

# The Bihar General Provident Fund Rules, 1948

BIHAR

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### Rule THE-BIHAR-GENERAL-PROVIDENT-FUND-RULES-1948 of 1948

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The Bihar General Provident Fund Rules, 1948Published vide Notification No. 1057-F. dated 18th August, 1948No. 1057-F. dated the 18th August, 1948. - In exercise of the powers conferred by clause (b) of sub-section (2) of Section 241 of the Government of India Act, 1935 as adopted by the India (Provisional Constitution) Order, 1947, the Governor of Bihar is pleased to make the following Rules in supersession of all previous Rules relating to the Bihar General Provident Fund for Government servants under the rule-making control of the Provincial Government.

#### 1. Short Title.

(a)These Rules may be called the "Bihar General Provident Fund Rules, 1948."(b)They shall come into force on the 1st October, 1948.

#### 2. Definitions.

- In these Rules-(a)[ Account officer. - Means the Branch Officer incharge of Fund Section.] [Substituted by C.S. No. 9 dated 30.5.1967.](b)Emoluments. - Except where otherwise expressly provided emoluments means pay, leave salary or subsistence grant as defined in the Bihar Service Code and includes Sterling overseas pay converted at such rate of exchange as the Provincial Government may prescribe in this behalf 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 matter to which these Rules relate, unless the subscriber subsequently indicates by express notification in writing to the Account Officer, that she shall continue to be so regarded:(ii)in the case of a female subscriber, the husband and children of a subscriber, and the widow or widows and

children of a deceased son of a subscriber: Provided that if a subscriber by notification in writing to the Account Officer, expresses her desire to exclude her husband from her family the husband shall henceforth be deemed to no longer a member of the subscriber's family in matters to which these Rules relate unless she 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 Account Officer, or if doubt arises in the mind of the Account Officer, the Superintendent and Remembrancer of Legal Affairs, Bihar, is satisfied that under the personal law of the subscriber, adoption is legally recognised as conferring the status of a natural child, but in this case only. When a person has given his child in adoption to another person 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. (d) "Fund" means the Bihar General Provident Fund. (e) "Leave" means any variety of leave recognised by the Bihar Service Code. (f) "Year" means a financial year. (2) Any other expression used in these Rules, which is defined either in the Provident Fund Act, (XIX of 1925) or in the Bihar Service Code, is used in the sense herein defined. (3) Nothing in these Rules shall be deemed to have the effect, or 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 maintained in rupees.

### **4. [ [Substituted by Memo No. 4967 F. dated 18.5.1983 (w.e.f. 1.4.83).]**

All Government servants in permanent pensionable and non-pensionable service (including probationers) and those temporary Government Servants (including all re-employed pensioners) who have completed one year service, and whose conditions of service, the State Government are competent to determine shall be required to subscribe the minimum subscription. All Government servants shall have to subscribe the minimum prescribed rate during leave: deputation and foreign service.][Explanation deleted vide C. S. No. 1 dated 6.5.1949.] Note 1. - [Deleted by Memo No. 4967 F. dated 18.5.1983 (w.e.f. 1.4.83).] Note 2. - A subscriber may being to pay subscription from the 1st date of the month following that in which he joins the Fund, but in the case of fresh appointment in the middle of a month the subscription may commence from the date of appointment, the amount of subscription being proportionate to the number of days spent on duty in that month. No arrear subscription can be permitted.

### **5.**

[Deleted].

### **6.**

[Deleted].

## **7.**

[Deleted by Memo No. 4967 F., dated 18.5.1983 (w.e.f. 1.4.83)].

## **8. Nomination.**

(1)A subscriber shall, as soon as may be, after joining the Fund send to the Accounts Officer a nomination conferring the right to receive the amount that may stand to his credit in the Fund in the event of his death before, the amount standing to his credit has become payable, or where the amount has become payable, before payment has been made.(2)A subscriber who, at the time of joining the Fund, has a family shall send to the Accounts Officer a nomination in the form set forth in the First Schedule in favour of one or more members of his family.(3)A subscriber who has no family shall similarly nominate a person or persons in the form set forth in Second Schedule:Provided that a nomination made under this sub-rule shall be deemed to have been duly made in accordance with these Rules only for so long the subscriber has no family.(4)If a nomination under any of the preceding sub-rules is in favour of a minor, the subscriber may at the same time nominate a person or persons to whom payment is to be made, on behalf of the minor.(5)If a subscriber at any time acquires a family he shall send to the Accounts Officer a nomination as provided in sub-rule (2) and if he has under sub-rule (3) nominated any person other than a member of his family he shall formally cancel the previous nomination.(6)A subscriber may in his nomination distribute the amount that may stand to his credit in the Fund among his nominees at his own discretion.(7)A nomination may be cancelled by a subscriber and replaced by any nomination which is permitted to be made, under this Rule.(8)A nomination shall take effect to the extent that it is valid on the date on which it is received by the Accounts Officer.(9)On the death of a nominee a subscriber shall make a fresh nomination.(10)Nothing in this Rule shall be deemed to invalidate or to require the replacement by a nomination thereunder of a nomination made before, these Rules come into force under the corresponding Rules here-to-fore in force.

## **9. Subscriber's Accounts.**

(1)An account shall be prepared in the name of each subscriber and shall show the amount of his subscription with interest therein calculated as prescribed in sub-rule (2) of Rule 14.(2)[ For the maintenance of Provident Fund accounts, Finance Department, Government of Bihar may prepare a computerised software for calculation of interest, issuance of annual account slip and Authority-letter.] [Added by Bihar Notification No. 1127, dated 15.3.2017 (w.e.f. 18.8.1948).]

## **10. Conditions.**

(1)Except as provided in Rule 7, subscribers shall subscribe monthly to the Fund except during a period of suspension:[Deleted by Memo No. 4967 F dated 18.5.1983 (w.e.f. 1.4.83)](2)The subscriber shall intimate his election not to subscribe during leave in the following manner:-(a)if he is an officer who draws his own pay-bills, by making no deductions on account of subscription, in his first pay-bill drawn after proceeding on leave;(b)if he is not an officer who draws his own pay-bills,

by written communication to head of his office before he proceeds on leave. Failure to make due and timely intimation shall be deemed to constitute an election to subscribe. The option of a subscriber intimated under this sub-rule shall be final.

## 11. Rates of subscription.

(1) The amount of subscription shall be fixed by the subscriber himself, subject to the following conditions:-(a) It shall be expressed in whole rupees. (ch) & ;g iw.kZ :i esa vfHkO;Dr dksbZ Hkh jkf'k gks ldrh gS tks vf/kdre dqy ifjyfC/k;ksa dh lhek ds vUrxZr rFkk U;wure iqjhf{kr osrueku esa fu/kkZfjr dqy ifjyfC/k;ksa dk 6 N% izfr'kr gksA ;g leku :i ls lHkh jktif=r ,oa vjktif=r ljdkjh lsodksa ij vfuo;kZr% ykxw gksxkAuksV& ifjyfC/k ls vfHkizsr gS & ekSfyd fu;ekoyh esa ;Fkk ifjHkkf"kr osru] NqV~Vh osru ;k thou fuokZg HkRrk (Subsistence allowance) ,oa bl ij vuqekU; eagxkbZ osru ;fn vuqekU; gks] ,oa okg~; fu;kstu esa izkIr dksbZ jkf'k tks osru ds :i esa ifjHkkf"kr gksA

