

No. 495 (2)/LXXIX-V-1-2022-1-ka-8-2022

*Dated Lucknow, September 29, 2022*

IN pursuance of the provisions of clause (3) of Article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of the Saamanya Bhavishya Nidhi (Uttar Pradesh) Niyamawali, 1985- Niyam 12 (Sanshodhan aur Vidhimanyakaran) Adhiniyam, 2022 (Uttar Pradesh Adhiniyam Sankhya 9 of 2022) as passed by the Uttar Pradesh Legislature and assented to by the Governor on September 29, 2022. The Vitt (Saamanya) Anubhag 2 is administratively concerned with the said Adhiniyam.

THE GENERAL PROVIDENT FUND (UTTAR PRADESH) RULES, 1985-RULE 12 (AMENDMENT AND VALIDATION) ACT, 2022  
(U.P. Act No. 9 of 2022)

*[As passed by the Uttar Pradesh Legislature]*

AN

ACT

*to amend rule 12 of the General Provident Fund (Uttar Pradesh) Rules, 1985 and to validate certain actions taken thereunder or in relation thereto.*

IT IS HEREBY enacted in the Seventy third Year of the Republic of India as follows :-

1. (1) This Act may be called the General Provident Fund (Uttar Pradesh) Rules, 1985-Rule 12 (Amendment and Validation) Act, 2022. Short title and commencement

(2) It shall be deemed to have come into force with effect from August 4, 2022.

2. The rule 12 of the General Provident Fund (Uttar Pradesh) Rules, 1985, as amended from time to time (hereinafter referred to as the said rule), shall be *omitted* and be deemed to have been *omitted* with effect from April 1, 1986. Amendment of rule 12 of the General Provident Fund (Uttar Pradesh) Rules, 1985

3. Notwithstanding any judgment, decree or order of any Court, anything done or purporting to have been done and any action taken or purporting to have been taken under or in relation to the said rule in terms of the provision of first sentence of the paragraph 2 of the Government Order no. G-4-G. I-28/X-86-59-81, dated July 5, 1986 before the commencement of the General Provident Fund (Uttar Pradesh) Rules, 1985-Rule 12 (Amendment and Validation) Act, 2022 shall be deemed to be and always to have been done or taken under or in relation to the said rule 12 of the General Provident Fund (Uttar Pradesh) Rules, 1985 as amended by the General Provident Fund (Uttar Pradesh) Rules, 1985-Rule 12 (Amendment and Validation) Act, 2022 and to be and always to have been as valid as if the provisions of this Ordinance were in force at all material times with effect from April 1, 1986. Validation

Repeal and saving

4. (1) The General Provident Fund (Uttar Pradesh) Rules, 1985-Rule 12 (Amendment and Validation) Ordinance, 2022 is hereby repealed.

U.P. Ordinance  
no. 6 of 2022

(2) Notwithstanding such repeal, anything done or any action taken under the provisions of the General Provident Fund (Uttar Pradesh) Rules, 1985 as amended by the Ordinance referred to in sub-section (1) shall be deemed to have been done or taken under the corresponding provisions of the aforesaid rules as amended by this Act as if the provisions of this Act were in force at all material times.

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### STATEMENT OF OBJECTS AND REASONS

Rule 12 of the General Provident Fund (Uttar Pradesh) Rules, 1985 provides that if a subscriber does not withdraw any money from the amount standing to his credit in the Fund by way of advance under rule 13 or does not withdraw any amount under rule 16 of the aforesaid Rules during the preceding three years, then he shall be entitled to a bonus at the rate of one percent on the entire balance at his credit on the last day of year. This provision of incentive bonus under rule 12 was abolished with effect from April 1, 1986 *vide* Government Order no. G-4-G.1-28/X-86-59-81, dated July 5, 1986. A necessary amendment was also required in the General Provident Fund (Uttar Pradesh) Rules, 1985 at that time, but the same could not be done.

In view of the above, it was decided to amend rule 12 of the General Provident Fund (Uttar Pradesh) Rules, 1985.

Since the State Legislature was not in session and immediate legislative action was necessary to implement the aforesaid decision, the General Provident Fund (Uttar Pradesh) Rules, 1985- Rule 12 (Amendment and Validation) Ordinance, 2022 (U.P. Ordinance no. 6 of 2022) was promulgated by the Governor on August 4, 2022.

This Bill is introduced to replace the aforesaid Ordinance.

By order,  
ATUL SRIVASTAVA,  
*Pramukh Sachiv.*