

MINISTRY OF DEFENCE
(Department of Defence)
NOTIFICATION

New Delhi, the 30th June 2017

S.R.O 16 (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 Non-Combatants (Enrolled) of Air Force Rules, 2017.
(2) They shall be deemed to have come into force on the 1st day of January, 2016.
2. **Application.-** (1) Save as otherwise provided by or under this rule, these rules shall apply to Non-Combatants (Enrolled), who were on the effective strength of the Air Force on or after 1st day of January, 2016.
3. **Definitions.** In these rules, unless the context otherwise requires,-
 - (a) "**existing basic pay**" means pay drawn in the prescribed existing Pay Band and Grade Pay but it does not include any other types of pay like Special Pay, Military Service Pay etc;
 - (b) "**existing Pay Band and Grade Pay**" in relation to Non-Combatants (Enrolled) means the pay band and the grade pay applicable to the rank held by him (including under Modified Assured Career Progression) as on the date immediately before the notification of these rules, in a substantive capacity;

Please see the explanation under rule 3(b) of Air Force Pay Rules, 2017 in respect of Warrant Officer or Sergeant or Corporal or Leading Aircraftsman or Aircraftsman.
 - (c) "**existing pay structure**" in relation to a Non-Combatant (Enrolled) means the present system of pay band and grade pay as per the Sixth Central Pay Commission applicable to the rank held by him (including under Modified Assured Career Progression) as on the date immediately before the coming into force of these rules, in a substantive capacity;

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(d) "**existing Military Service Pay**" in relation to a Non-Combatant (Enrolled) means the amount of Military Service Pay applicable to the rank held by him as on date immediately before coming into force of these rules;

(e) "**existing emoluments**" mean the sum of (i) existing basic pay; (ii) existing Military Service Pay; and, (iii) existing dearness allowance at the index average as on 1st day of January, 2016;

(f) "**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;

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 6th CPC.

(g) "**Level**" in the pay matrix, means the level corresponding to the existing pay band of Rs. 5200-20200 and grade pay specified in the Part A of the Schedule;

(h) "**pay in the Level**" means the pay drawn in the appropriate cell of the level as specified in Part A of the Schedule;

(i) "**Military Service Pay**" in relation to a Non-Combatant (Enrolled) means the military service pay applicable to the rank held by him on drawal of pay in the prescribed level in the pay matrix;

(j) "**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 of the rank (including under Modified Assured Career Progression);

(k) "**basic pay**" in the revised pay structure means the pay drawn in the prescribed level in the pay matrix;

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(l) **“revised emoluments”** means the sum of (i) basic pay; and (ii) military service pay; and

(m) **“Schedule”** means a schedule appended to these rules.

4. Drawal of pay.- (1) Save as otherwise provided in these rules, a Non-Combatant (Enrolled) shall draw pay in the level in the revised pay structure applicable to the rank to which he is enrolled. (including under Modified Assured Career Progression):

Provided that a Non-Combatant (Enrolled) 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:

Provided further that in case a Non-Combatant (Enrolled) has been placed in a higher grade pay between 1st day of January 2016 and the date of notification of these rules on account of upgradation, he may elect to switch over to the revised pay structure from the date of such upgradation.

Explanation.- (i) For the purpose of this rule the option to retain the existing pay structure under the provisions of this rule shall be admissible only in respect of one existing pay band and grade pay.

(ii) The aforesaid option will not be admissible to any Non-Combatants (Enrolled) appointed to a post on or after the 1st 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 Air Force.

(ii) Military Service Pay shall be admissible on drawal of pay in the prescribed level in the pay matrix, at the rate of Rs 3600.

(iii) Military Service Pay shall be counted as pay for the purpose of computation of dearness allowance and pension.

5. Exercise of option.- (1) The option under the provisions to rule 4 shall be exercised in writing in the form appended to these rules so as to reach the Air Force Central Account Office New Delhi 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 Non-Combatant (Enrolled) 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 active service, the said option shall be exercised in writing so as to reach the Air Force Central Account Office New Delhi within one hundred and eighty days of the date of his taking charge of his post in India; and,

(ii) where a Non-Combatant (Enrolled) is under suspension on the 1st 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.

(2) The option, along with an undertaking appended to these rules, shall be intimated by a Non-Combatant (Enrolled) to the Air Force Central Account Office, New Delhi.

(3) If the intimation regarding option is not received by the Air Force Central Account Office New Delhi within one hundred and eighty days of the date of notification of these rules, the Non-Combatants (Enrolled) shall be deemed to have elected to be governed by the revised pay structure with effect from the 1st day of January, 2016.

(4) The option once exercised shall be final.

Note 1: Non-Combatants (Enrolled) whose services were terminated on or after the 1st 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).

