11.8 The Chief Administrative Medical Officer should arrange for the medical examination of the applicant by the medical authority prescribed in Rule 11.9 at the nearest available station to that named by the applicant in Part I of Form PEn.12 and as early as possible within the period prescribed and inform the applicant direct. The Form and other documents shall be transmitted by the Chief Administrative Medical Officer to the examining medical authority.

11.9 (i) Before any commutation administratively sanctioned becomes absolute, the applicant must be examined by the proper medical authority hereinafter prescribed.

(ii) The Medical authority shall be -

(a) in the case of an applicant who has been or is about to be granted an invalid pension or in whose case the total of the amount of the pension to be commuted together with the amount or amounts previously commuted, if any, exceeds Rs.100/- a Medical Board or a Standing Invaliding Committee in the State concerned nearer to the place of applicant's residence before which the applicant must appear in person;

(b) applicant who has not been or is not about to be granted an invalid pension and who applies for commutation, of a sum such that the total of the amount of pensions to be commuted, together with the amount or amounts previously commuted, if any, is Rs.100/- or less, the Medical Officer, not being of lower status than the Chief Medical Officer or Principal Medical Officer of the district in which he is ordinarily resident.

(iii) The medical authority after obtaining from the applicant a statement in Part I of FORM PEn.14 (which must be signed in its presence) shall subject him to a strict examination; enter the results in Part II of Form Pen.14 and record its opinion as to the accuracy with which the pensioner has answered the question prescribed in Part I regarding his medical history and habits. Lastly, it shall attest the unattested copy of the photograph of the pensioner, complete the certificate contained in Part III of FORM PEn.14.

(iv) In the case of an applicant who has been or is about to be granted an invalid pension, the grounds of invaliding or the statement of the medical case shall
be duly considered by the certifying medical authority before the certificate (Part III of Form PEN.14) is signed.

(v) If the examination is conducted by a single medical officer, the applicant shall himself pay the fee of the Medical Officer who shall retain an amount of Rs.12, out of the prescribed fee of Rs.16, and credit the remaining Rs.4 to Government, but if he is originally examined by a medical board or an invaliding committee in India, he shall pay a fee of Rs.4 into a Government treasury and make over the receipt for the fee to the Board or Committee before examination, together with an additional fee of Rs.12 in cash to be retained and divided by the members of the Board or the Committee, as the case may be, among themselves. If he is examined by a Board outside India, he shall pay to the board such fee as may be required of him.

Note-1: The above rule applies only in the case of ordinary monthly standing Medical Board and Invaliding Committee. In cases where special Medical Boards or Committees are convened at a very short notice in the interest of the applicant, a fee of Rs.48 will have to be paid by the applicant for his medical examination. Of that fee, a sum of Rs.12 shall be paid by the applicant into a government treasury and the receipt for it shall be made over by him to the Board or Committee, as the case may be, before examination, together with the remaining amount of the fee, viz. Rs.36 in cash to be retained and divided by the members of the Board or the Committee among themselves. This enhanced fee will not, however, be charged from such pensioners as entered Government service prior to 9th March, 1926.

Note-2: No fee will be payable for medical examination in the case of Government employees in Class IV service who are granted invalid pension under rule (5.11).44

(vi) An applicant who has once been refused commutation on medical ground or after he has once declined to accept commutation on the basis of an addition of years to his actual age, may apply for a second medical examination, at his own expense if at least a year has elapsed, since his first examination. Such an examination shall invariably be made by a Medical Board or Standing Invaliding Committee. The medical authority examining the pensioner should be furnished, in addition to the documents mentioned in the concluding portion of Rule 11.7 (iii), with a copy of the report of the medical authority which previously examined him.
vii) The ultimate medical authority prescribed in clause (ii) shall without delay forward the completed Forms Pen.12 and Pen.14 in original and the copy of photograph attested by it to the Accounts Officer, who gave the certificate contained in Part [IV] of Form PEN.12, a certified copy of the completed Form Pen.14 to the sanctioning authority. A certified copy of Part III of PEN.14 should be given to the pensioner on the spot after his medical examination.

Note-1: If in the opinion of the medical authority prescribed in clause (ii) some special examination is necessary which is not in a position to carry out itself, it may require the applicant to undergo such examination at his own expense. No refund of such expenditure will be given by Government irrespective of the result of the examination.

Note-2: In case, a copy of the report of the medical authority or the intimation by the Accounts Officer, where necessary, of the revised sum payable on commutation, has to be sent to the applicant by post, it should be sent invariably by registered post with acknowledgement due to the Accounts Officer.

D - LAPSE OF ADMINISTRATIVE SANCTION AND THE PERIOD FOR THE WITHDRAWAL OF APPLICATION.

11.10 (1) The applicant may, after giving notice in writing to the Head of the Office withdraw his application any time before subjecting himself to medical examination before the medical authority but in no case after he has appeared before such authority.

(2) In case the medical authority directs that the applicant's age for the purpose of commutation shall be assumed to be greater than his actual age, the applicant may:

(a) by giving notice in writing to the Head of Office withdraw his application within 14 days from the date on which he receives the certified copy of Part III of Form PEN.14 and endorse a copy of notice to the Accounts Officer; or

(b) request the Head of Office within the period specified in clause (a) under intimation to the Accounts Officer that he may be permitted to reduce the amount of pension already applied for commutation to an amount to be indicated by the Applicant.

(3) Where a request for withdrawal has not been made by the applicant within the time specified in clause (a) of sub-rule (2), it shall be presumed that he has
accepted the findings of the medical authority and the Accounts Officer shall take action to authorise the payment of commuted value of pension.

(4) If a request for reduction in the amount of pension to be commuted is made as provided in clause (b) of sub-rule (2), the Accounts Officer shall authorise the payment of commuted value of pension with reference to the reduced amount.

(5) If the applicant is informed by the Accounts Officer that on account of modification of the table, the commuted value becoming payable to the applicant will be less than the value communicated to him in Form PEN 13, it shall be open to the applicant to withdraw his application by a written notice addressed to the Accounts Officer and the applicant shall endorse a copy of the notice to the Head of Office within 14 days of the date on which he receives intimation of such modification.

11.11 (1) The commutation of pension shall become absolute in the case of an applicant referred to:

(i) in sub-rule (2) of rule 11.19, on the date on which the application in Form PEN 12A is received by the Head of Office;

(ii) in rule 11.2, on the date on which the medical authority signs the medical report in Part III of Form PEN 14:

Provided that -

(a) in the case of an applicant who is drawing his pension from a treasury, the reduction in the amount of pension on account of commutation shall be operative from the date of receipt of the commuted value of pension or at the end of three months after issue of authority by the Accounts Officer for the payment of commuted value of pension, whichever is earlier;

(b) in the case of an applicant who is drawing his pension from a branch of a nationalised bank, the reduction in the amount of pension on account of commutation shall be operative from the date on which the commuted value of pension is credited by the bank to the applicant’s account to which pension is being credited.

(2) The date on which the payment of the commuted value of pension was made to the applicant or the commuted value was credited to the applicant's account shall
be entered in both halves of the pension payment order by the disbursing authority under intimation, to the Accounts Officer who authorised the payment of commuted value of pension.

Note-1: The applicant who has clearly indicated his intention to commute the maximum amount of his pension or expressed the amount proposed to be commuted as a fraction or percentage of the full and final pension, within the maximum permissible limit and is allowed to commute such fraction or percentage of the provisional pension sanctioned to him on the earlier occasion, shall neither be required to apply afresh nor to produce a fresh certificate of medical examination for commutation of the difference between the fraction or percentage of the final pension and the anticipatory or provisional pension. As the commutation in such cases is payable in two instalments - one out of the provisional pension and the other after final assessment of pension, the report from the Accounts Officer, will have to be called for in Part IV of Form PEN.12 for commutation of Civil pensions, twice.

Note-2: A person who is allowed provisionally to commute a portion of his pension not exceeding Rs.100/- and who anticipates that the final amount of pension that he would be entitled to commute might exceed Rs.100/- shall indicate that fact in his application in case he desires to commute a sum exceeding Rs.100/-. The Sanctioning Authority shall in such cases arrange for medical examination as if the amount to be commuted exceeds Rs.100/-. In case such fact is not indicated, the Government employee shall be permitted on finalisation of the amount of pension, to commute the difference between the amount of pension originally commuted and Rs.100/- without further medical examination if the original amount commuted together with the difference referred to does not exceed Rs.100/-. If the same exceeds Rs.100/- the commutation of any further sum if admissible shall be treated as fresh commutation and allowed subject to examination by a Medical Board.

The date on which the Medical Board sign the Medical report shall be the date of effect for the difference of the amount of the portion of pension to be commuted for which the medical examination is conducted.

11.12 If the applicant makes any statement found to be false within his knowledge or wilfully suppresses any material fact in answer to any question, written or oral, put to him in connection with his medical
examination the sanctioning authority may cancel the sanction at any time before payment is actually made; and such a statement or suppression may be treated as grave misconduct for the purpose of Rule 2.2.

SECTION V - PAYMENT OF COMMUTED VALUE

11.13 (a) The Accounts Officer on receipt of the completed Forms PEN.12 and PEN.14 and the copy of photographs attested by the Medical Authority shall arrange forthwith for the payment of the appropriate commuted value and for the corresponding reduction of pension.

(b) If the applicant on receipt of the sanctioning order withdraws his application within the period prescribed in rule 11.10, he should intimate his intention in writing to the Accounts Officer direct and to the sanctioning authority simultaneously.

Note-1: If the Medical Certificate prescribes that more than five years should be added to the applicant's actual age, the Accounts Officer shall forthwith inform the applicant of the revised sum payable on commutation.

Note-2: See also Rules 7.5 and 7.6.

11.14 The payment of the commuted value shall be made as expeditiously as possible, but in the case of an impaired life no payment shall be made until either a written acceptance of the commutation has been received or the period within which the application for the commutation may be withdrawn has expired. The reduction in the amount of pension on account of commutation shall become operative from the date of receipt of the commuted value of the pension by the Pensioner or three months after the issue of the authority asking the pensioner to collect the commuted value of the pension by the Accounts Officer, whichever is earlier. This date will be entered in both halves of the pension payment order by the Treasury Officer under intimation to the Accounts Officer.

Note-1: In the case of an impaired life, this rule does not preclude the pensioner's right to record his acceptance of the commutation after the Medical examination and before he receives intimation of the revised sum payable on a commutation from the Accounts Officer. Such acceptance will, however, always be treated as final, that is to say, the pensioner will have no title, whatsoever to rescind his acceptance on receipt of intimation of the revised sum from the Accounts Officer.
Note-2: In view of the fact that rule 11.11 confers an absolute right on commutation subject to the prescribed conditions, payment of commuted value should not be postponed on the ground of lack of funds.