### 2.

- va'knku dh mi;qZDr nj bl vf/klwpuk ds fuxZr gksus ds ckn ds ekg ls ykxw gksxh rFkk C;kt dh ubZ nj 12 (ckjg) izfr'kr okf"kZd 1 vizSy 1999 ls ns; gksxhA ;g nj leku :i ls lHkh jktif=r ,oa vjktif=r ljdkjh lsodksa ij ykxw gksxhA va'knku ij C;kt dh x.kuk lkekU; Hkfo"; fuf/k (dsUnzh; lsok;sa) fu;ekoyh 1960 ds fu;e 11 ds izko/kku ds rgr dh tk;xhA

### 3.

- fofRr; o"kZ 1999&2000 ls igys C;kt dh le; & le; ij foRr foHkkx@Hkfo"; fuf/k funs'kky; ls fuxZr ifji=ksa@i=ksa ds vkyksd esa gh dh tk;sxhA

### 4.

- vkns'k fuxZr gksus ds ckn fdLH Hkh ekg ;k o"kZ esa iqjhf{kr osrueku dqy ifjyfC/k;ksa dk 6 (N%) izfr'kr va'knku ls de vkSj dqy ifjyfC/k;ksa ds dVksrh gksus ij fudklh ,oa O;;u inkf/kdkjh }kjk osru dh fudklh ugha dh tk;sxhA fQj Hkh =qfVo'k ;fn ,slk dksbZ ekeyk ckn esa izdk'k esa vkrk gSA rks izlaxk/khu jkf'k ij dksbZ C;kt ns; ugha gksxkA

### 5.

- bl vkns'k ds fuxZr gksus ds iwoZ lsok fuo`Rr gq;sa deZpkfj;ksa@inkf/kdkfj;ksa dks Hkfo"; fuf/k va'knku ij iwoZ dh njksa ls gh C;kt ns; gksxkA

### 6.

- vifjgk;Z dkj.k o'k iqjhf{kr osrueku esa osru iqjhf{kr ugha gksus rd va'knku dh dVksrh for foHkkx dh vf/klwpuk la[k;k 4184 (foo) fnukad 13-7-1985 esa fofgr jhfr ds vuqlkj gksrhjgsxhA osrueku iqjhf{kr gksus ij bl vf/klwpuk ds vuqlkj va'knku dh jkf'k de gksus dh n'kk esa vfrfjDr dVksrh dj

lek;ksftr dj yh tk,xhA

**7. tgka rd mPp U;k;ky;@fcgkj fo/kku IHkk@fcgkj fo/kku ifj''kn ds deZpkfj;ksa ds va'knku dk iz'u gS] bl IEcU/k esa eq[; U;k;k/kh'k] iVuk mPp U;k;ky;@v/;{k] fcgkj fo/kku IHkk@IHkkifr] fcgkj fo/kku ifj''kn dh Lohd`fr izklr dj vyx ls vkns'k fuxZr fd;k tk;sxkA**

(c)[Deleted by Memo No. 4967 F dated 18.5.1983 (w.e.f. 1.4.83)](2)For the purpose of sub-rule (1) the emoluments of a subscriber shall be-(a)in the case of subscriber who was in Government service on 31st March of the preceding year, the emoluments to which he was entitled on that date; provided as follows:(i)\*[Deleted by Memo No. 4967 F dated 18.5.1983 (w.e.f. 1.4.83)](ii)\*[Deleted by Memo No. 4967 F dated 18.5.1983 (w.e.f. 1.4.83)](iii)if the subscriber joined the Fund, for the first time under the operation of Rule 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 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)\*[Deleted by Memo No. 4967 F, dated 18.5.1983 (w.e.f. 1.4.83)](c)if he has entered Government service for the first time during the year, 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)\*[Deleted by Memo No. 4967 F., dated 18.5.1983 (w.e.f. 1.4.83)](e)if he was on foreign service on the 31 si March, of the preceding year, by the amount credited by him into the treasury on account of subscription for the month of April in the current year.(4)[ The amount of subscription so fixed shall remain unchanged throughout the year. The subscriber may at his option increase the amount of subscription during middle of the year but he will not have the option to reduce the amount c subscription during the middle of the year.] [Substituted by Memo No. 4967 F., dated 18.5.1983 (w.e.f. 1.4.83).][Deleted by Memo No. 4967 F, dated 18.5.1983 (w.e.f. 1.4.83)]Note. - If a subscriber dies during the course of month, proportionate subscription should be recovered for that month from his emoluments, i.e., for the number of days he was alive during the month.

## 12.

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

## 13. Realisation of Subscriptions.

(1)When emoluments are drawn from a Government Treasury in India or from the Home or a Colonial Treasury, recovery of subscriptions on accounts of these emoluments and of the principal

and interest of advances, shall be made from the emoluments themselves; except that when emoluments other than sterling overseas pay are so drawn in India, deduction in respect of sterling overseas pay, when admissible be made in India.(2)When emoluments are drawn from any other sources the subscriber shall forward his dues monthly to the Accounts Officer.(3)If a Government servant fails to subscribe with effect from the date on which he is required to join the Fund the total amount due to the Fund, on account of arrears of subscription, shall with interest thereon, at the rate provided in Rule 14, forthwith be paid by the subscriber to the Fund or in default be ordered by accounts officer to be recovered by deduction, from the emoluments of the subscriber by instalment, or, otherwise, as may be directed by the authority competent to sanction as advance for the grants of which special reasons are required under clause (c) of sub-rule (1) of Rule 15.(4)[ Deduction of contribution in General Provident Fund must be stopped essentially three months prior to the date of superannuation of the contributor by the concern Drawing and Disbursing Officer.(5)The contributors will have no option to keep the fund in their GPF accounts after superannuation:Provided that the fund may be kept in their GPF accounts as per the terms of the sanction in such cases, where the sanctions have been accorded prior to the commencement of this amendment.] [Added by Bihar Notification No. 1126, dated 15.3.2017 (w.e.f. 18.8.1948).]

## 14. Interest.

(1)Subject to the provisions of sub-rule (5) below, Government shall pay to the credit of the account of 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 Provincial 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.(2)Interest shall be credited with effect from the last day in each year in the following manner:-(i)on the amount at credit of 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 upto 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 upto the end of the current year;(iv)the total amount of interest shall be rounded to the nearest whole rupee [eight] annas (50 Paise) counting as to 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, upon the date on which the amount standing at the credit of the subscriber became payable.(3)In this Rule, date of deposit shall, in the case of 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 first day of the month of receipt, if it is received by the Accounts Officer before the fifth day of the month, but if it is received on or after the fifth day of that month, the first day of the next succeeding month.(4)In addition to any amount to be paid under Rules 29, 30 or 31, interest thereon upto the end of the month preceding that in which the payment is made, or upto the end of the sixth month after the month in which such amount became payable, whichever of these periods be less shall be payable to the person to whom such amount is to be paid:Provided that where the Accounts Officer has intimated to that person (or his agent) a date on

