STATUTORY INSTRUMENTS

1971 No. 824

INDIA

The Indian Military Widows' and Orphans' 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 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**) 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 Widows' and Orphans' Fund Rules (**d**) as amended (**e**) are hereby further amended as follows:—

(1) In Rule 13A(1) and in the footnotes to Rules 2, 8 and 19 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 Fourth Schedule to the said Rules shall be substituted the First Schedule to these Rules.

(7) For the Fifth Schedule to the said Rules shall be substituted the Second Schedule to these Rules.

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

(9) In the Tenth 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.

(**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. 1937/1227 (Rev. X, p. 662: 1937, p. 1406).
(**e**) The relevant amending instruments are S.I. 1949/280, 1952/1503, 1957/1195, 1959/772, 2055, 1961/1249, 1964/71, 1968/1492 (1949 I, p. 2332; 1952 I, p. 1229; 1957 I, p. 1167; 1959 I, pp. 1464, 1468; 1961 II, p. 2446; 1964 I, p. 111; 1968 III, p. 4241).

(10) In the Tenth 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.

2. These Rules may be cited as the Indian Military Widows' and Orphans' 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

FOURTH SCHEDULE (Rules 8, 9 and 18)

Rates of monthly contribution

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

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

Class of Contributor	*Rate of Subscription* £
Class V	0·33
Class IV	0·67
Class III	1·00
Class II	1·33
Class I	2·08

(*b*) If subscriber is married.

Rate of Subscription payable according to the class in which Contributor enters the Service of the Government of India or the Government of Burma married, or marries, or remarries	Rate of Subscription payable on promotion to			
	Class IV	Class III	Class II	Class I
£	£	£	£	£
Class V ... 0·94	1·60	2·48	3·65	5·31
Class IV ... 1·83	—	2·71	3·87	5·54
Class III ... 3·33	—	—	4·50	6·17
Class II ... 5·50	—	—	—	7·17
Class I ... 8·33	—	—	—	—

Note.—Half the above rates are payable by retired officers (except as provided in Rule 15) by officers on leave in or out of India, excepting privilege leave or any period of leave under the Fundamental Rules which counts as privilege leave; 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 Living Child from the date of the Child's Birth.

Age of Father at Date of Child's Birth	Subscription for a Son until age of 21	Subscription for a Daughter until Marriage
	£	£
25 years and under	0·12	0·28
26 years	0·12	0·29
27 years	0·12	0·30
28 years	0·12	0·31
29 years	0·13	0·32
30 years	0·13	0·33
31 years	0·13	0·34
32 years	0·14	0·35
33 years	0·14	0·37
34 years	0·15	0·38
35 years	0·16	0·40
36 years	0·17	0·42
37 years	0·17	0·44
38 years	0·18	0·46
39 years	0·20	0·49
40 years	0·21	0·51
41 years	0·22	0·54
42 years	0·24	0·57
43 years	0·25	0·60
44 years	0·27	0·64
45 years	0·29	0·68
46 years	0·31	0·73
47 years	0·34	0·78
48 years	0·37	0·83
49 years	0·40	0·89
50 years	0·43	0·95
51 years	0·47	1·02
52 years	0·51	1·09
53 years	0·56	1·17
54 years	0·61	1·25
55 years	0·67	1·34
56 years	0·74	1·43
57 years	0·81	1·53
58 years	0·88	1·63
59 years	0·97	1·73
60 years	1·05	1·84

SECOND SCHEDULE

FIFTH SCHEDULE (Rules 18, 19 and 31)

Table I—Excess Age Donations

In addition to the subscriptions payable under Table I of the Fourth Schedule the following " Excess Age " Donations will be chargeable in each class according to the officer's age at the date of entry if already married or at the date of marriage if married after entry:—

Class of Contributor			Donation	Or in Twelve Monthly Instalments (including Interest) of
			£	£
Class V	For each year of age exceeding	30	4·20	0·36
Class IV		35	9·20	0·78
Class III		42	17·60	1·50
Class II		48	26·60	2·26
Class I		53	32·50	2·76

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 II, 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.

