, 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 by instalments or otherwise as may be directed by one of the authorities competent to grant an advance [under Rule 15 :] [Substituted vide Notification No. 8736- F. 12.3.1968.] Provided that [* * *] [Omitted vide SRO No. 753/11.9.1970.] subscribers whose deposit in the Fund carry no interest shall not be required to pay any interest.(6) Recoveries made under this rule shall be credited as they are made to the subscriber's account in the Fund. Payment towards Insurance Policies and Family Pension Funds

17.

Subject to the conditions hereinafter contained in Rules 18 to 27-(a)(i) subscription to a family pension fund approved in this behalf by the State Government ; or(ii) payments towards a policy of life insurance may, at the option of a subscriber in service above Class IV 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 ; and(iii) the payment of a single premium or subscriptions to a family pension fund approved* in this behalf by the State Government; 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 twelve months before the withdrawal ; or (3) in excess of the amount required to meet a premium or subscription actually due for payment within six months of the date of withdrawal : Provided further that payments towards an educational endowment policy may not be substituted for subscription 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 rounded to the nearest whole rupee.*. The following funds have been approved by the State Government -(a) Superior Service (India) Family Pension Fund;(b) Bengal Uncovenanted Service Family Pension Fund;(c) Bombay Government Service Family Pension Fund;(d) Bengal and Madras Service Family Pension Fund;(e) General Family Pension Fund;(f) Hindu Family Annuity Fund;(g) Bengal Christian Family Pension Fund.

17A. [[Substituted vide F. D. No. 30498-F./18.9.1958.]

(1) The number of policies in respect of which substitution for subscription 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 subscription from the Fund is 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 the maximum number of policies specified in Sub-rule (1) policies which have matured or have been converted into paid-up ones shall be excluded.] [Substituted vide Orissa Gazette Part III-No. 28 of 1979.]

18.

(1) If the total amount of any subscriptions or payment substituted under Clause (a) of Rule 17 is less than the amount of the subscription payable to the Fund under Rule 11 (1), the difference shall be rounded to the nearest rupee in the manner provided in Clause (iv) of Sub-rule (2) of Rule 14, and paid by the subscriber as a subscription to the Fund. Note - The period for which the difference referred to in this rule should be calculated for the purpose of effecting recovery should be one financial year and any amount of subscriptions to a family pension fund or of payments towards a

policy of life insurance in excess of the minimum amount of subscriptions payable into the General Provident Fund in any financial year should not be set off against any difference payable under the rule in respect of any other financial year.(2)If the subscriber withdraws any amount standing at 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 11 :Provided that no subscription shall be payable by a Government servant who in exercise of the option allowed by Rule 7 (i) has ceased to subscribe to the Fund.

19.

(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 (2) and Clause (c), of Sub-rule (2), with interest thereon at the rate provided in Rule 14 from the emoluments of the subscriber and place it to the credit of the subscriber in the Fund.

20.

(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 Governor of Orissa.Explanation-(1) A policy on the joint lives of the subscriber and the subscriber's wife or husband shall be deemed to be a policy on the life of the subscriber for the purpose of this sub-rule.Explanation-(2) A policy which has been assigned to the subscriber's wife shall not be accepted unless either the policy is first 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 of [Rule 21 (ii) or under Clause (b) or (c) of Rule 21-A] [See Appendix 'D'] of the rules previously in force, shall remain subject to the provisions of those rules in so far as policies so taken out are concerned.

21.

(1)The policy, within three 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 Governor of Orissa, as security for the payment of any sum which may become payable to the Fund under Rule 26, 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 the 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 three months or such further period as the Accounts Officer may, under Sub-rule (1), have fixed, any amount withhold or withdrawn from the Fund in respect of the policy shall, with interest thereon at the rate provided in Rule 14, 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 one of the authorities competent to grant an advance under Rule 15.(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 authorised 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 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.

22.

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 or otherwise as may be directed by one of the authorities competent

to grant an advance under Rule 15.

23.