which he is prepared to make payment in cash, or has posted a cheque in payment to the person interest shall be payable only upto the end of the month preceding the date so intimated, or the date of posting the cheque, as the case may be. Note. - [(A) For accumulated amount in Provident Fund to the subscriber or the person whom the payment is legally due to be paid for a period more than six months after superannuation/vacation of post/death of the subscriber, following officers shall be the competent authorities for the authorisation of Authority-letter for the purpose of the payment:- [Substituted by Bihar Notification No. 1127, dated 15.3.2017 (w.e.f. 18.8.1948).](i)For such subscribers whose Provident Fund accounts are maintained by GPF Directorate, Finance Department-Director, GPF Directorate, Finance Department.(ii)For such subscribers whose Provident Fund accounts are maintained by District Provident Fund office under control of GPF Directorate, Finance Department-District Magistrate/Deputy Commissioner of the concerned district.(iii)For such subscribers whose Provident Fund accounts are not maintained by Director, GPF Directorate, Finance Department or its district offices-Finance Department.(B)In cases of superannuation of subscribers, sanctioning authorities will have to be fully satisfied that the delay has been caused by administrative reasons which have been duly enquired into and proper action has been taken, wherever it was necessary. Sanctioning authority will have to be fully satisfied in cases of post vacancy/death of subscribers that the delay in forwarding/sending application by the Department to the Provident Fund office has been caused due to the administrative reasons, which have been duly enquired into and proper action has been taken, wherever it was necessary. In case where there is a delay in payment of authorised amount as per issued Authority-letter and payable additional interest accrues, the Head of the office/the Heads of the Department, after enquiring into reasons for such delay and taking proper action in this respect, shall have to intimate the concerned Provident Fund office. Authority mentioned in note (1) shall be competent to authorise such payable additional interest accrued.](5)Interest shall not be credited to the account of a Muhammdan subscribers 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 date of the year in which he asked for it.(6)The interest on amounts which under sub-rule (3) of Rule 13, sub-rule (5) of Rule 16, sub-rule (3) of Rule 19, sub-rule (4) of Rule 24, sub-rule (1) of Rule 23, sub-rule (1) or (2) of Rule 24, Rule 29 or Rule 30, are replaced at the credit of subscriber in the Fund, shall be calculated at such rates as may be successively prescribed under sub-rule (1) of this Rule and so far as may be in the manner prescribed in the Rule. Note. - 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 latter months on full amount due, the balance having been already received in former months.

## **15. [ Non-refundable advance from the Provident Fund account. [Substituted by Bihar Notification No. 1127, dated 15.3.2017 (w.e.f. 18.8.1948).]**

(1)Non-refundable advance' means the non-refundable amount of advance sanctioned to the subscriber for one or more purposes mentioned in this rule.(2)After completion of one year of regular service and on an application from the subscriber, non-refundable advance from accumulated amount in his/her accounts may be sanctioned for the following one or more purposes:-(a)meeting the cost of higher education, including the travelling expenses of the

subscriber or any actually dependent child of the subscriber in the following cases (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 education 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 his daughters or if he has no daughter and any other female relation actually dependent on him; (c) meeting the expenses in connection with the illness of contributor, including where necessary, the travelling expenses of the subscriber and members of his family or any person actually dependent on him; (d) building or acquiring a suitable house or ready-built flat for his residence including the cost of the site or any payment towards allotment of a plot or flat by State Housing Board or a House Building Society; (e) repaying an outstanding amount on account of loan expressly taken for building or acquiring a suitable house or ready-built flat for his residence which is not purchase of Home Site taken before the date of receipt of the application; (f) purchasing a house-site for building a house thereon for his residence or repaying any outstanding amount on account of loan expressly taken for this purpose; (g) constructing a house on a site purchased under above clause (/); (h) commemoration function (sharaddah) or such functions which subscriber is religiously bound to perform; (i) for incurring expenditure to meet the cost of legal proceedings of the subscriber; (j) to meet the cost of repairing, maintaining, renovating, reconstructing, addition or alteration of an ancestral house/residential building by the subscriber; (k) within one year but three months before superannuation of the subscriber, non-refundable advance may be sanctioned without mention of any purpose. (3) Competent authority, at any time may sanction non-refundable advance for one or more purposes as mentioned in Sub-rule (2) subject to the following terms:-(a) New non-refundable advance shall be sanctioned one year after the sanction of previous non-refundable advance but under exceptional circumstances. Departmental Secretary/Principal Secretary may relax this provision. (b) Not more than three fourth of the accumulated amount in the account of subscriber shall be sanctioned as the amount of non-refundable advance. (c) No non-refundable advance shall be sanctioned within three months before the superannuation of the subscriber.]

## **16. [Substituted by Bihar Notification No. 1127, dated 15.3.2017 (w.e.f. 18.8.1948).]**

Deductions in all matters of temporary advance sanctioned previously shall be remained continue under terms of advance till the full amount is realised.]

## **17. Payment towards Insurance Policies and Family Fund.**

- Subject to the conditions hereinafter contained in Rules 18 to 28-(a) (i) Subscriptions to family pension fund approved in this behalf by the Provincial Government; or (ii) payment towards a policy of life insurance, may, at the option of a subscriber be substituted in whole or part for subscriptions due to the Fund; (b) the amount of subscriptions with interest thereon standing to the credit of a subscriber in the Fund may be withdrawn to meet: (i) a payment towards a policy of life insurance; (ii) the purchase of single payment insurance policy; (iii) the payment of a single premium or subscription to a family pension fund approved [ \* \* \* ] [[The following Funds have been approved by the Provincial Government -(a) Superior Services (India) Family Pension Fund. (b) Bengal



Uncovenanted Service Family Pension Fund.(c)Bombay Government Service Family Pension Fund.(d)Bengal and Madras Service Family Pension Fund.(e)General Family Pension Fund.(f)Hindu Family Annuity Fund.(g)Bengal Christian Family Pension. Fund.]] in this behalf by the Provincial Government:[Provided that no amount shall be withdrawn-(1) before the details of the proposed policy have been submitted to the Account Officer and accepted by him as suitable, or (2) to meet any payment or purchase made or effected more than three months before the date of application or presentation of claim for withdrawal, or (3) to meet payment of any premium or subscription more than three months in advance of the due date of payment.Note. - Due date of payment for the purpose of this provision will be the date upto which payment can be made including the grace period allowed by the Insurance Companies.Explanation. - Under clause (3) of this proviso no withdrawal from the fund for financing a policy of Life Insurance shall be made after date of payment without production of the premium receipt, in token of such payment] [Substituted by C. Slip No. 10 dated 30.8.1967.]:Provided further that payment towards an educational endowment policy may not be substituted for subscription to the fund and that no amount may be withdrawn to meet any payment or purchase in respect of such a policy if that policy is due for payment in whole or part before the subscriber's age of normal superannuation:Provided further that amount withdrawn shall be rounded to the nearest whole rupee.Note. - Where a subscriber intends to take out a life assurance policy in any Company and to substitute premium on such a policy for subscription to the General Provident Fund, he should satisfy himself that the Company concerned is a sound one.

## 18.

(1)If the total amount of any subscription, or payments substituted under clause (a) of Rule 17 is, less than amount of the minimum subscription payable to the Fund under Rule 11 (1), the difference shall be rounded to the nearest rupee in the manner provided in clause (iv) of sub-rule (2) of Rule 14 and paid by the subscriber as a subscription to the Fund.Note. - The period for which the difference referred to in this Rule should be calculated for the purpose of effecting the recovery should be one financial year and amount of subscriptions to a Family Pension Fund, or of payments towards a policy of life insurance in excess of the minimum amount of subscription payable into the General Provident Fund in any financial year should not be set off against any difference payable under the rule in respect of any other financial year.(2)If the subscriber withdraws any amount standing 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(1) has ceased to subscribe to the Fund.

