STATUTORY INSTRUMENTS

1971 No. 1771

INDIA

The Indian Military Service Family Pension Fund (Amendment No. 2) Rules 1971

Made - - - - 29th October 1971

The Secretary of State for Foreign and Commonwealth Affairs in exercise of the powers conferred upon the Secretary of State by subsection (1) of Section 273 of the Government of India Act 1935(a) and paragraph 14(1) of the Government of India (Family Pension Funds) Order 1936(b) and vested in him by virtue of the Transfer of Functions (Overseas Aid) Order 1970(c) hereby makes the following Rules:—

1. The Indian Military Service Family Pension Fund Rules(d) as amended(e) are hereby further amended as follows:—

(1) For sub-rule (2) of Rule 34 the following shall be substituted:—

"(2) With effect from 1st September 1971 the amount of any supplementary pension contingent liability for which was accepted before the 1st April 1958 shall be subject to a temporary increase of 24½ per cent.".

(2) For sub-rule (3) of Rule 34 the following shall be substituted:—

"(3) With effect from 1st September 1971 the amount of any supplementary pension contingent liability for which was accepted on or after 1st April 1958 and before 1st April 1962 shall be subject to a temporary increase of 19½ per cent.".

(3) For sub-rule (4) of Rule 34 the following shall be substituted:—

"(4) With effect from 1st September 1971 the amount of any supplementary pension contingent liability for which was accepted on or after 1st April 1962 and before 1st April 1966 shall be subject to a temporary increase of 14½ per cent.".

(4) After sub-rule (4) of Rule 34 there shall be inserted the following sub-rule:—

"(5) With effect from 1st September 1971 the amount of any supplementary pension contingent liability for which was accepted on or after 1st April 1966 and before 1st April 1970 shall be subject to a temporary increase of 7 per cent.".

(5) The Schedule to these Rules shall be substituted for the Seventh Schedule to the said Rules.

2. These Rules may be cited as the Indian Military Service Family Pension Fund (Amendment No. 2) Rules 1971.

Given under my hand this 29th day of October 1971.

Alec Douglas-Home.

(a) 26 Geo. 5 & 1 Edw. 8. c. 2.
(b) S.R. & O. 1936/1310 (Rev. X, p. 624 : 1936 I, p. 1385).
(c) S.I. 1970/1682 (1970 III, p. 5565).
(d) S.R. & O. 1937/1226 (Rev. X, p. 632: 1937, p. 1374).
(e) The relevant amending instruments are S.I. 1958/2066, 1959/949, 1962/2736, 1967/534, 1969/400, 1971/822 (1958 I, p. 1277; 1959 I, p. 1461; 1962 III, p. 3704; 1967 I, p. 1742; 1969 I, p. 1130; 1971 II, p. 2346).

SCHEDULE

SEVENTH SCHEDULE (RULES 27, 31 AND 33)

A. Pensions to dependants of subscribers who were alive on 4th June 1949.

(1) Annual pension with effect from 1st September 1971 payable to a widow during widowhood:—

Subscriber born	Class of subscriber at death				
	V	IV	III	II	I
	£	£	£	£	£
After 31st March 1887:					
Permanent...	44·00	77·00	110·00	143·00	176·00
Temporary	28·00	49·00	70·00	91·00	112·00
After 31st March 1872 and before 1st April 1887:					
Permanent...	44·80	78·40	112·00	145·60	179·20
Temporary	28·20	49·35	70·50	91·65	112·80
After 31st March 1867 and before 1st April 1872:					
Permanent...	45·60	79·80	114·00	148·20	182·40
Temporary	28·40	49·70	71·00	92·30	113·60
After 31st March 1862 and before 1st April 1867:					
Permanent...	46·40	81·20	116·00	150·80	185·60
Temporary	28·60	50·05	71·50	92·95	114·40
Before 1st April 1862:					
Permanent...	47·20	82·60	118·00	153·40	188·80
Temporary	23·80	50·40	72·00	93·60	115·20

Of the above pensions, the portions shown as temporary are liable to reduction or withdrawal.