(1) Save as provided by Rule 27 when the subscriber -(a) quits the service ; or (b) has proceeded on leave preparatory to retirement and applies to the Accounts Officer for re-assignment or return of the policy ; or (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 re-assignment 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) or Rule 17 and Sub-clauses (i) and (ii) of Clause (b) of Rule 17 with interest thereon at the rate provided in Rule 14, the Accounts officer shall-(i) if the policy has been assigned to the Governor of Orissa under Rule 21, or under the corresponding rules heretofore in force re-assign the policy in the first Form set forth 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 re-assignment addressed to the Insurance Company; (ii) if the policy has been delivered to him under Clause (b) of Sub-rule (1) of Rule 21, 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 re-assigned or made over shall, if it has not matured or been assigned or charged or encumbered in any way, be again assigned to the Governor of Orissa 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 21, and thereupon the provisions of these rules shall so far as may be, again apply in respect of the policy : Provided further that, if the policy has matured or been assigned or charged or encumbered in any way, the provisions of Sub-rule (4) of Rule 21 applicable to a failure to assign and deliver a policy shall apply. (2) Save as provided by Rule 27, when the subscriber dies before quitting the service, the Accounts Officer shall-(i) if the policy has been assigned to the Governor of Orissa under Rule 21, or under the corresponding rule heretofore in force reassign the policy in the second Form set forth 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 re-assignment addressed to the Insurance Company; (ii) if the policy has been delivered to him under Clause (b) of Sub-rule (1) or Rule, 21 make over the Policy to the beneficiary, if any, or, if there is no beneficiary, to such person as may be legally entitled to receive it.

24.

(1) If a policy assigned to the Governor of Orissa under Rule 21 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 reason of the death of the subscriber's wife or husband, the Accounts Officer shall, save as provided by Rule 27, proceed as follows : (i) if the amount assured together with the amount of any accrued bonuses is greater than the whole of the amount withheld or withdrawn from the Fund in respect of the policy with interest thereon at the rate provided in Rule 14, the Accounts Officer shall re-assign the policy in the Form

set forth in the Fourth Schedule to the subscriber or to the subscriber and the joint assured, as the case may be, and make it over to the subscriber, who shall immediately on receipt of the policy moneys from the Insurance Company pay or repay to the Fund the whole of any amount withheld or withdrawn with interest, and in default, the provisions of Sub-rule (1) of Rule 21 applicable to a failure to assign and deliver a policy shall apply;(ii)if the amount assured together with the amount of any accrued bonuses is less than the whole of the amount withheld or withdrawn with interest, the Accounts Officer shall realise the amount assured together with any accrued bonuses and shall place the amount so realised to the credit of the subscriber in the Fund.(2)Save as provided by rule, if a policy delivered to the Accounts Officer under Clause (b) of Sub-rule (1) of Rule 21 matures before the subscriber quits the service, the Accounts 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 with interest thereon at the rate provided in Rule 14, or(ii)an amount equal to the amount assured together with any accrued bonuses, whichever is less, and, in default, the provisions of Sub-rule (4) of Rule 21 applicable to a failure to assign and deliver a policy shall apply.

25.

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 one of the authorities competent to grant an advance under Rule 15.)

26.

If the policy lapses, or is assigned, otherwise than to the Governor of Orissa under Rule 21, charged or encumbered the provisions of Sub-rule (4) of Rule 21 applicable to a failure to assign and deliver a policy shall apply.

27.

If the Accounts Officer receives notice of -(a)all assignment (otherwise than an assignment to the Governor of Orissa under Rule 21) ; or(b)a charge or encumbrance on ; or(c)an order of a Court restraining dealings with the policy or any amount realised thereon,the Accounts Officer shall not-(i)re-assign or make over the policy as provided in Rule 23 ; or(ii)realise the amount assured by the policy or re-assign, or make over the policy, as provided in Rule 24 ; but shall forthwith refer the matter to the Government.

28.