## 19.

(1)A subscriber who desires to substitute a subscription on payment under clause (a) of Rule 17, may reduce his subscription to the Fund accordingly:Provided that the subscriber shall-(a)intimate to the Account Officer, on his pay bill or by letter the fact of, and reason for the reduction.(b)send to the Account Officer, within such period as the Account Officer may require, receipt or certified copies of receipts in order to satisfy the Account Officer that the amount by which the subscription has been

reduced was duly applied for the 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 Account Officer by letter;(b)make arrangements with the Account Officer for the withdrawal;(c)send to the Account Officer, within such period as the Account Officer may require, receipts or certified copies of receipts in order to satisfy the Account Officer that the amount withdrawn was duly applied for the purposes specified in clause (b) of Rule 17.(3)The Account Officer shall order the recovery of any amount by which subscription 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 (3) with interest thereon at the rate provided in Rule 14 from the emoluments of the subscriber and place it to the credit of the subscriber in the Fund.

## 20.

(1)Government shall not make any payments on behalf of subscribers to Insurance Companies nor take steps to keep a policy alive.(2)A policy to be acceptable under these rules shall be one effected by the subscriber himself on his own life and shall (unless it is a policy effected by a male subscriber which is expressed on the face of it to be for the benefit of his wife or of his wife and children or any of them) be such as may be legally assigned by the subscriber to the Governor of Bihar.Explanation 1 - A policy on the joint lives of the subscriber and the subscriber's wife, or husband shall be deemed to be a policy on the life of the subscriber for the purpose of this sub-rule.Explanation 2 - A policy which has been assigned to the subscriber's wife shall not be accepted, unless either the policy is first reassigned to the subscriber or the subscriber and his wife both join in an appropriate assignment.(3)The policy may not be effected for 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 21A of 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 Account Officer, if he is satisfied by the production of the completion certificate (Interim receipt), may fix, shall -(a)unless it is a policy effected by a male subscriber which is expressed on the face of it to be for the benefit of the subscriber, or of his wife and children, or any of them, be assigned to the Governor of Bihar, as security for the payment of any sum which may become payable to the fund under rule 26, and delivered to the Account Officer the assignment being made by endorsement on the policy in Form (2) or Form (1) of the Forms in third 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 subscriber, or of his wife and children or any of them, be delivered to the Account Officer.(2)The Account Officer shall satisfy himself by reference to the Insurance Company where possible, that no prior assignment of the policy exists.(3)Once a policy has been

accepted by the Account Officer for the purpose of being financed from the Fund, the terms of the policy shall not be altered, nor shall, the policy be exchanged for another policy without the prior consent of the Account Officer to whom details of the alterations 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 Account Officer may, under sub-rule (1) have fixed, any amount withheld or withdrawn from the Fund in respect of the policy shall with interest thereon at the rate provided in Rule 14, forthwith be paid or repaid, as the case may be, by the subscriber to the Fund, or in default be ordered by the Account Officer to be recovered by deduction from the emoluments of the subscriber, by instalments or otherwise as may be directed by the authority competent to sanction an advance for the grant of which special reasons are required under clause (c) of sub-rule (1) of Rule 15:(5)Notice of assignment of the policy shall be given by the subscriber or the Insurance Company, and the acknowledgement of the notice by the Insurance Company shall be sent to the Account Officer within three months of the date of assignments.Note 1. - Subscribers are advised to sent notice of the assignment to Insurance Company in duplicate accompanied in cases in which the notice has to be sent to a Company in Great Britain or Ireland, by a remittance of five shillings which is the fee for acknowledgement authorised by the Policies of Assurance Act, 1867.Note 2. - Subscribers who proceed to Great Britain or Ireland or quitting the service are advised that under the English Stamp Law assignment or reassignments are required to be stamped within 30 days of their first arrival in those countries, otherwise penalty will be incurred under the Stamp Act and difficulties may arise when the policy matures for payment.

## **22.**

The subscriber shall not during the currency of the policy, draw any bonus the drawal of which during such currency is optional under the terms of the policy and the amount of any bonus which under the terms of the policy the subscriber has no option to refrain from drawing during its currency shall be paid forthwith into the Fund by the subscriber, or in default recovered by deduction from his emoluments by instalments or otherwise as may be directed by the authority competent to sanction an advance for the grant of which special reasons are required under clause (c) of sub-rule (1) of Rule 15.

## **23.**

(1)Save as provided by Rule 27 when the subscriber -(a)quits the service, or(b)has proceeded on leave preparatory to retirements and applies to the Account Officer for re-assignment, for 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 Account Officer for re-assignment or return of the policy; or(d)pay or repay to the Fund whole of amount withheld or withdrawn from the Fund for any of the purpose mentioned in sub-clause (ii) of clause (a) of Rule 1 and sub-clauses (i) and (ii) of clause (b) of Rule 17 with interest thereon at the rate provided in Rule 14;the Account Officer shall-(i)if the policy has been assigned to Governor of Bihar, under Rule 21, or under the corresponding rule heretofore inforce re-assign the policy in the first Form set forth in the Fourth Schedule to the subscriber or to the subscriber and the joint assured, as the case may be, and make it over to the subscriber together with a signed notice of the re-assignment addressed to Insurance

Company;(ii)if the policy has been delivered to him under clause (b) or sub-rule (1) of Rule 21, make over the policy to the subscriber:Provided that if the subscriber, after proceeding on leave preparatory to retirement, or after being, while on leave, permitted to retire or declared by the competent medical authority to be unfit for further service, returns to duty, any policy so re-assigned or made over shall, if it has matured or been assigned or changed or encumbered in any way, be again assigned to the Governor of Bihar, and delivered to the Account Officer or again be delivered to the Account Officers, as the case may be, in the manner provided in Rule 21, and thereupon the provision of these rules shall, so far as may be, again apply in respect of the policy:Provided further that if the policy has matured, or been assigned or charged or encumbered in any way the provisions of sub rule (4) of Rule 21 applicable to a failure to assign and deliver a policy shall apply.(2)Save as provided by Rule 27, when the subscriber dies before quitting the service, the Account Officer-(i)If the policy has been assigned to the Government of Bihar under Rule 21 or under the corresponding Rule heretofore re-assign the policy in the second Form set forth in the Fourth Schedule to such person or persons as may be legally entitled to receive it, and shall make over the policy to such person or persons together with a signed notice of the re-assignment addressed to the Insurance Company;(ii)If the policy has been delivered to him under clause (b) of sub-rule (1) of Rule 21, make over the policy to beneficiary, if any, or if there is no beneficiary to such persons as may be legally entitled to receive it.

## 24.

(1)If a policy assigned to the Governor of Bihar, under rule 21 or under the corresponding Rule heretofore in force matures before the subscriber quits the service, or if a policy on the joint lives of a subscriber and the and the subscriber's wife or husband assigned under the said Rule or under the corresponding Rules heretofore in force falls due for payment by reason of the death of the subscriber's wife or husband, the Account Officer shall, save as provided by the Rule 27 proceed as follows: -(i)if amount assured together with the amount of any accrued bonuses is greater than whole of the amount withheld or withdrawn from the Fund in respect of the policy with interest thereon at the rate provided in Rule 14, the Account Officer shall, re-assign the policy in the Form, set forth in the Fifth Schedule to the subscriber or the subscriber and the joint assured as the case may be, and make it over to the subscriber, who shall immediately on receipt of the policy moneys from the Insurance Company pay or repay to the Fund the whole or any amount withheld or withdrawn with interest and in default the provisions of sub-rule (4) of Rule 21, applicable to a failure to assign and deliver a policy shall apply;(ii)if the amount assured together with the amount of any accrued bonuses is less than whole of the amount withheld or withdrawn with interest, the Account Officer shall realise the amount assured together with any accrued bonuses and shall place the amount so realised to the credit of the subscriber in the Fund.(2)Save as provided by Rule 27, if a policy delivered to the Account Officer, under clause (b) of sub-rule (1) of Rule 21 matures before the subscriber quits the service, the Account Officer shall make over the policy to the subscriber:Provided that if the interest in the policy of the wife of the subscriber, or of his wife and children or any of them, as expressed on the face of the policy, expires when the policy matures, the subscriber, if the policy moneys are paid to him by the Insurance Company, shall immediately on receipt thereof, pay or repay to the Fund either-(i)the whole or any amount withheld or withdrawn from the Fund in respect of the policy with interest thereon at the rate provided in Rule 14;(ii)or 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 deliver a policy shall apply.