11.15 The lump sum, in cases in which application is addressed to the authorities in India under clauses (1) and (2) (a) of Rule 11.2, shall be payable in India; in all other cases it shall be payable at the Treasury in U.K. The rate of exchange for conversion of the lump sum, where the question of conversion arises, shall be such as the Government of India may from time to time prescribe.

11.16 If the pensioner dies on or after the day on which commutation became absolute but before receiving the commutation value, this value shall be paid to his heirs.

11.17 A commutation once applied for, sanctioned and given effect to, cannot be rescinded, i.e., the portion of a pension commuted cannot be restored on refund of the capitalised value.

SECTION VI
COMMUTATION OF PENSION WITHOUT MEDICAL EXAMINATION

11.18 (1) The provisions of this section shall apply to an applicant who is eligible to commute a fraction of his pension without medical examination.

(2) An applicant who is authorised:

(i) a superannuation pension under rule 5.27 of these rules; or

(ii) a retiring pension under rule 5.32-A of these rules; or

(iii) a pension on absorption in or under a corporation or company or body in terms of F.D. letter No.6226-2FR-68, dated 7th October, 1968 and who elect to receive monthly pension and death-cum-retirement gratuity; or

(iv) a compensation pension on abolition of permanent post under rule 5.2 of these rules; or

(v) a pension in whole or in part on the finalization of the departmental or judicial proceedings referred to in rule 2.2 of these rules and issue of final orders thereon;
shall, subject to the limit in rule 11.1, be eligible to commute a fraction of his pension without medical examination:

Provided that he applies for commutation of pension in Form PEN 12A in accordance with the provisions of rule 11.19.

Note: A Government employee who is granted extension of service on attaining the age of Fifty-eight years with the sanction of the appropriate authority, will also be eligible if he applies within one year of the expiry of extension period to commute a fraction of his pension without medical examination.[44

11.19 (1) An applicant, who is in receipt of any pension referred to in rule 11.18 and desires to commute a fraction of that pension any time after the date following the date of his retirement from service but before the expiry of one year from the date of retirement, shall:

(a) apply to the Head of Office in Form PEN 12A after the date of his retirement;

(b) ensure that the application in Form PEN 12A duly completed, is delivered to the Head of Office as early as possible but not later than one year of the date of his retirement:

Provided that the case of an applicant,-

(a) referred to in clause (iii) of rule 11.18, where order retiring him from Government service had been issued from a retrospective date, the period of one year referred to in this sub rule shall reckon from the date of issue of the retirement orders;

(b) referred to in clause (v) of rule 11.18 the period of one year referred to in this sub-rule shall reckon from the date of the issue of the orders consequent on the finalisation of the departmental or judicial proceedings.

(2) An applicant who applies for commutation of pension within one year of the date of his retirement but his application in Form PEN 12A is received by the Head of Office after one year of the date of his retirement, shall not be eligible to get his pension commuted without medical examination. Such an applicant, if he desires to commute a fraction of his pension shall apply afresh in Form PEN 12 in accordance with the procedure laid down in Section II.[44
11.20 (1) The Head of Office on receipt of application in Form PEN 12-A under sub-rule (1) of rule 11.19 shall—

(a) initial the Form indicating the date of its receipt;

(b) acknowledge immediately the receipt of Form PEN 12-A in Part II of that Form and despatch the same to the applicant;

(c) take immediate action to complete Part III of Form PEN 12A and forward the same to the Accounts Officer after retaining one copy for his record.

(2) In case application in Form PEN 12A is received by the Head of Office under sub-rule(1) after one year of the date of retirement of the applicant, the Head of Office shall inform the applicant that—

(a) he shall not be eligible to commute a fraction of pension without medical examination;

(b) if he desires to get a fraction of the pension commuted, he should apply afresh in Form PEN 12, so that arrangements for medical examination are made in accordance with the procedure laid down in Section II.14.

11.21 (1) The Accounts Officer on receipt of Form PEN 12A, from the Head of Office shall verify that—

(a) the information furnished by the Head of Office in Part III of Form PEN 12A is correct;

(b) the applicant is eligible to commute a fraction of his pension without medical examination;

(c) the commuted value of pension has been determined correctly by the Head of Office.

(2) The Accounts Officer after necessary verification of the information furnished in Form PEN.12-A shall—

(a) issue authority for the payment of commuted value of pension to the disbursing authority concerned;

(b) draw the attention of the disbursing authority concerned to the proviso to sub-rule(1) of rule 11.11 so that the disbursing authority may make entry in the Pension Payment Order regarding the date on which the amount of pension is to be reduced on account of commuted part of pension;
(c) endorse to the applicant a copy of the authority referred to in clause (a) with the instruction that he should collect the commuted value of pension from the disbursing authority.

[11.22 An applicant who has commuted a fraction of his final pension and after commutation his pension has been revised and enhanced retrospectively as a result of Government's decision, the applicant shall be paid the difference between the commuted value determined with reference to enhanced pension and the commuted value already authorised. For the payment of difference the applicant shall not be required to apply afresh:

Provided that in the case of an applicant who has commuted a fraction of his original pension not exceeding Rs. 100 after being declared fit by a Chief Medical Officer or Principal Medical Officer and as a result of retrospective enhancement of pension, he becomes eligible to commute an amount exceeding Rs. 100 per mensem, he shall be allowed the difference between the commuted value of one hundred rupees per mensem and the commuted value of the fraction of the original pension without further medical examination. The commutation of any further amount beyond Rs. 100 per mensem shall be treated as fresh commutation and allowed subject to examination by a Medical Board.]**
Commutation Table based on the rate of interest of 4.75% per annum and the improvement in mortality rate as adopted by the Central Government in case of their pensioners (commutation value for a pension of Rupee one per annum)

<table>
<thead>
<tr>
<th>Age next birthday expressed as Number of years purchase</th>
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Note: This table takes effect from 1.7.1971.
CHAPTER XII

LIST OF AUTHORITIES WHO EXERCISE THE POWERS OF COMPETENT AUTHORITY

12.1 The following authorities shall exercise the powers of a competent authority under the various rules:

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<tr>
<th>Sr. No.</th>
<th>No. of Rule</th>
<th>Nature of power</th>
<th>Authority to which the powers delegated</th>
<th>Extent</th>
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<tr>
<td>1</td>
<td>2.5</td>
<td>Power to grant compassionate allowance to a Government employee dismissed or removed from service for misconduct, insolvency, or inefficiency.</td>
<td>Authority competent to order dismissal or removal of the Government employee.</td>
<td>Up to half of the pension that would have been admissible to the Government employee dismissed or removed if he had retired on medical certificate.</td>
</tr>
<tr>
<td>2</td>
<td>3.13</td>
<td>Power to allow in individual cases service rendered by a Government employee to count for pension even though it does not fulfil either or both of conditions (1) &amp; (2) of Rule 3.12.</td>
<td>All Departments of Governments.</td>
<td>(1) Full powers if the pension does not exceed Rs.58 per mensum.</td>
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</table>

N.B.- These powers are to be exercised in special circumstances and not as a matter of course.
3. 4.12 Power to declare that the period spent by Govt. employees undergoing a course of training shall be counted towards pension.

4. 7.17 Power to sanction and re-employment on the guard establishment of military and police pensioners with full pension in addition to the full pay of the post.

5. 7.26 Power to sanction the acceptance of commercial employment by a pensioner before the expiry of two years from the date of retirement.

6. 11.1 Power to sanction the commutation of Civil pensions

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<td>(2) If the pension exceeds Rs.50 per mensum, half the actual non-qualifying service paid from the Government revenues may be allowed to count for pension, subject to a maximum of 12 months in all.</td>
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<tr>
<td>Full powers except in regard to a person in training for, but not actually appointed to Government service.</td>
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<tr>
<td>Divisional Officers and Superintending Engineers, Irrigation Branch, Haryana.</td>
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<tr>
<td>All Departments of Government</td>
</tr>
<tr>
<td>Gazetted Staff Full powers subject to the provisions of Chapter XI.</td>
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<tr>
<td>Non-Gazetted staff under them subject to the provisions of Chapter XI.</td>
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</table>
3. Speaker, Haryana Vidhan Sabha 
Gazetted staff except Secretary, Full powers subject to the provisions of Chapter XI.

Note: The Administrative Departments and Heads of Departments may redelegate the powers delegated to them in the above table, on their own responsibility and subject to such restrictions as they may like to impose, to any officer under them at their headquarters' offices. Copies of such orders should invariably be endorsed to Finance Department and the Accountant General, Haryana.
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| CHAPTER XV—STATE GOVERNMENT (INDIA PROVIDENT FUND) (STERLING ACCOUNTS) RULES - [Deleted] | ...15.1 to 15.17 |
PART II-PROVIDENT FUNDS

CHAPTER XIII-THE PUNJAB GENERAL PROVIDENT FUND RULES

SHORT TITLE AND DEFINITIONS

13.1 The rules in this Chapter (called "The Punjab General Provident Fund Rules") came into force on the 1st September, 1936, subject to 'any express saving provisions in these rules, the rules regulating the General Provident Fund which were in force prior to 1st September, 1936, are superseded by these rules.

13.2 (1) In these rules—

(a) Accounts Officer means such officer as may be appointed in this behalf by the Comptroller and Auditor General of India.

(b) Except where otherwise expressly provided emoluments means pay, leave salary or subsistence grant as defined in Volume I of these rules and includes sterling overseas pay converted at such rate of exchange as the Central Government may prescribe in this behalf and any remuneration of the nature of pay received in respect of foreign service.

Note: Emoluments include dearness pay.

(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 Accounts Officer that she shall continue to be so regarded;

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

Provided that if a subscriber by notification in writing to the Accounts Officer expresses her desire to exclude her husband from her family, the husband shall
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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 Legal Remembrancer to Government, Haryana, 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 these rules, be considered as excluded from the family of the natural father.

(d) Fund means the General Provident Fund.

(e) Leave means any variety of leave recognised by the Punjab Civil Services Rules.

(f) 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 (reproduced in Appendix 3), or in the Civil Services Rules, Volume I, 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 hitherto, or of constituting any new Fund.

CONSTITUTION OF THE FUND

3.3 The Fund shall be maintained in India in rupees.

3.4 [All temporary Government employees (including probationers and apprentices but excluding re-employed pensioners) after continuous service of one year and all permanent Government employees, whose conditions of service the Haryana Government is competent to determine, shall subscribe to the Fund;

provided that a temporary Government employee who completes one year of continuous service during the middle of a month shall subscribe to the Fund from the subsequent month;]
Provided further that no such employee, as has been required or permitted to subscribe to a contributory Provident Fund, shall be eligible to join or continue as a subscriber to the Fund while he retains his right to subscribe to such a fund.