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Note 2: Non-Combatants (Enrolled) who have died on or after the 1st 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 1st day of January, 2016 or such later date as is most 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 Air Force Central Account Office or Air Force Record Office or Directorate of Air Veterans New Delhi.

Note 3: Non-Combatants (Enrolled) who were on Annual Leave or any other leave on the 1st day of January, 2016, which entitled them to leave salary, shall be entitled to exercise option under sub-rule (1).

6. Fixation of pay in the revised pay structure.- (1) The pay of a Non-Combatant (Enrolled) who elects, or is deemed to have elected under rule 5 to be governed by the revised pay structure on and from the 1st day of January, 2016, shall, unless in case the President by special order otherwise directs, be fixed in the following manner:

(i) The pay in the applicable level in the pay matrix shall be the pay 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.

* Please see the illustration under rule 7(1)(ii) of Air Force Pay Rules 2017 in respect of Warrant Officer or Sergeant or Corporal or Leading Aircraftsman or Aircraftsman.

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(2) A Non-Combatant (Enrolled) who is on leave on the 1st day of January, 2016 and is entitled to leave salary shall become entitled to pay in the revised pay structure from the 1st day of January, 2016, or the date of option for the revised pay structure.

(3) A Non-Combatant (Enrolled) 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.

(4) Where the existing emoluments exceed the revised emoluments in the case of any Non-Combatants(Enrolled), the difference shall be allowed as Personal Pay to be absorbed in future increases in pay.

(5) Where in the fixation of pay in the Pay Matrix under rule 6, the pay in the Pay Matrix of a Non-Combatant (Enrolled), who, in the existing pay structure was drawing immediately before the 01st day of January, 2016 more pay in the pay band than another Non-Combatants (Enrolled) 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.

(6) Where a Non-Combatant (Enrolled) 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 a Non-Combatant (Enrolled) as Personal Pay, to be absorbed in future increase in pay.

7. **Regulation of pay:** On enrolment on or after 1st day of January, 2016, Non-Combatants (Enrolled) shall draw pay in the 1st Cell of the level 1 in the pay matrix.

8. **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.

An official in the basic pay of Rs. 20,900/- in level 1 will move vertically down the Cells in the same level and on grant of increment, his basic pay will be	Pay Band	5200-20200
	Grade Pay	1800
	Level	1
	1	18000

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Rs. 21,500/-.	2	18500
	3	19100
	4	19700
	5	20300
	6	20900 ↓
	7	21500
	8	22100

9. Date of increment in revised pay structure.-

(1) There shall be two dates for grant of annual increment namely, 1st January and 1st July of every year, instead of existing date of 1st July, provided that a Non-Combatant (Enrolled) shall be entitled to only one annual increment, either on 1st January or 1st July depending on the date of his appointment or upgradation, or enrolment, as the case may be.

(2) The increment in respect of Non-Combatants (Enrolled) appointed or upgraded or enrolled during the period between the 2nd day of January and 1st day of July (both exclusive) shall be granted on the 1st day of January and the increment in respect of Non-Combatants (Enrolled) appointed or upgraded or enrolled during the period between the 2nd day of July and 1st day of January (both inclusive) shall be granted on 1st day of July:

Provided that in case of Non-Combatants (Enrolled) whose pay in the revised pay structure has been fixed as on 1st day of January, the next increment in the level in which the pay was so fixed as on 1st day of January, 2016 shall accrue on 1st day of July, 2016:

Provided further that the next increment after drawal of increment on 1st day of July 2016 shall accrue on the 1st day of July 2017.

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10. Revision of pay from a date subsequent to the 1st day of January 2016.-

Where a Non-Combatant (Enrolled) 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 1st 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 6.

11. Fixation of pay on upgradation on or after 1st day of January, 2016.-

For the fixation of pay in case of upgradation from one level to another in the revised pay structure one increment shall be given in the level from which a Non-Combatant (Enrolled) is upgraded and he shall be placed at a Cell equal to the figure so arrived at in the level of the rank to which upgraded, and if no such Cell is available in the level to which upgraded, he shall be placed at the next higher Cell in that level.

Note:- Please refer to the relevant rules or clauses of the Air Force Pay Rules, 2017 in respect of Warrant Officers or Sergeants or Corporals or Leading Aircraftsmen or Aircraftsmen in case of any clarification.

12. Mode of Payment of Arrears of Pay.- (1) The arrears, computed after deduction of subscription at enhanced rate of Air Force Provident Fund with reference to revised pay, shall be paid after deduction of adhoc arrears paid as per GoI MoD letter No 1(11) 2016/D(Pay/Services) dated 10/10/2016.

Explanation.- For the purpose of this rule, "arrears of pay" in relation to Non-Combatants (Enrolled), means the difference between:

(i) the aggregate of the pay, 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 1st day of January, 2016; and,

(ii) the aggregate of the pay, 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.