All officers who, on admission as subscribers, bring on liabilities for daughters exceeding the age of one year are required to pay a donation as specified below:—

Table III

Between the ages of	Donation	Or in Twelve Monthly Instalments (including Interest) of
	£	£
1 and 2	3·75	0·32
2 and 3	5·75	0·49
3 and 4	7·00	0·60
4 and 5	7·75	0·66
5 and 6	8·50	0·73
6 and 7	8·75	0·75
7 and 8	9·00	0·77
8 and 9	9·25	0·79
9 and 10	9·25	0·79
10 and 11	9·25	0·79
11 and 12	9·25	0·79

THIRD 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 April 1968; payable to a widow during widowhood:—

Subscriber born	Class of subscriber at death				
	V	IV	III	II	I
	£	£	£	£	£
After 31st March 1907:					
Permanent	48·80	85·40	122·00	158·60	195·20
Temporary	19·80	34·65	49·50	64·35	79·20
After 31st March 1897 and before 1st April 1907:					
Permanent	50·00	87·50	125·00	162·50	200·00
Temporary	19·60	34·30	49·00	63·70	78·40
After 31st March 1882 and before 1st April 1897:					
Permanent	51·20	89·60	128·00	166·40	204·80
Temporary	19·40	33·95	48·50	63·05	77·60
Before 1st April 1882:					
Permanent	52·40	91·70	131·00	170·30	209·60
Temporary	19·20	33·60	48·00	62·40	76·80

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

(2) Annual pension with effect from 1st April 1968; 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 1907:				
Permanent	12·20	24·40	36·60	54·90
Temporary	4·95	9·90	14·85	22·27
After 31st March 1897 and before 1st April 1907:				
Permanent	12·50	25·00	37·50	56·25
Temporary	4·90	9·80	14·70	22·05
After 31st March 1882 and before 1st April 1897:				
Permanent	12·80	25·60	38·40	57·60
Temporary	4·85	9·70	14·55	21·83
Before 1st April 1882:				
Permanent	13·10	26·20	39·30	58·95
Temporary	4·80	9·60	14·40	21·60

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 1 April 1968; payable to a widow during widowhood:—

Subscriber born	Class of subscriber at death				
	V	IV	III	II	I
	£	£	£	£	£
After 31st March 1907	68·60	120·05	171·50	222·95	274·40
After 31st March 1897 and before 1st April 1907	69·60	121·80	174·00	226·20	278·40
After 31st March 1882 and before 1st April 1897	70·60	123·55	176·50	229·45	282·40
Before 1st April 1882	71·60	125·30	179·00	232·70	286·40

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, £17·60; Class IV, £30·80; Class III, £44·00; Class II, £57·20; Class I, £70·40.

(2) Annual pension with effect from 1st April 1968 payable to orphan children of all classes alike:—

Subscriber Born	Son or Daughter aged 12–21 years	Daughters aged 21 years or over
	£	£
After 31st March 1907	51·45	77·17
After 31st March 1897 and before 1st April 1907	52·20	78·30
After 31st March 1882 and before 1st April 1897	52·95	79·43
Before 1st April 1882...	53·70	80·55

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 12–21 years, £13·20; age 21 years or over £19·80.

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

(1) Annual pension with effect from 1st April 1968 payable to a widow during widowhood:—

Widow born	Class of subscriber at death				
	V	IV	III	II	I
	£	£	£	£	£
After 31st March 1902	71·60	125·30	179·00	232·70	286·40
After 31st March 1887 and before 1st April 1902	72·60	127·05	181·50	235·95	290·40
Before 1st April 1887	73·60	128·80	184·00	239·20	294·40

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, £17·60; Class IV, £30·80; Class III, £44·00; Class II, £57·20; Class I, £70·40.

(2) Annual pension with effect from 1st April 1968 payable to orphan children of all classes alike:—

Daughters age 21 years or over, £80·55.

Of the above pensions to orphans, the amount of £19·80 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 Widows' and Orphans' 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.