1957 No. 1195

The Indian Military Widows' and Orphans' Fund (Amendment) Rules, 1957

Made - - - - 27th June, 1957

I, Alexander Frederick, Earl of Home, one of Her Majesty's Principal Secretaries of State, in exercise of the powers conferred upon me by sub-section (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), hereby make the following rules:—

1. The following amendments shall be made to the Indian Military Widows' and Orphans' Fund Rules(c) as amended(d) :—

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

"† Application for admission to pension should be made to the Controller of Pension Funds, Commonwealth Relations Office, London, S.W.1."

(2) For the footnote to Rule 8, the following shall be substituted:—

"* Where contributions are not recovered from a subscriber's pay or pension, he should arrange to pay the contributions due from him, either by cash or by cheque, to the Controller of Pension Funds, Commonwealth Relations Office, London, S.W.1."

(3) In Rule 9 for the words and figures "Rules 10, 11, 14A, 15 and 15A", there shall be substituted the words and figures "Rules 10, 11, 13, 14A, 15 and 15A".

(4) In sub-rule (1) of Rule 10 of the said Rules, before the words "Officers shall cease to be subscribers", there shall be inserted the words "Subject to the provisions of Rule 15B".

(5) For Rule 13 of the said Rules the following Rule shall be substituted.

"13.—(1) The contributions paid by an Officer who has subscribed continuously at the unmarried rate up to the date of his death shall be refunded, without interest, to his estate.

(2) In the case of an officer who had formerly contributed at the married rate and who at the date of his death is subscribing at the unmarried rate without surviving children eligible for pension, the subscriptions paid by him for the period since he last commenced subscribing at the rate appropriate to a widower without children shall be refunded, without interest, to his estate.

(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.R. & O. 1937/1227 (Rev. X, p. 662: 1937, p. 1406). (d) See Rev. X, p. 662, and also S.I. 1949/280, 1952/1503 (1949 I, p. 2332; 1952 I, p. 1229).

(3) Notwithstanding any provision made elsewhere in these Rules, a subscriber who has remained unmarried or who has ceased to be married and is not subscribing in respect of children, may at any time after his 55th birthday give notice in writing to the Controller of Pension Funds, Commonwealth Relations Office, that he has no wife living and that he wishes to withdraw from the Fund. On the receipt in the Commonwealth Relations Office of such notice, he shall cease to be a subscriber and may thereupon be granted a refund of such amount as may be fixed by the Secretary of State. An officer who has been granted such a refund shall in no circumstances be re-admitted to membership of the Fund."

(6) For the footnote to sub-rule (1) of Rule 18, the following shall be substituted.

" * The reports required by these Rules must be made to the Controller of Pension Funds, Commonwealth Relations Office, London, S.W.1."

(7) In sub-rule (2) of rule 18 the following words shall be deleted—

" Any donation payable on marriage shall be increased by 2½ per cent. if the fact of marriage is not reported within one month from the date thereof, and by 5 per cent. if the delay exceeds six months. Should no donation be payable on marriage and the marriage is not reported within one month, the subscriber shall pay a fine of 10s., and a further fine of 2s. for each succeeding month's delay. In either case "

(8) In sub-rule (4) of rule 19 the following words shall be deleted—

" one month of the date thereof, the subscriber shall pay a fine of 10s. and a further fine of 2s. for each succeeding month's delay. If the delay exceeds "

(9) The footnote to Rule 28 shall be deleted.

(10) The Schedule to these Rules shall be substituted for the Ninth Schedule to the said Rules.

2. These Rules may be cited as the Indian Military Widows' and Orphans' Fund (Amendment) Rules, 1957.

Given under my hand this 27th day of June, 1957.

Home,
One of Her Majesty's Principal Secretaries of State.

SCHEDULE

NINTH SCHEDULE (RULES 27, 31 AND 33)

A. *Pensions to dependants of subscribers who were alive on 5th February, 1949*

(1) Annual pension with effect from 1st July, 1957 payable to a widow during widowhood:—

Subscriber born	Class of subscriber at death									
	V.		IV.		III.		II.		I.	
	£ s. d.		£ s. d.		£ s. d.		£ s. d.		£ s. d.	
After 31st March, 1907—										
Permanent ...	48 16 0	}	85 8 0	}	122 0 0	}	158 12 0	}	195 4 0	}
Temporary ...	3 4 0		5 12 0		8 0 0		10 8 0		12 16 0	
After 31st March, 1897 and before 1st April, 1907—										
Permanent ...	50 0 0	}	87 10 0	}	125 0 0	}	162 10 0	}	200 0 0	}
Temporary ...	3 0 0		5 5 0		7 10 0		9 15 0		12 0 0	
After 31st March, 1882 and before 1st April, 1897—										
Permanent ...	51 4 0	}	89 12 0	}	128 0 0	}	166 8 0	}	204 16 0	}
Temporary ...	2 16 0		4 18 0		7 0 0		9 2 0		11 4 0	
Before 1st April, 1882—										
Permanent ...	52 8 0	}	91 14 0	}	131 0 0	}	170 6 0	}	209 12 0	}
Temporary ...	2 12 0		4 11 0		6 10 0		8 9 0		10 8 0	