Note-1: The following Government employees shall also subscribe to the Fund, Provided that they have not been required or permitted to subscribe to a Contributory Provident Fund:-

1. Section-writers who are members of fixed establishments and piece workers in Government Presses.

2. Members of the Haryana Public Service Commission who were not in the service of a Government in India at the time of their appointment.

Note-2: A re-employed pensioner is also eligible to join the Fund afresh after completion of one year's continuous service. If, however, he is re-employed ab initio for more than a year he may subscribe afresh from the date of commencement of re-employment, but a Government employee who is re-employed during the leave preparatory to retirement may continue to subscribe to his previous provident fund account in accordance with the rules of the fund and may, if otherwise eligible as above, subscribe afresh to the Fund only from the date of retirement from his previous appointment.

Note-3: The following Government employees are not eligible to join the Fund:-

Work charged establishment of the Public Works Department.

13.5 All eligible Government employees may elect to join the Fund.

Note: Subscriber who joins the Fund at a later date cannot be allowed to subscribe from the date of the institution of the Fund. He may begin to pay subscription only from the date of joining the Fund. No arrear subscription can be permitted.

13.6 (i) A Government employee may discontinue subscribing to the Fund at any time, but his right of renewing subscription, shall lapse if he discontinues subscribing except when on leave, more than three times.
Note: The words "except when on leave" used in the sub-rule(1) above, have the effect of merely excluding from the limit of the three occasions a subscriber who elects not to subscribe during leave under the first proviso to Rule 13.9(1). A subscriber who has not so elected but desires to discontinue his subscription during the currency of the leave, may do so under Rule 13.6(1), but such discontinuance will count against the limit of three prescribed in this rule.

(ii) If a Government employee's right to resume subscription lapses under sub-rule(i) of this rule he shall nevertheless retain his other rights and liabilities as a subscriber to the fund: and no final withdrawal of his deposits shall be allowed except on the happening of one or other of the contingencies provided for in Rules 13.28, 13.29 and 13.30.

NOMINATION

13.7 (1) A subscriber shall, at the time of joining the fund, send to the Accounts Officer, a nomination conferring on one or more persons the right to receive the amount that may stand to his credit in the Fund, in the event of his death before that amount has become payable or having become payable has not been paid:

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

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

Note-1: An application for admission to the Fund should not be forwarded to the Accountant General, until it is accompanied by nomination forms completed by the subscriber.

Note-2: A declaration made by a Muhammadan subscriber in favour of his adopted child should not be accepted, as adoption is not recognised in Muhammadan Law.

(2) If a subscriber nominates more than one person under clause(i), he shall specify in the nomination the
amount or share payable to each of the nominees in such manner as to cover the whole of the amount that may stand to his credit in the Fund at any time.

(3) Every nomination shall be in such one of the Forms P.F.1, 1-A, 1-B or 1-C, as is appropriate in the circumstances.

(4) A subscriber may at any time cancel a nomination by sending a notice in writing to the Accounts Officer:

Provided that the subscriber shall, alongwith such notice, send a fresh nomination made in accordance with the provisions of clauses (1) to (3).

Note: The proviso to this clause is directly and not mandatory. The additional provision that a fresh nomination should be sent along with a notice does not affect the validity or otherwise of the notice. The proviso thus does not constitute a condition for the validity of the notice. Once a notice is given complying with the above requirements. It operates as a valid and effective notice: Provided it is given in clear unambiguous terms. In view of this it shall not be in order to make the payment of the deposits in the General Provident Funds on the basis of the nomination, which is expressly cancelled by the subscriber by a notice given in clear and unambiguous terms but which is not replaced by another valid nomination should receiving such a notice of cancellation of a nomination, the nomination should be cancelled forthwith and returned to the subscriber. If the subscriber fails to furnish alongwith the notice of cancellation or separately in due course, a fresh nomination which is in accordance with the rules and the Provident Fund 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 or persons as may be specified in the nomination; provided that such other person or persons shall if subscriber has other members of his family, be such other member or members;

(b) that the nomination shall become invalid in the event of 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:

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

(6) Immediately on the death of a nominee in respect of whom no special provision has been made in the nomination under clause (a) of sub-rule (5), or on the occurrence of any event by reason of which the nomination becomes invalid in pursuance of clause (b) of the Accounts Officer a notice in writing cancelling the nomination together with a fresh nomination made in accordance with the provisions of this rule.

(7) Every nomination made by a subscriber shall, to the extent that it is valid, take effect on the date on which it is received by the Accounts Officer.

**SUBSCRIBER'S ACCOUNTS**

13.8 An account shall be prepared in the name of each subscriber and shall show the amount of his subscriptions with interest thereon calculated as prescribed in sub rule (2) of rule 13.13.

**CONDITIONS AND RATES OF SUBSCRIPTIONS**

13.9 (1) Except as provided in Rule 13.6, a subscriber shall subscribe monthly to the Fund except during a period of suspension:

Provided that a subscriber may, at his option, elect not to subscribe during leave, or if he is employed in a vacation department during vacation combined with leave;

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

(2) The subscriber shall intimate his election not to subscribe during leave in the following manner:-
(a) if he is a Government employee who draws his own pay bills, by making no deduction on account of subscription in his first pay bill drawn after proceeding on leave;

(b) if he is not a Government employee who draws his own pay bills, by written communications to the head of his office before he proceeds on leave. Failure to make due and timely intimation shall be deemed to constitute an election to subscribe.

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

Note: A civilian Government employee when called to Army Service, including employment in the Army in India Reserve of Officers, will continue to subscribe to the Fund in accordance with these rules. Subscriptions to the Fund will be optional in the case of those who may be employed in Military service out of India. While in Military employ, subscription to the Fund will be calculated on that portion of his total emoluments as defined in Rule 13.10(2) which he would have drawn had he continued in civil employ.

13.10 (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.

(b) [It may be any sum, so expressed, not less than eight per cent of his emoluments and not more than his monthly emoluments.]**

(2) For the purposes of clause(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, 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, his emoluments shall be the emoluments to which he was entitled on the date of joining the Fund:

(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 13.5 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 amounts 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 joined 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 pay bill for that month;

(e) if he was on foreign service on the 31st March of the preceding year, by the amount credited by him into the treasury on account of subscription for the month of April in the current year.

(4) The amount of subscription so fixed shall remain unchanged throughout the year.

Provided that the amount of subscription may be enhanced once at any time during the course of year;
provided further that if a subscriber is on duty for a part of a month and on leave for the remainder of that month, and if he has elected not to subscribe during leave, the amount of the subscription payable shall be proportionate to the number of days spent on duty in the month.

(i) The amount of subscription originally fixed by a subscriber is not to be varied during the course of the year on account of any increase or decrease in his rate of pay which may ultimately be found to be due in respect of the 31st March preceding;

(ii) If a subscriber dies during the course of a month, proportionate subscription should be recovered for that month from his emoluments, i.e., for the number of days during which he was alive in the month.

Note: (a) The subscriptions of piece-workers in Government Presses are not subject to the minimum limit of 3½ per cent of pay. In their case the maximum limit of 18½ per cent shall be calculated on the highest earnings drawn for any day falling within the period 15th February to 14th March of the financial year preceding. If, however, a piece-worker has been absent during the whole of that period the limit of 18½ per cent shall be calculated on the highest earnings drawn on any day of the first subsequent piece month (15th of one month to the 14th of the next month) in which he is employed. The earnings taken for calculating the maximum limit of subscription shall also be taken for the purpose of calculating the limit of three months' pay ordinarily imposed on temporary advances under Rule 13.14(1).

(b) The subscriptions of section-writers, typists and other piece rate workers who are members of fixed establishments shall be calculated on their earnings for March of the preceding financial year. These earnings will also be taken as the monthly pay for the purposes of applying the limit of three months' pay ordinarily imposed on temporary advances under Rule 13.14(1).

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

13.12 (1) When emoluments are drawn from a Government Treasury in India or from the Treasury in U.K. or a Colonial treasury, recovery of subscriptions on account 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, deductions in respect of sterling overseas pay, when admissible, shall be made in India.

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

(3) If a Government employee 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 13.13, forthwith be paid by the subscriber to the Fund, or in default be ordered by the Accounts Officer to be recovered by deduction from the emoluments of the subscriber, by instalments or otherwise as may be directed by the authority competent to grant an advance under clause (1) of Rule 13.14.

INTEREST

13.13 (1) Subject to the provisions of clause (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 competent authority:

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 a subscriber who was previously subscribing to any other provident fund of the State Government and whose subscription, together with interest thereon, have been transferred to his credit in this fund under Rule 13.32, shall also be allowed interest at 4 per cent, if he had been receiving that rate of interest under the rules of such other fund under a provision similar to that of the first proviso to this rule.
(2) Interest shall be credited with effect from 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 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 rupees. 50 paise counting as the next higher rupees.

Provided that when the amount standing at the credit of a subscriber has become payable, interest shall thereupon be credited under this clause 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.

(4) In addition to any amount to be paid under Rules 13:28, 13:29 or 13:30, interest thereon up to the end of the month preceding that in which the payment is made, or up to the end of the sixth month after the month in which such amount became payable, whichever of these periods be less, shall be payable to the person to whom such amount is to be paid.

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

Provided further that where a subscriber on repayment 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 becomes payable, subject however, to the condition that the amount recovered as subscription during the period of 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.

(Payment of interest on the fund balance beyond a period of six months may be authorised by:

(a) the Head of Accounts Office upto a period of one year; and

(b) the Finance Department upto any period, after fully satisfying that the delay in payment was occasioned by circumstances beyond the control of the subscriber or the person to whom such payment was to be made, and in every such case the administrative delay involved in the matter shall be fully investigated and action, if any, required, taken.

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 ask for interest, it shall be credited w.e.f. the first day of the year in which he asks for it.

The interest on amounts which under sub-rule (3) of rule 13.12, clause (5) of rule 13.15, clause (3) of rule 13.18, clause (4) of rule 13.20, clause (1) of rule 13.22, clause (1) or (2) of rule 13.23, rule 13.24 or rule 13.29 are replaced at the credit of subscriber in the fund shall be calculated at such rates as may be successively prescribed under clause (1) of this rule and so far as may be, in the manner described in this rule.

1. When a subscriber is dismissed from the service of Government, but has appealed against his removal, the balance of his credit shall not be paid over to him until final orders confirming the decision are passed.
on his appeal. Interest shall, however, be paid on the balance up to the end of the month preceding that in which such orders are passed.

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 latter months on the full amount due, the balance having been already received in the former months.