Notwithstanding anything contained in these rules, if the sanctioning authority is satisfied that money drawn as an advance from the Fund under Rule 15 or withdrawn from the Fund under Clause (a) or Clause (b) of Rule 17 has been unutilised for a purpose other than that for which section was given to the drawal, withholding or withdrawal of the money, the amount in question, shall, with interest at the rate provided in Rule 14, forthwith be repaid or paid, as the case may be, by the 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 re-paid 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 recoverable be re-paid or paid, as the case may be, by him. Note - The term 'emoluments' as used in this rule does not include subsistence grant.

28A. [[Inserted vide F. D. No. 15134/16.4.1969.]

The provisions of Rules 17 to 28 shall apply only to subscribers who, before the date of issue of this rule, 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 payment :Provided that such subscribers shall not be permitted to substitute such payments for subscriptions due to the fund or to withdraw from the fund for making such payments in respect of any new policy.]Final withdrawal of accumulations in the Fund

29.

When a subscriber quits the service, the amount standing at 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 Government, re-pay any amount paid to him from the Fund in pursuance of this rule, with interest thereon at the rate provided in Rule 14, in the manner provided in the proviso to Rule 30. The amount so re-paid shall be credited to his account in the Fund. Retirement of a Subscriber

30.

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 at his credit in the Fund shall, upon application made by him in that behalf to the Accounts Officer become payable to the subscriber :Provided that a subscriber, if he returns to duty, shall except where the Government decides otherwise re-pay to the Fund, for credit to his account the whole or part of any amount paid to him from the Fund in pursuance of this rule with interest thereon at the rate provided in Rule 14, 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 one of the authorities competent to grant an advance under Rule 15. Note - (1) When vacation precedes the leave preparatory to retirement the amount standing at the credit of a subscriber shall, upon application made to Accounts Officer, become payable at any time between the commencement of such vacation and the date of actual retirement. Note - (2) That final withdrawal by a subscriber is also permissible while in services for the purpose of house building, marriage and higher education of his children as detailed in Appendix F.

31. [] [See also Appendix 'D'.]

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 8 or of the corresponding rule heretofore in force in favour of a member or members of his family subsists, the amount standing at 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 at 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 legal majority;(2)sons of a deceased son who have attained legal 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.[Explanation [Inserted vide SRO No. 702/14.12.1971.] - (i) Entitlement to equal shares in the cases referred to in Clause (b) above shall be determined strictly on the basis of the position prevailing on the date of death of the deceased subscriber and not on any subsequent date;(ii)when the subscriber leaves no family, if a nomination made by him in accordance with the provisions of Rule 8 or of the corresponding rule heretofore in force in favour of any person or persons subsists, the amount standing at 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.]Explanation - If on the death of a subscriber, it is found that the nomination made by him is contrary to facts and is based on mis-statement or suppression of facts concerning the existence of a family as defined in these rules, such nomination shall be treated as null and void and the amount standing at his credit shall become payable, as if no nomination has been made.Manner of Payment of amount in the Fund

32.

(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 as provided in Section 4 of the Provident Funds Act, 1945.(2)If the person to whom, under these rules, any amount or Policy is to be paid, assigned,

re-assigned 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 re-assignment or delivery will 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 Subsection (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, 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 : (i) A subscriber may submit an application to the Accounts Officer through the Head of Office or Department for payment of the amount in table Fund, at least one year in advance of the date of superannuation. The application may be made for the amount standing to his credit in the Fund as indicated in the accounts statement for the year ending one year prior to his superannuation or for the amount as indicated in his ledger account, in case the accounts statement has not been received; (ii) [The Head of office/department shall forward the application to the Accounts Officer indicating the advances taken and the recoveries effected against the advances which are still current and the number of instalments yet to be recovered in respect of such advance and also indicate the withdrawals, if any, by the subscriber after the period covered by the lost statement of the subscribers account sent by the Accounts Officer ;] [Substituted vide Orissa Gazette Part III-No. 21 of 1981 -SRO No. 449/11.5.1981.] (iii) The Accounts Officer shall after verification with the ledger account issue an authority for the amount indicated in the application 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 application submitted under Clause (i) plus the refund of the instalments against advances which were current at the time of the first application ; (v) [After forwarding the application for final payment to the Accounts Officer advance/withdrawal may be sanctioned but the amount of advance/withdrawal shall be drawn on an authorisation from the Accounts Officer concerned who shall arrange this as soon as the formal sanction of the sanctioning authority is received by him.] [Substituted vide Orissa Gazette Part III-No. 14 of 1976.] Note - when the amount standing to the credit of a subscriber has become payable under Rule 29, 30 or 31, the Accounts Officer shall authorise prompt payment of the amount in the manner indicated in Sub-rule (3). Transfer of Accumulation in the Fund

33.

