

The M.P. General Provident Fund Rules, 1955

MADHYA PRADESH

India

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Rule THE-M-P-GENERAL-PROVIDENT-FUND-RULES-1955 of 1955

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The M.P. General Provident Fund Rules, 1955 Published vide Finance Department Notification No. 594-501-R-6 (Codes)-53, dated 18-1-1955, published in the Madhya Pradesh Gazette, Extraordinary, dated 16-2-1955 Note. - In the footnotes appearing hereinafter, the amending notifications are referred to by serial No. as given to them above. In exercise of the powers conferred by the proviso to Article 309 of the Constitution of India and in supersession of this Department Notification No. 3159-941-B-X, dated the 2nd October, 1934, the Governor of Madhya Pradesh is pleased to make the following rules for regulating the general provident of persons appointed to public services and posts in connection with the affairs of the State, namely :-

1. Short title and commencement.

(a) These rules may be called the Madhya Pradesh General Provident Fund Rules. (b) They shall come into force on the 1st April, 1955.

2. Definitions.

(1) In these rules :- (a) "Accounts Officer" means Accountant-General, Madhya Pradesh. [(a-1) "Arrears of pay" means the amount drawn as difference of revised and existing pay scale, including Dearness Allowance.] [Inserted by Notification No. 2339-4361 (98)-99-C, dated 28-12-1999.] (b) Except where otherwise expressly provided emoluments means pay, leave salary or subsistence grant as defined in the service rules, and any remuneration of the nature of pay received in respect of foreign service. (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 the subscriber, and the widow or widows and children of a deceased son of the 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 in writing her notification excluding him.Note 1. - "Children" means legitimate children.Note 2. - 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 Law Secretary to the Government of Madhya Pradesh 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.Note 3. - When a person has given his child in adoption to another person, and if, 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.[Note 4. [Inserted by Notification No. 39/19/79/R-II/IV, dated 26-6-1982.] - When husband or wife of the subscriber has deserted him/her during his/her life time the husband or wife, as the case may be of the subscriber shall be considered as excluded from the family of the subscriber.](d)"Fund" means the Madhya Pradesh General Provident Fund;(e)"Head of Department" means a Head of Department as mentioned in Chapter I of the Madhya Pradesh Financial Rules, Volume I;(f)"Leave" means any variety of leave recognised by the service rules or any other set of rules framed by the Government of Madhya Pradesh and made applicable to the subscriber;(g)"Year" means a financial year.(2)Any other expression used in these rules which is defined either in the Provident Funds Act (XIX of 1925) or in the Service 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.

3. Constitution of the fund.

- The fund shall be administered by the State Government and shall be maintained in rupees.

4. [[Substituted by Notification No. G-25/31/95/C/IV, dated 1-3-1996.]

All Government servants, whose conditions of service the Government of Madhya Pradesh is competent to determine, with the exception of those who are on a contract or on re-employment, shall be eligible to subscribe to the fund.Note. - For the purpose of this rule an apprentice who receives stipend shall not be a Government servant while the probations shall be government servants.

5.

All Government servants who are eligible to subscribe to the fund under Rule 4, shall be compulsory subscribers to the fund :Provided that the State Government may exempt any specified category of the Government servants from the operation of this rule.Note. - It shall be the responsibility of the driving Officers to ensure that all the compulsory subscribers subscribe to the fund at a rate not

lower than the minimum prescribed under these rules.]

6. [[Omitted by Notification No. G-25/31/95/C/IV, dated 15-4-1996.]

x x x]

7. [[Omitted by Notification No. G-25/31/95/C/IV, dated 1-3-1996.]

x x x]

8. Nominations.

- [(1) (a) A subscriber to the General Provident Fund shall, as soon as may be after joining the Fund, send to 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 if at the time of making the nominations the subscriber has a family the nomination shall not be in favour of any person or persons other than the member of his family. Note. - Sanction if accorded in relaxation of the above rule to any nomination made by a subscriber in favour of a person or persons other than members of his family (say 'mother' and 'brother' who are not included in the term 'family' as defined in these rules) when members of his family are surviving is ineffective and the nominee would not be entitled to the right conferred by sub-section (1) of Section 5 of the Provident Funds Act, 1925 (vide Controller and Auditor General's letter No. 209-A/350-53, dated the 16th February, 1954 received under Accountant-General's Endt. No. FD/14229, dated the 26th March, 1954, Regr. No. 946-R-VI-III, dated the 30th March, 1954). (b) The Head of Office shall receive and accept the nomination and a suitable entry regarding receipt and acceptance of nomination (without details of nomination) should be made in the service book of the subscriber under the dated signature of the Head of Office. (c) Nominations shall be kept in the safe custody of Head of Office along with the nominations for Death-cum-Retirement Gratuity. (d) In the event of transfer of the subscriber to another office, his nomination shall also be transmitted along with the service book and death-cum-retirement gratuity nominations to the Head of Office to which he is transferred and an entry to that effect shall be made in the service book. Acknowledgements for receipt of the nominations from the latter office shall be filed and kept in the custody of the Head of Office from where he is transferred. (e) When the balance at the credit of the subscriber becomes payable to his nominee under these rules the nomination kept by the Head of Office shall be sent in original to the Accounts Officer along with the application for final withdrawal after retaining an attested copy for further reference.](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 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 the 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 [Head of Office] [Substituted by Notification No. F.B. 9-3/87/R-II/IV, dated 2-7-1987.] :Provided that the subscriber shall, along with such notice, send a fresh nomination made in accordance with the provisions of this rule. Note. - The proviso in this sub-rule does not constitute a

condition for the validity of the notice of cancellation of a nomination given by a subscriber in writing under this sub-rule. If a nomination is expressly cancelled by the subscriber by a notice given in clear and unambiguous terms, and if the subscriber fails to furnish along with the notice of cancellation or separately in due course a fresh nomination which is in accordance with the rules, and the provident fund deposit becomes payable as a result of the death of the subscriber, the payment should be made in accordance with the rules of the Fund as if no valid nomination subsists.(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 as may be specified in the nomination; (b) that the nomination shall become invalid in the event of the happening of a contingency, specified therein; provided that if at the time of making the nomination the subscriber has no family, he shall provide in the nomination that it shall become invalid in the event of his subsequently acquiring a 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 [Head of Office] [Substituted by Notification No. F.B. 9-3/87/R-II/IV, dated 2-7-1987.] a notice in writing cancellation 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 [Head of Office.] [Substituted by Notification No. F.B. 9-3/87/R-II/IV, dated 2-7-1987.]Note. - A nomination under Section 5 (1) of the Provident Funds Act must also not only be in accordance with the rules (as they may stand when it is made), but it must continue to be in accordance with the rules (as they may stand, amended or altered, from time to time). The words "duly made in accordance with the rules of the Fund" occurring in the section are significant, and in view of these words the position is that a nomination once made in accordance with the rules might lose its validity if the rules are subsequently, altered or amended. A nomination made under one set of rules may thus become invalid under another set of rules if not revised as required by the later set of rules and so loses the benefit of Section 5 (1) of the Act.

8A. [[Substituted by Notification No. 9/12 (2)/R-II/IV/77, dated 6-6-1977 (w.e.f. 1-4-1977).]

Notwithstanding anything contained in Clause (ii) of sub-rule (1) of Rule 2, sub-rule (1) of Rule 8 and Rule 11, all Government servants including work-charged employees or members of the work-charged service, shall subscribe monthly to the fund such portion of any dearness allowance, by whatever name called, as is specified in the orders issued by the Government from time to time. No contribution shall be payable by the Government on account of this subscription. The subscription shall be in whole rupees. Fifty paise and above shall be treated as a rupee while less than fifty paise shall be omitted.] [Substituted by Notification No. F.B. 9-3/87/R-II/IV, dated 2-7-1987.]

9. Subscribers' accounts.

- An account shall be opened in the name of each subscriber, in which shall be shown :-(i)his subscriptions;(ii)interest, as provided in sub-rule (2) of Rule 14 on subscription;(iii)bonus, as provided by Rule 14-A on subscription; and(iv)advances and withdrawals from the Fund.Conditions and Rates of Subscriptions

10. [[Substituted by Notification No. G-25/31/95/C/IV, dated 1-3-1996.]

(1)A subscriber shall subscribe monthly to the fund except during a period of suspension or prior to four months of the date of retirement on superannuation :Provided that a subscriber may, after making an option in writing, elect not to subscribe during those months in which the subscriber is on half pay leave for the whole month or extraordinary leave without pay for at least half of the month.(2)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 and until the subscriber returns to duty.]

11.

[(1) The amount of subscription shall be fixed by the subscriber, subject to the following conditions-(a)It shall be expressed in whole rupees.(b)It may be any sum so expressed, but it may not be less than twelve percent of the emoluments and not more than his emoluments :Provided that the Government may by order direct for a higher amount to be deposited in subscriber's fund.] [Substituted by Notification No. G-25-2-2000-C-IV, dated 25-2-2000 (w.e.f. 1-4-2000).](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;(iii)if the subscriber joined the Fund for the first time under the operation of Rules 5 and 6 on a day subsequent to the said date, his emoluments shall be the emoluments to which he was entitled on such subsequent date;(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 first day of his service or, if he joined the Fund for the first time under the operation of Rule 6 on a date subsequent to the first day of his service, the emoluments to which he was entitled on such subsequent date.(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, or if he

is compulsorily required to join the Fund from a particular date under Rule 5, or joins the Fund for the first time, 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 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 once fixed by a subscriber shall not vary, during the course of the year on account of any increase or decrease in the rate of his pay which might ultimately have been found to be due in respect of the 31st March preceding or which might have taken place during the year.(5)The amount of subscription may be changed during the year only under the following circumstances :-(a)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.(b)If a subscriber dies during the course of a month, no subscription should be recovered for that month from subscriber's emoluments.(c)If a change is covered under any proviso to Clause (b) of sub-rule (1).]