ADVANCES FROM THE FUND

13.14 (1) A temporary advance may be granted to a subscriber from the amount standing to his credit in the Fund at the discretion of the competent authority subject to the following conditions:

(a) No advance shall be granted unless the sanctioning authority is satisfied that the applicant's pecuniary circumstances justify it, and that it will be expended on the following object or objects and not otherwise:

(i) to pay expenses in connection with the prolonged illness of the applicant or any person actually dependent on him;

(ii) to pay for the overseas passage only for reasons of health or education of the applicant or any person actually dependent on him. Advances from provident fund may also be granted to a subscriber, subject to the usual conditions, to meet the cost of education of himself or of any person actually dependent on him in the following types of cases:

(1) for education outside India, whether for an academic, technical, professional or vocational course,

(2) for medical, engineering and other technical or specialized courses in India beyond the high school stage. Provided that the course of study is not less than three years,

(iii) 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 betrothal, marriage, funerals, or other ceremonies of persons actually dependent on him.
Provided that the condition of actual dependence shall not apply in the case of son or daughter of the subscriber.

[Provided further that no advance shall be sanctioned for the marriage of children before attaining the age of 21 years in case of son or any other male dependent and 18 years in the case of daughter or any other female dependent.]

Note-1: In cases falling under item (i) above, advances may be granted by the sanctioning authority to pay debts incurred: provided an application is made within a reasonable time after the event to which it relates. What is a reasonable time will be determined on the merits of each case. Advances to pay debts incurred in cases falling under items (ii) and (iii) require the sanction of Government.

Note-2: Advances under sub-clause (iii) are also permissible for meeting expenditure in connection with marriage and other ceremonies of the subscriber himself/herself.

(iv) to meet the cost of legal proceedings instituted by the subscriber for, indicating his position in regard to any allegations made against him in respect of any act done or purporting to have been done by him in the discharge of his 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 under this sub-clause shall not be admissible to a subscriber who institutes legal proceedings in any court of law, either in respect of any matter unconnected with his official duty or against Government in respect of any condition of service or penalty imposed on him;

(v) to meet the cost of his defence, where the subscriber is prosecuted by Government in any court of law or where the subscriber engages a legal practitioner to defend himself in any inquiry in respect of any alleged official misconduct on his part;

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

Provided that if the reason is of a confidential nature, it may be communicated to the Accounts Officer personally and/or confidentially.
(c) An advance shall not except for special reasons, be recorded in writing by the sanctioning authority.

(i) if exceed six months' pay or half the amount if the credit of the subscriber in the Fund, whichever is less, or

(ii) unless the amount already advanced does not exceed two-thirds of the amount admissible under sub-clause (c) (i) be granted until at least twelve months after the final repayment of all previous advances together, with interest thereon.

Note: For the purpose of this sub-rule, "pay" includes "dearness pay".

(d) Notwithstanding anything contained in clause (c), the advance to be sanctioned for the purposes of sub-clause (iv) or sub-clause (v) of clause (a), shall not exceed three months' pay or Rs. 500, whichever is greater, and shall in no case exceed half the amount at the credit of the subscriber in the Fund.

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

Note-1: In sanctioning advances the instructions given in Annexure A and B to this Chapter should be carefully observed by the authorities competent to sanction the advances.

Note-2: The authorities competent to grant advances under this rule, and the conditions under which they can grant such advances are given in Annexure B to this Chapter.

(3) (i) A competent authority may sanction refundable advance from the General Provident Fund to a subscriber from the amount standing at his credit in the Fund for the purchase of a motor-car or motorcycle or two-wheeler scooter or a moped for his personal use.

(ii) Any sum advanced to a subscriber for this purpose from the amount in the Fund shall not exceed 3/4th of the balance at his credit in the Fund or the actual price of the vehicle, whichever is less.

(iii): If a subscriber has received a motor-car or motorcycle or scooter or moped advance (in the shape of loan) earlier from the Government, he can draw the amount from his General Provident Fund only after the
repayment of such an advance (loan) along with interest, if any.

(iv) The subscriber would be required to produce an agreement with the seller or a written statement of a dealer or an agent of the authorised company in regard to the proposed sale of motor-car, or motor cycle or scooter or moped to the applicant as well as an affidavit stating that he had not withdrawn any sum from his General Provident Fund earlier for the purpose of purchase of motor-car, motor cycle, two wheeler scooter or a moped, it shall also be stated by him in the above said affidavit whether he had drawn any advance (in the shape of loan) from Government for this purpose in the past. If so, whether it has been returned or not, along with interest, before the date of application for the advance from his General Provident Fund.

(v) If the subscriber has received loan from the Government for the purchase of a motor-car or motor cycle or two wheeler scooter or moped and still, his requirement is not fulfilled, than the difference of the loan and the actual price of the vehicle or 75% of his credit, whichever is less, will be admissible to him from his General Provident Fund as refundable advance.

Note: A subscriber who is permitted to withdraw money from the Fund under this rule, shall produce an attested or a photocopy of the registration deed of the vehicle to the sanctioning authority within a period of two months from the date of the drawal and if he fails to do so the whole of the amount so withdrawn along with interest thereon at the rate prescribed under rule 13.13 shall forthwith be repaid to the Fund by the subscriber in lumpsum.

13.15 (1) An advance shall be recovered from the subscriber in such number of equal monthly instalments as the sanctioning authority may direct; but such number shall not be less than twelve unless the subscriber so elects, and more than twenty-four. In special cases where the amount of advance exceeds three months' pay of the subscriber under rule 13.14(d)(c), the sanctioning authority may fix such number of instalments to be more than twenty-four but in no case more than thirty-six. A subscriber may at his option, repay more than one instalment in a month. Each instalment shall be a number of whole rupees, the amount of the advance being raised or reduced, if necessary, to admit of the fixation of such instalments.
(2) Recovery shall be made in the manner prescribed in Rule 13.12 for the realisation of subscriptions, and shall commence with the issue of pay for the month following one in which the advance was drawn. Recovery shall not be made, except with the subscriber's consent, while he is on leave or in receipt of subsistence grant and may be postponed, on the subscriber's written request, by the sanctioning authority during the recovery of an advance of pay granted to the subscriber.

Note-1: The expression "advance of pay" includes any ordinary advance of pay granted under the relevant rules, but does not include advances for the building or repair of a house, for the purchase of a conveyance or for the payment of passages overseas which are of a different nature.

Note-2: Vacation combined with leave shall be treated as leave for the purpose of repayment of an advance.

(3) If more than one advance has been made to a subscriber, each advance shall be treated separately for the purpose of recovery.

(4)(a) After the principal of the advance has been fully repaid, interest shall be paid thereon at the rate of one-fifth per cent of the principal for each month or broken portion of a month during the period, between the drawal and complete repayment of the principal.

Provided that Muhammadan subscribers whose deposits in the Fund carry no interest shall not be required to pay into the Fund any additional instalments on account of interest on advances granted to them from the Fund.

(b) Interest shall ordinarily be recovered in one instalment in the month after complete repayment of the principal; but, if the period referred to in clause (a) exceeds twenty months, interest may, if the subscriber so desires, be recovered in two equal monthly instalments. The method of recovery shall be that prescribed in clause (2). Payments shall be rounded to the nearest rupee in the manner prescribed in sub-clause (iv) of clause (2) of Rule 13.13.

(5) If an advance has been granted to a subscriber and drawn by him and the advance is subsequently disallowed before repayment is completed, the whole of balance of the amount withdrawn, shall, with interest at the rate provided in Rule 13.13, forthwith be repaid by the subscriber to the Fund, or in default, be ordered by the Accounts Officer, to be
recovered by deduction from the emoluments of the subscriber in monthly instalments not exceeding twelve as may be directed by one of the authorities specified in Annexure B to this Chapter:

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

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

PAYMENTS TOWARDS INSURANCE POLICIES

13.16. Subject to the conditions hereinafter contained in Rules 13.17 to 13.26:

(a) 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 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:

Provided that no amount shall be withdrawn (1) before the details of the proposed policy have been submitted to the Accounts Officer and accepted by him as suitable; or (2) to meet any payment or purchase made or effected more than three months before the withdrawal; or (3) in excess of the amount required to meet a premium actually due for payment within three months of the date of withdrawal;

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

Provided further that amounts withdrawn shall be rounded to the whole rupee by ignoring paisas from the amount of premium.
Note-1: When a subscriber intends to take out a life insurance policy in any company and to substitute premium on such a policy for subscription to the General Provident Fund, he should notify it to the Accounts Officer.

Note-2: See also note 4 below Rule 13.20 (3).

13.16-A. (1) The number of policies in respect of which substitution for subscription due to the Fund or withdrawal of subscription from the Fund may be permitted under Rule 13.16, shall not exceed four:

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

(2) The premium for a policy, including any policy referred to in the proviso to sub-rule(1), in respect of which withdrawal or subscriptions from the Fund may be permitted under Rule 13.16 shall not be payable otherwise than annually.

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

13.17. (1) If the total amount of any payments substituted under clause (a) of Rule 13.16 is less than the amount of the minimum subscription payable to the Fund under Rule 13.16(1), the difference shall be rounded to the nearest rupees in the manner provided in sub clause (iv) of clause (2) of Rule 13.13 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. Any amount of payment towards a policy of life insurance in excess of the minimum amount of subscriptions payable into the General Provident Fund in any financial year should not be set off against any difference payable under this 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 13.16, he shall, subject to his option under clause(a) of that rule, continue to pay to the Fund the subscription payable under Rule 13.18:
Provided that no subscription shall be payable by a Government employee who in exercise of the option allowed by Rule 13.6(1) has ceased to subscribe to the Fund.

13.16 (1) A subscriber who desires to substitute a subscription under clause (a) of Rule 13.16 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 13.16.

(2) A subscriber who desires to withdraw any amount under clause (b) of Rule 13.16, shall -

(a) intimate the reason for the withdrawal to the Accounts Officer by letter;

(b) make arrangements with the Accounts Officer for the withdrawal; and

(c) send to the Accounts Officer, within such period as the Accounts Officer may require, receipts or certified copies of receipts in order to satisfy the Accounts Officer that the amount withdrawn was duly applied for the purposes specified in clause (b) of that rule.

(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 sub-clause (b) of clause (1) and sub-clause (c) of clause (2) with interest thereon at the rate provided in Rule 13.13, from the emoluments of the subscriber, and place it to the credit of the subscriber in the Fund.

13.19 (1) The 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 fact 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 the Haryana.

Explanation-1: A policy on the joint lives of the subscriber's 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 clause.

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 joined in an appropriate assignment.

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

Provided that subscribers who took out policies under note 1 to Rule 21(ii) or under clause(b) or (c) of Rule 21-A of the Rules in force prior to 1st September, 1936, shall remain subject to the provisions of those rules in so far as policies so taken out are concerned.