(a) If a Government servant who is a subscriber to any other Government provident fund, which is non-contributory provident fund, is permanently transferred to pensionable service under the State Government, the amount of subscriptions, together with interest thereon, standing to his credit in such other Fund at the date of transfer shall, with the consent of the other Government concerned, be transferred to his credit in the Fund. (b) If a Government servant who is a subscriber to the State Railway Provident Fund or the Contributory Provident Fund (India) or provincial contributory

provident fund is permanently transferred to pensionable service under the State Government and elects or is required to earn pension in respect of such pensionable service-(i)the amount of subscriptions, with interest thereon, standing to his credit in such contributory provident fund at 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 re-paid to Government and credited to provincial revenues; and(iii)he shall in exchange be entitled to count towards pension such part of the period during which he subscribed to such contributory provident fund as the State Government may determine.(c)[A person, on being appointed to State service and admitted to the benefit of the Fund, if previously was a subscriber to any Provident Fund of a body corporate, owned or substantially controlled by Government, created under a statute or registered under the Companies Act, 1956 or an autonomous Organisation registered under the Societies Registration Act, 1860, the amount of his subscription and the employee's contribution, if any, together with interest thereon shall be transferred to his credit in the Fund with the consent of that body or Organisation.] [Inserted vide SRO No. 128/22.2.1974.]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 registration or retrenchment from service under any other Government or autonomous body, or society.Transfer of Amount to the C.P.F. (Orissa)

33A.

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

34.

[* * *] [Omitted vide SRO No. 98/12.2.1970.]Procedure rules

35.

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, which shall be communicated to him by the Accounts Officer. Any change in the number shall similarly be communicated to the subscriber by the Accounts Officer.

36.

(1)As soon as possible after the close 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 account an enquiry whether the subscriber -(a) desires to make any alteration in any nomination made under Rule 8 of under the corresponding rule hereto before in force; (b) has acquired a family in cases where the subscriber has made no nomination in favour of a member of his family [under the proviso to Sub-rule (1) of Rule 8.] [Substituted vide F. D. No. 1202-F./10.3.1942.] (2) Subscribers should satisfy themselves as to the correctness of the annual statement and errors should be brought to the notice of Accounts Officer within [three months] [Substituted vide F. D. No. 30408-F./18.9.1958.] from the date of 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 at his credit in the Fund at the end of the last month for which his account has been written up. Relaxation of Rules

37. [[Inserted vide F. D. No. 18368-F./11.5.1967.]

When the State Government are satisfied that the operation of these rules cause or is likely to cause undue hardship to a subscriber, they may after recording the reasons for so doing and notwithstanding anything contained in these rules but consistent with the provisions of the General Provident Fund Act deal with the case of such subscriber in such manner as appears to be just and equitable.] Interpretation

38. [[Inserted vide F. D. No. 3068-F./28.1.1971.]

If any question arises relating to the interpretation of these rules, it shall be referred to the State Government whose decision thereon shall be final.] First Schedule [See Rule 8 (3)]

Subscriber Account No. Accepted Head of the Office

Forms of nomination I. When the subscriber has a family and wishes to nominate one member thereof-I, hereby nominate the person mentioned below, who is a member of my family as defined in Rule 2 of the General Provident Fund (Orissa) Rules to receive the amount that may stand at my credit in the Fund, in the event of my death before, that amount has become payable, or having become payable has not been paid :

Name and address of nominee	Relationship with subscriber	[Contingencies on the happening of which Age thenomination shall become invalid] [Vide Notification No. 3381-P. F. 3148-F./30.3.1949.]	Name, age, address and relationship of the person, if any, to whom the right of the nominee shall pass in the event of his/her predeceasing the subscriber. in case thenominee is a minor the name and full address of the guardian mayalso be noted in the column
1	2	3 4	5

Dated this..... day of..... 20..... at.....Signature of subscriberTwo witnesses to signature

1.