11A.

Notwithstanding anything contained in Clause (b) of sub-rule (1) of Rule 2, Rule 5 and sub-rule (1) of Rule 11, all Government servants including work-charged employees or members of the work-charged service shall subscribe monthly to the Fund [such portion of any dearness allowance and arrears of pay] [Substituted by Notification No. 2339-4361 (98)-99-C-IV, dated 28-12-1999.] by whatever name called, as is specified by the Government, in the orders issued from time to time. For this purpose subscription shall be in whole rupees. Fifty paise and above shall be treated as a rupee while less than fifty paise shall be omitted. Note. - The above amendment shall be deemed to have come into force with effect from 1st April, 1977.

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.

13. [Realization of subscriptions. [Substituted by Notification No. G-25/31/95/C/IV, dated 1-3-1996.]

(1)When emoluments are drawn from a Government treasury in the State, recovery of subscription on account of those emoluments and of the principal and interest of advances shall be made from emoluments themselves.(2)When emoluments are drawn from any other source the subscriber shall forward his dues monthly to the Accounts Officer.] [Substituted by Notification No. G-25/31/95/C/IV, dated 1-3-1996.]

14. Interest.

(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 according to the method of calculation prescribed from time to time by the State Government : Provided that, if the rate of interest determined for a year is less than 4 per cent all existing 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 if the rate of interest determined for a year is less than that guaranteed by the former States prior to the 1st November, 1956 the affected Government servant shall be allowed interests at the guaranteed rate (vide General Administration Department Memo No. 3024-I-Int., dated 13th August, 1958). Note. - The rate of interest was for the first time fixed at less than 4 per cent from 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 (eight annas 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 or on any other day in the last week of the same month, the date of deposit shall, in the case of recovery of his subscription, be deemed to be the first day of the succeeding month. (4) In addition to any amount to be paid under Rule 29, 30 or 31, interest thereon up to the end of the month preceding that in which the payment is made, 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, interest shall be payable only up to the end of the month preceding the date so intimated : 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 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. (5) Interest shall not be credited to the account of a Muhammadan 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 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 described in the rule.(6-A) For advances under sub-rule (5) of Rule 15, the rate of interest to be charged on overdrawn amount would be 2% over and above the normal rate of Provident Fund balances under sub-rule (1). The interest shall be compounded annually and recovered before the principal of the advance. The interest realised on the overdrawn amount shall be credited to Government account under a distinct sub-head "Interest on overdrawal from Provident Fund."] [Substituted by Notification No. G-25/31/95/C/IV, dated 1-3-1996.]Note 1. - Deductions from pay or leave salary paid in arrears in consequence of promotion with retrospective effect or suspension followed by reinstatement with retrospective effect or for any other reason should be considered as having been made on the first of the month in which the arrears of pay or leave salary are drawn.Note 2. - No interest shall be allowed on the amount recovered on account of the subscriptions to the Fund in excess of the actual amount due.When the excess payment of subscription is adjusted by short payments in subsequent months, interest should be allowed for the later months on the full amount due, the balance having been already received in the former months.(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 rule, the rate of interest to be charged on overdrawn amount would be 2 1/2% over and above the normal rate of Provident Fund balances under sub-rule (1). The interest realised on the overdrawn amount shall be credited to Government account under a distinct sub-head "Interest on overdrawal from Provident Fund".] [Inserted by Notification No. F.B. 9/1/87/R-II/IV, dated 31-3-1987.]

14A. [[Substituted by Notification No. G-25/31/95/C/IV, dated 20-3-1996 (w.e.f. 1-4-1996).]

The State Government may, by order, grant incentive bonus to those subscribers who do not withdraw any money from the amount standing to their credit in the fund during a year or a block of a year as may be prescribed by the order at such rates as may be prescribed by that order.][Notes. - [Omitted.]]Advances from the Fund

15. [[Substituted by Notification No. G-25/31/95/C/IV, dated 1-3-1996.]

(1)A temporary advance, not exceeding three months' pay or half the amount at the credit of the subscriber may be granted to a subscriber [From the amount standing to the subscriber's credit in the Fund except the credit of the amount of arrears of pay] at the discretion of the sanctioning authority for any of the following purposes, namely(a)to pay expenses, including travelling expenses incurred in connection with the serious or prolonged illness of the applicant, any members of the applicant's family or any person actually dependent on the applicant;Note. - The expression

"expenses incurred in connection with the serious or prolonged illness" also includes expenses incurred on the purchase of artificial teeth and hearing aids.(b)to pay expenses incurred in connection with the confinement of the applicant or applicant's spouse provided that the applicant does not have more than two living children;(c)to meet the cost of education, including travelling expenses, outside India of the applicant, any member of the applicant's family or any person actually dependent on the applicant;(d)to meet the cost of education, including travelling expenses, of the applicant, any member of the applicant's family or any person actually dependent on the applicant in a technical or a specialised course in India beyond the high school stage;(e)to pay obligatory expenses on a scale appropriate to the applicant's status, which by customary usage, the applicant has to incur in connection with a social or religious ceremony;(f)to make good the loss of Government money;(g)to meet expenses in connection with the defence of the subscriber in a criminal case;(h)to meet the cost of legal proceedings instituted by the applicant for vindicating the applicant's position in regard to any allegation made against the applicant in respect of any act done or purported to have been done by the applicant in the discharge or applicant's official duty, the advance in this case being available in addition to any advance admissible for the same purpose from any other Government source :Provided that the advance shall not be admissible to a subscriber who institutes legal proceeding in any Court of law either in respect of any matter unconnected with applicant's official duty or against Government in respect of any condition of service or penalty imposed on him;(i)to meet the cost of defence of the applicant when proceedings are initiated by a private party in a Court of law against the applicant in respect of matters connected with the applicant's official duties;(j)to pay the amount of Security Deposit which is required from a subscriber under Rule 282 of M.P. Financial Code Volume 1; and(k)to meet the cost of or to make advance payment toward the allotment of a plot, flat or house for residential purposes.(2)An advance under sub-rule (1), except for special reasons, shall not be granted until at least twelve months after the final repayment of previous advance.Note. - For the purpose of this sub-rule, only purposes like marriages and serious illnesses qualify as 'special reasons'. Subsequently advances cannot be granted as a matter of course under this sub-rule.(3)[x x x] [Omitted by Notification No. G-25-2-2000-C-IV, dated 25-2-2000 (w.e.f. 3-3-2000).](4)[x x x] [Omitted by Notification No. G-25-2-2000-C-IV, dated 25-2-2000 (w.e.f. 3-3-2000).](5)[x x x] [Omitted by Notification No. G-25-2-2000-C-IV, dated 25-2-2000 (w.e.f. 3-3-2000).](6)The application for temporary advance from General Provident Fund shall be made in the form as in Appendix "K".(7)[x x x] [Omitted by Notification No. G-25-2-2000-C-IV, dated 25-2-2000 (w.e.f. 3-3-2000).](8)The authority competent to sanction advance under sub-rule (1) shall be head of office. In the case of advance to head of office, the controlling officer will be the sanctioning authority.(9)[The authority competent to sanction advance under sub-rule (2), shall be the head of the department and the Collector. In case of the head of the department, the State Government in the administrative department shall be the sanctioning authority.] [Substituted by Notification No. G-25-2-2000-C-IV, dated 25-2-2000 (w.e.f. 3-3-2000).](10)No temporary advance under Clauses (a), (b), (c), (d) and (e) of sub-rule (1) of this rule shall be admissible in addition to the withdrawal under Rule 16-A.Notes. - (1) For the purposes of this rule pay means pay as defined in Fundamental Rule 9 (21).(2)For the purposes of this rule the term "pay" in respect of a subscriber under suspension shall be the pay which he was drawing immediately before suspension.(3)The Collector shall be the competent authority in respect of the district establishment of revenue, excise and other departments where the district office of the department functions as a part of the collectorate

establishment.(4)An Additional Commissioner may exercise all or any of the financial powers of the Head of Department for the purposes of these rules subject to the work distribution by the Commissioner of the Division.(5)An Additional Heads of Department may exercise all or any of the financial powers of the Head of Department for the purposes of these rules subject to the work distribution by the Head of Department.(6)Additional Collectors may exercise all or any of the financial powers of the Collector for the purpose of these rules, subject to the work distribution by the Collector.(7)The gazetted officers in charge of the sections of the Collectorate may exercise powers of head of office under these rules subject to the work distribution by the Collector.(8)The Secretary in charge of General Administration Department may authorise officers of the department to exercise powers of head of department and head of office for the purpose of these rules in respect of secretariat establishment.(9)The Directors-General of Academy of Administration, Police, Home Guards and Forests may authorise officers of their head offices to exercise powers of head of department for the purpose of these rules in respect of the headquarters establishment.(10)The Finance department may authorize any other officer to exercise all or any of the financial powers of the head of department and/or head of office for the purposes of this rule.]