**25.**

If the interest of the subscriber in the Family Pension Fund ceases, in whole or part, from any cause whatsoever, the Provident Fund account of the subscriber shall forthwith be reimbursed by the amount of the refund secured by the subscriber from the family pension fund which amount shall in default of reimbursement be deducted from the subscriber's emoluments by instalments or otherwise as may be directed by the authority competent to sanction an advance for the grant of which special reasons are required under clause (c) of sub-rule 15.

**26.**

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

**27.**

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

**28.**

Notwithstanding anything contained in these rules, if the sanctioning authority is satisfied that money drawn as an advance from the Fund under clause (i) or Rule 15 or withheld or withdrawn from Fund under clause (a) or clause (b) of Rule 17 has been utilised for a purpose other than that for which sanction was given to the drawal, withholding and withdrawal of the money, the amount in question, shall with interest at the rate provided in Rule 14, forthwith be repaid or paid as the case may be, by the subscriber to the Fund, or in default, be ordered to be recovered by deduction in one lump 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 monies of his emoluments till the entire amount recoverable be repaid or paid as the case may be, by him.Note. - The term 'emoluments' as used in this section 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 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. - A subscriber re-employed in Government service after retirement is considered to have quitted service from the date of retirement even though his reemployment may have been in continuation of his active service without break. He cannot therefore, get interest on his accumulation in the Fund beyond six months from the date of retirement, under Rule 14 (4) infra.

## **30.**

When a subscriber -(a) has proceeded on leave preparatory to retirement, or if he is employed in vacation department, on leave preparatory to retirement combined with vacation; or (b) while on leave, has been permitted to retire or has been declared by a competent medical authority to be unfit for further service; the amount standing to his credit in the fund shall, upon application made by him in that behalf to the Account Officer, become payable to the subscriber: Provided that the subscriber, if he returns to duty, shall if required to do so by Government, repay to the Fund, for credit to his account the whole or part of any amount paid to him from the fund in pursuance of this rule with interest thereon at the rate provided in Rule 14, in cash or securities, or partly in cash and partly in securities, by instalments, or otherwise by recovery from his emoluments or otherwise, as may be directed by the authority competent to sanction an advance for the grant of which special reasons are required under clause (c) of sub-rule (1) of Rule 15. Note. - When vacation precedes the leave preparatory to retirement the amount standing at the credit of a subscriber shall, upon application made to the Account Officer, 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 subsist, 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 deceased son whose husbands are alive if there is any member of the family other than those specified in clauses (1), (2), (3), and (4):Provided further that the widow or widows and 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 first proviso.(ii)when the subscriber leaves no family, if a nomination made by him in accordance with with the provisions of Rule 8 of the corresponding Rule heretofore in favour of any persons subsists, the amount standing to his credit in the Fund or the part thereof to which nomination relates shall become payable to his nominee or nominees in the proportion specified in the nomination.Note. - When a person named in a form of nomination under Rule 8 dies before the subscriber, the nomination shall, in the absence of a direction to the contrary in the form of nomination become null and void in respect of that person only, and his or her share will be distributed in the manner prescribed in sub-clause (b) of clause (i) above.

### 32.

(1)When the amount standing to the credit of a subscriber in the fund becomes payable, it shall be the duty of the Account Officer to make payment, as provided in Section 4 of the Provident Funds Act, 1925.(2)If the person to whom, under these Rules, any amount or policy is to be paid, assigned, re-assigned, or delivered, is a lunatic for whose estate a manager has been appointed in this behalf under the Indian Lunacy Act, 1912 the payment of assignment or delivery will be made to such manager and not to the lunatic.(3)[ Any person who desires to claim payment under this rule, shall send a written application in that behalf to the Account Officer. Payment of amounts 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:Provided that such application will not be needed to be sent in case of superannuation, but the office of The General Provident Fund shall take action suo motto for issuance of authority letter for final withdrawal.] [Substituted by Bihar Notification No. 1126, dated 15.3.2017 (w.e.f. 18.8.1948).]

### 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 Provincial Government the amount of subscriptions, together with interest thereon, standing to his credit in such other Fund on the date of transfer, shall, with the consent of the other Government concerned be transferred to his credit in the Fund.(b)If Government Servant who is a subscriber to the State Railway Provident Fund, or the Contributory Provident Fund, (India), or a Provincial Contributory Provident Fund is permanently transferred to pensionable service under the Provincial Government and elects, or is required to earn pension in respect of such pensionable service-(i)the amount of subscriptions, with Interest thereon standing to his credit in such Contributory Provident Fund at the date of transfer shall with the consent of 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 Government and credited to provincial revenues; and(iii)he shall in exchange be entitled to count towards pension such part of the period during which he subscribed to such Contributory Provident Fund, as the Provincial Government may determine.

### **34.**

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

### **35. Procedure Rules.**

- All sums paid into the Fund under these rules, shall be credited in the Books of Government to an account named, "The General Provident Fund". Sums of which payments has been taken within six months after they become payable under these rules, shall be transferred to "deposits" at the end of the year and treated under ordinary rules relating to deposits.

### **36.**

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

### **37.**

(1)As soon as possible after the close of each year, the Account Officer, shall send to each subscriber a statement of his account in the Fund showing the opening balance as on the 1st April of the year, the total amount credited or debited during the year, total amount of interest credited, as on the 31st March of the year and the closing balance on that date. The Account Officer shall attach to the 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.(b)has acquired a family in cases where the subscriber has made no nomination in favour of a member of his family under sub-rule (2) of Rule 8.(2)Subscribers' should satisfy themselves as to the correctness of the annual statement, and error should be brought to the notice of the Account Officer within six months from the date of receipt of the statement.(3)The Account Officer, shall, if required by a subscriber once, but not more than once, in a year inform the subscriber of the total amount standing to his credit in the Fund at the end of the last month for which his account has been written up.It is the duty of the subscriber:-(a)to intimate to the A. G. Bihar, any change in the nomination;(b)to test the accuracy, stated by A. G. Bihar; and(c)to intimate to the A. G. the name of the person or persons nominated as recipient of the subscriber's Fund : Provided if this has not been done previously.



**38. [ [Inserted by F.D. Memo No. MI-018/78-7582-F., dated 27.7.1978.]**

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**39. [ [Inserted by Notification No. 2813 F. dated 16.3.1982.]**

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**350. The term "Provident Funds" is strictly applicable to all "Provident Funds" within the meaning of the Provident Funds Act, 1925 (XIX of 1925), as amended, which have been constituted for the benefit of Government servants. The procedure relating to the recovery of subscriptions to, and withdrawals from, such funds will be regulated strictly in accordance with the provisions of the respective Provident Fund Rules and the subsidiary instructions contained in Section III of Chapter VIII of the Bihar Treasury Code.**

The legal aspect of the provisions in the Provident Fund Rules has been dealt with in the "Memorandum Explanatory of Government Provident Fund Rules vis-a-vis the law on the subject" which has been prepared by the Government of India in consultation with its legal advisers (Appendix II). The Memorandum, as stated in the preface thereto, is not exhaustive and exceptional cases may arise which are not covered by the instructions in the Memorandum but it will be found useful in dealing with the generality of cases arising under the various Provident Fund Rules.