2.

Note - (1) If nominee is a minor the full name and the private home address of the guardian should be given. The subscriber cannot mention his own name as the guardian.II. When the subscriber has a family and wishes to nominate more than one member thereof-I, hereby nominate the persons mentioned below, who are members of my family as defined in Rule 2 of the General Provident Fund (Orissa) Rules, to receive the amount that may stand at my credit in the Fund in the event of my death before that amount has become payable or having become payable has not been paid, and direct that the said amount shall be distributed among the said persons in the manner shown below against their names :

Name and address of nominee	Relationship with subscriber	*Amount of share Age of accumulation to be paid to each	*Contingencies on the happening of which thenomination shall become invalid	*Name, age, address and relationship of the person, if any, to whom the right of the nominee shall pass in the event of his/her predeceasing the subscriber.
1	2	3 4	5	6

Dated this..... day of..... 20.....at.....Signature of subscriberTwo witnesses to Signature

1.

2.

*Note - (1) This column should be filled in so as to cover the whole amount that may stand at the credit of the subscriber in the Fund at any time.(2)If any nominee is a minor, the full name and private home address of the guardian should also be given. The subscriber cannot mention his own name as the guardian.(3)The subscriber should draw diagonal lines across the blank space below his last entry to prevent unauthorised insertion of any nominees after he has agreed.III. When the subscriber has no family and wishes to nominate one person-I, having no family as defined in Rule 2 of the General Provident Fund (Orissa) Rules, hereby nominate the person mentioned below to receive the amount that may stand at my credit in the Fund in the event of my death before that amount has become payable, or having become payable has not been paid :

Age

Name and address of nominee	Relationship with subscriber	*Contingencies on the happening of which thenomination shall become invalid		Name, age, address and relationship of theperson, if any, to whom the right of the nominee shall pass inthe event of his/her predeceasing the subscriber, in case thenominee is a minor the name and full address of the guardian mayalso be noted in the column
1	2	3	4	5

Dated this..... day of..... 20..... at.....Signature of subscriberTwo witnesses to signature

1.

2.

*Note - (1) Where subscriber who has no family makes a nomination, he shall specify in this column that the nomination shall become invalid in the event of his subsequently acquiring a family.(2)If the nominee is a minor, the full name and the private home address of the guardian should be given. The subscriber cannot mention his own name as the guardian.IV. When the subscriber has no family and wishes to nominate more than one person-I, having no family as defined in Rule 2 of the General Provident Fund (Orissa) Rules, hereby nominate the person mentioned below to receive the amount that may stand at my credit in the Fund in the event of my death before that amount has become payable or having become payable has not been paid and direct that the said amount shall be distributed among the said persons in the manner shown below against their names :

Name and address of nominee	Relationship with subscriber	*Amount of share Age of accumulation to be paid toeach		**Contingencies on the happening of which thenomination shall become invalid	Name, age, address and relationship of theperson, if any, to whom the right of the nominee shall pass inthe event of his/her predeceasing the subscriber.
1	2	3	4	5	6

Dated this..... day of..... 20.....at.....Signature of subscriberTwo witnesses to Signature

1.

2.

Note - (1) *This column should be filled in so as to cover the whole amount that may stand at the credit of the subscriber in the Fund at any time.** (2) Where a subscriber who has no family makes a nomination, he shall specify in this column that the nomination shall become invalid in the event of his subsequently acquiring a family. (3) If any nominee is a minor, the full name and private home address of the guardian should also be given. The subscriber cannot mention his own name as the guardian. (4) The subscriber should draw diagonal lines across the blank space below his last entry to prevent the unauthorised insertion of any names after he has signed.

