STATUTORY INSTRUMENTS

1961 No. 1249

INDIA

The Indian Military Widows' and Orphans' Fund (Amendment) Rules, 1961

Made - - - -	13*th June*, 1961
Coming into Operation	13*th June*, 1961

I, Duncan Sandys, 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 Indian Military Widows' and Orphans' Fund Rules(c) as amended(d) are hereby further amended as follows:—

(1) For sub-rule (3) of Rule 13 of the said Rules the following sub-rule shall be substituted.

"(3) Notwithstanding any provision made elsewhere in these Rules, an officer may at any time give notice in writing to the Controller of Pension Funds, Commonwealth Relations Office, that he wishes to withdraw from the Fund, provided that where an officer is contributing at the married rate, he shall produce the consent in writing of his wife to his withdrawal. On the receipt in the Commonwealth Relations Office of such notice together with the written consent of his wife where required 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 who may require medical evidence of the health of each dependant of the officer in respect of whom a refund is payable in the form prescribed in the Seventh Schedule. No refund shall be payable in respect of (*a*) children whose pensions would cease at age 21 except where provision for pension has been effected by payment of a single premium or (*b*) daughters over 16 years of age whose pensions would cease on marriage. An officer who has withdrawn shall in no circumstances be re-admitted to membership of the Fund, and his dependants shall have no claim to benefit under these Rules."

2. These Rules may be cited as the Indian Military Widows' and Orphans' Fund (Amendment) Rules, 1961.

Given under my hand this 13th day of June, 1961.

Duncan Sandys,
One of Her Majesty's Principal Secretaries of State.

Commonwealth Relations Office,
Downing Street, S.W.1.

(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, 1957/1195, 1959/772, 2055 (1949 I, p. 2332; 1952 I, p. 1229; 1957 I, p. 1167; 1959 I, pp. 1464, 1468).

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.

The purpose of this amendment is to extend to officers who are contributing at the married rate or in respect of children the option of withdrawing from the Fund.