**351. The following instructions should be carefully observed by heads of offices with a view to the correct preparation of the Fund Schedules referred to in Rule 524 of the Bihar Treasury Code:-**

(i) A complete list of subscribers to each fund should be maintained in each disbursing office in the form of the Schedule. (ii) Each new subscriber should be brought on this list and any subsequent change resulting from his transfer or in the rate of subscription, etc., clearly indicated. (iii) Except where it is otherwise provided in the rules of the fund concerned, changes in the monthly rates of subscription will be permissible only from the first of April, each year, i.e., with effect from the pay for March drawn in April. Note. - Subscribers are permitted to increase the rate of subscription only once at any time during the course of the financial year. (iv) When a subscriber dies, quits the service or is transferred to another office, full particulars should be duly recorded in the list. (v) In the case of the transfer of a subscriber to another office, the necessary note of transfer should be made in the list of both the offices. (vi) From this list the monthly Schedule to be appended to the pay bill should be prepared and agreed with the recoveries made before the submission of the bill to the treasury for payment. Section III Service and other funds Indian Civil Service Family Pension Fund. Superior Services (Indian) Family Pension Fund. Indian Civil Service (Non-European Members) Provident Fund. Postal Insurance Fund.

**352. Contributions, donations, etc., recoverable, and pensions and other benefits payable, in respect of the funds specified above will be regulated in accordance with the rules of the respective funds and the subsidiary instructions contained in Section III, Chapter VIII and Rule 522 of the Bihar Treasury Code.**

**353. Subscriptions to Family Pensions or other fund not under Government management may not be received in cash or by deduction from pay or pension bills except under special orders of Government. (See Rule 523 of the Bihar Treasury Code).**

Note. - It must be distinctly understood that in the case of the General Family Pension Fund, the Hindu Family Annuity Fund and the Bengal Christian Family Pension Fund, Government exercises no supervision over the management of the Funds and is in no way responsible for their solvency.

**354. A detailed list of the subscriptions realised in cash on behalf of each fund showing the date and amount of each receipt and the name of the person on whose behalf it is paid in, should be submitted by the Treasury Officer to the Accountant-General with the cash account of each month. This list will be a copy of a register maintained in the treasury.**

**355. The deposit accounts of these funds on the Government book will be credited with interest at such rates and at such intervals as may be prescribed by Government in each case.**

Note. - Except in the case of the Bengal Uncovenanted Service Family Pension Fund, an important difference with regard to interest is made between subscriptions paid by deduction from pay bill and subscriptions paid in cash, no interest being allowed for the month of payment on cash subscriptions received after the 4th of the month, whereas subscriptions deducted from a bill bear interest as though they had been received on the 1st of the month. Appendix II Relevant rules of Bihar Treasury Code, Vol. I. Provident and Other Funds Recovery of subscriptions, etc.

**520. Subscriptions to a service, or provident fund of the Government can be received from such Government servants as are either required, or permitted by the Rules of the fund to subscribe to it, the recoveries being made ordinarily by the deduction from pay-bills of the Government servants concerned.**

The subscriber himself is responsible for seeing that proper deduction is made from his bills, though for his convenience, it has been provided in Rule 227 that the responsibility for making the necessary deductions regularly and correctly devolves upon the drawers of the bills.

**521. Premia or subscriptions, to the Post Office Insurance Fund, may be recovered by deduction from pay-bills of the subscribers or in cash in accordance with the rules of the fund. Such premia or subscriptions shall in no circumstances, be received at the treasury, payment in cash being permissible at post offices only.**

Subscribers to the Post Office Insurance Fund, who have retired from the service and whose pensions are to be paid in India may be allowed the option of deducting their premia or subscriptions from pension bills. The Accountant General issuing the Pension Payment Order, or other authority for payment of pension bill in such cases note the amount of the monthly deduction on the Pension Payment Order or other authority, as the case may be. The insured person, however, shall be personally responsible for entering the correct amount to be deducted in the pension bill; and if he fails to do this on any occasion, it will be open to him to pay the amount into the post office.

**522. Contributions, donations, etc., payable in respect of the Indian Civil Service and the Superior Service (India) Family Pension Funds are recoverable by deduction from pay-bills of the subscribers, or in case if tendered at the treasury at the rates communicated by the Accountant-General.**

Note. - The treasury and other disbursing officers must check the deductions in respect of the Fund mentioned in the rule at the time of posting for payment of the pay of the Government servants concerned.

**523.**

(1)Subscriptions to the funds specified below may be received at a treasury only under special instructions of the authorities of the fund received through the Accountant General -Bengal Uncovenanted Service Family Pension Fund.Bombay Family Pension Fund of Government servants.Bengal and Madras Service Family Pension Fund.General Family Pension Fund.Hindu Family Annuity Fund.Bengal Christian Family Pension Fund.(2)In the case of subscribers drawing their pay or pension from the Government, the subscriptions are recoverable by deductions from their pay or pension bills, except that in the case of the General Family Pension Fund, the Hindu Family Annuity Fund and the Bengal Christian Family Pension Fund such subscriptions may, at the option of the subscriber be paid in cash, either direct to the authorities of the fund concerned, or at treasury.Note. - Subscriptions to the Bengal and Madras Service Family Pension Fund, may be received in cash at treasuries only when permitted by the Accountant General, Bengal.

**524. In cases in which subscriptions including refund of withdrawals, are paid by deduction from pay-bills, the requisite particulars shall be entered by the subscriber, if he draws his own pay, or by the head of the office in other case, in a separate schedule in one of the T.C. Forms 70, 70A, 71 or 72 as may suit the requirements of the fund concerned, and the Form so completed shall be attached to the pay bill. If the subscription is paid in cash, the number of the account of policy as the case may be, and all other particulars must be furnished. In all cases where a subscription is paid for the first time the rule or special authority under which the subscription may be received shall also be quoted in the Form, or in case of cash payment, in the separate document or particulars.**

**525. In cases in which the subscription is a percentage on the rate of pay, the subscriber, if in foreign service under the new rules in force from the 1st of January 1922, should subscribe on the pay drawn by him in foreign service, but if the foreign service is under the old rules which were in force prior to**

**the 1st January, 1922, the subscription should be calculated upon "assumed pay" in the case of foreign service of the first kind and upon "actual sanctioned salary" in the case of foreign service of the second kind.**

**526. When a subscriber to any fund whose subscriptions are realised by deduction from pay-bill is transferred to another district or audit circle the fact that he is subscribing to the fund shall be certified on the last pay certificate by noting thereon, the amount of his monthly subscription and the number of his account or policy.**

Note. - When a subscriber to the Post Office Insurance Fund, is transferred to another audit circle, notice of the transfer should also be given to the Accountant General of the new audit circle and to the Deputy Accountant General, Posts and Telegraphs, Calcutta, through the local Accountant General.

