STATUTORY INSTRUMENTS

1971 No. 822

INDIA

The Indian Military Service Family Pension Fund (Amendment) Rules 1971

Made - - - - 14*th May* 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) In the footnotes to Rules 2, 8 and 18 for the words "Ministry of Overseas Development" shall be substituted the words "Foreign and Commonwealth Office, Overseas Development Administration".

(2) In Rule 35A(1) for the figures "£16.13.4 and £33.6.8" shall be substituted the figures "£16·67 and £33·33", respectively.

(3) In Rule 36(2)(*a*) for the figures "1s. 4d." wherever they occur shall be substituted the figures "£0·07".

(4) In Rule 36(2)(*b*) for the figures "1s. 8d." shall be substituted the figures "£0·08".

(5) In Rule 37(3) for the figures "1s. 6d." shall be substituted the figures "£0·07".

(6) For the Second Schedule to the said Rules shall be substituted the First Schedule to these Rules.

(7) For the Third Schedule to the said Rules and the footnotes to that Schedule shall be substituted the Second Schedule to these Rules and the footnotes to that Schedule.

(8) For the Seventh Schedule to the said Rules shall be substituted the Third Schedule to these Rules.

(9) In the Eighth Schedule—II. Daughters' Pensions—to the said Rules for the figures "£2.4.6, £4.8.10, £6.13.4 and £10.0.0" shall be substituted the figures "£2·23, £4·44, £6·67 and £10·00", respectively.

(10) In the Eighth Schedule—III. Sons' Supplementary Pensions and Pensions for Adopted Children and for Step-Children—to the said Rules for the figures "£3.6.8, £6.13.4 and £10.0.0" shall be substituted the figures "£3·33, £6·67 and £10·00", respectively.

(**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 (1958 I, p. 1277; 1959 I, p. 1461; 1962 III, p. 3704; 1967 I, p. 1742; 1969 I, p. 1130).

2. These Rules may be cited as the Indian Military Service Family Pension Fund (Amendment) Rules 1971 and shall have effect from 15th February 1971.

Given under my hand this 14th day of May 1971.

Alec Douglas-Home

FIRST SCHEDULE

SECOND SCHEDULE (Rules 8, 9, 18 and 19)

Rates of monthly contribution

Table I. The monthly contribution payable by each subscriber according to his Class shall be as follows:—

(*a*) If the subscriber is unmarried or a widower.

Class of Contributor	Full rates	Half rates
	£	£
Class I	1·92	0·96
Class II	1·23	0·61
Class III	0·92	0·46
Class IV	0·53	0·27
Class V	0·31	0·15

(*b*) If subscriber is married.

Class of Contributor	Full rates	Half rates
	£	£
Class I	3·83	1·92
Class II	3·07	1·53
Class III	2·30	1·15
Class IV	1·53	0·77
Class V	0·77	0·38

Note. Half Rates are payable by retired officers (except as provided in Rule 15); by officers on leave in or out of India or Burma, excepting privilege leave or any period of leave under the Fundamental Rules which counts as privilege leave; by officers in receipt of Colonel's pay and allowances at the English rate, and by officers remaining in the Service unemployed whether residing in or out of India who have attained the age of 51 years. For officers in Category IV of the Semi-Effective List, see Rule 12.

Table II. Additional monthly Subscription, payable by all Classes alike, for each child living on the First Day of the Month.

	£
For a son, until age of 21	0·07
For a daughter, until marriage	0·19

(There are no Half Rates for children).

SECOND SCHEDULE

THIRD SCHEDULE (Rules 18 and 19)

Table I. Donations payable by subscribers on marriage or remarriage.

Class of Contributor	Donation	Or in 12 monthly instalments of
	£	£
Class I	307·20	26·11
Class II	153·60	13·06
Class III	76·80	6·53
Class IV	38·40	3·27
Class V	19·20	1·63

Table II. Donations payable by married officers on Enrolment in the Class specified.

Class of Contributor	Donation	Or in 12 monthly instalments of
	£	£
Class I	57·60*	4·90†
Class II	28·80	2·45
Class III	19·20	1·63
Class IV	9·60	0·82

Table III. Excess Age Donations.

In addition to the marriage donations payable under Table I, donations are payable according to the officer's age in each class as follows:

Class of Contributor	Donation		Or in 12 monthly instalments of
		£	£
Class I	For each year of age exceeding	53 9·60	0·82
Class II		48 7·20	0·61
Class III		42 4·80	0·41
Class IV		35 2·40	0·20
Class V		30 1·20	0·10

Disparity Donations

If the age of the husband exceeds that of the wife by 12 years or more then an addition shall be made to the marriage donation payable by subscribers according to the scale laid down in Table IV, a copy of which can be obtained on application to the Controller of Pension Funds, Foreign and Commonwealth Office, Overseas Development Administration, or to the Controller of Military Accounts and Pensions, Lahore.