16. [[Substituted by Notification No. G-25/31/95/C/IV, dated 1-3-1996.]

(1)Recovery of advances shall be made in the manner prescribed in the rule 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, except with the subscriber's consent, while the subscriber is under suspension and may be postponed on the subscriber's written request by the sanctioning authority during these months in which the subscriber is on half pay leave for the whole month or extraordinary leave without pay for at least half of the month :Provided that no advance can be sanctioned or drawn in case where the application for final payment had been forwarded to the Accounts Officer under Clause (ii) of sub-rule (3) of Rule 32.(2)[An advance granted under sub-rule (1) of Rule 15 shall be recovered in such number of monthly instalments as the subscriber may elect subject to the maximum number of instalments being twenty four. Each instalment shall be in whole rupees, the amount of the advance being reduced, if necessary, to admit the fixation of such instalments.](3)When an advance is sanctioned under sub-rule (2) of Rule 15 before payment of last instalment of any previous advance is completed the balance of any advance so sanctioned and the instalments for recovery shall be fixed with reference to the consolidate amount.(4)[x x x] [Omitted by Notification No. G-25-2-2000-C-IV, dated 25-2-2000 (w.e.f. 3-3-2000).](5)A subscriber may elect to pay more than one instalment in a particular month.(6)If an advance has been drawn by a subscriber and the advance granted is subsequently disallowed before the repayment is completed, the whole or balance of the amount withdrawn, shall forthwith be repaid by the subscriber to the Fund, or in default, be ordered to be recovered by deduction from the emoluments of the subscriber in lump-sum or in monthly instalments not exceeding twelve, as may be directed by the authority as specified in sub-rule (9) of Rule 15 :Provided that, before such advance is disallowed, the subscriber shall be given an opportunity to explain to the sanctioning authority in writing and within fifteen days of the receipts of the communication, as to why the repayment should not be enforced, and if an explanation is submitted by the subscriber within the said period it shall be referred to the administrative department for decision and if no explanation within the said period is submitted by him, the repayment of the advance shall be enforced in the

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

16A.

(1)Subject to the conditions specified therein withdrawals may be sanctioned by the authorities competent to sanction [an advance under sub-rule (9) of Rule 15] [Substituted by Notification No. G-25/31/95/C/IV, dated 1-3-1996.], at any time,-(A)After the completion of [fifteen years] [Substituted by Notification No. G-25/10/96/C/IV, dated 21-11-1996.] 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 except the credit of the amount of arrears of pay] [Substituted by Notification No. G-25-2-2000-C-IV, dated 25-2-2000 (w.e.f. 3-3-2000).] 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, professional or specialised course in India beyond the High School stage;(b)meeting the expenditure in connection with the betrothal/ marriage of the subscriber or his sons or daughters and any other female relations actually dependent on him;(c)meeting the expenses in connection with the illness, including where necessary, the travelling expenses of the subscriber and members of his family or any person actually dependent on him;(d)[meeting the expenditure in connection with Hajyatra [or Teertha Yatra] [Inserted by Notification No. G-25/9/98/C/IV, dated 2-9-1998.] of the subscriber.](B)After the completion of [ten years] [Substituted by Notification No. F.B. 9/2/85/R-II/IV, dated 11-6-1985.] of service (including broken periods of service, if any) of a subscriber or within ten years before the date of his retirement on superannuation, whichever is earlier, from the amount standing to his credit in the fund for one or more of the following purposes,-(a)building or acquiring a suitable house or ready built flat for his residence including the cost of site;(b)repaying an outstanding amount on account of loan expressly taken for building or acquiring a suitable house or ready built flat for his residence;(c)purchasing house site for building a house thereon for his residence or repaying any outstanding amount of loan expressly taken for this purpose;(d)reconstructing or making additions or alterations to a house or a flat already owned or acquired by a subscriber;(e)renovating, additions or alterations or upkeep of an ancestral house at a place other than the place of duty or to a house built with assistance of loan from Government at a place other than the place of duty;(f)constructing a house on a site purchased under sub-clause (c);(C)Acquiring a farm land or business premises or both within six months before date of the subscriber's retirement.(D)[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.] [Inserted by Notification No. F-5-5-2002-C/IV, dated 25-1-2003 (w.e.f. 31-1-2003).]Note 1. - A subscriber who has availed himself of an advance from Government for house building purpose under sub-section (1) of Section IV under Chapter 13 of the Madhya Pradesh Financial Code, Volume I shall be eligible for grant of withdrawal under 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 from Government subject to the limit specified in Clauses (i) and (ii) of sub-rule (4) of Rule 16-B.If a subscriber has an ancestral house or built a house at a place other than the place of his duty

with the assistance of loan taken from the Government, he shall be eligible for the grant of a part-final withdrawal under sub-clauses (a), (c) and (f) of Clause (B) for purchase of a house site or for construction of another house or acquiring a ready built flat at the place of his duty. Note 2. - Withdrawal under sub-clause (a), (d), (e) or (f) of Clause (B) shall be sanctioned only after a subscriber has submitted a plan of the house to be constructed or of the additions or alterations to be made, duly approved by the local municipal body of the area where the site or house is situated and only in cases where the plan is actually got to be approved. Note 3. - The amount of withdrawal sanctioned under sub-clause (c) of Clause (B) shall not exceed $\frac{3}{4}$ th of the balance on the date of application together with the amount of previous withdrawal under sub-clause (a), reduced by the amount of previous withdrawal. The formula to be followed is :- $\frac{3}{4}$ th of [balance as on the date + amount of previous withdrawal (s) for the house in question] minus the amount of previous withdrawal (s). Note 4. - A withdrawal under sub-clause (a) or (d) of Clause (B) shall also be allowed where the house site or house is in the name of wife or husband provided she or he is the first nominee to receive Provident Fund money in the nomination made by the subscriber. Note 5. - Only one withdrawal shall be allowed for the same purpose under this rule. But marriage or education of different children or illness on different occasions or a further addition or alteration to a house or flat covered by a fresh plan duly approved by the local municipal body of the area where the house or flat is situated, shall not be treated as the same purpose. Second or subsequent withdrawals under sub-clause (a) or (f) of Clause (B) for completion of the same house shall be allowed up to the limit laid down under Note 3. Note 6. - A withdrawal under this rule shall not be sanctioned if an advance under Rule 15 has been sanctioned for the same purpose and at the same time. (2) The authorities competent to sanction [an advance under sub-rule (9) of Rule 15] [Substituted by Notification No. G-25-31-95-C-IV, dated 1-3-1996.] may sanction withdrawal for the purpose of acquisition of farm land/or business premises within 6 months of the date of retirement of a subscriber from the amount standing to his credit in the fund. (3) Whenever a subscriber is in a position to satisfy the competent authority about the amount standing to his credit in the General Provident Fund with reference to the latest available statement of General Provident Fund Account together with the evidence of subsequent contribution, the competent authority may itself sanction withdrawal within the prescribed limits, as in the case of a refundable advance. In doing so, the competent authority shall take into account any withdrawal or refundable advance already sanctioned by it in favour of the subscriber. Where, however, the subscriber is not in a position to satisfy the competent authority about the amount standing to his credit or where there is any doubt about the admissibility of the withdrawal applied for a reference may be made to the Accountant-General by the competent authority for ascertaining the amount standing to the credit of the subscriber with a view to enable the competent authority to determine the admissibility of the amount of withdrawal. The sanction for the withdrawal should prominently indicate the General Provident Fund Account Number and a copy of the sanction for withdrawal should invariably be endorsed to the Accountant-General. The sanctioning authority shall be responsible to ensure that an acknowledgement is obtained from the Accountant-General's Office that the sanction for withdrawal has been noted in the ledger account of the subscriber. In case the Accountant-General's Office reports that the withdrawal as sanctioned is in excess of the amount to the credit of the subscriber or otherwise inadmissible the sum withdrawn by the subscriber shall forthwith be repaid in one lump-sum by the subscriber to the Fund and in default of such repayment, it shall be ordered by the sanctioning authority to be recovered from his emoluments either in lump-sum or in such

number of monthly instalments as may be determined by the Governor.(4)After sanctioning the withdrawal, the amount shall be drawn, on an authorisation from the Accounts Officer in cases where the application for final payment had been forwarded to the Accounts Officer under Clause (ii) of sub-rule (3) of Rule 32.

16B.

