# MINISTRY OF DEFENCE (Department of Defence) NOTIFICATION

New Delhi, the 14th July, 2017

**S.R.O.** \_\_\_\_(E).- In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules, namely:-

- 1. **Short title and commencement**:- (1) These rules may be called the Military Nursing Service Pay Rules, 2017.
  - (2) They shall be deemed to have come into force on the 1<sup>st</sup> day of January, 2016.
- 2. **Application.-** Save as otherwise provided under these rules, these rules shall apply to all Officers in the Military Nursing Service, who were on the effective strength of their Service as on the 1<sup>st</sup> day of January, 2016, and those who join the service thereafter, and to trainee Officers who were undergoing pre-Commission training on the 1<sup>st</sup> day of January, 2016, and to those trainee Officers who join service after that date.
- 3. **Definitions.-** In these rules, unless the context otherwise requires,-
  - (a) "existing basic pay" means the pay drawn in the prescribed existing Pay Band and Grade Pay or pay in the existing scale, but does not include any other pay like Special Pay, Military Service Pay etc;
  - (b) "existing Pay Band and Grade Pay" in relation to a Military Nursing Service Officer, means the Pay Band and the Grade Pay applicable to the rank held by the Officer as on the date immediately before the notification of these rules, in a substantive capacity;
  - (c) "existing scale" in relation to a Military Nursing Service Officer, means the pay scale applicable to the rank held by the Officer on the date immediately before the notification of these rules;

Explanation.- For the purposes of these rules the expressions "existing Basic Pay", "existing Pay Band and Grade Pay" and "existing scale", in respect of a Military Nursing Service Officer who, on the 1<sup>st</sup> day of January, 2016, was on deputation out of Military Nursing Service or on leave or on foreign service, or who would have on that date officiated in one or more lower posts but for his officiating in the higher post, shall mean such Basic Pay, Pay Band and Grade Pay or scale in relation to the rank which he would have held but for his being on deputation out of Military Nursing Service or on leave or on foreign service or as the case may be, but for his officiating in that post;

- (d) "existing pay structure" in relation to a Military Nursing Service Officer, means the Pay Band and Grade Pay or the Pay Scale as per the Sixth Central Pay Commission applicable to the rank held by the Officer as on the date immediately before the coming into force of these rules, in a substantive capacity;
- (e) "existing Military Service Pay" in relation to a Military Nursing Service Officer, means the amount of Military Service Pay applicable to the rank held by him on the date immediately before coming into force of these rules;
- (f) "existing emoluments" means the sum of (i) existing basic pay; (ii) existing Military Service Pay; and (iii)existing dearness allowance at the index average as on 1<sup>st</sup> day of January, 2016;
- (g) "Pay Matrix" means the Matrix specified in Part A of the Schedule, with Levels of pay arranged in vertical Cells as assigned to corresponding Pay Band and Grade Pay or scale;

Note.- In any kind of calculation which attempts to work with the maximum pay of a particular level the last figure of the Level shall not be calculated and the end-points of the Level, representing the possible highest and lowest pay in that level, may not be treated as the maximum and minimum of any closed pay scale, as used to prevail prior to the implementation of the Sixth Central Pay Commission;

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- (h) "Level" in the Pay Matrix, means the Level corresponding to the existing Pay Band and Grade Pay or scale specified in the Part A of the Schedule;
- (i) "pay in the Level" means the pay drawn in the appropriate Cell of the Level as specified in Part A of the Schedule;
- (j) "Military Service Pay" in relation to a Military Nursing Service Officer means the Military Service Pay applicable to the rank held by him admissible on drawal of pay in the prescribed Level in the Pay Matrix;
- (k) "revised pay structure" in relation to a rank means the Pay Matrix and the Levels specified therein corresponding to the existing Pay Band and Grade Pay or scale of the rank;
- (I) "basic pay" in the revised pay structure means the pay drawn in the prescribed Level in the Pay Matrix;
- (m) "revised emoluments" means the sum of (i) basic pay; and (ii) Military Service Pay; and,
- (n) "Schedule" means a Schedule annexed to these rules.
- 4. Level of ranks. The Level of ranks shall be determined in accordance with the various Levels as assigned to the corresponding existing Pay Band and Grade Pay or scale as specified in the Pay Matrix. The Level in Pay Matrix corresponding to the rank of a Military Nursing Service Officer is specified in Part B of the Schedule.
- **5. Drawal of pay.-** (1) Save as otherwise provided in these rules, an Officer shall draw pay in the Level in the revised pay structure applicable to the rank to which he is appointed in substantive capacity:

Provided that an Officer may elect to continue to draw pay in the existing pay structure, until the date on which he earns his next or any subsequent increment in the existing pay structure, or until he ceases to hold his rank or ceases to draw pay in the existing pay structure:

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Provided further that in case an Officer has been placed in a higher grade pay or scale between the 1<sup>st</sup> day of January, 2016 and the date of notification of these rules on account of promotion or upgradation, the Officer may elect to switch over to the revised pay structure from the date of such promotion or upgradation, as the case may be.

**Explanation.-** (i) For the purpose of this clause the option to retain the existing pay structure under the provisos of this rule shall be admissible only in respect of one existing Pay Band and Grade Pay or scale.

- (ii) The aforesaid option shall not be admissible to any Officer commissioned on or after the 1<sup>st</sup> day of January, 2016, and he shall be allowed pay only in the revised pay structure.
- (2) (i) Military Service Pay is a compensation for the various intangible aspects linked to the special conditions of service in Army extended to Military Nursing Service Officers in the Military Nursing Service upto and including the rank of Brigadier.
- (ii) Military Service Pay shall be admissible to Military Nursing Service Officers on drawal of pay in the prescribed Level in the Pay Matrix, at the rate of Rs 10,800 per month.
- (iii) Military Service Pay shall be counted as pay for the purpose of computation of dearness allowance and pension.
- 6. **Exercise of option.-** (1) The option under the provisos to rule 5 shall be exercised in writing in the form appended to these rules so as to reach the Principal Controller of Defence Accounts (Officers), Pune within one hundred and eighty days of the date of notification of these rules, or where revision in the existing pay structure is made by any order subsequent to the date of notification of these rules, within one hundred and eighty days of the date of such order:

Provided that .-

(i) in the case of a Military Nursing Service Officer who is, on the date of such notification or, as the case may be, date of such order, out

of India on leave or deputation or foreign service or active service, the said option shall be exercised in writing so as to reach the Principal Controller of Defence Accounts (Officers) within one hundred and eighty days of the date of his taking charge of his post in India; and

- (ii) where a Military Nursing Service Officer is under suspension on the 1<sup>st</sup> day of January, 2016, the option may be exercised within one hundred and eighty days of the date of his return to his duty, if that date is later than the date prescribed in this sub-rule.
- The option, along with an undertaking in the form appended to these rules, shall be intimated by the Military Nursing Service Officer to the Principal Controller of Defence Accounts (Officers).
- (3) If the intimation regarding option is not received by the Principal Controller of Defence Accounts (Officers) within one hundred eighty days of the date of notification of these rules, the Military Nursing Service Officer shall be deemed to have elected to be governed by the revised pay structure with effect from the 1<sup>st</sup> day of January, 2016.
- (4) The option once exercised shall be final.
  - Note 1.- Military Nursing Service Officers whose services were terminated on or after the 1<sup>st</sup> day of January, 2016 and who could not exercise the option within the prescribed time limit, on account of discharge on the expiry of the sanctioned strength, release, resignation, dismissal or discharge on disciplinary grounds, are entitled to exercise option under sub-rule (1).
  - Note 2.- Military Nursing Service Officers who have died on or after the 1<sup>st</sup> day of January, 2016 and could not exercise the option within the prescribed time limit, are deemed to have opted for the revised pay structure on and from the 1<sup>st</sup> day of January, 2016 or such later date is beneficial to their dependents, if the revised pay structure is more favourable and in such cases, necessary action for payment of arrears shall be taken by the Principal Controller of Defence Accounts(Officers).

