

Provident Funds Act, 1925

Section 4 - Provisions Regarding Repayments

(1) When under the rules of any Government or Railway Provident Fund the sum standing to the credit of any subscriber or depositor, or the balance thereof after the making of any deduction authorized by this Act has become payable, the officer whose duty it is to make the payment shall pay the sum, or balance as the case may be. to the subscriber or depositor, or, if he is dead, shall--

(a) if the sum or balance, or any part thereof, vests in a dependant or under the provisions of Section 3, pay the same to the

dependant to such person as may be authorized by law to receive the payment on his behalf; or

(b) if the whole sum or balance, as the case may be, does not exceed five thousand rupees, pay the same, or any part thereof,

which is not payable under Cl. (a) to any person nominated to receive it under the rules of the fund, or if no person is so nominated, to any person appearing to him to be otherwise entitled to receive it ; or

(c) in the case of any sum or balance, or any part thereof, which is not payable to any person under Cl. (a) or Cl.(b) pay the

same,--

(i) to any person nominated to receive it under the rules of the fund, on production by such person of probate or Letters of Administration evidencing the grant to him of administration to the estates of the deceased or a certificate granted under the Succession Certificate Act. 1889 (7 of 1889)¹ or under the Bombay Regulation VII of 1827 entitling the holder thereof to receive payment of such sum, balance or part, or

(ii) where no person is so nominated, to any person who produces such probate, letters or certificate:

Provided that, where the whole or any part of any sum standing to the credit of the subscriber or depositor has been assigned to any other person before the commencement of this Act. and notice in writing of the assignment has been received by the officer from the assignee, the officer shall, after making any deduction authorised by this Act and any payment due under Cl. (a) to or on behalf of the widow or children of the subscriber or depositor--

(i) if the subscriber or depositor or. if he is dead, the person to whom in the absence of any valid assignment the sum or balance would be payable under this sub-Section given his consent in writing, pay the sum or part or the balance thereof, as the case may be, to the assignee, or

(ii) if such consent is not forthcoming, withhold payment of the sum, part or balance, as the case may be, pending a decision of a competent Civil Court as to the person entitled to receive it.

(2) The making of any payment authorized by sub-Section (1) shall be a full discharge to the Government or the railway administration, as the case may be, from all liability In respect of so much of the sum standing to the credit of the subscriber or depositor as is equivalent to the amount so paid.

1. Now the Indian Succession Act, 1925 (39 of 1925).

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