(2) Annual pension with effect from 1st September 1971 payable to orphan children of all classes alike:—

Subscriber born	Son or Daughter aged			Daughters aged 21 years or over
	0–6 years	6–12 years	12–21 years	
	£	£	£	£
After 31st March 1887:				
Permanent	11·00	22·00	33·00	49·50
Temporary	7·00	14·00	21·00	31·50
After 31st March 1872 and before 1st April 1887:				
Permanent	11·20	22·40	33·60	50·40
Temporary	7·05	14·10	21·15	31·73
After 31st March 1867 and before 1st April 1872:				
Permanent	11·40	22·80	34·20	51·30
Temporary	7·10	14·20	21·30	31·95
After 31st March 1862 and before 1st April 1867:				
Permanent	11·60	23·20	34·80	52·20
Temporary	7·15	14·30	21·45	32·17
Before 1st April 1862:				
Permanent	11·80	23·60	35·40	53·10
Temporary	7·20	14·40	21·60	32·40

Of the above pensions, the portions shown as temporary are liable to reduction or withdrawal.

B. Pensions to dependants in receipt of pension granted with effect from a date within the period 1st April 1937 to 4th June 1949.

(1) Annual pension with effect from 1st September 1971 payable to a widow during widowhood:—

Subscriber born	Class of subscriber at death				
	V	IV	III	II	I
	£	£	£	£	£
After 31st March 1887	72·00	126·00	180·00	234·00	288·00
After 31st March 1872 and before 1st April 1887	73·00	127·75	182·50	237·25	292·00
After 31st March 1867 and before 1st April 1872	74·00	129·50	185·00	240·50	296·00
After 31st March 1862 and before 1st April 1867	75·00	131·25	187·50	243·75	300·00
Before 1st April 1862	76·00	133·00	190·00	247·00	304·00

Of the above pensions, the following amounts are granted temporarily, and the pensions are therefore liable to reduction not exceeding these amounts, viz.:—

Class V £17·00; Class IV £29·75; Class III £42·50; Class II £55·25; Class I £68·00.

(2) Annual pension with effect from 1st September 1971 payable to orphan children of all classes alike:—

Subscriber born	Daughters aged 21 years or over
	£
After 31st March 1887	81·00
After 31st March 1872 and before 1st April 1887	82·13
After 31st March 1867 and before 1st April 1872	83·25
After 31st March 1862 and before 1st April 1867	84·37
Before 1st April 1862	85·50

Of the above pensions to orphans, the amount of £19·13 is granted temporarily, and the pensions are therefore liable to reduction not exceeding that amount.

C. Pensions to dependants in receipt of pension on 31st March 1937.

(1) Annual pension with effect from 1st September 1971 payable to a widow during widowhood:—

Widow born	Class of subscriber at death				
	V	IV	III	II	I
	£	£	£	£	£
After 31st March 1902	74·00	129·50	185·00	240·50	296·00
After 31st March 1887 and before 1st April 1902	75·00	131·25	187·50	243·75	300·00
After 31st March 1867 and before 1st April 1887	76·00	133·00	190·00	247·00	304·00

Of the above pensions, the following amounts are granted temporarily, and the pensions are therefore liable to reduction not exceeding these amounts, viz.:—

Class V £17·00; Class IV £29·75; Class III £42·50; Class II £55·25; Class I £68·00.

(2) Annual pension with effect from 1st September 1971 payable to orphan children of all classes alike:—

Orphan born	Daughters aged 21 years or over
	£
After 31st March 1902	83·25
After 31st March 1887 and before 1st April 1902	84·37
After 31st March 1867 and before 1st April 1887	85·50

Of the above pensions to orphans, the amount of £19·13 is granted temporarily, and the pensions are therefore liable to reduction not exceeding that amount.

EXPLANATORY NOTE

(This note is not part of the Rules.)

These Rules provide for an increase as from 1st September 1971, on a temporary basis, in the rates of pension payable under the Rules of the Indian Military Service Family Pension Fund.

The Rules, which are made under the powers of administration of the Fund conferred on the Secretary of State by Section 273(1) of the Government of India Act 1935 and Article 14(1) of the Government of India (Family Pension Funds) Order in Council 1936, have retrospective effect so that the additional temporary benefits recommended in a report of the Government Actuary may take effect from 1st September 1971.