13.20 (1) The policy, within six months after the first withholding of a subscription or withdrawal from the Fund in respect of the policy, or in the case of an insurance company whose headquarters are outside India, within such further period as the Accounts Officer, if he is satisfied by the production of the completion certificate (interim receipt), may fix, shall -

(a) unless it is a policy effected by a male subscriber which is expressed on the fact of it to be for the benefit of the wife of the subscriber or of his wife and children, or any of them, except an Endowment Policy of the usual type, be assigned to the Governor of the Haryana, as security for the payment of any sum which may become payable to the Fund, under Rule 13.25 and delivered to the Accounts Officer, the assignment being made by endorsement on the policy in Form P.F.3 or Form P.F.4 or Form P.F.5 or Form P.F.6 or Form P.F.6-A 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 effects 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.

Note: A policy on the life of a subscriber which is not expressed on the face of it to be for the benefit of his wife, or his wife and children or any of them and which has been assigned to his wife may be accepted under clause (1)(a) provided the wife joins in the assignment in favour of the Governor. The assignment in such a case shall be made out in Form P.F. the words "the joint assured" in that form being omitted. The question of re-assignment of such a policy in a case in which the assured dies before the date of maturity of the policy and before his retirement should be referred for the orders of Government together with the policy.

(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 alterations or of the new policy shall be furnished.

Note-1: When a subscriber proposes to convert a policy which has been assigned to the Governor of the Haryana into a paid up policy, it should first be ascertained whether the Insurance Company intends to issue a new document. If it does, the policy should be re-assigned to the subscriber in the following form, namely:

"I, Accountant General, Haryana, acting on behalf of the Governor of the Haryana, hereby reassign unto the within policy of assurance."

The new policy should be assigned to the Governor of the Haryana and handed over to the Accounts Officer.

If the company proposes to convert the policy into a paid up one by means of an endorsement thereto to that effect, the policy should either be handed to the subscriber for transmission to the Insurance Company or be sent direct by the Accounts Officer, but in either case with a request that the policy, when so endorsed by the Company may be returned
direct to the Accounts Officer. If there is thereby a radical change in the benefits derivable under the policy a memorandum may be required to be endorsed and signed by the Accounts Officer as well as the subscriber acknowledging the altered position.

(2) In the case of paid up polices it is necessary to see that the paid up value of the policy is not less than the amount of the premia diverted from the Fund. The amount of interest which would have accrued on such premia had they been left in the Fund should not be taken into account in the calculation. If the paid-up value is less than the total of the sums withdrawn from the Fund for premium payments, not including interest, the subscriber should forthwith be required to pay the difference into the Fund. Any profits stated by the Company to have accrued on the policy up to the date of its conversion, should, however, be taken into account in calculating the difference, only if the company is prepared to guarantee the profits by making an entry on the policy.

(3) In the case of a policy assigned to the Government of the Haryana which a subscriber wants to surrender the policy may be reassigned to the subscriber for the purpose of the surrender, on the condition that he pays the surrender value of the policy into his Fund Account, and, if the surrender value be less than the total of the sums diverted from the Fund for premium payments, and interest thereon, that he also repays the difference, into the Fund. In other words such cases should be treated like those of lapsed policies and the Fund Account has to be restored to what it would have been had the premia not been paid out of it.

(4) In cases both of paid-up and surrendered policies in which it is considered that the recovery in a single instalment of the difference to be paid into the Fund Account will cause hardship to the individual concerned recovery should be effected in such number of instalments, not exceeding 24, as the Head of the Department may, with the concurrence of the Accounts Officer, decide. If recovery is made in instalments interest will not be charged in the case of paid-up policies even for the period of actual recovery, but interest at the usual rate will be charged for this period in the case of surrendered policies.

Note-2: The provisions of note 1 above cover cases for final surrender policies and not of exchange of policies. Accordingly, a holder of a policy assigned to the
Governor of the Haryana, who desires to improve his position by replacing one policy by a better one should be permitted to do so, subject to the following conditions being observed, namely:

(1) The new policy should carry the same or a larger amount of insurance.

(2) The premium in respect of the new policy should not be more than the premium paid in respect of the old policy.

(3) The new policy should mature within the same year as the old policy.

(4) The new policy should be in force on the date on which the original policy is surrendered.

Clear cases of exchange of policies which are covered by this note may be decided by the Accounts Officer concerned. The cases which are doubtful and are not covered by it and cases involving alteration in terms of policies should be referred to the Government for their examination on merits.

*Note-3:* A policy of Life Insurance may be converted into an extended term policy if a Government employee who has taken out a policy of life insurance may find after payment of premium for a certain number of years that he is unable to continue further payments. In such an event, certain insurance companies allow an option to the assured to convert the policy into an extended term policy on terms and conditions which are generally laid down at the back of the policy. The features peculiar to such an extended term policy are, viz,-

(i) that the assured is covered for a specified period beyond the date from which he ceases to pay premia;

(ii) that the company forgoes all future premia on the policy;

(iii) that the company undertakes to pay the assured the full amount of the policy only in the event of his death within the extended period;

(iv) that, if the assured survives that period, he is entitled to receive nothing from the company; in certain circumstances, only a very nominal amount.

*Note-4:* Certain Assurance Companies issue policies on the "term assurance" scheme, some of the features
peculiar to which are given below:

1. If the assured dies within the specified period, assurance money becomes payable, but if he outlives that period no payment is made.

2. No surrender value is allowed at any time.

3. The policy holder is given the option during the currency of the policy of taking out a fresh policy under any other plan issued by the company concerned, this is restricted to the government policies of certain companies without being required to pass a medical examination. The premium payable and other conditions attaching to the new policies, however, are the same as for a fresh entrant at his age at the time of exercising the option, the only tangible benefit obtained being that the company is bound to issue him a policy irrespective of the state of his health.

As these policies partake in the essential features of the extended term policies referred to in Note 3 above it is undesirable that they should be allowed to be financed from Provident Funds. Such Policies should not, therefore, be accepted under these rules.

Note-5: The provisions of Note 2 above contemplate the surrender of a policy or the substitution of a better policy in another office. In many cases in which it is to the advantage of a policy holder to replace his policy by a policy in another and better office the policy which is to be replaced may not be entirely surrendered. Insurance Companies allow, as an alternative to the surrender of the existing policy a fully paid up policy for a reduced sum insured as a quid pro quo for premium paid prior to discontinuance of further premiums. The existing policy remains in force as a paid-up policy and constitutes part insurance cover in addition to the sum insured under the new policy. Thus, as a result of the replacement transaction, the policy holder holds insurance in two offices, partly in the old and partly in the new office. If the total amount of insurance cover given by the two policies be the same or larger than the amount of insurance given by the old policy prior to the discontinuance of premium thereunder, the first of the conditions set out in the note referred to above should be regarded as satisfied.

4. If the policy is not assigned and delivered, or delivered, within the said period of six months or
such further period as the Accounts Officer, may, under clause (1) have fixed, any amount withheld or withdrawn from the funds in respect of the policy shall, with interest thereon at the rate provided in rule 13.13, forthwith be paid or repaid as the case may be, by the subscriber to the Fund, or, in default be ordered by the Accounts Officer to be recovered by deduction from the emoluments of the subscriber, by instalments or otherwise, as may be directed by the authorities specified in Annexure B, to this chapter.

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

Note-1: Subscribers should send notice of the assignment to the insurance company in duplicate, accompanied in cases in which the notice has to be sent to accompany in Great Britain or Ireland by a remittance of five shillings, which is the fee for the acknowledgement authorised by the Policies of Assurance Act, 1867.

Note-2: Subscribers who proceed to Great Britain or Ireland on quitting the service should note that under the English Stamp Law assignments 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.

13.21 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 of deposit the cash value of the accrued bonus with the company to accumulate at interest. 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 grant an advance under clause (1) of Rule 13.14.

13.22 (1) Save as provided by Rule 13.26 when the subscriber -

(a) quits the service; or

(b) has proceeded on leave preparatory to retirement 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 (i) of clause (a), or, Rule 13.16 and sub-clauses (i) and (ii) of clause (b) of that rule with interest thereon at the rate provided in Rule 13.13.

The Accounts Officer shall -

(i) if the policy has been assigned to the Governor of the Haryana, under Rule 13.20 or under the corresponding rule hereto in force, reassign the policy in part I of Form P.F.7 to the subscriber or to the subscriber and the joint assured, as the case may be, and make it over to the subscriber together with a signed notice of the reassignment addressed to the insurance Company;

(ii) if the policy has been delivered to him under sub-clause (b) of clause (1) of Rule 13.20 make over the policy to the subscriber.

Provided that, if the subscriber, after proceeding on leave preparatory to retirement or after being, while on leave, permitted to retire or declared by a competent medical authority to be unfit for further service, returns to duty, any policy so reassigned or made over shall, if it has not matured or been assigned or charged or encumbered in any way, be again assigned to the Governor of the Haryana and delivered to the Accounts Officer, or again be delivered to the Accounts Officer, as the case may be, in the manner provided in Rule 13.20, and thereupon the provisions of these rules shall, so far as may be, again apply in respect of the policy;

Provided further that, if the policy has matured or been assigned or charged or encumbered in any way, the provisions of clause (4) of Rule 13.20 applicable to a failure to assign and deliver a policy shall apply.

(2) Save as provided by Rule 13.26, when the subscriber dies before quitting the service, the Accounts Officer shall -

(i) if the policy has been assigned to the Governor
of the Haryana under rule 13.20 or under the corresponding rule heretofore in force, reassign the policy in Part II of Form P.P.7 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 reassignment addressed to the Insurance Company;

(ii) if the policy has been delivered to him under sub-clause (b) of clause (1) of rule 13.20 make over the policy to the beneficiary, if any, or if there is no beneficiary to such person or persons as may be legally entitled to receive it.

13.23 (1) If a policy assigned to the Governor of the Haryana, under Rule 13.20 or under the corresponding rule heretofore in force, matures before the subscriber quits the service or if a policy on the joint lives of a subscriber and the subscriber's wife or husband, assigned under the said rule or under the corresponding rule heretofore in force falls due for payment by reason of the death of the subscriber's wife or husband, the Accounts Officer shall, save as provided by Rule 13.26 proceed as follows:-

(i) if the amount assured together with the amount of any accrued bonuses is greater than the whole of the amount withheld or withdrawn from the Fund, in respect of the policy with interest thereon at the rate provided in Rule 13.13, the Accounts Officer shall reassign the policy in the Form P.P.8 to the subscriber or to the subscriber and the joint assured as the case may be and make it over to the subscriber who shall immediately on receipt of the policy moneys from the Insurance Company pay or repay to the Fund the whole of any amount withheld or withdrawn with interest and in default, the provisions of rule 13.27 shall apply as they in relation to cases where money withheld or withdrawn from the Fund under clause (a) or clause (b) of rule 13.16 has been utilised for a purpose other than that for which sanction was given to the withholding or withdrawal.