Second Schedule [Rule 21 (1) (a)] Forms of Assignment (1) "I, A, B, of..... hereby assign unto the Governor of Orissa the within policy of assurance as security for payment of all sums which under Rule 26 of the General Provident Fund (Orissa) Rules, I may hereafter become liable to pay to that Fund. I hereby certify that no prior assignment of the within policy exists". Dated this..... day of..... 20..... Signature of subscriber One witness to signature Station..... (2) We, AB, (the subscriber) of..... and CD (the joint assured) of..... in consideration of the Governor of Orissa agreeing at our request to accept payments towards the within policy of assurance in substitution for the subscriptions payable by me the said AB to the General Provident Fund (or, as the case may be, to accept the withdrawal of the sum of Rs..... from the sum to the said AB in the General Provident Fund for payment of the premium of the within policy of assurance), hereby jointly and severally assign unto the said Governor the within policy of assurance as security for payment of all sums which under Rule 26 of the General Provident Fund (Orissa) Rules the said AB may hereafter become liable to pay to that Fund. We hereby certify that no prior assignment of the within policy exists. Dated this..... day of..... 20..... Signatures of subscriber and the joint assured Station One witness to signature

Note - The assignment may be executed on the policy itself either in the subscriber's handwriting or in type, or alternatively a typed or printed slip containing the assignment may be pasted on the blank space provided for the purpose on the policy. A typed or printed endorsement must be duly signed and if pasted on the policy it must be initialled across all four margins. (3) I, C. D. wife of A, B, and the assignee of the within policy having at the request of A, B, the assured, agreed to release my interest in the policy of labour of A, B, in order that A, B, may assign the policy to the Governor of Orissa who has agreed to accept payments towards the within policy of assurance in substitution for the subscriptions payable by the A, B, to the General Provident Fund hereby at the request and by the direction of A, B, assign and I the said A, B, assign and confirm up to the Governor the within policy of assurance as security for payment of all sums which under Rule 26 of the rules of the said Fund the said A, B, may hereafter become liable to pay to the Fund. We, hereby certify that no prior assignment of the within policy exists. Dated this..... day of..... 20..... Signature of the assignee and the subscriber Station..... One witness to signature (4) [] [Inserted vide Notification No. 6485/F, dated 18.2.1962.] Form of single tenant assignment to be used in cases where a subscriber to the..... Provident Fund who has effected an insurance policy under the rules of that Fund is admitted to the General Provident Fund, (Orissa).

20.

.....of.....

(Subscriber's name) (Subscriber's address)

hereby further assign up to the Governor of Orissa the within policy of assurance as security for the payment of all sums which under Rule 26 of the General Provident Fund (Orissa) General Rules the said..... (Subscriber's name) may hereafter become liable to pay to the General Provident Fund, (Orissa).I hereby certify that except an assignment to the Governor of Orissa as security for payment of all sums which the said..... (subscriber's name) has become liable to pay under rule of the..... Provident Fund Rules, no prior assignment of the within policy exists.Dated, this.....day of.....20.....Station.....One Witness.....Signature of the subscriberForm of joint tenant Assignment to be used in cases where a subscriber to Provident Fund who has effected an insurance policy under the Rules of that Fund is admitted to the General Provident Fund (Orissa).We..... (subscriber's name) of (subscriber's address) and..... wife of..... (wife's name) hereby jointly and severally further assign unto the Government of Orissa the within policy of assurance as a security for the payment of all sums which under Rule 26 of General Provident Fund (Orissa) Rules, the said..... (subscriber's name) may hereafter become liable to pay to the..... (subscriber's name) General Provident Fund (Orissa).We hereby certify that except an assignment to the Government of Orissa as security for payment of all sums which the said..... (subscriber's name) has become liable to pay, under rule..... of the..... Provident Fund Rules, no prior assignment of the within policy exists.Dated, this.....day of.....20.....Station.....One Witness.....Signatures of the subscriber and the joint tenantThird Schedule[Rule 23]Form of Re-Assignment by the Governor of Orissa(1)All sums which have become payable by the above-named AB under Rule 26 of the General Provident Fund (Orissa) Rules having been paid and all liability for payment by him of any such sums in the future having ceased the Government of Orissa doth hereby re-assign the within policy of assurance to the said AB/AB and CD.Dated this..... day of.....20.....Executed by..... Accounts Officer of the Fund for and an behalf of the Governor in presence of YZ.(One witness who should add his designation and address)