**527. A detailed list of the subscriptions realised in cash on behalf of each fund showing the date and amount of each receipt and the name of the person on whose behalf it is paid in, will be submitted by the Treasury Officer with the cash account. The list will be a copy of a register maintained in the treasury.**

Withdrawals Provident Funds

**528.**

(1)(a)Advances from a Provident Fund, if permissible under the rules of the Fund, may be drawn by Gazetted Government servants on ordinary pay bill forms, the bill being supported by a duly certified copy of the order sanctioning the advance. In the case of non-gazetted Government servants, the advance, if admissible may be drawn and disbursed in the same manner as pay proper, the bill being supported by a copy of the sanction duly attested by the head of the Office.(b)In cases in which the amount is drawn and disbursed by the head of an office, a disbursement certificate in the following Form shall be rendered to the Accountant General; as soon as possible after the disbursement has been made-"I certify that I have satisfied myself that the sum of Rs.....drawn under rule.....of the.....Provident Fund Rules, from.....Provident Fund Account of.....on bill no.....dated .....was actually disbursed to.....on.....and the payees' receipt was taken in the acquittance roll maintained in my office".Payment may be made on the authority and responsibility of the Government servant sanctioning the advance, without the previous authority of the Accountant General:Provided that the bill is supported by a certificate in the form prescribed in sub-rule (2) (a) below, that the advance is covered by the balance at the credit of the Government servant concerned.(2)(a)Withdrawals from a fund when permissible under the rules of the Fund, to meet payments towards policies of life

insurance, or subscriptions to a Family Pension Fund, may be made, as and when required, by heads of offices for their subordinates on their own authority and responsibility, without previous reference to the Accountant General. Gazetted Government servants may also draw the amounts required for their own policies etc., in a similar manner and under similar conditions. The bills may be prepared in Miscellaneous bill form (T. C. Form No. 76), the particulars regarding the policy or policies on which premium or subscription is to be paid being noted on the bills. In all such cases the drawing officer, shall be, responsible for seeing that there is no overdrawal and a certificate in the following Form shall be recorded by him on the bill presented at the treasury or any other office of disbursement:-

"Certified that the balance at| my creditcredit of the subscriber| on the date of withdrawal covers the sum drawn on this bill."

(b)The bill in which the first premium is drawn must contain an additional certificate to the effect that the details of the policy have been communicated to and accepted by the Accountant General. Note. - Payee's receipt stamped where necessary, should be furnished on the bills and Treasury Officer will refuse payment unless receipted bills are presented. (3)Save as provided in this rule no payments on accounts of any Provident Fund, whether as a refund of subscription overpaid, or as a repayment of the whole or a part of the amount accumulated to credit of the subscriber, can be made without the express authority of the Accountant General.

## 529.

(1)When a subscriber to a Provident Fund is about to retire and under the rules of the fund the money lying at his credit in the fund becomes payable to him, he shall place himself in communication with the Accountant General by whom his fund account is maintained giving the date of his retirement and requesting that step may be taken to close his account and pay him the amount due. The Accountant General, being satisfied of the correctness of the claim, and on ascertaining the date up to which the subscription has been paid will arrange for the payment of the amount at credit of the subscriber in the account of the fund. (2)The procedure prescribed in this rule shall apply mutatis mutandis to all other cases in which the amount lying at credit of a subscriber in his provident fund account becomes payable to him on finally quitting the service either by resignation, dismissal or death. The date of such an event should therefore, be promptly communicated to the Accountant General to close the fund account of the subscriber and to arrange for final payment. The application for final withdrawal, should be made in T.C. Form 73 and instructions contained therein should be very carefully followed at the absence of information on a single point may make it impossible for the Account office, to authorise payment.

**530. Final payment on account of any Provident Fund when authorised can be made only on the personal receipt of the subscriber or, when he is absent from India, on that of his duly authorised agent. Payment can, however, be made to an authorised banker if so desired by the subscriber in the manner laid down in rule 250. In the event of his death before payment has been made, payment can be made only to such person or persons as may be**

**authorised to receive payment under the rules of the fund concerned and such subsidiary instructions as may be issued by the Government in this behalf.**

Post Office Insurance Fund

**531. Payments in respect of the Post Office Insurance Fund shall be made strictly in accordance with the procedure prescribed in the rules of the fund.**

First Schedule[Rules 8(2) & (4)]Form of nomination when subscriber has a family

I, hereby, nominate the| personpersons| mentioned below who| is a memberare members| of my family as defined in Rule (2) (i) (c) of the Bihar General Provident Fund Rules, to receive the amount that may stand to my credit in the General Provident Fund in the event of my death before that amount has become payable or having become payable has not been paid (and direct that the said amount shall be distributed among the said persons in the manner shown below against their names.)

Name and address of the nominee or nominees	Age of the nominee	Name and address of the person or persons to whom payment is to be made on behalf of the nominee when he is minor	Relationship with the Subscriber	Amount of share of accumulation	Sex and parentage of person mentioned in column 5
1	2	3	4	5	6

Signature of SubscriberDate.....Station.....Two witnesses-signature.Note. - Column 4 shall be filled in so as to cover the whole amount at credit.Second ScheduleForm of nomination when subscriber has no family

I, having no family as defined in Rule 2 (1) (c) of the Bihar General Provident Fund Rules, hereby, nominate the| personpersons| mentioned below to receive the persons amount that may stand to my credit in the Bihar General Provident Fund in the event of my death before that amount has become payable or having become payable has been paid (and direct that the said amount shall be distributed among the said persons in the manner shown below against their names.)

Name and address of the nominee or nominees	Relationship with the Subscriber	Age of the nominee	Amount of share of accumulation	Name and address of the person or persons to whom payment is to be made on behalf of the nominee when he is minor	Sex and parentage of person mentioned in column 5
1	2	3	4	5	6

Signature of Subscriber. Date..... Station..... Note. - Column 4 shall be filled in so as to cover the whole amount at credit. Third Schedule [Rule 21(1)(a)] Forms of assignment (1) I, A.B. of..... hereby assign unto the Governor of Bihar the within policy of assurance as security for payment of sums which under Rule 26 of the Bihar 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.

Date      Signature of the subscriber.

Station      One witness to signature.

(2) We, A.B., (the subscriber) of..... and C.D. (the joint assured) of..... in consideration of the Government of Bihar agreeing to our request to accept payments towards the within policy of assurance in substitution for the subscriptions payable by me the said A. B., to the 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 Bihar the written policy of assurance as security for payment of all sums which under Rule 26 of the Bihar 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. Signature of the subscriber and the joint assured. Date..... Station..... One witness to signature (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 Bihar, who has agreed to accept payments towards the within policy of assurance in substitutions 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 Bihar the within policy of assurance as security for payment of all sums which under Rules 21 to 27 of the Rules of the said Funds, the said A.B., may hereafter become liable to the Fund. Signature of the assignee and the subscriber. Date..... Station..... One witness to signature. Note. - The assignment may be executed on the policy itself either in the subscribers 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. Fourth Schedule (Rule 23) Forms of re-assignment by the Governor of Bihar (1)

All sums which have become payable by the above named | A.B.A.B. & C.D. | under Rule 26 of the Bihar General Provident Fund Rules,

having been paid and all liability for payment by him of any such sums in the future having ceased the Governor of Bihar doth hereby

re-assign the within policy of assurance to the said | A.B.A.B. & C.D.

Dated..... 19 Executed by..... Account Officer of the Fund for and on behalf of the Governor of Bihar in the presence of..... Signature of Account Officer. (One witness to signature.) (2) The above named A.B. having died on the..... day of..... 19..... the Governor of Bihar doth hereby re-assign the within policy of assurance to C.D..... \*\* Fill in particulars of persons legally entitled to receive the policy. Dated..... 19..... Executed by..... Account Officer of the Fund for and on behalf of the Governor of Bihar in the presence of..... Signature of the Account Officer. (One witness to signature.) Fifth Schedule (Rule



24)Form of re-assignment by the Governor of Bihar

The Governor of Bihar doth hereby re-assign within policy to the said| A.B. and C.D.A.B. C.D.