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

(2) Annual pension with effect from 1st July, 1957 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			
	£ s. d.		£ s. d.		£ s. d.		£ s. d.	
After 31st March, 1907—								
Permanent ...	12 4 0	}	24 8 0	}	36 12 0	}	54 18 0	}
Temporary ...	16 0		1 12 0		2 8 0		3 12 0	
After 31st March, 1897 and before 1st April, 1907—								
Permanent ...	12 10 0	}	25 0 0	}	37 10 0	}	56 5 0	}
Temporary ...	15 0		1 10 0		2 5 0		3 7 6	
After 31st March, 1882 and before 1st April, 1897—								
Permanent ...	12 16 0	}	25 12 0	}	38 8 0	}	57 12 0	}
Temporary ...	14 0		1 8 0		2 2 0		3 3 0	
Before 1st April, 1882—								
Permanent ...	13 2 0	}	26 4 0	}	39 6 0	}	58 19 0	}
Temporary ...	13 0		1 6 0		1 19 0		2 18 6	

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 5th February, 1949*

(1) Annual pension with effect from 1st July, 1957 payable to a widow during widowhood:—

Subscriber born	Class of subscriber at death									
	V.		IV.		III.		II.		I.	
	£ s. d.		£ s. d.		£ s. d.		£ s. d.		£ s. d.	
After 31st March, 1907...	52 0 0		91 0 0		130 0 0		169 0 0		208 0 0	
After 31st March, 1897 and before 1st April, 1907	53 0 0		92 15 0		132 10 0		172 5 0		212 0 0	
After 31st March, 1882 and before 1st April, 1897	54 0 0		94 10 0		135 0 0		175 10 0		216 0 0	
Before 1st April, 1882 ...	55 0 0		96 5 0		137 10 0		178 15 0		220 0 0	

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, £1; Class IV, £1 15s. 0d.; Class III, £2 10s. 0d.; Class II, £3 5s. 0d.; Class I, £4.

(2) Annual pension with effect from 1st July, 1957 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	
	£ s. d.	£ s. d.	£ s. d.	£ s. d.
After 31st March, 1907 ...	13 0 0	26 0 0	39 0 0	58 10 0
After 31st March, 1897 and before 1st April, 1907 ...	13 5 0	26 10 0	39 15 0	59 12 6
After 31st March, 1882 and before 1st April, 1897 ...	13 10 0	27 0 0	40 10 0	60 15 0
Before 1st April, 1882 ...	13 15 0	27 10 0	41 5 0	61 17 6

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

Age 0–6 years, 5s. 0d.; age 6–12 years, 10s. 0d.; age 12–21 years, 15s. 0d.; age 21 years or over £1 2s. 6d.

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

(1) Annual pension with effect from 1st July, 1957 payable to a widow during widowhood:—

Widow born	Class of subscriber at death									
	V.		IV.		III.		II.		I.	
	£ s. d.		£ s. d.		£ s. d.		£ s. d.		£ s. d.	
After 31st March, 1902...	55 0 0		96 5 0		137 10 0		178 15 0		220 0 0	
After 31st March, 1887 and before 1st April, 1902	56 0 0		98 0 0		140 0 0		182 0 0		224 0 0	
Before 1st April, 1887 ...	57 0 0		99 15 0		142 10 0		185 5 0		228 0 0	

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, £1; Class IV, £1 15s. 0d.; Class III, £2 10s. 0d.; Class II, £3 5s. 0d.; Class I, £4.

(2) Annual pension with effect from 1st July, 1957 payable to orphan children of all classes alike:—

Orphans while aged			Daughters aged 21 years or over
0–6 years	6–12 years	12–21 years	
£ s. d.	£ s. d.	£ s. d.	£ s. d.
13 15 0	27 10 0	41 5 0	61 17 6

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

Age 0–6 years, 5s. 0d.; age 6–12 years, 10s. 0d.; age 12–21 years, 15s. 0d.; age 21 years or over, £1 2s. 6d.

EXPLANATORY NOTE

(This Note is not part of the Rules, but is intended to indicate their general purport.)

These Rules amend the Indian Military Widows' and Orphans' Fund Rules which provide for payment out of the Fund of pensions to widows and orphans of married subscribers and for certain refunds on the death of unmarried subscribers.

One purpose is to provide, on a temporary basis, for an increase in the rates of pension payable under the Rules of the Fund.

Another purpose is to give to officers, who have remained unmarried or have ceased to be married and are not subscribing in respect of children, an option of withdrawing from the Fund and receiving a surrender value.

These Rules will also abolish fines for late reporting of marriages and of births of children.