(1)For the purposes mentioned in sub-clause (a) of Clause (A) of sub-rule (1) of Rule 16-A-(i)The amount of withdrawal should not exceed three months' pay or half the balance to the credit of the subscriber in the fund, whichever is less :[Provided that in special case such as admission to Medical and Technical courses, the sanctioning authority may sanction 75% of the balance standing to the credit of a subscriber or amount equal to admission fees and other fees, whichever is less.] [Inserted by Notification No. G. 25/6/2000/C/IV, dated 24-9-2001.](ii)[the withdrawal will be permissible once in a year provided that it will not ordinarily be allowed before the expiry of one year from the date of the previous withdrawal.] [Substituted by Notification No. G-25-2-2000-C-IV, dated 25-2-2000 (w.e.f. 3-3-2000).](iii)No temporary [advance under Clause (c) of Rule 15 (1)] [Substituted by Notification No. G-25-31-95-C-IV, dated 1-3-1996.] shall be admissible in addition to the withdrawal under this rule.(iv)The officer concerned should satisfy the sanctioning authority within a period of six months from the date of drawing the money that it has been utilised for the purpose for which it was intended, otherwise the whole amount of withdrawal will be liable to recovery in one lump-sum. In cases where a portion of the money withdrawn is not likely to be spent within six months of the date of withdrawal and the officer contemplates making a further withdrawal during the following half year, he may by notifying in writing to the sanctioning authority before the expiry of the period of six months adjust the excess amount in the proposed withdrawal provided that such excess amount is not more than 10 per cent of the amount utilized and action to withdraw the further amount is taken within one month of the expiry of the six months' period, and if no further withdrawal is contemplated, the excess amount should be deposited forthwith in the provident fund; any amount withdrawn from the fund which is found to be in excess of that actually required by the officer for the purpose should be redeposited forthwith into the fund :[Provided that, before repayment of a withdrawal is enforced under this sub-rule, the subscriber shall be given an opportunity to explain in writing, and within fifteen days of the receipt of the communication, as to why the repayment should not be enforced and if the Government is not satisfied with explanation or no explanation is submitted by the subscriber within the said period of fifteen days, it shall be ordered by the Government to enforce the repayment in the manner prescribed in this sub-rule.] [Inserted by Notification No. F.B. 9/1/87/R-II/IV, dated 31-3-1987.]The sanctioning authorities will satisfy themselves within six months of the withdrawal that the above conditions are fulfilled, and furnish a certificate to that effect to the Accounts Officer.(2)For the purpose mentioned in sub-clause (b) of Clause (A) of sub-rule (1) of Rule 16-A :- (i)The amount of withdrawal will normally be limited to ten months' pay or one-half of the amount standing to the credit of the subscriber, in the fund, whichever is less.(ii)If two or more marriages are to be celebrated the amount admissible in respect of each marriage will be determined as if the withdrawals are sanctioned separately one after other.(iii)[in special cases the sanctioning authority may relax the limit of Clause (i) above but not more than 75% of the balance standing in the credit of a subscriber for the marriage of first daughter. For the marriage of other daughters/sons the

sanctioning authority may relax the limit of Clause (i) above but in no case more than fifteen months' pay or 75% of the balance standing to the credit of a subscriber, whichever is less, be sanctioned.] [Substituted by Notification No. G-25-2-2000-C-IV, dated 25-2-2000 (w.e.f. 3-3-2000).](iv)In respect of the same marriage either final withdrawal under Rule 16-A (1) or advance under Rule 15 may be drawn and not both.(v)The withdrawal may be allowed to the subscriber not earlier than three months preceding the month in which marriage actually takes place.(vi)The subscriber shall furnish a certificate to the sanctioning authority within the period of one month from the date of marriage, or if he is on leave from return of leave, that the money withdrawn has actually been utilized for the purpose for which it was intended. If the subscriber fails to furnish the requisite certificate, or if the amount withdrawn is utilized for the purpose other than that for which sanction was given, the entire amount shall be redeposited forthwith into the fund in one lump-sum :[Provided that, before repayment of a withdrawal is enforced under this sub-rule the subscriber shall be given an opportunity to explain in writing and within fifteen days of the receipt of the communication as to why the repayment should not be enforced, and if the sanctioning authority is not satisfied with the explanation or no explanation is submitted by the subscriber within the period of fifteen days it shall be ordered by the sanctioning authority to enforce the repayment in the manner prescribed in this sub-rule.] [Inserted by Notification No. G-25-31-95-C-IV, dated 1-3-1996.](vii)Any amount actually withdrawn from the fund which is found to be in excess of that actually utilized by the subscriber for the purpose shall be re-deposited forthwith into the fund.(3)For the purpose specified in sub-clause (c) of Clause (A) of sub-rule (1) of Rule 16-A :-(i)Any sum withdrawn by a subscriber at any one time for the above purpose from the amount standing to his credit in the Fund shall not exceed one-half of such amount or six months' pay, whichever is less :[Provided that in cases of serious illness such as heart operation, treatment of cancer, kidney transplantation etc. the sanctioning authority may sanction equal to ten month's pay subject to sufficient balance amount standing to the credit of a subscriber.] [Inserted by Notification No. G. 25/6/2000/C/IV, dated 24-9-2001.](ii)[A subscriber who has been permitted to withdraw money from the fund under sub-clause (c) of Clause (A) of sub-rule (1) of Rule 16-A of the said rules shall satisfy the sanctioning authority within a period of six months from the date of withdrawal that the money has been utilised for the purpose for which it was withdrawn, and if he fails to do so, the whole of the sum so withdrawn or so much thereof as has not been applied for the purpose for which it was withdrawn, shall forthwith be repaid in one lump-sum by the subscriber, to the fund, and in default of such payment, it shall be ordered by the sanctioning authority to be recovered from his emoluments either as may be determined by the sanctioning authority : [Substituted by Notification No. F.B. 9/1/87/R-II/IV, dated 31-3-1987.]Provided that, before repayment of withdrawal is enforced under this sub-rule, the subscriber shall be given an opportunity to explain in writing and within fifteen days of the receipt of the communication as to why the repayment should not be enforced and if the sanctioning authority is not satisfied with the explanation or no explanation is submitted by the subscriber within the said period of fifteen days, it shall be ordered by the sanctioning authority to enforce the repayment in the manner prescribed in this sub-rule.](iii)No temporary [advance under Clause (a) of Rule 15 (1)] [Substituted by Notification No. G-25/31/95/C/IV, dated 1-3-1996.] shall be admissible in addition to the withdrawal under this rule.(4)For the purpose specified in sub-clauses (a), (b), (c), (d), (e) and (f) of Clause (B) and in Clause (C) of sub-rule (1) of Rule 16-A :-(i)[Any sum withdrawn by a subscriber at any one time for one or more of the purposes, from the amount standing to his credit in the fund shall not ordinarily

exceed one half of such amount or six months' pay, whichever is less. The sanctioning authority may, however, sanction the withdrawal of an amount in excess of this limit upto $\frac{3}{4}$ of the balance at his credit in the fund having due regard to (a) the object for which the drawal is being made, (b) the status of the subscriber, and (c) the amount to his credit in the fund provided that in the case of a subscriber who has availed himself of an advance from Government for house building purpose under sub-section (1) of Section IV under Chapter 13 of the Madhya Pradesh Financial Code, Volume I, the sum withdrawn under this sub-rule together with the amount of advance shall not exceed [Rupees five lakhs] [Substituted by Notification No. F.B. 9/1/87/R-II/IV, dated 31-3-1987.].(ii)The whole amount may be allowed to be withdrawn in one instalment in cases of outright purchase of a house-site or ready-made house or for repayment of a loan earlier taken for the purpose and in three equal instalments if the payment for the site is to be made on an instalment basis or withdrawal is intended for construction of house the instalments after the first being authorised by the sanctioning authority after verification regarding progress of construction of the house. Withdrawal of money for the purposes of additions and alterations to a house shall be regulated as under,-Upto Rs. 3,000-in one instalment. Rs. 3,001 to 6,000-in two equal instalments, the second instalment being authorised by the sanctioning authority after verification of progress of the work. Above Rs. 6,000-in three equal instalments, the second and third instalments being authorised after verification of the progress of the work. Withdrawal of the amount to the extent admissible may be allowed in one or more instalments as fixed under rules of M.P. Housing Board where a house is to be acquired on hire-purchase system in accordance with the scheme of the Board.(iii)A subscriber who has been permitted to withdraw money from the fund shall satisfy the sanctioning authority within a reasonable period as may be specified by that authority that the money has been utilized for the purpose for which it was withdrawn and if he fails to do so the whole of the sum so withdrawn or so much thereof as has not been applied for the purpose for which it was withdrawn shall forthwith be repaid in one lump-sum, and in default of such payment it shall be ordered by the sanctioning authority to be recovered from his emoluments either in a lump-sum or in such number of monthly instalments as may be determined by the State Government:[Provided that, before repayment of a withdrawal is enforced under this sub-rule, the subscriber shall be given an opportunity to explain in writing and within fifteen days of receipt of the communication, as to why the repayment should not be enforced, and if the sanctioning authority is not satisfied with the explanation or no explanation is submitted by the subscriber within the said period of fifteen days, it shall be ordered by the sanctioning authority to enforce the repayment in the manner prescribed in this sub-rule.] [Inserted by Notification No. F.B. 9/1/87/R-II/IV, dated 31-3-1987.](iv)A subscriber who has been permitted under sub-clauses (a), (b), (c), (d) and (f) of Rule 16-A (1) (B) and Rule 16-A (1) (C) to withdraw money from the amount standing to his credit in the fund shall not part with the possession of the house so built or acquired or house-site so purchased, by way of sale, mortgage, gift, exchange or lease for a term exceeding three years, without the previous permission of the sanctioning authority. He shall submit a declaration not later than the 31st day of December of every year to the effect that the house or, as the case may be, the house-site continues to be in his possession and shall, if so required produce before the sanctioning authority on or before the date specified by the authority in that behalf, the original sale deed and other documents on which Iris title to the property is based. If at any time before retirement, he parts with the possession of the house or house-site without obtaining the previous permission of the sanctioning authority the sum withdrawn by him shall forthwith be repaid in one lump-sum by the subscriber to the Fund and in

default of such repayment, it shall be ordered by the sanctioning authority to be recovered from him in a lump-sum or in such number of monthly instalments, as may be determined by the State Government.(5)[For the purpose specified in sub-clause (d) of clause (A) of sub-rule (1) of Rule 16-A:-(i)the amount of withdrawal should not exceed [ten months] pay or half of the balance to the credit of the subscriber in the fund, whichever is less;(ii)the withdrawal may be allowed to the subscriber not earlier than three months preceding the month in which the commencement of journey takes place;(iii)the withdrawal shall be permissible once in whole service;(iv)no temporary advance shall be admissible in addition to the withdrawal under this rule;(v)the subscriber shall furnish a certificate to the sanctioning authority within the period of one month from the date of completion of Hajyatra [or Teerth Yatra] [Inserted by M.P.F.D. Notification No. F.