Dated.....19.....Executed by.....Account Officer of the Fund for and on behalf of the Governor of Bihar in the presence of.....Signature of the Account Officer.(One witness to signature.)Application Form of Temporary Withdrawal of Money from the General Provident FundName and designation of the applicant.

**1. Account no.**

**2. Pay.**

**3. Amount standing at the credit of the applicant upon the date of application.**

This can be arrived at the following manner-Amount at credit as per last account furnished by the Accountant-General add-recoveries of subscriptions and on account of previous advances, if any from 1st April, to date. Deduct advance drawn, if any, subsequent to the 31st March.

**4. Whether any advance was taken previously, if so, when?**

(Ordinarily, 12 months should elapse from the date of liquidation of last advance before a second advance sanctioned)

**5. Purpose for which that advance was sanctioned.**

**6. Amount of the advance now applied for.**

(This should not ordinarily exceed three months pay)

**7. Full particulars of the purpose for which the advance applied for is required.**

**8. Number of instalments in which it is proposed to repay the advance [excluding the instalment(s) of interest.]**

Signature of applicant. Verified (heads 1 to 3)Accountant. Verified (heads 4 to 6)Head Clerk.

Order passed by the Head of the OfficeForm of Application for Final Withdrawal of Provident Fund AccumulationsGeneral Instructions

**1. Urgency. - The application should be treated as urgent by all concerned at all stages.**

**2. Gazetted Government Servants. - (a) When the application for refund is the subscriber himself, and a Gazetted Government servant, he should fill in all items in the form of application and send it to the head of the department.**

(b) The Head of the Department shall see that all the information required in the form of application has been supplied completely, the certificate on the forwarding memo, regarding the grant of an advance within 12 months preceding date of the officer's retirement and except in the case mentioned in 2(c) below, forward the application direct to the four categories (i) to (iv) below the application should be forwarded to Government in the administrative department concerned; viz-(i) when the subscriber being a Gazetted Government servant applied for any advance under Rule 15(3) (a) of the General Provident Fund (Bihar) Rules within 12 months preceding the date of his retirement; (ii) when the subscriber was governed by the Indian Civil Service Provident Fund Rules; (iii) when the subscriber was governed by the General Provident Fund (Superior Civil Service) Rules; (iv) when the subscriber elected to join the sterling branch of the Provident Fund. (d) The administrative department of Government shall in the cases of applications falling within category (iii) above verify whether any advance was granted to the subscriber within 12 months preceding the date of his retirement and forward the application direct to the Accountant General, Bihar, after completing the certificate in the forwarding memo. In other cases i.e., applications falling within categories (i), (ii) & (iv) above, the administrative department shall first ascertain from the Finance Department what amount of advance, if any was sanctioned to the Government servant by the Finance Department within 12 months preceding the date of his retirement, complete the certificate in the forwarding memo and forward the application to the Accountant-General, through the Finance Department, after noting "Consulted U.O." on the margin of the memo.

**3. Non-Gazetted Government Servant. - (a) When the applicant for refund is the subscriber himself and a non-gazetted Government servant, the head of the office in which the subscriber last worked should, fill in the form, complete the certificate in the forwarding memo, after verifying whether any advance was granted to the subscriber within 12 months preceding the date of his retirement and forward the application direct to Accountant-General, Bihar except in the cases mentioned in 3 (b) below.**

(b) When a subscriber had applied for an advance under Rule 15 (3) (a) of the General Provident Fund (Bihar) Rules within 12 months preceding the date of his retirement the application should be forwarded to the head of the Department who after verifying the application and completing the certificate in the forwarding memo, will forward the application to the Accountant-General, Bihar. (c) If the subscriber wants payment at a place other than that in which he last worked, the application should be accompanied with three slips containing the specimen signature, left hand thumb and finger impressions, and personal marks of identification of the payee duly attested by the head of the office or a Magistrate.

**4. Payment after death of a subscriber. - If the payment has been necessitated by the death of a subscriber (whether a gazetted or non-gazetted Government Servant), the head of the office shall fill in items 1 to 8 of the form of application, and forward it to the head of the department. At the same time he should send a direct and immediate intimation of the death of the subscriber, together with his Provident Fund Account number, to the Accountant General, Bihar who will advise the head of the department what further action should be taken.**

Note. - When a subscriber is himself the head of an office and/or head of a department, his successor in office should be treated the head of office and/or head of the department for the purpose of forwarding the application to the proper authorities.

**1. Name of the subscriber with designation.**

**2. Account no. (The correct number should, if possible be verified from the statement furnished to the depositors by the Account Office from year to year)**

**3. (i) The actual date, forenoon or afternoon of retirement, death, dismissal, resignation or discharge [cut out the items not required.]**

(ii)In the case of dismissal-(a)Whether the subscriber has appealed or intends to appeal against the orders of dismissal.(b)If the appeal has been rejected the date of its rejection.(c)If no appeal has been filed yet, the date on which the time limit for filing an appeal will expire.(iii)In case of resignation, it should be stated whether the resignation has been accepted. ,(iv)In case of discharge, the reason for the same should be stated.

**4. Name of the Treasury where payment is desired.**

**5. Was any withdrawal made within 12 months preceding the date of retirement of premium of life Insurance policies? If so, the amounts and Treasury voucher numbers should be quoted.**

**6. Was any advance from the Fund granted to the subscriber and drawn by him his (or by the head of the Office on his behalf) during the last 12 months? If so, full particulars of the advance should be quoted.**

**7. Amount of the last Fund deduction and no. and date of the Treasury voucher in which the deduction was made.**

**8. Has the subscriber elected, and been allowed to have his Provident Fund account kept on Sterling basis?**

**9. If the answer to the last question be in the affirmative, is the subscriber going to reside after retirement in a country where the rupee is a legal tender?**

**10. Is the subscriber on leave preparatory to retirement? If so, the date from which such leave commenced.**

Date.....Subscriber.....Signature of head of the office.....Designation.....[To be used in the case of Non-Gazetted Government Servants only.]Memo. no.Dated the

Forwarded to the| Accountant-General, Bihar (3)(a)(5050)| 3(b) and 4] Head of the Department

2. I certify that| no advancean advance of Rupees| was granted to

within 12 months preceding the date of his retirement.on (if granted within 12 months preceding the date of retirement

Signature of the head of office...Designation.....[For both Gazetted and Non-Gazetted Government Servants]Memo no.Dated the

Countersigned and forwarded to the| Accountant - General Bihar 12(b) &3(b).]Secretary to Government Department [2(e).]

2. I certify that| no advancean advance of Rupees| was granted to.....within 12 months preceding the date of his retirement.

on (if granted within 12 months preceding the date of retirement,)Signature of Head of the

Department.....[To be used in the case of Gazetted Government Servants only]Memo no.Dated

theForwarded to the Accountant General, Bihar (through the Finance Department [2 (a)]no advance

2. Certified that| no advancean advance of Rupees| was granted by the Government

to.....within 12 months preceding the date of his retirement.

on (if granted within 12 months preceding the date of retirement.)

**3. The Provincial Government are satisfied that the subscriber intends to reside after retirement in a country where the rupee is not a legal tender (Paragraph 3 to be struck off where necessary).**

Note. - The reference in brackets above, e.g. [2 (b)], refer to the appropriate instructions given on the first page of this form.Secretary to Government Department.