XY (Signature of the Accounts Officer)

(2)The above-named AB having died on the.....day of..... 20.....the Governor of Orissa both hereby re-assign the within policy of assurance to CD [.....*] [Fill in particulars of person legally entitled to receive the policy.]Dated this.....day of.....20.....Executed.....Accounts officer of the Fund for and on behalf of Governor in the presence of YZ.(One witness who should add his signature and address).

XY (Signature of the Accounts Officer)

Fourth Schedule[Rule 24]Form of Re-Assignment by the Governor of OrissaThe Governor of Orissa doth hereby re-assign the within policy to the said AB/AB and CD.Dated this..... day of.....20.....Executed by.....Accounts Officer of the Fund for and on behalf of the Governor in the presence of YZ.(One witness who should add his signature and address).

XY (Signature of the Accounts Officer)

Form of application for temporary withdrawal of money from the General Provident Fund

1. Name of applicant.....

2. Designation.....

3. Account No.....

4. Pay Dearness pay.....

**5. [Amount standing at credit of the applicant up to the date of application]
[The information can be obtained from the records of the applicant's office.]**

(The above can be arrived at in the following manner)

	–	-Rs.
(i) Amount at credit as per last Annual Account furnished by the Accountant-General	(+)	...
(ii) Add recoveries of subscription and on account of previous advance, if any, from 1st April to date	Total	...
(iii) Deduct advance drawn, if any, subsequent to 31st March	(-)	...
Balance	(-)	

6. Whether any advance was taken previously and, if so -

(a) the amount and the date of its drawal.....(b) the purpose for which the advance was granted.....(c) the date on which such advance was finally re-paid.....(d) in case consolidation of more than one advance was sanctioned, the date of such sanction and the date on which the consolidated advance has been re-paid.....(e) balance outstanding, if any, out of the advance or consolidated advance, as the case may be.....(f) The rate/rates of recovery of outstanding advance/advances.....(g) [whether final payment application has been submitted (in case of subscribers who are due to retire within one year)] [Inserted vide F.D.No. 28429/F, dated, 22.8.1990.]

7. Amount of advance now applied for (this should not ordinarily exceed three months' pay).....

8. Full particulars of the purpose for which the present advance applied for is required.....

9. Total amount of advance, including outstanding balance, if any, plus the advance applied for.....

10. Number of instalments in which it is proposed to re-pay the present/ consolidated advance.....

Verified particulars in item Nos. 1 to 6. Signature of applicant Accountant (Prescribed in F.D.O.M. No. 32000/F., dated 11.8.1975) Sanction of Advance from General Provident Fund

No..... Dated.....

Department/Office..... Sanction is hereby accorded under rule..... of General Provident Fund (Orissa) Rules for the grant of an advance of Rs..... (Rupees.....) to Shri/Smt./Kumari..... from his/her G.P.F. Account No..... to enable him/her to defray expenses on.....

2. The advance will be recovered in monthly instalments of Rs..... each commencing from the..... salary for the month of..... payable in.....

3. A sum of Rs..... (Rupees.....) out of advance of Rs..... sanctioned in No..... date..... and paid to him/her in..... will be outstanding till the commencement of the recovery of the consolidated amount as specified below. This amount together with the advance now sanctioned aggregating to Rs..... will be recovered in..... monthly instalments of Rs..... each commencing from the salary for the month of..... payable in.....