5/3/2003/Rule/Four, dated 8-10-2003.], that the money withdrawn has actually been utilized for the purpose for which it was intended. If the subscriber fails to furnish the requisite certificate, or if the amount withdrawn is utilized for the purpose other than that for which sanction was granted, the entire amount shall be redeposited forthwith into the General Provident Fund in lump-sum :Provided that before repayment of a withdrawal is enforced under this sub-rule, the subscriber shall be given an opportunity to explain in writing within 15 days of the receipt of the communication as to why the repayment should not be enforced and if the sanctioning authority is not satisfied with the explanation submitted by the subscriber the sanctioning authority shall by order in writing enforce the repayment in the manner prescribed in this sub-rule.] [Inserted by Notification No. G-25/9/98/C/IV, dated 2-9-1998.](6)[For the purpose specified in clause (D) of sub- rule (1) of Rule 16-A:-(i)The amount of withdrawal shall not exceed 90% of the amount standing to the credit of the subscriber in the fund.(ii)This facility shall be admissible only once.]

16C. [Conversion of an advance into a withdrawal. [Inserted by Notification No. 2588-IV-R/71, dated 6-12-1971 and-No. 1060-R-1892-IV-R-II/72, dated 24-5-1972.]

- Subject to eligibility for part final withdrawal a subscriber who has already drawn or may draw in future an advance for any purpose [specified in Clauses (a), (b), (c), (d), (e) and (k) of sub-rule (1) of Rule 15] [Inserted by Notification No. F. 5-5-2002-C-IV, dated 25-1-2003 (w.e.f. 31-1-2003).] 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 16-A and 16-B.]

17. Payment towards insurance policies and family pension funds.

- Subject to the conditions hereinafter contained in Rules 17-A to 27,-(a)(i)subscriptions 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, be substituted in whole or part for subscriptions due to the Fund.(b)the amount of a 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 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 affected 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 one month of the date of withdrawal: Provided further that payment 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 the amounts withdrawn shall be in whole rupee but shall not include fraction of a rupee although such amount is less than the amount actually required. Note. - The Accounts Officer shall, before accepting as suitable the details of the proposed policy, satisfy himself that the policy is taken out mainly for the benefit of the subscriber's family and shall refuse to accept a policy which does not fulfil this condition.

17A.

(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 20th January, 1954, 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 the maximum number of policies specified in sub-rule (1), policies which have matured shall be excluded.

18.

(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 Rule 11 (1), the difference shall be rounded off 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. (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 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)(i)if he is a Gazetted Government servant or one who is on foreign service, send the receipts or certified copies of receipts within one month from the date of withdrawal to the Accounts Officer.(ii)if he is a non-gazetted Government servant, he will submit the premium receipt direct to the head of his office who will in turn furnish to the Accounts Officer a certificate in July each year for the financial year ended 31st March to the effect that all such receipts have been duly produced before him for scrutiny and necessary endorsements have been made thereon regarding no abatement of income-tax.(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) in respect of the year in which the payments should have been made 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 which is expressed on the face of it himself on his own life, and shall (unless it is a policy effected by a male subscriber to be for the benefit of his wife, or his wife and children, or any of them) be such as may be legally assigned by the subscriber to the Governor of Madhya Pradesh.Note. - An annuity policy on the subscriber's own life and not effected for the benefit of any specific person has been declared to be acceptable under the above rule.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 joined 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 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 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 Madhya Pradesh, 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 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 three 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 in one sum, or in monthly instalments not exceeding twelve as may be directed by the authority competent to sanction [an advance under sub-rule (9) of Rule 15.] [Substituted by Notification No. G-25-31-95-C-IV, dated 1-3-1996.] (5) Notice of assignment of the policy shall be given by the subscriber to the Insurance Company, and the acknowledgement of the notice by 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 fees for the acknowledgement authorised by the Policies of Assurance Act, 1867. The policy itself bearing the assignment endorsed thereon, need not be sent to the Company, as insurance companies do not ordinarily require the production of the original instruments affecting a policy-holder's title until the policy becomes a claim. 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.

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 him emoluments in one sum [x x x] [Omitted by Notification No. G-25-31-95-C-IV, dated 1-3-1996.].

23.

(1) Save as provided by Rule 27 when the subscriber :- (a) quits the service; or (b) has proceeded on leave preparatory to retirement or if he is employed in a vacation department, on leave preparatory

to retirement combined with vacation, and applies to the Accounts Officer for reassignment 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 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; or(e)[x x] [Omitted by Notification No. G-25-31-95-C-IV, dated 1-3-1996.](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 Madhya Pradesh 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 reassignment 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 beneficiary, if any, or, if there be no beneficiary, to such persons as may be legally entitled to receive it.

24.

(1)If a policy assigned to the Governor of Madhya Pradesh under Rule 21 matures before the subscriber quits the service, or if a policy on the joint lives of a subscriber and his wife assigned under the said rule, falls due for payment by reasons of the wife's or husband's death, the Accounts Officer shall, save as provided by Rule 27, 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 :Provided that if the amount assured together with the amount of any accrued bonuses is more than the whole of the amount withheld or withdrawn, it shall be the duty of the Accounts Officer to pay to the subscriber the difference, on receipt of a written application in this behalf.(2)Save as provided by Rule 27, 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 his wife and children, or any of them, as expressed on the face of the policy, expires then 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 sub-rule (4) of Rule 21 applicable to a failure to assign and deliver a policy shall apply.Note. - A question has been raised as to the procedure to be adopted in regard to the refund of the amount withdrawn from the provident fund for financing an insurance policy in the event of the insurance company concerned going into liquidation. It has been decided that in such an event the procedure laid down in the above rule should be followed. The expression "amount assured together with the amount of any accrued bonuses" occurring therein being taken to mean the amount payable by the liquidated company to the insured. In cases where the policies require to be reassigned to the subscriber, the necessary reassignment should be made in the normal manner and a notice of reassignment sent to the insurer. In the case of a company under liquidation, the liquidator takes the place of the management for all practical purposes and his power include the power to receive such notices.

25.

If the interest of the subscriber in the family pension fund referred to in Clause (a) (i) of Rule 17 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 in [x x x] [Omitted by Notification No. G-25-31-95-C-IV, dated 1-3-1996.].

26.

If the policy lapses, or is assigned, otherwise than to the Governor of Madhya Pradesh under Rule 21, or is 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) an assignment (otherwise than an assignment to the Governor of Madhya Pradesh under Rule 21); (b) a charge or encumbrance on; (c) an order of a Court restraining dealings with the policy or any amount realized thereon, the Accounts Officer shall not, - (i) reassign or make over the policy as provided in Rule 23, or (ii) realize the amount assured by the policy or reassign, or make over the policy, as provided in Rule 24, but shall forthwith refer the matter to Government. Note 1. - Endowment policies of the usual type are solely for the benefit of the assured and by their terms are not affected by Section 6 of the Married Women's Property Act. Such policies, if financed from the Provident Fund, should be required to be assigned by the assured subscribers to the Governor under the first sub-section of the relevant rule and not merely be accepted on deposit. Neither the wife nor any children, even if mentioned in the policies, should be made, parties to such assignments which will be taken from the subscribers alone. Note 2. - The State Government have ruled that the procedure laid down in paragraph 13 of the Memorandum Explanatory of Government Provident Fund Rules, vis-a-vis, the law on the subject, viz., to hand over the policy without a formal deed of reassignment and without insisting on the production of a succession certificate, should normally be followed in all cases provided the amount of the policy does not exceed Rs. 5,000. If, in any case, the sum insured exceeds that figure and the party concerned does not wish to produce evidence of legal title to the proceeds of the policy, the orders of the State Government should be taken.

27A. Restrictions relating to financing of insurance policies.

- The provisions of Rules 17 to 27 shall apply only to subscribers who, before the date of publication of this rule, have been substituting in whole or in part payment towards policies of life insurance for subscription to the Fund or making withdrawals from the Fund for such payments : 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 payment in respect of any new policy.

28. Recovery of moneys drawn, withheld or withdrawn from the fund for improper use.

- Notwithstanding anything contained in these rules, if the sanctioning authority is satisfied that money drawn as an advance from the Fund under sub-rule (1) of Rule 15 or withheld or withdrawn from the Fund under Clause (a) or Clause (b) of Rule 17 has been utilized for a purpose other than that for which sanction was given to the drawal, withholding or withdrawal of the money, the amount in question, shall, 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 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 recoverable to be repaid or paid, as the case may be, by him :[Provided that, if the sanctioning authority has reason to doubt that money drawn as an advance from the Fund under Rule 13, has been utilized for a purpose other than that for which sanction was given to the drawal of the money the said authority shall communicate to the subscriber the reasons for his doubt and require him to explain in writing, and within fifteen days of the receipt of such communication, whether the advance has been 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 or no explanation is furnished by the subscriber within the said period of fifteen days, sanctioning authority shall enforce the repayment in the manner prescribed in this rule.] [Inserted by Notification No. F.B. 9/1/87/R-II/IV, dated 31-3-1987.]Note. - The term "emoluments" as used in this rule does not include subsistence grant.