13. Overriding effect of rules.- The provisions of the Pay and Allowances Regulations for the Indian Air Force 1955, as amended from time to time, 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

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inconsistent with these Rules. These Rules shall supersede Special Air Force Instructions 1/S/2008 except as respects things done or omitted to be done before such supersession.

14. Power to relax.- Where the President is satisfied that the operation of all or any of the provisions of these rules causes 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.

15. Interpretation.- If any question arises relating to the interpretation of any of the provisions of the rules contained in this rule, it shall be referred to the Central Government for decision.

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SCHEDULE

[See rules 3(f) and 4]

PART A

Pay Matrix

Pay Band	5200-20200				
Grade Pay	1800	1900	2000	2400	2800
Level	1	2	3	4	5
1	18000	19900	21700	25500	29200
2	18500	20500	22400	26300	30100
3	19100	21100	23100	27100	31000
4	19700	21700	23800	27900	31900
5	20300	22400	24500	28700	32900
6	20900	23100	25200	29600	33900
7	21500	23800	26000	30500	34900
8	22100	24500	26800	31400	35900
9	22800	25200	27600	32300	37000
10	23500	26000	28400	33300	38100
11	24200	26800	29300	34300	39200
12	24900	27600	30200	35300	40400
13	25600	28400	31100	36400	41600
14	26400	29300	32000	37500	42800
15	27200	30200	33000	38600	44100
16	28000	31100	34000	39800	45400
17	28800	32000	35000	41000	46800
18	29700	33000	36100	42200	48200
19	30600	34000	37200	43500	49600
20	31500	35000	38300	44800	51100
21	32400	36100	39400	46100	52600
22	33400	37200	40600	47500	54200
23	34400	38300	41800	48900	55800
24	35400	39400	43100	50400	57500
25	36500	40600	44400	51900	59200
26	37600	41800	45700	53500	61000
27	38700	43100	47100	55100	62800
28	39900	44400	48500	56800	64700
29	41100	45700	50000	58500	66600
30	42300	47100	51500	60300	68600
31	43600	48500	53000	62100	70700
32	44900	50000	54600	64000	72800
33	46200	51500	56200	65900	75000
34	47600	53000	57900	67900	77300
35	49000	54600	59600	69900	79600
36	50500	56200	61400	72000	82000
37	52000	57900	63200	74200	84500
38	53600	59600	65100	76400	87000
39	55200	61400	67100	78700	89600
40	56900	63200	69100	81100	92300

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PART B

Level of ranks:

Sl. No.	Rank	Level in Pay Matrix
(a)	Non-Combatants(Enrolled)	1
(b)	Non-Combatants(Enrolled) Tindal	1

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FORM OF OPTION
[See rule 5(2)]

*1. Rank _____ Name _____
Service No _____ Branch _____ hereby elect the revised pay structure with effect from 1st January, 2016.

*2. Rank _____ Name _____
Service No _____ Branch _____ hereby elect to continue in Pay Band and Grade Pay of my substantive rank mentioned below until:

the date of my next increment/the date of my subsequent increment raising my pay to Rs _____/ I vacate or cease to draw pay in the existing pay structure/
The date of my promotion to _____ Existing Pay Band and Grade Pay / Existing Scale _____.

Signature _____
Name _____
Rank _____
Service No _____
Unit _____

Date: _____

Station: _____

*To be scored out, if not applicable.

UNDERTAKING

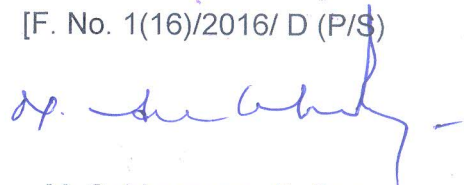
I hereby undertake that any excess payment that may be found to have been made as a result of incorrect fixation of pay or any excess payment detected in the light of discrepancies noticed subsequently will be refunded by me to the Government either by adjustment against future payments due to me or otherwise.

Signature _____
Name _____
Rank _____
Service No _____
Unit _____

Date: _____

Station: _____

[F. No. 1(16)/2016/ D (P/S)]



M. Subbarayan, Jt. Secy.

(डॉ० एम० सुब्बारायण/Dr. M. Subbarayan)
संयुक्त सचिव/Joint Secretary
रक्षा मंत्रालय/Ministry of Defence
नई दिल्ली/New Delhi

Explanatory Memorandum.— The Seventh Central Pay Commission has been implemented with effect from the 1st day of January, 2016. Likewise, the Defence Personnel of the Union of India are eligible for Seventh Central Pay revision with effect from the 1st day of January, 2016. Accordingly, these Rules have been given retrospective effect with effect from the 1st day of January, 2016. It is hereby, certified that by giving retrospective to these rules no one will be adversely affected.

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