

V.O.CHIDAMBARANAR PORT TRUST  
FINANCE DEPARTMENT

F.No.FIN-OFFAD-EST-GPF-VI-19(24373)/D.

Dt 06.01.2020

**CIRCULAR NO:17/2019-20**

It is noticed that the Officers and Employees of V.O.C. Port Trust are submitting request form of GPF Final Withdrawal every month which contravenes the TPTE(GPF) Regulations,1979 . It has been discussed in the Major Trade Unions meeting held on 6.9.2019, wherein it was informed to union that Port shall adhere to the TPTE(GPF) Regulations,1979 strictly and GPF Final withdrawal may be sanctioned accordingly which will be implemented from 1.2.2020.

Extract of the TPTE(GPF) Regulations,1979 dealing with Final Withdrawal is attached for ready reference.

Hence , all the Heads Of Departments are requested to adhere TPTE (GPF) Regulations,1979 strictly while recommending for GPF Final withdrawal , if any. Even if it is sanctioned by HOD's contravening the provision of the regulations such payments shall not be released and such sanctioned application shall be returned to the respective HOD's .

This issues with the approval of the Competent Authority.

  
6/1/2020  
FINANCIAL ADVISER &  
CHIEF ACCOUNTS OFFICER

To:

All HODs through Mail

Copy to: PA to CPT/PA to Dy.CPT through mail.

month (which either does not carry any leave salary or carries leave salary equal to or less than half pay). The recovery may be postponed on the subscriber's request, by the Chairman during the recovery of an advance of pay granted to the subscriber.

- (3) If an advance has been granted to a subscriber and drawn by him and the advance is subsequently disallowed before repayment is completed, the whole or balance of the amount withdrawn shall, forthwith be repaid by the subscriber to the fund or in default be ordered by the Accounts officer to be recovered by deduction from the emoluments of the subscriber in a lump sum or in monthly instalments not exceeding 12 as may be as directed by the Chairman or the authority competent to sanction an advance under Explanation 2 to sub-regulation (3) or regulation 14.

Provided that, before such advance is allowed, the subscriber shall be given an opportunity to explain the sanctioning authority in writing and within 15 days of the receipt of the communication why the repayment shall not be enforced and if an explanation is submitted by the subscriber within that said period of 15 days, it shall be referred to the Chairman for decision and if no explanation within the said period is submitted by him, repayment of the advance shall be enforced in the manner prescribed in this sub-regulation.

(Proviso to regulation 3 as amended vide GSR 427 (E) dated 20.4.1992)

- (4) Recoveries made under this regulation shall be credited as they are made to the subscriber's account in the fund

- (5) In case a subscriber is found to have drawn from the fund an amount in excess of the amount standing to his credit on the date of the drawal, the overdrawn amount, irrespective of whether the over drawal occurred in the course of an advance or a withdrawal or the final payment from the fund, shall be repaid by him with interest, thereon in one lumpsum, or in default, be ordered to be recovered by deduction in one lumpsum from the emoluments of the subscriber. If the total amount to be recovered is more than half of the subscribers emoluments the recoveries shall be made in monthly instalments of moieties of his emoluments till the entire amount together with interest is recovered. For this sub-regulation the rate of interest to be charged on overdrawn amount would be 2 1/2 % over and above the normal rate on Provident Fund balance under sub-regulation (1). The interest realised on the overdrawn amount shall be credited to the General Provident Fund account under a distinct sub head viz. Penal interest on overdrawn General Provident Fund Advance

(Regulations 5 as added vide GSR 427 (E) dated 20.4.1992)

#### 16. Wrongful use of advance :

Not with standing anything contained in these regulations, if the Chairman has reasons to doubt that the money drawn as an advance from the fund under regulation 14 has been utilised for a purpose other than that for which sanction was given to the drawal of the money, the Chairman shall communicate the subscriber the reasons for his doubt and require him to explain him in writing and within 15 days of the receipt of such communications, whether the advance has been utilised for the purpose for which sanction was given to the drawal of money. If the Chairman is not satisfied with the explanation furnished by the subscriber within the said period of 15 days, the sanctioning authority shall direct the subscriber to repay the amount in question to the fund forthwith or in default order the amount to be recovered by deduction in one lump sum from the emoluments of the subscriber even if he be on leave. If, however, the total amount to be repaid by more than half the subscriber's emoluments, recovery shall be made in monthly instalments or moieties of his emoluments till the entire amount is repaid by him

Note: - The term 'emoluments' in this regulation does not include subsistence grant

(Regulations as substituted vide GSR 427 (E) dated 20.4.1992)