- Note 3.- Military Nursing Service Officers who were on Annual Leave or any other leave on the 1<sup>st</sup> day of January, 2016, which entitled them to leave salary, shall be entitled to exercise option under sub-rule (1).
- 7. Fixation of Pay in the Revised Pay Structure.- (1) The pay of a Military Nursing Service Officer who elects, or is deemed to have elected under rule 6 to be governed by the revised pay structure on and from the 1<sup>st</sup> day of January, 2016, shall, unless in case the President by special order otherwise directs, be fixed in the following manner, namely:
  - obtained by multiplying the existing basic pay by a *factor of 2.57*, rounded off to the nearest rupee, and the figure so arrived at shall be located in that Level in the Pay Matrix, and if such an identical figure corresponds to any Cell in the applicable Level of the Pay Matrix, the same shall be the pay, and if no such Cell is available in the applicable Level, the pay shall be fixed at the immediate next higher Cell in that applicable Level of the Pay Matrix.
  - (ii) if the minimum pay or the first Cell in the applicable Level is more than the amount arrived at as per clause (i), the pay shall be fixed at the minimum pay or the first Cell of that applicable Level.

Illustration:

1.	Existing Pay Band : PB-3	Pay Band	150	600 – 391	00
2.	Existing Grade Pay : 5400	Grade Pay	5400	5700	6100
3.	Existing Pay : 16880	Levels	10	10A	10B
4.	Existing Basic Pay : [(2)+(3)] : 5400 + 16880	1	56100	59000	64100
	= <b>22280</b>	2	57800	60800	66000
5.	Pay after multiplication by a fitment factor of 2.57 [(4) x 2.57]: 22280 x 2.57 = 57259.6 (rounded off to <b>57260</b> )	3	59500	62600	68000

6.	Level corresponding to Grade Pay 5400 (PB-3) : Level 10
7.	Revised Pay in Pay Matrix (either equal to or next higher to 57260 in Level 10): <b>57800</b>
8.	Revised Pay: 57800

4	61300	64500	70000
5	63100	66400	72100
6	65000	68400	74300
7	67000	70500	76500
8	69000	72600	78800

- (2) A Military Nursing Service Officer who is on leave on the 1<sup>st</sup> day of January, 2016 and is entitled to leave salary shall become entitled to pay in the revised pay structure from the 1<sup>st</sup> day of January, 2016, or the date of option for the revised pay structure.
- (3) A Military Nursing Service Officer who is on Study Leave on the 1<sup>st</sup> day of January, 2016 shall be entitled to the pay in the revised pay structure from the 1<sup>st</sup> day of January, 2016, or the date of option.
- (4) A Military Nursing Service Officer under suspension shall continue to draw subsistence allowance based on existing pay structure, and his pay in the revised pay structure shall be subject to the final order on the pending disciplinary proceedings.
- (5) Where the existing emoluments exceed the revised emoluments in the case of any Military Nursing Service Officer, the difference shall be allowed as Personal Pay to be absorbed in future increases in pay.
- (6) Where in the fixation of pay in the Pay Matrix under rule 7, the pay in the Pay Matrix of an Officer, who, in the existing pay structure was drawing immediately before the 1<sup>st</sup> day of January, 2016 more pay in the Pay Band than another Officer in the same arm or service, gets fixed in the revised pay structure at a stage lower than that of such junior, his pay in the Pay Matrix shall be stepped up to the same Cell in the revised pay structure as that of the junior.
- (7) Where an Officer is in receipt of personal pay immediately before the date of notification of these rules, which together with his existing emoluments exceed the revised emoluments, then the difference representing such excess shall be allowed to such an Officer as personal pay, to be absorbed in future increase in pay.

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- (8) (i) in cases where a senior Officer promoted to a higher rank before the 1<sup>st</sup> day of January, 2016 draws less pay in the Pay Matrix in the revised pay structure than his junior who is promoted to the higher rank on or after the 1<sup>st</sup> day of January, 2016, the pay in the Pay Matrix of the senior Officer in the revised pay structure shall be stepped up to an amount equal to the pay in the Pay Matrix as fixed for his junior in that higher rank, and such stepping up shall be done with effect from the date of promotion of the junior Officer, subject to fulfilment of the following conditions, namely:-
  - (a) both the junior and senior Officers belong to the same arm or service and the rank to which they have been promoted are identical in the same arm or service;
  - (b) the existing grade pay and the revised Level in the Pay Matrix of the lower and higher ranks in which they are entitled to draw pay are identical;
  - (c) the senior Officer at the time of promotion is drawing equal or more pay than the junior;
  - (d) the anomaly is directly as a result of the application of the provisions of these rules or any other rule or order regulating pay fixation on such promotion in the revised pay structure:

Provided that if the junior Officer was drawing more pay in the existing pay structure than the senior Officer by virtue of any advance increments granted to him, the provisions of this rule shall not be invoked to step up the pay in the Pay Matrix of the senior Officer.