4. The balance at the credit of Shri/Smt./Kumari..... as on..... is detailed below :

- | | |
|--|---------|
| (i) Balance as per account slip for the year..... | Rs..... |
| (ii) Subsequent deposits and refunds of advance at the rate of..... and..... respectively p.m. from..... to..... | Rs..... |
| (iii) Total of..... Columns (i) and (ii) | Rs..... |
| (iv) Subsequent withdrawal, if any | Rs..... |
| (v) Balance as on date of sanction-Column (iii) minus (iv) | Rs..... |

5. [This issues with the concurrence of the Finance Department vide their U.O.R. No..... dated.....] [Applicable in case of sanction under Rule 37 of G.P.F. (Orissa) Rules only. Delete, if not applicable]

Sanctioning Authority, Memo No..... dated..... Copy with a copy of the application in original is

sent to Accountant-General, Orissa, Bhubaneswar for information and necessary action. Sanctioning Authority (Prescribed in F.D.O.M. No. 31000/F., dated 11.8.1975) Proforma for Application of withdrawal from General Provident Fund (Part Final)

1. Name of the subscriber.....

2. Account Number (with departmental suffix).....

3. Designation.....

4. Pay.....

5. Date of joining service and the date of superannuation.....

6. Balance at credit of the subscriber on the date of application as below :

(i) Closing balance as per statement for the year..... (ii) Credit from..... to..... on account of monthly subscriptions. (iii) Refunds made to the Fund after the closing balance vide (i) above..... (iv) Withdrawal during the period from..... to..... (v) Net balance at credit on date of application..... (vi) [whether final payment application has been submitted (in case of subscribers who are due to retire within one year) [Inserted vide F. D. No. 28429/F, dated 22.8.1990.].

7. Amount of withdrawal required.....

8. (a) Purpose for which the withdrawal is required.....

(b) Rule under which the request is covered.....

9. Whether any withdrawal was taken for the same purpose earlier, if so indicate the amount and the year

10. Name of the Accounts Officer maintaining the Provident Fund Account

Date..... Verified Columns 1 to 6 and found correct/corrected

Signature of Accountant Signature of Applicant and Designation

Proforma for Sanctioning Withdrawals from General Provident

Fund No..... Department/Office..... To..... (Name of Accounts Officer maintaining the Provident Fund Account)..... Sub : Withdrawal from the G.P.F. of Shri..... Sir, I am directed to convey sanction of the Governor under Rule..... of the..... Rules..... to the

withdrawal by Shri..... (here enter the designation) of a sum of Rs..... (Rupees.....) from his.....Fund Account No..... to enable him to meet expenditure.....

2. The amount of withdrawal does not exceed six months pay of Shri..... or half the amount at his credit..... Fund Account, whichever is less/three-fourth of the amount at the credit of Shri in the Fund Account. His basic pay is Rs..... (as defined in F. Rs.)

3. It is certified that Shri..... is within 10 years' of his retirement on superannuation has completed twenty/twenty-five years' of his Government service on

4. It is also certified that the total amount drawn from all Government sources by Shri..... for house building purposes does not exceed Rs. 1,00,000 or this five years' pay whichever is less.

5. The balance at the credit of Shri as on..... is detailed below :

- | | |
|---|---------|
| (i) Balance as per account slip for the year..... | Rs..... |
| (ii) Subsequent deposits and refunds of advance at the rate of..... p.m.
Rs.....from.....to..... | Rs..... |
| (iii) Total of Columns (i) and (ii) | Rs..... |
| (iv) Subsequent withdrawal, if any | Rs..... |
| (v) Balance as on date of sanction Rs Column (iii) - (iv) | Rs..... |

6. Shri was sanctioned a part final withdrawal by this office for an amount of Rs vide..... after the account statement for the year Shri..... is understood, (as stated by him) to have been last sanctioned a part-final withdrawal of Rs.....by.....

7. A copy of application is enclosed.

Yours faithfullySanctioning AuthorityCopy forwarded to

1.

.....

2. Shri..... His attention is drawn to the Provision of Rule.....of G.P.F.(O) Rules according to which a subscriber who has been permitted to withdraw money from the Fund should satisfy the sanctioning authority that the Money has been utilised for the purpose for which it was withdrawn. A certificate to the effect that the withdrawal sanctioned above has been utilised for the purpose of which it has been sanctioned may, therefore, please be furnished within months of the drawal of the money.

Sanctioning Authority.