(ii) if the amount assured together with the amount of any accrued bonuses is less than the whole of the amount withheld or withdrawn with interest, the Accounts Officer shall realise the amount assured together with any accrued bonuses and shall place the amount so realised to the credit of the subscriber in the Fund.
(2) Save as provided by Rule 13.26, if a policy delivered to the Accounts Officer under sub-clause (b) of clause (1) of Rule 13.20 matures before the subscriber quits the service the Accounts Officer shall make over the policy to the subscriber:

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

(i) the whole of any amount withheld or withdrawn from the Fund in respect of the policy with interest thereon at the rate provided in Rule 13.13; or

(ii) an amount equal to the amount assured together with accrued bonuses, whichever is less, and, in default, the provisions of rule 13.27 shall apply as they apply in relation to cases where money withheld or withdrawn from the Fund under clause (a) or clause (b) of rule 13.16 has been utilised for a purpose other than that for which sanction was given to the withholding or withdrawal.


13.25. If the policy lapses, or is assigned, otherwise than to the Governor of the Haryana under Rule 13.20 charged or encumbered, the provisions of clause (4) of the Rule 13.20 applicable to a failure to assign and deliver a policy shall apply.

13.26. If the Accounts Officer receives notice of -

(a) an assignment (otherwise than an assignment to the Governor of the Haryana under Rule 13.20), or

(b) a charge or incumbrance on, or

(c) an order of a court restraining dealings with, the policy or any amount realised thereon, the Accounts Officer shall not -

(i) reassign or make over the policy as provided in Rule 13.22, or

(ii) realise the amount assured by the policy or reassign or make over the policy as provided in Rule 13.23.

but shall forthwith refer the matter to Government.
13.27 Notwithstanding anything contained in these rules, if the sanctioning authority is satisfied that money drawn as an advance from the Fund under clause (1) of Rule 13.14, or withheld or withdrawn from the Fund under clause (a) or clause (b) of Rule 13.16, has been utilised for a purpose other than that for which sanction was given to the drawal, withholding or withdrawal of the money, the amount in question shall with interest at the rate provided in Rule 13.13, 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 be repaid, or paid, as the case may be, by him.

Note: The term "emoluments" as used in this rule does not include subsistence grant.

3.27-A. Restriction of the provisions relating to financing of policies to existing subscribers in respect of existing policies. The provisions of rules 13.16 to 13.27 shall apply only to subscribers, who, before the issue of this notification, have been substituting in whole or in part, payments towards policies of Life Insurance for subscriptions to the Fund or making withdrawals from the Fund for such payments:

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

FINAL WITHDRAWAL OF ACCUMULATIONS IN THE FUND.

3.28. 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 13.13, in the manner provided in the provision to Rule 13.29. 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 re-employment may have been in continuation of his active service without break. He cannot, therefore, get interest on his accumulation in his fund beyond six months from the date of retirement.

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

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

(a) to his account in the other fund in accordance with the rules of the Fund, if the new post is in another Department of the State Government; or

(b) to a new account under the Government concerned if the new post is under any other Government and that Government consents, by general or special order, to such transfer of subscription and interest.

Note: Transfers should be held to include cases of resignations from service in order to take up appointment in another Department of the State Government or under any other Government in India without any break and with proper permission of the State Government. In cases where there has been a nominal break it should strictly be limited to the joining time allowed on transfer to a different station. The same shall hold good in cases of retrenchments followed by immediate employment whether under the same or different Government.

13.29 When a subscriber:

(a) has proceeded on leave preparatory to retirement or, if he is employed in a vacation department, on leave preparatory to retirement combined with vacation, or
(b) while on leave, has been permitted to retire or been declared by a competent medical authority to be unfit for further service,

the amount standing to his credit in the Fund, shall, upon application made by him in that behalf to the Accounts Officer, become payable to the subscriber;

provided that the subscriber, if he returns to duty, shall, if required to do so by 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 13.13, 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 grant an advance under clause (1) of Rule 13.14.

: When vacation precedes the leave preparatory to retirement, the amount standing at the credit of a subscriber shall, upon application made to the Accounts Officer becomes payable at any time between the commencement of such vacation and the date of actual retirement.

29-A. [A competent authority may sanction withdrawals to a Subscriber for acquisition to form land and/or business premises within six months prior to the date of his retirement on superannuation from the amount standing at his credit in the fund. The conditions for the withdrawal from the fund prescribed in Rule 13.29-C shall apply mutatis mutandis in such cases also.]**

29-B. [Subject to the conditions specified in Rule 13.29-C, 13.29-D and 13.29-E, the competent authority may sanction withdrawal to a subscriber at anytime after the completion of twelve years of service for the purpose of clause (a) below and twenty years for the purpose of clauses (b) to (d) below (including broken periods of service, if any) by him 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 any one or more of the following purposes, namely:-

(a) (i) Building or acquiring a suitable house for his residence including the cost of site or repaying any outstanding amount on account of loan expressly taken for this purpose or reconstruction, or making additions or alteration or repairs to a house already owned or acquired by a subscriber.
(ii) Purchasing a house site or repaying any outstanding amount on account of loan expressly taken for this purpose.

(iii) Constructing a house on a site purchased by utilizing the sum withdrawn under sub-clause (ii).

(b) Meeting the cost of higher education of 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 medical, engineering and other technical or specialized courses in India beyond the high school stage; provided that the course of study is not less than three years duration.

(c) Meeting the expenditure in connection with the marriage of the subscribers' daughter(s) or, if the subscriber has no daughter, that of any other female relation dependent on him.

(d) Meeting the expenditure in connection with the marriage of subscriber's son(s).

(Provided that no withdrawal to the subscriber shall be sanctioned for the marriage of his children before attaining the age of 21 years in case of son and 18 years in case of daughter or the dependent female relation, as the case may be.)

13.29-C. Any sum withdrawn by a subscriber at any one time for any one of the purposes specified in rule 13.29-B (a) from the amount standing to his credit in the fund shall not ordinarily exceed one-half of the amount standing to his credit in the Fund or six months' pay, whichever is less. The competent authority may, however, sanction the withdrawals of an amount in excess of this amount up to 3/4th of the balance of his credit in the Fund with due regard to-

(i) the object for which the withdrawal is being made;

(ii) the status of the subscriber; and

(iii) the amount to his credit in the Fund.

Provided that in the case of a subscriber, who has taken loan or any other assistance from Government for any of the above purposes specified in rule 13.29-B (a), the sum withdrawn under this rule and the amount of
advance or loan already taken from Government shall not exceed Rupees [one lac and twenty five thousand or twelve years pay, whichever is less].

Note-1: A subscriber, who is permitted to withdraw money from the Fund under this rule, shall satisfy the sanctioning authority within a period of six months 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, along with interest at the rate prescribed under rule 13.13, shall forthwith be repaid in one lumpsum by the subscriber to the Fund and in default of such payment it shall be ordered by the sanctioning authority to be recovered from his emoluments either in a lump sum or in such number of monthly instalments as may be determined by such authority.

Note-2: While forwarding the proposals for sanctioning withdrawals from the General Provident Fund for the purpose mentioned in rule 13.29-B (a), it shall be ensured that-

(i) if the advance has been applied for the construction of a house on a plot of land already owned or acquired the subscriber has undisputed title of ownership individually or jointly with his/her wife/husband to the land on which the house is to be constructed; or if the plot on which the house is to be constructed, is on lease, the terms of lease should be such as may entitle him/her to the grant of house building advance;

(ii) if the advance has been applied for-

(a) making additions and alterations to a house already owned or acquired, or

(b) repaying any outstanding amount of loan expressly taken for the purchase or reconstruction of a house or making additions and alterations to a house already owned or acquired, the subscriber has undisputed title to the land and/or house already owned or acquired, as the case may be, either singly or jointly with his/her wife/husband; and

(iii) if the house is to be constructed or reconstructed within the municipal limits of a city/town or any Urban Estate, the subscriber should also be required to produce attested copies
of the approved building plans. In other cases the Head of Department should satisfy himself that the subscriber intends to build the house. For this purpose, among other things, the subscriber should be required to produce certificates from two respectable persons of the area in which the house is to be constructed to that effect."

13.29-D. (1) Any sum withdrawn by a subscriber under clause (b) of Rule 13.29-B from the amount standing to his credit in the Fund shall not exceed one half of such amount or three months' pay whichever is less.

(2) The withdrawals from the Fund may be permitted once every six months, i.e. twice in any financial year.

(3) A subscriber, who has been permitted to withdraw money under clause (b) of rule 13.29-B from the amount standing to his credit in the Fund, 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 together with interest thereon at the rate prescribed under rule 13.13, 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 installments as may be determined by such authority.

(4) Any amount withdrawn from the Fund, which is found to be in excess of that actually required by the subscriber for the purpose, shall be redeposited forthwith into the Fund together with the interest thereon at the rate prescribed under rule 13.13.

(5) While sanctioning non-refundable advances the temporary advances outstanding against the subscriber, if any, for other purpose will not be taken into account.

Note-1: A subscriber who draws a refundable advance for this purpose under rule 13.14 may convert, at his discretion by written request addressed to the Accounts Officer through the sanctioning authority, the outstanding balance, into a final withdrawal on his satisfying the conditions laid down in rule 13.29-B.
Note-2: In case where a portion of the money withdrawn is not likely to be spent within six months from the date of withdrawal and the subscriber contemplates making further withdrawal during the following half year, he may, by notifying in writing to the sanctioning authority before the expiry of the said 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 utilised and action to withdraw the further amount is taken within one month of the expiry of the said period of six months. If no further withdrawal is contemplated, the excess amount together with the interest thereon at the rate prescribed under rule 13.13 should be deposited forthwith into the Fund."

(13.29-E. (i) Any sum withdrawn by a subscriber under clause (c) of rule 13.29-B from the amount standing to his credit in the Fund shall be normally limited to one half of such amount or six months' pay, whichever is less.

(ii) If two or more marriages are to be celebrated simultaneously the amount admissible in respect of each marriage shall be determined as if the advances are sanctioned separately one after the other.

(iii) In respect of the same marriage a subscriber may either withdraw the money under this rule or under rule 13.14.

(iv) A subscriber who draws a refundable advance under rule 13.14 may convert, at his discretion by written request addressed to the Accounts Officer through the sanctioning authority, the outstanding balance into a final withdrawal on his satisfying the conditions laid down in rule 13.29-B.

(v) The withdrawal may be allowed to a subscriber not earlier than three months preceding the month in which the marriage actually takes place.