29. Final withdrawal of accumulations in the fund.

- When a subscriber quits the service, the amount standing to his credit in the Fund shall become payable to him :Provided that a subscriber who has been dismissed or removed from the service and is subsequently reinstated in the service, shall, if required to do so by Government, repay 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 repaid shall be credited to his account in the Fund.Note 1. - A subscriber, re-employed in Government service after retirement, is considered to have quitted service from the date of retirement, even though his re-employment may have been in continuation of his service without break.Note 2. - A subscriber cannot be considered to quit Government service finally when he resigns service under one Government to take up service under another or when he transfers his service from one branch of Government to another. Consequently, a subscriber to any Provident Fund is not entitled to the refund of his deposits in such circumstances if the rules governing the Provident Fund do not permit of the final withdrawal of deposits until he has quitted Government service. [In such cases interest shall be calculated under Rule 14 (4) and the amount together with interest shall be transferred.] [Inserted by Notification No. 9/3/74/R-II/IV, dated 18-6-1974.]Note 2-A. - In respect of calculation of interest and final payment of General Provident Fund money at his credit, the Government servant resigning Government service to take up appointment under a body corporate, owned or controlled by Government, will be subject to the provision of Note 2 above, if that body maintains a fund and agrees to such transfer.Note 3. - When a non-gazetted subscriber retires, resigns, dies or is

dismissed or removed from service or proceeds on leave preparatory to retirement, the head of the office should immediately report the fact to the Accounts Officer and submit the claim for final payment in Provident Fund money at his credit to the Accounts Officer in the form prescribed in the Fifth Schedule. The same form should be used also for claims of withdrawal of Provident Fund money of a Gazetted Officer. If any of the particulars or documents required cannot be furnished at once they should be sent as early thereafter as possible but the report of the event should not be delayed on that account.

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, or(c)has attained the age of superannuation but has not been permitted to retire from service owing to some reason or other,the amount standing to his credit in the Fund shall, [x x x] [Words 'upon the application made by him in that behalf to the Accounts Officer' omitted by Notification No. G-25-1 -2000-C-IV, dated 30-6-2001.] him in that behalf to the Accounts Officer, become payable to the subscriber :[Provided that if the subscriber returns to duty, the subscriber shall, except where the administrative department decides otherwise, repay to the fund, for credit to the subscriber's account the whole amount paid to the subscriber from the Fund in pursuance of this rule.] [Substituted by Notification No. G-25-31-95-C-IV, dated 1-3-1996.]Note. - When vacation precedes the leave preparatory to retirement, the amount standing at the credit of a subscriber shall, [x x x] [Words 'upon the application made to the Accounts Officer' omitted by Notification No. G-25-1-2000-C-IV, dated 30-6-2001.] become payable at any time between the commencement of such vacation and the date of actual retirement.

31.

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 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 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 husband s are alive;if there is any members 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 8 or of the corresponding rule heretofore in force 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.

32.

(1)When the amount standing to the credit of a subscriber in the Fund become payable, it shall be the duty of the Accounts Officer to make payment, as provided in Section 4 of the Provident Funds Act, 1925.(2)If the person to whom, under these rules, any amount or policy is to be paid, 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, reassignment or delivery will be made to such manager and not to the lunatic.(3)Payment 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 Accounts Officer through the Head of Office or Department for payment of the amount in the 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 Iris 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 which are still current and the number of instalments yet to be recovered in respect of each advance and also indicate the withdrawals, if any, taken by the subscriber;(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 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 sanctioning authority is received by him.Note. - When the amount standing to the credit of a subscriber become payable under Rules 29,30 and 31, the Accounts Officer shall authorise prompt payment of the amount in the manner indicated in sub-rule (3).

33.

(a)If a Government servant who is a subscriber to any other Government Provident Fund which is a non-contributory provident fund, is permanently transferred to pensionable service under the Government of Madhya Pradesh, 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 Railway Provident Fund, the Contributory Provident Fund (India), the Contributory Provident Fund (Madhya Pradesh), or any other State Contributory Provident Fund, is permanently transferred to pensionable service under the Government of Madhya Pradesh 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 repaid to the State Government, and credited to its 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 Government of Madhya Pradesh may determine.(c)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 organisation registered under the Societies Registration Act, 1860, the amount of his subscription and the employer's contribution if any together with interest thereon shall be transferred to the credit in the Fund with the consent of that body.

34.

If a subscriber to the Fund is subsequently admitted to the benefits of the Contributory Provident Fund (Madhya Pradesh), the amount of his subscriptions, together with interest thereon, shall be transferred to the credit of his account in the Contributory Provident Fund (Madhya Pradesh).Note 1. - Procedure to be adopted when a will is left by a deceased subscriber, which purports to dispose of his accumulations in the Fund or any part of these. - The Government desire that references should be made to them except in the following cases :-(a)when the Accounts Officer, after taking legal opinion, if necessary, is satisfied that the person or persons entitled to receive the money in the Fund, according to the will and the declaration made under the rules are the same, no reference need be made to the Government;(b)when a subscriber dies leaving no family as defined in the rules and without having made any declaration under the rules, the Accounts Officer may make payment, after the advice of the Law Secretary has been taken, without a reference to the Government, to any person, claiming on the authority of a will of which probate has been granted by a competent Court, provided that where the amount involved does not exceed Rs. 500, no probate need be insisted upon and the amount may be paid to such person or persons as the officer making the payment considers to be the proper person or persons to receive it.Note 2. - Payment of deposits on the basis of the award given by a Civil Court. - A doubt was raised whether in the case of a subscriber who died without leaving a nomination, a decree obtained on the basis of the award by a Civil Court directing the payment of the deposits at credit of the subscriber otherwise than in accordance with the provisions of Rule 31 of the Madhya Pradesh General Provident Fund Rules is binding. It has been held in consultation with the Law Secretary to Government of Madhya Pradesh that such a decree has no effect and that the payment has to be made in accordance with the provisions of the Provident Funds Act and rules thereunder.Note 3. - Payment of a provident fund money due to a minor beneficiary of a deceased subscriber. - (a) A guardian appointed by the Court to receive payment on behalf of a minor beneficiary should alone be recognised even where the amount

involved does not exceed the limit of Rs. 5,000 specified in Clause (b) of sub-section (1) of Section 4 of the Provident Funds Act, 1925. But if the party pleads inability to incur expenditure for obtaining the guardianship certificate from the Court, the orders of the Government should be obtained for making any payment. (b) Payment may, however, be made without requiring the production of a guardianship certificate from the Court if the share of a minor beneficiary does not exceed Rs. 100-(i) to the natural guardian of such minor beneficiary, or (ii) in the absence of a natural guardian to the person considered fit by the head of the office to receive payment on behalf of such minor beneficiary on such person executing a bond (See Appendix F) signed by two sureties agreeing to indemnify the Government against any subsequent claim which might arise : Provided that the natural guardian may, if it is considered expedient, be required to execute a bond signed by two sureties agreeing to indemnify the Government against subsequent claim which might arise before the payment is made: Provided further that, in cases governed by the Hindu law, payment may be made, without requiring the production of a guardianship certificate from the Court to a Hindu widow of a deceased subscriber on behalf of her minor children other than step-children irrespective of the limit of Rs. 100 specified above. She may, if considered expedient, be required to execute a bond signed by two sureties agreeing to indemnify the Government against any subsequent claim which might arise before the payment is made. Note 4. - Right of a posthumous child to a share in the balance at the credit in the general provident fund of his father. - A man's posthumous child is a member of his family at the time of his death, and, if born alive, should be treated in the same way as surviving child born before the subscriber's death. The case of a posthumous child already born when the case is taken up by the disbursing officer will present no difficulty. For the rest if the existence of a posthumous child is brought to the notice of the disbursing officer, the amount which will be due to the child in the event of its being born alive should be retained, and the balance distributed in the normal way. If the child is born alive payment of the amount retained should be made as in the case of a minor child; but if no child is born or a child is still born, the amount retained should be distributed among the family. Note 5. - (a) (1) It is inconsistent with Section 3 (1) of the Provident Funds Act, 1925, for Government to deduct any amount due to it by a subscriber from his accumulations in the General Provident Fund at the time of his retirement, or from undisbursed General Provident Fund accumulations payable to a subscriber's nominee in the event of the subscriber's death in service or after retirement, as the case may be, even though the consent of the subscriber or nominee may have been obtained. (2) In cases where the subscriber or nominee is willing to repay the amount due to Government, the best course would be to treat the repayment as second transaction. The whole of the money should first be paid intact and without any compulsion. Thereafter the payee may be called upon to make good the Government dues. (b) In view of the express provision in Section 3 of the Provident Funds Act, 1925, that the balances in the fund shall be free from any liability incurred by the subscriber or the dependant before the death of the subscriber, it has been decided that the immunity provided by Section 3 (1) of the said Act against deductions from accumulations in a provident fund of any debt incurred or liability owed does not extend to the liabilities incurred by the subscriber's nominee after the subscriber's death. The provident fund balances vesting in a dependant are thus liable to attachment for debts incurred by the dependant after the subscriber's death and where such debts are due to the Government by whom the balances are payable, they could be set off against such balances under the general law relating to the setting off of claims and counter-claims between the two parties. Procedure Rules

35.