- (ii) the senior Officer shall be entitled to the next increment on completion of his required qualifying service with effect from the date of re-fixation of pay.
- 8. Pay of Military Nursing Service Officers on successful commissioning.-
- (1) On successful commissioning, the pay in the Pay Matrix of the Officer commissioned shall be fixed in first Cell of Level 10 and the period of training shall not be treated as commissioned service.



- (2) In case an Officer is commissioned between the 1<sup>st</sup> day of January, 2016 and the date of notification of these rules, where the existing emoluments exceed the sum of the pay fixed in the revised pay structure and the applicable dearness allowance thereon, the difference shall be allowed as Personal Pay, to be absorbed in future increments in pay.
- 9. Regulation of increments in the Pay Matrix:- The increment shall be as specified in the vertical Cells of the applicable Level in the Pay Matrix.

  \*\*Illustration:\*\*

A Major in the Basic Pay of Rs.	Pay Band	15	6600 – 391	00
68,000/- in Level 10B shall move	Grade	5700	6100	6600
vertically down the Cells in the same	Pay			
Level and on grant of increment, his	Levels	10A	10B	11
	1	59000	64100	100000
Basic Pay shall be Rs. 70,000/	2	60800	66000	103000
	3	62600	68000	106100
	4	64500	70000	109300
	5	66400	72100	112600
	6	68400	74300	116000
	7	70500	76500	119500
	8	72600	78800	123100

- 10. Date of increment in revised pay structure.- (1) There shall be two dates for grant of annual increment namely, 1<sup>st</sup> January and 1<sup>st</sup> July of every year, instead of existing date of 1<sup>st</sup> July, provided that an Officer shall be entitled to only one annual increment, either on 1<sup>st</sup> January or 1<sup>st</sup> July depending on the date of his appointment or promotion or upgradation.
- (2) The increment in respect of an Officer appointed or promoted or upgraded during the period between the 2<sup>nd</sup> day of January and 1<sup>st</sup> day of July (both inclusive) shall be granted on the 1<sup>st</sup> day of January and the increment in respect of an Officer appointed or promoted or upgraded during the period between the 2<sup>nd</sup> day of July and 1<sup>st</sup>day of January (both inclusive) shall be granted on 1<sup>st</sup> day of July.

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Illustration:

- (a) In case of an Officer appointed or promoted or upgraded in the normal hierarchy during the period between the 2<sup>nd</sup> day of July, 2016 and the 1<sup>st</sup> day of January, 2017, the first increment shall accrue on the 1<sup>st</sup> day of July, 2017 and thereafter it shall accrue after one year on annual basis.
- (b) In case of an Officer appointed or promoted or upgraded in the normal hierarchy during the period between the 2<sup>nd</sup> day of January 2016 and the 1<sup>st</sup> day of July, 2016, who did not draw any increment on 1<sup>st</sup> day of July, 2016, the next increment shall accrue on the 1<sup>st</sup> day of January, 2017 and thereafter it shall accrue after one year on annual basis:

Provided that in case of Officers whose pay in the revised pay structure has been fixed as on 1<sup>st</sup> day of January, the next increment in the Level in which the pay was so fixed as on 1<sup>st</sup> day of January, 2016 shall accrue on 1<sup>st</sup> day of July, 2016.