(vi) The subscriber shall furnish a certificate to the sanctioning authority in the "Administrative Department" within the period of one month from the date of marriage, or if he is on leave, within one month or return from leave that the money withdrawn had actually been utilised for the purpose for which it was intended. If the subscriber fails to furnish the requisite certificate or if the amount withdrawn is utilised for a purpose other than that for which sanction was given, the entire amount together with the interest thereon at the rate prescribed under rule 13.13 shall be redeposited forthwith into the
Fund in lump sum by the subscriber and, if he fails to do so, 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 such authority.

(vii) Any amount actually withdrawn from the Fund, which is found to be in excess of that actually utilised by the subscriber for the purpose for which it was withdrawn shall be redeposited forthwith into the Fund together with interest due thereon at the rate prescribed under rule 13.13 and, if he fails to do so, the sanctioning authority shall order its recovery from his emoluments in the manner laid down in clause (vi).

Note-1: A subscriber has to apply for final withdrawal sufficiently in advance of the date of marriage. Where, however, a subscriber applies for the withdrawal well before the date of marriage but the withdrawal is sanctioned after such date, there will be no objection to the payment of the amount being made after the date of marriage. The certificate in terms of clause (vi) above should be furnished in such cases to the sanctioning authority within a month of the actual withdrawal of the amount from the Fund. Cases, in which the withdrawal is applied for after the celebration of marriage, should not ordinarily be entertained.

Note-2: In sanctioning non-refundable advances under this rule, the temporary advances, outstanding against the subscriber, if any, will not be taken into account.

(2) (i) Any sum withdrawn by a subscriber under clause (d) of rule 13.29-B from the amount standing to his credit in the Fund shall be normally limited to one-half of such amount or three months' pay, whichever is less:

Provided that in special cases the sanctioning authority may relax the limit of three months' pay but in no case withdrawal exceeding six months' pay may be sanctioned.

(ii) The other terms and conditions will be the same as laid down in sub-rule (1)."

[13.29-F. If a retired Government employee who, before his retirement, was a subscriber to a Provident Fund governing his conditions of service, is re-employed, under the Haryana Government (whether immediately after his retirement or sometime afterwards, but before having drawn the balance outstanding in his old Provident Fund Account) and is permitted as a]
condition of his service to join the Haryana General Provident Fund Account, he shall be given the option to carry forward the balance in his old Account to the new one. If he opts to carry forward the balance in his old Account to the new one, he shall be allotted a new Account Number. In respect of balance carried forward, interest shall be due at the privileged rate of interest (if he was entitled to such rate before retirement) up to the end of the month preceding the date intimated by the Accounts Officer as being the date on which he is prepared to make payment in cash or up to the end of the 6th month after the month in which such an amount became payable, whichever period be less. Thereafter, interest on such accumulations together with subscriptions during the period of re-employment shall be calculated at the rate sanctioned by Government from time to time and not at the privileged rate.[127]

13.29-G A subscriber who has been permitted to withdraw money from the Fund under rule 13.29-A (a) and 13.29-AA shall satisfy the sanctioning authority within a reasonable period as may be specified by that authority 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 lump sum together with interest thereon at the rate determined under rule 13.13 by the subscriber to the fund, and in default of such payment, it shall be ordered by the sanctioning authority to be recovered from his emoluments either in a lump sum or in such number of monthly instalments, as may be determined by the sanctioning authority.[127]

13.30 On the death of a subscriber before the amount standing to his credit has become payable (see Annexure C to this Chapter) or where the amount has become payable, before payment has been made;

(i) if a nomination made by the subscriber in accordance with the provisions of Rule 13.7 or 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 favor 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 favor of any person or persons other than a member or members of his family become payable to the members of his family in equal share:

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 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 13.7 or of the corresponding rule heretofore in force, in favor 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.

Note-1: A posthumous child of the deceased or the posthumous child of a son of the deceased who, had he been alive, would have been entitled to a share of the sum at the subscriber's credit shall be treated as a member of the family provided the existence (en ventre de sa mere) of the posthumous child is brought to the notice of the disbursing officer.

Note-2: When a person named in a form of nomination under Rule 13.7, 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 shall be distributed in the manner prescribed in sub-clause (b) of clause (a) above.

[Note-3: The payment of the amount of Provident Fund standing to the credit of the subscriber, to the nominee(s) in accordance with the nomination earns a valid discharge for the Government, but if any court of law passes a decree in favour of any person other than the nominee(s) before actual payment has been made to the nominee(s) the orders of the court shall have to be complied with.]

13.31 (1) When the amount standing to the credit of a subscriber in the Fund becomes payable, it shall be the duty of the Accounts Officer to make payment as provided in section 4 of the Provident Funds Act, 1925 (See Appendix 3).

(2) If the person to whom under these rules any amount or policy is to be paid, assigned, reassigned or delivered, is a lunatic, for whose estate a manager has been appointed in this behalf under the Indian Lunacy Act, 1912, the payment or reassignment 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 Accounts 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.

Note-1: When the amount standing to the credit of a subscriber, has become payable under Rule 13.28, 13.29, or 13.30, the Accounts Officer shall authorise prompt payment of that portion of the amount standing to the credit of a subscriber in regard to which there is no dispute or doubt, the balance being adjusted as soon after as may be.

Note-2: When the amount standing to the credit of subscriber has become payable under rules 13.28, 13.29 and 13.30 the Head of Department/Office should immediately take up the preparation of Provident Fund papers for furnishing them to Audit Office. In the case of subscribers who are likely to retire in a particular year, the papers should be prepared and furnished in the requisite form P.F.-9 or P.F.9 (A) or P.F.9 (B), as the case may be, in time (i.e.6 months in advance of the anticipated date of retirement). The Head of Department/Office should see to it that these forms are furnished to the Audit in time. He
should also indicate the recoveries affected against the advances which are still current and the number of instalments yet to be recovered and also indicate the withdrawals, if any, taken by the subscriber after the period covered by the last statement of the subscriber's account sent by the Accounts Officer.

13.32  (a) If a Government employee, 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 Haryana Government, the amount of the 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, if any, be transferred to his credit in the Fund.

(b) If a Government employee, who is a subscriber to the State Railway Provident Fund or any other Contributory Provident Fund of the Central Government, or a State Contributory Provident Fund is permanently transferred to pensionable service under the Haryana Government and elects or is required to earn pension in respect of such pensionable service:

(i) the amount of subscriptions, with interest thereon, standing to his credit in such contributory Provident Fund at the date of transfer shall, with the consent of the other Government, if any, be transferred to his credit in the Fund;

(ii) the amount of Government contributions with interest thereon, standing to his credit in such contributory provident fund shall, with the consent of the other Government, if any, be repaid to Government and credited to State 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 competent authority may determine.

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

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

Note-2: The provision of this rule shall, however, apply to persons who are appointed without break, whether temporarily or permanently to a post carrying the benefits of these Rules after resignation/retenchment from service under another Department of State Government or under any other Government.

13.33 If a subscriber to the Fund is subsequently admitted to the benefits of the Haryana Contributory Provident Fund Rules - vide Chapter XIV the amount of the subscription, together with interest thereon shall be transferred to the credit of his account in the Haryana Contributory Provident Fund.

Note: The provisions of this rule do not apply to a subscriber who is appointed on a contract or who has retired from service and is subsequently re-employed with or without a break in service in other post carrying contributory provident fund benefits.

PROCEDURE RULES

13.34 All sums paid into the Fund under these rules shall be credited in the books of Government to an account named "The General Provident Fund". Sums of which payment has not been taken within six months after they become payable under these rules, shall be transferred to "Deposits" at the end of the year and treated under the ordinary rules relating to deposits.

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

13.36 (1) As soon as possible after the close of each year, the Accounts Officer shall send to each subscriber a statement of his account in the Fund showing the opening balance as on the 1st April of the year, the total amount credited or debited during the year, the total amount of interest credited as on the 31st March of the year and the closing balance on that date. The Accounts Officer shall attach to the statement of account an enquiry whether the subscriber...
(a) desires to make any alteration in any nomination made under Rule 13.7, 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 clause(i) of Rule 13.7.

(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.

(3) The Accounts Officer shall, if required by a subscriber, once, but not more than once, in a year inform the subscriber of the total amount standing to his credit in the Fund at the end of the last month for which his account has been written up.
ANNEXURE A
(See Note 1 under Rule 13.14)

GENERAL PRINCIPLES WHICH SHOULD DETERMINE THE GRANT OF AN ADVANCE FROM THE GENERAL PROVIDENT FUND

The fund is designed solely for the protection of a subscriber’s family against his sudden death, or, if he survives until retirement, to provide both him and them with additional resources in his old age. Anything which interferes with a subscriber’s normal accumulations detracts from these purposes and tends to defeat the true object of the fund. Rule 13.14, merely permits a temporary and wholly exceptional departure from the real purposes of the scheme, and, unless it is strictly interpreted, there is danger that subscribers will come to regard the fund as an ordinary banking account, the existence of which absolves them from the necessity of providing for the normal incidents of life with the prudence which a private individual would exercise. The inevitable result, if this tendency is countenanced, will be to discourage thrift, and to leave the subscriber with a depleted account at the time when it ought to be most helpful to him or his family. Sanctioning authorities ought, therefore, to have no hesitation in resisting any attempt to use the fund as a cheap loan account, and in enforcing the altogether exceptional character of Rule 13.14, as a provision to meet urgent needs which would not ordinarily have been anticipated. Every prudent married man, for example, should be prepared to meet a certain demand upon his resources on account of doctor's bills, and it is only when the burden is exceptionally prolonged, or the necessity usually grave and sudden, that he ought to think of making use of the provident fund for this object.

2. For the same reasons, a careful scrutiny should be applied to requests for withdrawals on account of marriage or funeral expenses. Even where ceremonial expenditure is by religious custom obligatory, its extent should nevertheless be limited by the resources of the family, and no subscriber should be enabled to enhance such expenditure on the strength of deposits in the fund. An advance from the fund can legitimately be made for obligatory ceremonial expenditure where no other resources exist but not in order to raise such expenditure to a more pretentious scale.

3. The intention of these instructions is not to limit the powers of the authorities competent to sanction withdrawals from the fund in cases of absolute
necessity, but the observance of the principles enunciated above is in the real interest of the body of subscribers to the fund.

4. With reference to the provisions of the Provident Fund Act, 1925 there is no real difference regarding the validity of temporary advances, between:

(a) a non-repayable advance; and

(b) an outright repayment of an amount equivalent to the advance.

The grant of a non-repayable advance amounts to an outright repayment of a part of the "compulsory deposit". Under section 2(a) of the Provident Fund Act, "compulsory deposit" is one, the whole of which is repayable on the happening of some specified contingency under the rules of the Provident Fund. A partial repayment of a deposit in the Provident Fund thus deprives the deposits of the character of "compulsory deposits" as defined in section 2 of the Provident Fund Act, and, therefore, the immunity provided under section 3(1) ibid will be lost. In other words, the Provident Funds in question will cease to be a Provident Fund subject to the provisions of the Provident Fund Act.