All sums paid into the Fund under these rules shall be credited in the books of Government to an account named the "The General Provident Fund". Sums of which payment have not been taken within [three years] [Substituted by Notification No. 9-15-79-IV, dated 25-5-1980.] 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. Note. - It has been decided by the Government of India in consultation with the Comptroller and Auditor-General of India that the General Provident Fund Accounts of the Indian Administrative Service and the Indian Police Service Officers should be maintained by the Accounts Officer of the State on whose cadre the Officers are borne and that the Provident Fund transactions should be adjusted in the State section of the accounts.

36.

When paying a subscription in India, either by deduction from the 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.

37.

(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 or under the corresponding rule heretofore 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. (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 receipt of the statement.

38. [[Inserted by Notification No. 1027/1224/R-II/IV, dated 26-4-1965.]

If, immediately, before the commencement of the Madhya Pradesh General Provident Fund (Extension and Amendment) Rules, 1965 there are in force in the Madhya Bharat, Vindhya Pradesh, Bhopal and Sironj regions of the State of Madhya Pradesh, any rules or orders corresponding to these rules, all those rules or orders shall stand repealed ; Provided that anything done or any action taken under the rules or orders so repealed shall, unless such thing or action is inconsistent with any of the provisions of these rules, be deemed to have been done or taken under the corresponding provisions of these rules.] First Schedule [See Rule 8 (3)] Form of Nomination Form GPF 3

Please read carefully the instructions printed on the For use by subscribers having Family reversebefore filling in the form Provident Fund AccountNo.....

Provident Fund NominationI* hereby nominate the person/persons mentioned below who is a member/are members of my family as defined in Rule 2 of the #..... Provident Fund..... Rules, to receive the amount that may stand to my credit in the Fund as indicated below, in the event of my death before that amount has become payable, or having become payable has not been paid.

Name and full address of the nominee/ nominees	Relationship with the subscriber	Age of the nominee
(1)	(2)	(3)
Share payable (to each nominee)	Contingencies on the happening of which thenomination shall become invalid.	Name, address and relationship of theperson/persons, if any, to whom the right of the nominee shallpass the event of his/her predeceasing the subscriber
(4)	(5)	(6)

Dated this.....day of.....20.....at.....Two witnesses to sign :

Name Address Signature

1.

2.

.....Signature of subscriber.(Reverse of the form)

Space for use by Head ofOffice/Accountant-General's Office

Nomination by Shri/Smt./Kumari.....

Signature of.....

Designation

Head of Office/Accounts Officer

Date of receipt of nomination.....

(Designation)

Date.....

Instructions for subscriber :-(a)*Your name may be filled in.(b)# Name of the Fund may be completed suitably.(c)Definition of the term "Family" as given in the Provident Fund Rules.(d)Column 4 if only one person is nominated the words "in full" should be written against the nominee. If more than one person is nominated, the share payable to each nominee to cover the whole amount of the Provident Fund should be specified.(e)Column 5 death of Nominee (s) should not be mentioned as a contingency in this column.(f)Column 6 do not mention your name.(g)Draw line across the blank space below last entry to prevent insertion of any names after you have signed.Form GPF 3A

Please read carefully the instructions printed (Observe of the form) For use by subscribers having on the reversebefore filling the forms no familyProvident Fund AccountNo.....

Provident Fund NominationI*having no family as defined in Rule 2 of the #.....rules, hereby nominate the person/persons mentioned below to receive the amount that may stand to my credit in the Fund as indicated below, in the event of my death before that amount has become payable, or having become payable has not been paid. This nomination shall become invalid in the

event of my subsequently acquiring a family.

Name and full address of the nominee/ nominees	Relationship with the subscriber	Age of the nominee
(1)	(2)	(3)
Share payable (to each nominee)	Contingencies on the happening of which thenomination shall become invalid.	Name, address and relationship of theperson/persons, if any, to whom the right of the nominee shallpass in the event of his/her predeceasing the subscriber
(4)	(5)	(6)

Dated.....day of.....20.....at.....Two witnesses to sign :

Name Address Signature

1.

2.

.....Signature of subscriber.(Reverse of the form)

Space for use by Head ofOffice/Accountant-General's Office

Nomination by Shri/Smt./Kumari.....

Signature of.....

Designation

Head of Office/Accounts Officer

Date of receipt of nomination.....

(Designation)

Date.....

Instructions for subscriber :-(a)*Your name may be filed in.(b)#Name of the Fund may be completed suitably.(c)Definition of the term "Family" as given in the Provident Fund Rules.(d)Column 4 if only one person is nominated the words "in full" should be written against the nominee. If more than one person is nominated, the share payable to each nominee to cover the whole amount of the Provident Fund should be specified.(e)Column 5 death of Nominee (s) should not be mentioned as a contingency in this column.(f)Column 6 do not mention your name.(g)Draw line across the blank space below last entry to prevent insertion of any names after you have signed.Second Schedule[See Rule 21 (1) (a)]Form of Assignment(1)I, A.B., of..... hereby assign unto the Governor of Madhya Pradesh the within policy of assurance as security for payment of all sums which under Rule 26 of the General Provident Fund 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..... at.....

Station : Signature of subscriber.....

One witness to sign with designation and address :(2)We, A.B. (the subscriber), of and C.D. (the joint assured) of..... in consideration of the Governor of Madhya Pradesh agreeing at our request to accept payments towards the within policy of assurance in substitution for the subscriptions payable by me said A.B. 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 credit of the said A.B. 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 of Madhya Pradesh the within policy of

assurance as security for payment of all sums which under Rule 26 of the General Provident Fund Rules the said A.B. may hereafter become liable to pay to that Fund. We hereby certify that no prior assignment of the within policy exists. Dated this.....day of..... 20..... at.....

Station : Signatures of subscriber and the joint assured.

One witness to sign with designation and address : 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 in favour of A.B. in order that A.B. may assign the policy to the Governor of Madhya Pradesh, who has agreed to accept payments towards the within policy of assurance in substitution for the subscriptions payable by 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 unto the Governor of Madhya Pradesh the within policy of assurance as security for payment of all sums which, under Rule 26 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..... at..... Signature of the assignee and the subscriber. One

witness to sign with designation and address : N.B. - For procedure to be followed in cases in which subscribers desire assignment of their policies in Form 2 where subscribers whose policies have already been assigned to Government in Form 3 of the Second Schedule desire reassignment of their policies with a view to their reassignment to Government in Form 2 (See Appendix G). Third Schedule [See Rule 23] Form of Reassignment by the Governor of Madhya Pradesh (1) All sums which have become payable by the above named A.B. under Rule 26 of the General Provident Fund Rules having been paid and all liability for a payment by him of any such sums in the future having/ ceased, the Governor of Madhya Pradesh doth hereby reassign the within policy of assurance to the said A.B./A.B. and C.D. Dated this..... day of..... 20..... Executed by* Accounts Officer of the Fund for and on behalf of the Governor of Madhya Pradesh in the presence of

YZ

XY

(Signature of
Accounts Officer)

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

*The officer's name in full should be inserted in type or clear and legible handwriting and he should then merely sign his ordinary signature on the right hand side where the letters XY are written and a witness should sign where letters YZ are written adding his address and designation below. (2) The above named A B having died on the ... day of.... 20..... the Governor of Madhya Pradesh doth hereby reassign the within policy assurance to C D..... *Dated this..... day of..... 20..... at..... Executed by #..... Accounts Officer of the Fund for and on behalf of the Governor of Madhya Pradesh in the presence of

YZ

XY

(Signature of
Accounts Officer)

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

*Fill in particulars of person legally entitled to receive the policy. #The officer's name in full should be inserted in type or clear and legible handwriting and he should then merely sign his ordinary signature on the right hand side where the letters XY are written and a witness should sign where letters YZ are written adding his address and designation below.[Fourth Schedule * * *] [Omitted by F.D. Notification No. B-9/13/76/R-II/IV, dated 31-8-1976.][Fifth Schedule] [Substituted by Notification No. G-25-1-2000-C-IV, dated 11-4-2001 (w.e.f. 21-12-2001).](For Gazetted and Non-gazetted Officers)[See Note 3 below Rule 29]Form of Application for Final Payment/Balance in the Provident Fund Account(To be used by the Retiring/Retired Govt. Servant/Govt. Servant transferred to Bodies Corporate/Other Government/Nominees or any Other claimants where no nomination subsists).Office of the.....(DDO)

Part I – (Checklist for use of Head of Office)

Sub.:-Form for GPF Final payment of Shri/Smt.....GPF A/c No.....(in duplicate).In Part II, in form, reference to entries in column number :-

1. to 10 have been verified and filled in properly. Death certificate/order of resignation is enclosed.

11. (A) & (B) Part final withdrawals sanctioned and paid with effect from 6-6-1972 and Temporary advance have been mentioned or list enclosed.

(C)Temporary Advance sanctioned for construction of house its recovery and interest recovered have, been stated Major Head of Account under which the interest credited have been mentioned.(D)Life Insurance Policies financed from GPF, Policy No. amount of premium, first premium and last premium, month/year have been stated (Premium paid in cash by subscriber is stated separately).