Provided further that the next increment after drawal of increment on 1<sup>st</sup> day of July, 2016 shall accrue on the 1<sup>st</sup> day of July, 2017:

- 11. Revision of pay from a date subsequent to the 1<sup>st</sup> day of January, 2016. Where an Officer who continues to draw his pay in the existing pay structure is brought over to the revised pay structure from a date later than the 1<sup>st</sup> day of January, 2016, his pay from the later date in the revised pay structure shall be fixed in the manner prescribed in accordance with rule 7.
- 12. Fixation of Pay on Promotion or Upgradation on or after 1<sup>st</sup> day of January, 2016.- The fixation of pay in case of promotion or upgradation from one Level to another in the revised pay structure shall be made in the following manner, namely:-
- (i) One increment shall be given in the Level from which an Officer is promoted or upgraded and he shall be placed at a Cell equal to the figure so arrived at in the Level of the rank to which promoted or upgraded, and if no such Cell is available in the Level to which promoted or upgraded, he shall be placed at the next higher Cell in that Level.

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#### Illustration:

1.	Level in the revised pay structure: Level 10A	tructure: <b>Level 10A</b> Basic Pay in the revised		15	5600 – 39	100
2.	Basic Pay in the revised pay structure: <b>64500</b>			5400	5700	6100
3.	Granted promotion or		Levels	10	10A	10B
	upgraded to : <b>Level</b>		1	56100	59000	64100
			2	57800	60800	66000
4.	Pay after giving one increment in Level 10A:		3	59500	62600	68000
		4	61300	64500	70000	
			5	63100	66400	72100
5.	Pay in the upgraded Level i.e. Level 10B (either equal to or next higher to 66400 in Level 10B): 68000		6	65000	68400	74300
		7	67000	70500	76500	
		8	69000	72600	78800	
		9	71100	74800	81200	

(ii) In case of promotion of an Officer from Level 12B to Level 13B, increment for promotion shall be calculated on the pay in the Level 12B being drawn immediately prior to promotion and the sum of the pay in the Level 12B plus the amount of increment for promotion plus Military Service Pay shall determine the pay in the Level 13B and the figure so arrived at will be located in the next higher Level 13B, and if such an identical figure corresponds to any Cell in Level 13B, the same shall be the pay in the revised pay structure and if the identical figure is not available in Level 13B, the pay in the Pay Matrix shall be fixed at the immediate next higher Cell in Level 13B of the Pay Matrix.

#### *Illustration:*

1.	Level in the revised pay structure: <b>Level</b> 12B						
2.	Basic Pay in the revised pay structure: 145600						
3.	Promoted to Major General in : Level 13B						

Levels	12	12B	13B
1	114100	121900	129800
2	117500	125600	133700

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4.	Pay in Level 12B after promotion increment : 150000
5.	MSP: 10800
6.	Adding Sr. No.4 and 5 : <b>160800</b>
7.	Pay fixed in level 13B: 164500

3	121000	129400	137700
4	124600	133300	141800
5	128300	137300	146100
6	132100	141400	150500
7	136100	145600	155000
8	140200	150000	159700
9	144400	154500	<b>164500</b>
10	148700	159100	169400
11	153200	163900	174500
12	157800	168800	179700

- 13. Pay of Officers commissioned with Ante Date for Pay on or after 1<sup>st</sup> day of January, 2016.- Pay of Officers commissioned with ante date for Pay on or after 1<sup>st</sup> day of January, 2016 shall be fixed notionally from the date of ante date in the relevant revised Level or pre revised scale as applicable and the pay shall then be arrived at as on date of commission after adding increments at the applicable rates for the period of ante date.
- **14. Mode of payment of arrears of Pay.-** (1) The arrears, computed after deduction of subscription at enhanced rate of Defence Services Officers provident Fund with reference to the revised pay, shall be paid after deduction of adhoc arrears paid as per Government of India MoD letter No. 1(11)/2016/D(Pay/Services), dated 10<sup>th</sup> October, 2016.

**Explanation.-** For the purpose of this rule, "arrears of pay" in relation to an Officer, means the difference between,-

- (i) the aggregate of the pay and dearness allowance, and Military Service Pay to which he is entitled on account of the revision of his pay under these rules for the period effective from the 1<sup>st</sup> day of January, 2016; and
- (ii) the aggregate of the pay and dearness allowance, and Military Service Pay to which he would have been entitled (whether such pay and Dearness Allowance had been received or not) for that period had his pay and dearness allowance not been so revised.

