# 1969 No. 400

# INDIA

## The Indian Military Service Family Pension Fund (Amendment) Rules 1969

*Made - - - -* 14*th March* 1969

The Minister of Overseas Development, in exercise of the powers conferred on the Secretary of State by section 273(1) of the Government of India Act 1935(a) and paragraph 14(1) of the Government of India (Family Pension Funds) Order 1936(b) and transferred to the Minister by the Transfer of Functions (Overseas Pensions) Order 1965(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) The following sub-rule shall be substituted for Rule 14(1):—

"(1) (*a*) Subject to paragraph (*b*) of this sub-rule, an officer who ceases to subscribe under the provisions of Rules 10, 11 or 13 may, if married or a widower with children, be granted a refund in respect of the portion, if any, of the contributions paid by him for his living dependants still eligible for pension which is in excess of the risk previously borne by the Fund in respect of such dependants.

(*b*) An officer who, under the provisions of Rule 13, ceases to subscribe on or after 1st April 1969 may, if he was subscribing at the unmarried rate immediately before he ceased to subscribe and was not then subscribing for any dependants, be granted the following refund of his contributions, that is to say:—

(i) if he has never been married, a refund of all the contributions that he has made; or

(ii) in any other case, a refund of all the contributions that he has made after the date on which he ceased to subscribe for dependants,

together, in each case, with compound interest of 2½ per cent. per annum."

(2) The following new Rule shall be inserted immediately after Rule 14A as Rule 14B:—

"14B (1) Where an officer dies on or after 1st April 1969, having subscribed at the unmarried rate at all times up to his death, there may be granted to his estate a refund of all the contributions that he has made, together with compound interest of 2½ per cent. per annum.

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(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. 1965/1528 (1965 II, p. 4435).
(d) S.R. & O. 1937/1226 (Rev. X, p. 632: 1937 p. 1374).
(e) The relevant amending instrument is S.I. 1952/1502 (1952 I, p. 1228).

(2) Where an officer dies on or after 1st April 1969, having formerly subscribed at the married rate but having been, immediately before his death, a subscriber at the unmarried rate who was not then subscribing for dependants, there may be granted to his estate a refund of all the contributions that he has made as from the time when he last became a subscriber at the unmarried rate who was not subscribing for dependants, together with compound interest of 2½ per cent. per annum.

**2.** These Rules may be cited as the Indian Military Service Family Pension Fund (Amendment) Rules 1969.

Given under my hand this 14th day of March 1969.

*R. E. Prentice.*

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## EXPLANATORY NOTE

*(This Note is not part of the Rules.)*

These Rules provide for the refund of contributions, with interest, in certain cases where subscribers withdraw on or after 1st April 1969 and also provide for the refund of contributions, with interest, in certain cases where subscribers die on or after 1st April 1969.