* Up to the age of 56, increasing by £2·40 for every year or fraction of a year beyond that age.

† Up to the age of 56, increasing by £0·20 for every year or fraction of a year beyond that age.

Table V. Donation, payable by subscribers of all classes alike, on the birth of a child.

	Donation	Or in 12 monthly instalments of
	£	£
For a son	12·00	1·02
For a daughter	19·20	1·63

THIRD 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 January 1967 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	143·78	176·00
Temporary	24·00	42·00	60·00	78·00	96·00
After 31st March 1872 and before 1st April 1887:					
Permanent	44·80	78·40	112·00	145·60	179·20
Temporary	24·20	42·35	60·50	78·65	96·80
After 31st March 1867 and before 1st April 1872:					
Permanent	45·60	79·80	114·00	148·20	182·40
Temporary	24·40	42·70	61·00	79·30	97·60
After 31st March 1862 and before 1st April 1867:					
Permanent	46·40	81·20	116·00	150·80	185·60
Temporary	24·60	43·05	61·50	79·95	98·40
Before 1st April 1862:					
Permanent	47·20	82·60	118·00	153·40	188·80
Temporary	24·80	43·40	62·00	80·60	99·20

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

(2) Annual pension with effect from 1st January 1967 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	6·00	12·00	18·00	27·00
After 31st March 1872 and before 1st April 1887:				
Permanent	11·20	22·40	33·60	50·40
Temporary	6·05	12·10	18·15	27·23
After 31st March 1867 and before 1st April 1872:				
Permanent	11·40	22·80	34·20	51·30
Temporary	6·10	12·20	18·30	27·45
After 31st March 1862 and before 1st April 1867:				
Permanent	11·60	23·20	34·80	52·20
Temporary	6·15	12·30	18·45	27·67
Before 1st April 1862:				
Permanent	11·80	23·60	35·40	53·10
Temporary	6·20	12·40	18·60	27·90

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 January 1967 payable to a widow during widowhood:—

Subscriber born	Class of subscriber at death				
	V	IV	III	II	I
	£	£	£	£	£
After 31st March 1887	68·00	119·00	170·00	221·00	272·00
After 31st March 1872 and before 1st April 1887	69·00	120·75	172·50	224·25	276·00
After 31st March 1867 and before 1st April 1872	70·00	122·50	175·00	227·50	280·00
After 31st March 1862 and before 1st April 1867	71·00	124·25	177·10	230·75	284·00
Before 1st April 1862	72·00	126·00	180·00	234·00	288·00

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, £13·00; Class IV, £22·75; Class III, £32·50; Class II, £44·25; Class I, £52·00.

(2) Annual pension with effect from 1st January 1967 payable to orphan children of all classes alike:—

Subscriber born	Daughters aged 21 years or over
	£
After 31st March 1887	76·50
After 31st March 1872 and before 1st April 1887...	77·63
After 31st March 1867 and before 1st April 1872...	78·75
After 31st March 1862 and before 1st April 1867...	79·87
Before 1st April 1862	81·00

Of the above pensions to orphans, the amount of £14·63 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 January 1967 payable to a widow during widowhood:—

Widow born	Class of Subscriber at death				
	V	IV	III	II	I
	£	£	£	£	£
After 31st March 1902	70·00	122·50	175·00	227·50	280·00
After 31st March 1887 and before 1st April 1902	71·00	124·25	177·50	230·75	284·00
After 31st March 1867 and before 1st April 1887	72·00	126·00	180·00	234·00	288·00
Before 1st April 1867	73·00	127·75	182·50	237·25	292·00

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, £13·00; Class IV, £22·75; Class III, £32·50; Class II, £42·25; Class I, £52·00.

(2) Annual pension with effect from 1st January 1967, payable to orphan children of all classes alike:—

Orphan born	Daughters aged 21 years or over
	£
After 31st March 1902	78·75
After 31st March 1887 and before 1st April 1902	79·87
After 31st March 1867 and before 1st April 1887	81·00
Before 1st April 1867	82·13

Of the above pensions to orphans, the amount of £14·63 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 substitute for references to the old currency where they appear in the Rules of the Indian Military Service Family Pension Fund, payable amounts in the new currency applicable from 15th February 1971.

These Rules also substitute references to the Foreign and Commonwealth Office, Overseas Development Administration for references to the Ministry of Overseas Development in the Rules.

The unfettered powers of administration of the Fund conferred on the Secretary of State enable him to make Rules with retrospective effect.