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- 15. Overriding effect of rules.- The provisions of the Pay and Allowances Regulations (Officers), Army 1954, and existing instructions and regulations shall not save as otherwise provided under these rules, apply to cases where pay is regulated under these rules, to the extent they are inconsistent with these rules and these rules shall supersede SAI 4/S/2008 except as respects things done or omitted to be done before such supersession.
- 16. Power to relax.- Where the President is satisfied that the operation of all or any of the provisions of these rules shall cause undue hardship in any particular case, he may, by order, dispense with or relax the requirements of that provision to such extent and subject to such conditions as he may consider necessary for dealing with the case in a just and equitable manner.
- 17. Interpretation.- If any question arises relating to the interpretation of any of the provisions of these rules, it shall be referred to the Central Government for decision.

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## SCHEDULE [See rules 3(g) and 4] PART A Pay Matrix

Pay Band		15600-	-39100		37	7400-6700	00
Grade Pay	5400	5700	6100	6600	7600	8400	9000
Level	10	10A	10B	11	12	12B	13B
1 .	56100	59000	64100	100000	114100	121900	129800
2	57800	60800	66000	103000	117500	125600	133700
3	59500	62600	68000	106100	121000	129400	137700
4	61300	64500	70000	109300	124600	133300	141800
5	63100	66400	72100	112600	128300	137300	146100
6	65000	68400	74300	116000	132100	141400	150500
7	67000	70500	76500	119500	136100	145600	155000
8	69000	72600	78800	123100	140200	150000	159700
9	71100	74800	81200	126800	144400	154500	164500
10	73200	77000	83600	130600	148700	159100	169400
11	75400	79300	86100	134500	153200	163900	174500
12	77700	81700	88700	138500	157800	168800	179700
13	80000	84200	91400	142700	162500	173900	185100
14	82400	86700	94100	147000	167400	179100	190700
15	84900	89300	96900	151400	172400	184500	196400
16	87400	92000	99800	155900	177600		
17	90000	94800	102800	160600	182900		
18	92700	97600	105900	165400		,	
19	95500	100500	109100	170400	9		
20	98400	103500	112400	175500			
21	101400	106600	115800	180800			
22	104400	109800	119300		-		,
23	107500	113100	122900		*		
24	110700	116500	126600				F

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### PART B

### Level of Ranks:

S. No.	Rank	Pay Level in Pay Matrix
(i)	Lieutenant	10
(ii)	Captain	10A
(iii)	Major	10B
(iv)	Lieutenant Colonel	11
(v)	Colonel	12
(vi)	Brigadier	12B
(vii)	Major General	13B



# FORM OF OPTION [See rule 6(2)]

*1. Rank Service No structure with effect from 1 <sup>st</sup> c	Name Branch January, 2016.	hereby elect the revised pay
*2. Rank Service No Band and Grade Pay of my s	Branch	hereby elect to continue in Pay mentioned below until:
to Rs/ I \	vacate or cease toEx	my subsequent increment raising my pay to draw pay in the existing pay structure/ sisting Pay Band and Grade Pay / Existing
Date:		Signature Name Rank Service No Unit
Station:		
*To be scored out, if not appl	icable.	
	UNDERT	AKING
made as a result of incorrect	ct fixation of partily visit subsequently visits.	payment that may be found to have been y or any excess payment detected in the will be refunded by me to the Government is due to me or otherwise.
	10 (10 (10 (10 (10 (10 (10 (10 (10 (10 (	Signature Name Rank Service No Unit
Date:		
Station:		[F. No. 1(15)/2016/ D (P/S)
		H. Sublerdy

M. Subbarayan, Jt. Secy.

(डा॰ म॰ सुखारायन/Dr. M. Subbarayan) संयुक्त सजिव/Joint Secretary रक्षा में शतय/Winistry of Defence नई दिल्ली/New Delhi **Explanatory Memorandum.**— The Seventh Central Pay Commission has been implemented with effect from the 1<sup>st</sup> day of January, 2016. Likewise, the Defence Personnel of the Union of India are eligible for Seventh Central Pay revision with effect from the 1<sup>st</sup> day of January, 2016. Accordingly, these Rules have been given retrospective effect with effect from the 1<sup>st</sup> day of January, 2016. It is hereby, certified that by giving retrospective effect to these rules no one will be adversely affected.

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