#### 17. Withdrawals from the fund :

Subject to the conditions specified here under withdrawals may be sanctioned by the authorities, competent under Explanation 2 of its sub-regulation (3) of regulation 14, to sanction an advance for special reasons, at any time

- (1) After the completion of twenty years of service (including broken periods of service, if any) of a subscriber or within ten years before the date of his retirement on superannuation whichever is earlier, from the amount standing to his credit in the fund, for one or more of the following purposes, namely:-



- (a) meeting the cost of higher education including where necessary the travelling expenses of the subscriber or any child in the following cases, namely:-
- (i) for education outside India for academic, technical professional or vocational course beyond the High School stage, and
  - (ii) for any medical, engineering, or other technical or specialised course in India beyond the High School stage provided that the course of study is for not less than three years
  - (iii) for any medical, engineering or other technical or specialised course in India.

Note. 1 The following courses shall also be treated as technical/specialised for the above purpose, namely,-

1. Degree and post-graduate courses in Home Science.
2. Pre-professional course in Medicine if part of Regular 5 years' course in Medicine.
3. Ph.D., in Biochemistry.
4. Bachelor and Masters Degree courses in Physical Education.
5. Degree and post-graduate courses in Law.
6. 'Honours' course in 'Micro-Biology'.
7. Associateship of the Institute of Costs and Works Accountants
8. Associateship of the Institute of Chartered Accountant.
9. Degree and Masters course in Business Administration or Management.
10. Diploma course in Hotel Management, and
11. M.Sc. Course in Statistics.

- (b) meeting the expenditure in connection with the Betrothal or marriage of the subscriber or his sons or daughters and any other female relation actually dependent on him.
- (c) Meeting the expenses in connection with illness, including where necessary, the travelling expenses of the subscriber and members of his family or any person actually dependent on him.

Note 2: A subscriber shall be permitted to make a final withdrawal once in every six months for purposes of sub-regulation (1) (a) under Regulation 17 and the withdrawal on each occasion shall be treated as a separate purpose for purposes of this regulation"

- (2) After the completion of 10 years of service of subscriber or within Ten years before the date of his retirement of subscription and interest there on standing to his credit of the subscriber of the fund for one or more of the following purposes, namely:-
- (a) building or acquiring a suitable house or ready built flat for his residence including the cost of the site or repaying any outstanding amount on account of loan expressly taken for this purpose, or reconstructing/or making additions or alterations to a house already, owned or acquired by a subscriber.
  - (b) purchasing a house site or repaying any outstanding amount on account of loan expressly taken for this purchase.
  - (c) for constructing a house on a site purchased, utilising the sum withdrawn under clause (a).

Note 1: - Only one withdrawal shall be allowed for the same purpose under regulation 16. But marriage/education of different children or illness on different occasions shall not be treated as the same purpose.

Note 2: - A withdrawal under regulation 16 shall not be sanctioned if an advance under regulation 14 is being sanctioned for the same purpose at the same time.

(The year of completion as amended vide GSR 910 (E) dated 23.10.1989)

- (3) The competent authority to grant part final withdrawals under this regulation may sanction part final withdrawals upto 90% of the balance at the credit of the subscriber in case it is applied for within 12 months before retirement on superannuation. This facility will be available only once to a subscriber. The subscriber will not be required to assign any reason for applying such part final withdrawals. The subscribers availing this facility shall not, however, be eligible to invest the amount of such withdrawals in the new savings scheme introduced by the Ministry of Finance, Department of Economic Affairs vide their notification No. F-2/4/89-NS. II, dated 7.6.1989.
- (4) (1) The employees who have completed 15 years of service (including broken period of service, if any) or who have less than 5 years to attain the age of superannuation may be permitted to make part final withdrawals from their Provident Fund (GPF) for purchasing a Motor Car, Motor Cycle or Scooter etc., or for repaying the Government loan already taken by them for the purpose subject to the following conditions.
- (i) The employee's basic pay should be Rs. 3000/- per month or more in the case of purchase of Motor Car, and Rs. 1500/- per month or more in the case of Motor Cycle/Scooter etc., (basic pay as defined in FR 9 (21) (a) (i) without special pay, dearness pay and such other conditions to pay but includes NPA)
  - (ii) The amount of the withdrawals is limited to Rs. 50,000 for purchase of Motor Car and Rs. 8,000/- for purchase of Motor Cycle/ Scooter etc. Such amount of withdrawals plus conveyance advance, if any, should not exceed the cost of the vehicle.
  - (iii) The Chairman may allow in special cases an advance refundable in not more than 36 instalments, in the case of employees who may fall short of the minimum service of 15 years by a period of not more than 6 months.
  - (iv) The employees who have been allowed the advance according to clause (iii) above, may be permitted to convert the outstanding balance of the advance in to the final withdrawals after completion of the 15 years of service.
  - (v) Such withdrawals shall be allowed on one occasion.
- (2) The authority competent to sanction an advance for special reasons under the relevant Provident Fund Regulations may sanction final withdrawals in terms of these orders subject to the fulfilment of conditions mentioned above. The procedural details will be as in the case of other withdrawals.
- (5) (1) The employees who have completed 28 years of service or who have less than 3 years to attain the age of superannuation may be permitted to make final withdrawals from Provident Funds (GPF) for the extensive repairs or overhauling of their Motor Car subject to the following conditions.
- (i) The employee's pay is Rs. 1000/- per month or more.
  - (ii) The amount of the withdrawals is limited to Rs. 5,000 or 1/3rd of the amount standing to the credit of the subscriber in the General Provident Fund or actual amount of repairing/overhauling, whichever is the least.
  - (iii) Not less than 5 years should have elapsed since the car was purchased by the employees concerned. In the case of second hand car, the initial date of purchase by the first purchaser will be taken into account.
  - (iv) Such withdrawals shall be allowed only once in the service career of the subscriber.
- (2) The authority competent to sanction an advance for special reasons under the relevant Provident Fund Regulations may sanction final withdrawals in terms of these orders subject to the fulfilment of conditions mentioned above. The procedural details will be as in the case of other withdrawals.



- (6) (1) The employees who have completed 15 years of service (including broken period of service, if any) may be permitted to make part final withdrawals from their Provident Fund (GPF) for booking a Motor Car/Motor Cycle/Scooter/Moped etc., subject to the following conditions.
- (a) The employee's basic pay is Rs.3,500/- per month or above, for registration of a Motor Car, and a basic pay of Rs.1500/- per month or above in the case of Motor Cycle/Scooter etc., (basic pay as defined in FR 9 (21) (a) (i) without special pay, dearness pay and such other conditions to pay but includes NPA)
  - (b) The amount of the withdrawals is limited to Rs. 10,000 in the case of Car and Rs. 500/- in the case of Motor Cycle/ Scooter etc., or 50% of the amount standing to the credit of the subscriber in the General Provident Fund or the actual amount of the registration of the car or Motor Cycle/Scooter, etc., whichever is less
  - (c) The amount of withdrawals shall not exceed the amount required for booking a car or Motor Cycle or Scooter etc.,
  - (d) The deposit receipt must be produced for verification by the concerned administrative authority within a period of one month from the date of drawal. Failure to do so, would involve refund of the total amount of withdrawals.
  - (e) If the Officer does not purchase a Car, Motor Cycle, Scooter, etc., or opts out of the scheme, he should immediately deposit the amount of final withdrawals together with interest thereon from the manufacturer/dealer into the General Provident Fund account
  - (f) The Chairman may allow in special cases an advance refundable in not more than 36 instalments in the case of Officers who may fall short of the minimum service of 15 years by a period of not more than 6 months. All other conditions shall not be relaxable.
  - (g) The employees who have been allowed the advance according to clause (f) above, may be permitted to convert the outstanding amount of the advance in to final withdrawals after completion of the 15 years of service.
  - (h) Such withdrawals shall be allowed only on one occasion, and
  - (i) The amount of Rs. 10,000/- or Rs. 500/- as the case may be referred to above, shall be taken into account for determining the overall ceiling at present fixed for withdrawal from General Provident Fund.
- (2) The authority competent to sanction an advance for special reasons under the relevant Provident Fund Regulations may sanction final withdrawals in terms of these orders subject to the fulfilment of conditions mentioned above. The procedural details will be as in the case of other withdrawals

(Regulations 3, 4 and 5 as added vide GSR 427 (E) dated 20.4.1992)

#### 18. Conditions of withdrawal :-

- (1) Any sum withdrawn by a subscriber at any time for one or more purposes specified in regulation 17 from the amount standing to his credit in the fund shall not ordinarily exceed one half of such amount or six months' pay whichever is less. The sanctioning authority, may, however, sanction the withdrawal of an amount in excess of this limit upto three-fourths of the balance at his credit in the fund, having due regard to (i) the object for which the withdrawal is being made; (ii) the status of the subscribers and (iii) the amount to his credit in the fund.
- (2) A subscriber, who has been permitted the withdrawal of money under regulation 17 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 such purposes for which it was withdrawn, shall, forthwith, be repaid in one lumpsum together with interest thereon at the rate determined under regulation 11 by the subscriber to the fund and in default of such payment, it shall be ordered by