Advances

Advances from the Fund – (1) The appropriate sanctioning authority may sanction the payment to any subscriber of any advance consisting of a sum of whole rupees and not exceeding in amount three months' pay or half the amount standing to his credit in the Fund, whichever is less, for one or more of the following purposes:-

(a) to pay expenses in connection with the illness, confinement or a disability, including where necessary, the travelling expenses of the subscriber and members of his family or any person actually dependent on him;

(b) to meet cost of higher education, including where necessary, the travelling expenses of the subscriber and members of his family or any person actually dependent on him in the following cases, namely;

(i) for the 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 specialized course in India beyond the High School stage, provided that the course of study is for not less than three years.

(c) to pay obligatory expenses on a scale appropriate to the subscriber's status which by customary usage the subscriber has to incur in connection with betrothal or marriages, funerals or other ceremonies;

(d) to meet the cost of legal proceedings instituted by or against the subscriber, any member of his family or any person actually dependent upon him, the advance in this case being available in addition to any advance admissible for the same purpose from any other Government source.

(e) to meet the cost of the subscriber's defence where he engaged a legal practitioner to defend himself in any enquiry in respect of any alleged official misconduct on his par.

(f) to meet the cost of plot or construction of a house or flat for his residence or to make any payment towards the allotment of plot or flat by a State Housing Board or a House Building Co-operation Society.

(2) The Governor may, in special circumstances, sanction the payment to any subscriber of an advance if he is satisfied that the subscriber concerned requires the advance for reasons other than those mentioned in sub-role (1).

(3) An advance shall not, except for special reasons to be recorded in writing, be granted to any subscriber in excess of the limit laid down in sub-rule (1) or until re- payment of the last installment or any previous advance.

(4) When advance is sanctioned under sub-rule 3 before repayment of last installment of any previous advance is completed the balance of any previous advance not recovered shall be added to the advance so sanctioned and the installments for recovery shall be fixed with reference to the consolidated amount.

Note 1. - For the purpose of this Rule "Pay" as defined in Rule 2 (b)

Note 2. – The appropriate sanctioning authority for the purpose of this rule is specified in the Second Schedule.

Note 3. – A subscriber shall be permitted to take an advance once in every six months under item (b) of sub-rule (1) of Rule 13.

State Government's Decision:

Decision No. (1) – Grant of advance/withdrawal to those transferred to foreign service/deputation – The authority competent to sanction advances/withdrawals from Provident Fund in respect of:-

(a) State Government employees on deputation to Central Government.

(b) State Government employees on foreign service; and

(c) Employees of State Governments, autonomous bodies and Public Sector Undertakings on deputation to the Central Government Department.

2. Under the existing rules/orders, all persons on deputation from or to State Government departments continue to be governed by the Provident Fund Rules of their respective parent departments during the period of deputation.

During the period of a State Government employees' deputation on a Central Government a subscriber to the General Provident Fund, can be granted advance/withdrawals from the Provident Fund by the concerned State Government, subject to the conditions prescribed in the General Provident Fund Rules, vide paragraph 3 of the second schedule to the said Rule.

3. During the period of a State Government employees' deputation on Foreign Service, the competent authority in his parent department only can sanction advances/withdrawals to him from his Provident Fund account.

Decision No. (2) – Advances permissible separately for betrothal ceremony and marriage. *See* Decision No. (2) below Rule 17.

Decision No. (3) – **Definition of pay in the case of subscriber under suspension** – In the case of a subscriber who applies for a temporary advance while he is under suspension and draws subsistence grant instead of pay, "pay" for the purposes of Rule 13 (1) shall be that which be drew immediately before he was placed under suspension.

14. **Recovery of advances** – (1) An advance shall be recovered from the subscriber in such number of equal monthly installments 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 sub-rule (3) of Rule 13 the sanctioning authority may fix such number of installments to be more than twenty four but in no case more than thirty-six. A subscriber may, at his option, repay more than one installment in a month. Each installment shall be a number of whole rupee, the amount of the advance being raised or reduced, if necessary, to admit of the fixation of such installments.

(2) Recovery shall be made in the manner prescribed in Rule 10 for the realization of subscriptions, and shall commence with the issue of pay for the month following the one in which the advance was drawn. Recovery shall not be made, except with the subscriber's consent while he is in receipt of subsistence grant or is on leave for ten days or more in a calendar month which either does not carry any leave salary or carries leave salary equal to or less than half pay or half average pay, as the case may be. The recovery may be postponed, on the subscriber's written request, by the sanctioning authority during 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 installments not exceeding twelve as may be directed

by the authority competent to sanction and advance for the grant of which, special reasons are required under sub-rule (3) of Rule 13;

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

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

State Government's Decision

Decision No. 1- **Vacation combined with leave to be treated as leave** – Vacation combined with leave should be treated as leave, for the purpose of repayment of an advance under Rule 14 (2) of General Provident Fund Rules.

15. **Wrongfull use of advance.-** Notwithstanding anything contained in these rules, if these rules, if the sanctioning authority has reason to doubt that money drawn as an advance from the Fund under Rule 13 has been utilised for a purpose other than that for which sanction was given to the drawal of the money , he shall communicate to the subscriber the reasons for his doubt and require him to explain in writing and within fifteen days of the receipt of such communication whether the advance has been utilised for the purpose for which sanction was given to the drawal of money. If the sanctioning authority is not satisfied with the explanation furnished by the subscriber within the said period of fifteen 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 sum from the emoluments of the subscriber even if he be on leave. If, however, the total amount to be repaid be more than half the subscribers' emoluments recoveries shall be made in monthly installments of moieties of his emoluments till the entire amount is repaid by him.

NOTE – The term "emolument," in the rule does not include substance grant.