12. Certificate enclosed.

13. Details of DPF A/c (month-wise deduction withdrawals and Interest upto last 31st March) to transfer the balance into GPF have been enclosed.

14. In case the nomination subsists original nomination is enclosed. Nominee is a family member as per definition of M.P. GPF Rules, 1955 or out of family member has been stated in proper column.

15. Details of family members of deceased Govt, servant relationship and age have been stated.

16. In case of amount due to a minor, Indemnity Bond. Guardianship Certificate is enclosed.

17. In case subscriber has left no family and no nomination subsists, succession certificate/legal heir certificate in favour of claimant is enclosed.

18. (ii) Payment if desired through Treasury, three sets of attested specimen signature, finger and thumb impression, mark of identification and attested photographs have been enclosed.

19. In case of resignation of the subscriber to take up appointment in another department of the State Government, or under other Government or under body corporate owned or controlled by the Government details such as PF A/c No. of new Department/institution, consent of Department/Institution, designation and address to whom the Bank Draft is payable have been enclosed.

Other Required Documents(i)Certified original GPF Pass Book.(ii)Details of incumbency of the subscriber.(iii)Details of deduction towards GPF for last 12 months prior to his retirement/death/resignation in case GPF Pass Book is not available.Signature of DDODesignation.....(Rubber seal to be affixed)

Part II – Form for Final Payment of balance in the General Provident Fund account

(For use of Head of Office)Forwarded to the A.G. (A & E) I, II M.P., Gwalior/Bhopal with the request that balance at the credit of GPF A/c No..... at the end of as per account slip is Rs..... therefore GPF Balance may be reviewed and authorised.Necessary details are as below :-

1. Name of the subscriber and designation.....

2. Name of father/husband.....

3. GPF Account No./Nos.....

4. Date of retirement/death/resignation/dismissal and date of appointment in new Department.....

5. Oder No. and date.....

6. Name of claimant.....

7. Address of claimant/subscriber (for further correspondence).....

8. Date of commencement of service.....

9. Month and year in which first deduction towards GPF was made.....

10. Last Fund deduction towards GPF.....

(i) Pay for the month of.....(ii) Bill No. and Vr. No. with date.....(iii) Name of Treasury.....(iv) Major Flead of A/c of Pay drawn.....(v) GPF Subscription Rs.....(vi) Refund of Advance Rs..... (against advance sanction for) Rs.....(vii) Arrear deposited in GPF (if any) Rs.....

11. (A) Certified that the Part Final withdrawals during the period commencing from 6-6-1972 to date were sanctioned and drawn from his/her GPF A/c :-

Sl. No. DDO Major HD VR. No. & Dated Treasury Amount

(B) Certified that following temporary advance were sanctioned and paid to the subscriber during the 12 months immediately preceding the date of his/her retirement/death/resignation :-

Sl. No. DDO Major HD VR. No. & Dated Treasury Amount

(C) Certified that Temporary Advance Rs..... was sanctioned and paid for construction of house, etc. irrespective of the amount standing at the credit of GPF under Rules 15 (5) of M.P. GPF Rules, 1955, details of recovery of advance and interest are as under :-

Month/Yr.	Amt. Sanctioned and Paid	Amt. of Adv. recovered	Amt. interest recovered	Major Head of Account in which Amt. of interest is credited	Remarks
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(D) Certified that following withdrawals were made for payment of Insurance premium from his/her GPF Account:-

Policy No. Premium Rs. drawn First Premium Month/Year Last premium Month/Year

12. Certified that no temporary advance/Part final will be drawn without obtaining prior sanction of A.G. (A & E)-11, M.P., Gwalior after submission of form for Final Payment of Balance.

13. Certified that his/her DPF A/c has been maintained in the office. Balance at the credit of DPF A/c has not been paid. The details of deduction withdrawals and interest allowed upto 31st March are enclosed.

14. Details of the nominees alive on the date of death of the subscriber, if nomination subsists :-

Name of nominees	Relation with subscriber	Share of the nominees	Whether nominee is out of family member or family member of the deceased
(Family as per definition under Rule 2 (i) (c) of M.P. GPF Rules, 1955)			

15. Details of family members of deceased Government servant:-

Name	Relationship with subscriber	Age on the date of death of subscriber
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16. In the case of amount due to a minor child whose mother (widow of subscriber) is not a Hindu. The claim should be supported by Indemnity Bond or Guardianship Certificate as the case may be.

17. If the subscriber has left no family and no nomination subsists, the name of persons to whom the provident fund money is payable, claim should be supported by letter of probate or succession certificate.

Name of claimant	Relationship with subscriber	Address
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18. (i) Payment is desired through office.....

(Name of the office)(ii)Through Treasury.....(Name of Treasury)

19. Certified that subscriber has resigned/not resigned Government service to take up appointment in another department of the State Government or under other Government or under a body corporate owned or controlled by Government (In case of resignation made to take up appointment in other Department/Institution as mentioned above, the balance at the credit of GPF A/c will be transferred to New Provident Fund A/c allotted him/her with consent of the Department/Institution). Therefore, consent of new Department/ Institution and new Account No. allotted to him/her is enclosed.

Date..... Signature of DDO

Place..... Designation (Rubber seal to be affixed)

Note. - Instructions to DDO :-(1)Efforts may be made to forward the application of the subscriber immediately after the last fund deduction to the A.G., M.P., Gwalior so as to have sufficient period is left to arrange payment on the date of retirement. Justification, therefore, in each case is required where delay occurs.(2)Certified original GPF Pass Book must be attached with the application.(3)Details of incumbency sent in December, 1997 (through treasury) may also be appended please.(4)In case of retired Drawing and Disbursing Officer, his final payment application should be forwarded through next higher authority to A.G., M.P., Gwalior.Sixth Schedule[Omitted] [Omitted by Notification No. G-25-31-95-C-IV, dated 1-3-1996.]Seventh Schedule(See Rule 31)Application for Final Payment of Balances in the Provident Fund Account of a subscriber to be used by the nominees or any other claimants where no nomination subsistsTo,The Accountant-General.....Through.....(The Head of Office)Sir,It is requested that arrangements may kindly be made for the payment of the accumulations in the..... Provident Fund of Shri/ Shrimati.....The necessary particulars required in this connection are given below :-

1. Name of the Government servant.....

2. Date of birth.....

3. Post held by the Government servant.....

4. Date of death.....

5. Proof of death in the form of a death certificate issued by the Municipal Authorities etc., if available.....

6. Provident Fund Account No. allotted to the subscriber.....

7. Amounts of provident fund money standing to the credit of the subscriber at the time of his death, if known.....

8. Details of the nominees alive on the date of death of the subscriber, if a nomination subsists.....

Name of nominee	Relationship with the subscriber	Share of the nominee
(1)	(2)	(3)
1.2.3.4.		

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

Name of nominee	Relationship with the subscriber	Age on the date of death
(1)	(2)	(3)

1.2.3.4.

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

Name of nominee	Relationship with the subscriber	Age on the date of death
(1)	(2)	(3)

1.2.3.

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

12. If the subscriber has left no family and no nomination subsists; the name of persons to whom the provident fund money is payable (to be supported by letters of probate or succession certificate etc.).

Name of nominee	Relationship with the subscriber	Address
(1)	(2)	(3)

1.2.3.

13. Religion of the claimant (s).....

14. The payment is desired through the office of...../through the..... Treasury/Sub-treasury.* In this connection the following documents duly attested by a Gazetted Officer in service/Magistrate are attached :-

(i)Personal marks of identification;(ii)Left/Right hand thumb and finger impressions (in the case of illiterate claimants);(iii)Specimen signatures in duplicate (in the case of literate claimants).(iv)Photographs in duplicate.Yours faithfully,(Signature of claimants)Station.....Full name.....andDate..... Permanent Home Address.....*This applies only when payment is not desired through the Head of Office.For the Use of Head of Office/DepartmentForwarded to the Accountant-General..... for necessary action. The particulars furnished above have been duly verified.

2. The Provident Fund Account No..... of Shri/Shrimati/Kumari..... (as verified from the annual statements furnished to him/her) is.....

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

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

5. [Certified that he/she was not sanctioned any temporary advance from his/her Provident Fund Account during the 12 months immediately preceding the date of his/her death.

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

Sl. No. Amount of Advances Date and place of encashment Voucher No.

1.2.3.4.

5.

-A. Certified that part-final withdrawals were sanctioned to him/her and drawn from his/her Provident Fund Account during the period commencing from 6-6-1972 till the date of his/her death as per details of the part-final withdrawals granted to him/her indicated below :-

Sl. No.	Name of Treasury	Vr. No. & Date	Amount of withdrawn	Designation of Drawing/ Disbursing officer bywhom drawal was made
(1)	(2)	(3)	(4)	(5)

1.2.3.

5.

-B. Certified that a statement of recoveries/drawals made by the deceased Government servant Shri/Smt..... during the last 12 months prior to his/her death in the following proforma is appended along with this application :-

Sl. No.	Major Head under which pay is drawn and name of treasury.	Name of month for which subscription relates.	Voucher No. & date	Gross amount of the bills(Rs.)
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Policy number and name of the company	Amount	Date	Voucher No.
(1)	(2)	(3)	(4)