All sanctioning authorities, therefore, should, while sanctioning temporary advances from General Provident Fund, take into consideration the date of retirement of subscriber and fix the number of instalments, in such a manner that it is possible to recover the entire amount of the advance, with interest accruing thereon before his actual retirement.
<table>
<thead>
<tr>
<th>Sr. No.</th>
<th>Power</th>
<th>To whom delegated</th>
<th>Extent</th>
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<tr>
<td>1.</td>
<td>To sanction the grant to gazetted Government employees of temporary advances from their General Provident Fund Accounts.</td>
<td>All Departments of Government</td>
<td>Subject to the conditions laid in Rule 13.14 and provided further-(a) that the amount of the advance does not exceed six months pay or half the amount at the credit of the subscriber in the Fund, whichever is less; and (b) that a second advance is not granted within twelve months of the final repayment of the first advance, if the amount of the first advance drawn exceeded two-thirds of the amount admissible under clause (a) above.</td>
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<tr>
<td>2 (i)</td>
<td>To sanction temporary advances to gazetted Government employees serving under them from their General Provident Fund Accounts.</td>
<td>Heads of Departments.</td>
<td>Subject to the conditions laid down in Rule 13.14 and provided further-(a) that the amount of the advance does not exceed 3 months pay; and</td>
</tr>
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</table>
(ii) To sanction the grant to non-gazetted Government employees of temporary advances from their General Provident Fund.

(a) Heads of Departments.

(b) Heads of offices.

(b) that a second advance is not granted until the lapse of 12 months from the date of repayment of all previous advances.

Full powers subject to the conditions laid down in Rule 13.14 and in Annexure D to this chapter.

[Ful powers subject to the conditions laid down in rule 13.14 and in Annexure D to this chapter in the case of those whose pay is less than Re.1600 per mensem.

These rules shall not be applicable to the staff working in Haryana Vidhan Sabha Secretariat.

(iii) To sanction advance from General Provident Fund to the subscriber under rule 13.14(3)

Heads of Departments

Full powers subject to the conditions laid down in rule 13.14(3).

[3. To sanction withdrawals from General Provident Fund to the subscriber under clauses (a) and (b) of the rule 13.29-B

All Departments of Government.

Full powers subject to the condition laid down in rules 13.29 (c) and D read with rule 13.29-B.]

[4. To sanction withdrawals from the General Provident Fund to the subscribers under clauses (c) and (d) of rule 13.29-B.

(i) Heads of Departments.

(ii) To sanction advance from General Provident Fund to the subscriber under rule 13.14(3).

Full powers subject to the conditions laid down in rule 13.29-E read with rule 13.29-B.]
Commissioners of Divisions, District and Sessions Judges, Superintending Engineers in the Public Works Department, Conservator of Forests, Controller of Printing and Stationery, Deputy Inspector General of Police, [District Education Officer/Sub-Divisional Education Officer,] Principals of Government Arts and Professional Colleges, Sub-Divisional Officers in the Sub-Divisions of the Civil Department and General Assistants at Headquarters of the District, exercise the powers of Heads of Departments for this purpose.

Note-1: Chief Commissioner, Delhi exercises the powers of Head of Department, for this purpose in respect of gazetted and non-gazetted Government employees of the Government of Haryana serving under the Delhi Administration.

Note-2: The Administrative Departments and Heads of Departments may re-delegate the powers delegated to them in the above table, on their responsibility and subject to such restrictions as they may like to impose, to any officer under them at their headquarter offices. They may also delegate their powers on the same lines to any subordinate authority in respect of grant of temporary advances from General Provident Fund Accounts. Copies of such orders should invariably be endorsed to Finance Department and Accountant General Haryana.
ANNEXURE C
(See Rule 13.38)

1. Any sum payable under Rule 13.38 to a member of the family of a subscriber vests in such member under sub-section (2) of section 3 of the Provident Funds Act, 1925.

2. When a nominee is a dependent of the subscriber as defined in clause (c) of section 2 of the Provident Funds Act, 1925, the amount vests in such nominee under sub-section (2) of section 3 of the Act.

3. When the subscriber leaves no family and no nomination made by him in accordance with the provisions of Rule 13.7 subsists, or if such nomination relates only to part of the amount standing to his credit in the fund the relevant provisions of clause (b) and of sub-clause (ii) of clause (c) of sub-section (1) of section 4 of the Provident Funds Act, 1925, are applicable to the whole amount or the part thereof to which the nomination does not relate.
The expression "amount already advanced" appearing in sub-clause (ii) of clause (c) of Rule 13.14 (1) should be taken as referring to the first advance that may be granted not exceeding two-thirds of the amount admissible under sub-clause (i) of clause (c) ibid. Thus, under sub-clause (ii) of clause (c) if a subscriber who had already been granted an advance not exceeding two-thirds of the amount admissible under sub-clause (i) of clause (c) applies for a second advance (not exceeding the limit specified in that clause) within twelve months of the final repayment of the 1st advance or while it is still current, the authority who sanctioned the first advance will be competent to sanction the 2nd advance without a reference to higher authority. It is possible that the sum of the two advances may not exceed two-thirds of the amount admissible under sub-clause (i) of clause (c) and that the individual subscriber may apply for a third advance within twelve months of the final repayment of the two previous advances or while one or both of them are still current. In such a case it would be necessary for the original sanctioning authority to seek the sanction of the next higher administrative authority to the grant of the 3rd advance.

Note: The intention of this Annexure is that the amount of the second advance, which can be sanctioned by the original sanctioning authority advance, should not exceed six months' pay or half the amount of the first advance, should not exceed six months' pay or half the amount at the credit of the subscriber, whichever is less. Similarly the amount of third advance, which can be sanctioned by the next higher administrative authority, including the amount of the first two advances, should not exceed the limit of six months' pay or half the amount at the credit of the subscriber, whichever is less.
CHAPTER XIV

THE CONTRIBUTORY PROVIDENT FUND RULES

SHORT TITLE AND DEFINITIONS

14.1 These rules called, "The Punjab Contributory Provident Fund Rules" came into force on the 1st August, 1933, except that in the case of the Superior non-gazetted staff of the Electricity Branch, in the Public Works Department, they have effect from the 1st April, 1933, and supersede all the rules and orders relating to special or Contributory Provident Funds which were in force before these rules came into force.

14.2 (1) In these rules, unless there is anything repugnant in the subject or context -

(i) Accounts Officer means the Accountant General, Haryana.

(ii) Emoluments means pay, leave salary or subsistence grant as defined in Volume I of these rules and includes -

(a) Sterling Overseas Pay converted at such rate of exchange as may be prescribed in this behalf;

(b) any wages paid by Government to employees not remunerated by fixed monthly pay; and

(c) any remuneration of the nature of pay received in respect of foreign service.

(iii) Family means -

(a) 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 he 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;

(b) in the case of a woman 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 Legal Remembrancer to Government, Haryana 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 purpose of the rules be considered as excluded from the family of the natural father.

(iv) Leave means any variety of leave recognised by the Punjab Civil Services Rules;

(v) The Fund means the Punjab Contributory Provident Fund; and

(vi) Year means a financial year.

Any other expression employed in these rules which is defined either in the Provident Funds Act, 1925 (IX of 1925) (See Appendix 3), or in the Punjab Civil Services Rules is used in the sense therein defined.

CONSTITUTION AND MANAGEMENT OF THE FUND

14.3 The Fund shall be administered by the Government and shall be maintained in India in rupees.

14.4 (1) These rules apply to such non-pensionable Government employees whether (gazetted or non-gazetted) under the control of the Punjab Government, who -

(a) were in the service of the Punjab Government on the 15th August, 1951 and were entitled to the benefit of the Punjab Contributory Fund on that
date but did not elect the option of coming on to the New Pension Scheme.

(b) may be specifically admitted by the competent authority to the Fund:

Provided that these rules shall not apply to any such employee between whom and the Government an agreement subsists in respect of a Provident Fund, other than an agreement providing for the application to him of these rules, and, in the case of an agreement so providing, shall apply subject to the terms of such agreement.

Note-1: A Government employee counting services for pension in any post shall not be allowed to be governed by these rules.

Note-2: The provision of this rule shall, however, apply to persons who are appointed without break, whether temporarily or permanently to a post, carrying the benefits of these Rules after resignation/retrenchment from service under another Department of State Government or under any other Government.

(2) Every employee of a Government to whom these rules apply shall be a subscriber to the Fund.

(3) If a Government employee admitted to the benefit of the fund was previously a subscriber to any other contributory or non-contributory provident fund of the State Government, the amount of his subscription and Government contributions in the other Contributory Provident Fund/or the amount of his subscriptions in the non-contributory Provident Fund, as the case may be, together with interest thereon, shall be transferred to his credit in the Fund.

(4) The amount standing at the credit of an employee of a local body in the Provident Fund establishment and maintained by the local body concerned shall on the provincialisation of his services be transferred to his credit in the Punjab Contributory Provident Fund, in the event of his being admitted to the benefit of the Fund. The balances so carried forward shall carry interest as for new subscribers.

Note: (Deleted)

(5) If a Government employee admitted to the benefit of the fund was previously a subscriber to any other Government Contributory Provident Fund or non-contributory Provident Fund, the amount of his subscriptions and the Government Contribution in the
Contributory Fund/or the amount of his subscriptions in the non-Contributory Provident Fund, as the case 
may be, together with interest thereon, shall be 
transferred to his credit in the Fund, with the 
consent of the other Government.

Note: The provisions of sub-rule (3) and (5) shall not 
apply to a person who has retired and is subsequently 
re-employed, with or without a break in service, or 
to a person who was holding the former appointment on 
contract.

NOMINATIONS

14.5 (1) A subscriber shall, at the time of joining the 
Fund, send to the Accounts Officer a nomination 
confering 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 nomination the 
subscriber has a family, the nomination shall not be 
in favour of any person or persons other than the 
members of his family:

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

Note: The application for admission to the Fund should not 
be forwarded to the Accountant General, until it is 
accompanied by nomination forms completed by the 
subscriber.

(2) If a subscriber nominates more than one person under 
clause (1), he shall specify in the nomination the 
amount or share payable to each of the nominees in 
such manner as to cover the whole of the amount that 
may stand to his credit in the Fund at any time.

(3) Every nomination shall be in such one of the Forms 
P.F.-1, 1-A, 1-B or 1-C, as is appropriate in the 
circumstances.

(4) A subscriber may at any time cancel a nomination by 
sending a notice in writing to the Accounts Officer: