

NOTE ON PERMANENT COMMISSION TO WOMEN OFFICERS IN INDIAN ARMY

A. Proposal of Union of India

- (a) **WOs upto 14 years of service** would be considered for permanent commission and further career progression in Staff Appointments only in accordance with Govt letter dated 25 Feb 2019 (reference Annexure C) As WOs above four years of service have missed the timeline for exercise of option for PC and Specialisation the provisions would be modified suitably for WOs upto 14 years of service upon conclusion of the Civil Appeal.
- (b) **WOs above 14 years of service** would be permitted to serve upto 20 years of service without consideration for PC and be released with pensionary benefits subject to meeting disciplinary and medical criteria.
- (c) **WOs above 20 years of service** would be released with pensionary benefits immediately upon conclusion of the Civil Appeal.

The basis of the aforesaid classification is as follows :

- i. In the year 1992, the IA introduced the Women Special Entry Scheme (offrs) in the ASC, AOC, AEC and the JAG. The training was for 24 weeks and the tenure was for 5 years.
- ii. Further, in 1996, the tenure was extended by further 5 years in Corps of Engineers, Signals and Electrical and Mechanical Enggns.
- iii. In 2004, the tenure of was extended from 10 years to 14 years in (5+5+4) WOs above 14 years of service belong to WSES (O) (Women Special Entry Scheme (Officers)) Course whose terms of engagement were initially for five years and further extended in two spells to 14 years (5+5+4) As their employment was only for a limited period they have been accordingly given shorter pre - commissioned training (24 weeks against 49 weeks for males), trainee

only on basic courses while in service and have been given limited exposures/ responsibilities. Certain women officers in technical Arms are also not technically qualified and they thus lack qualifications for being a regular officer.

v. **No Promissory Estoppel / No Legitimate Expectation.**

The WO still in service had applied in terms of the advertisements for Short Service Commission only and IA had never represented PC. Thus the terms of engagement were clearly indicated upon commission itself. Thus there is no violation of any legitimate expectations.

vi. **Discrimination Against Males.**

Males SSCOs are not granted PC and have been released from service. Thus, consideration for PC for WOs above 14 years of service would amount to discrimination against their male counterparts and would open flood gates for litigations by males on gender equality basis.

vii. **Skewed Cadre Structure.** Ajai Vikram Singh Committee (AVSC) constituted post Kargil War & based on recommendations of Kargil Review Committee recommended an ideal cadre structure of Regular vs Support Cadre as 1:1.1. Presently the ratio is inversely skewed at 3.98 :1. It will further worsen further, if women officers who are part of the support cadre and otherwise supposed to exit after 14 years of service as per long term plan are granted PC. Thus the entire management and planning of cadre structure will be completely washed out.

viii. **Not Trainable** As per the policy promulgated by the Govt dated 25 Feb 19 (reference Annexure D), the Govt envisages the optimum employment of women officers in the service of the Nation in Specialisations. Current service profile of WOs above 14 years ranges from just above 14 years to upto nearly 26 years of service. Being in higher service bracket they are not trainable in specialisations envisaged for WOs as PC officers. It will take a colossal time by which the women would have been left with little meaningful service in the Army.

ix. **Retrospective Implementation.** It will be appreciated that women officers above 14 years of service were commissioned as per terms and conditions of Women Special Entry Scheme (Officers) WSES(O), which was a trial scheme for 5 years and thereafter extended by another 5 years and then further 4 years (5+5+4). The concurrent males of short service commissioned scheme were considered for PC at 5 years of service. The two schemes are different there are no benchmarks to compare. Currently, the women officers above 14 years of service range from

just above 14 years to nearly 26 years of service, considering them for PC retrospectively and consequential benefits is impractical.

B. GSL dated 25.2.2019

The important aspects that were considered while formulating the policy notified vide GSL dated 25.2.2019 are as follows. The said policy was devised after a detailed study in the subject, also taking into consideration opinions and views of experts in the respective field.

i. **National Security and Operational Effectiveness.** IA is the *ultimate instrument of state policy* in the face of adverse internal and external situations. Since there are *no runners-up in war*, IA is required to maintain highest levels of *operational readiness*. The decision on matters of national security have been taken keeping the *national interest, paramount* over individual and group requirements.

ii. **Battlefield Scenario.** Future wars are likely to be *short, intense and lethal*, besides being prosecuted at *very short notice*. The boundaries between conventional and Counter Insurgency/Counter Terrorists operations have blurred in the present *hybrid nature* of warfare. The *non-linear battlefield* has rendered the erstwhile rear areas as much vulnerable as the battlefield. Therefore, induction of WOs into IA, hitherto-fore a male bastion, needs to be viewed in the perspective of changed battlefield environment.

iii. **Exigencies of Service.** The profession of arms is *not only a profession but a 'way of life'*, which often required sacrifices and commitment *beyond the call of duty* by the entire family of service personnel involving separation, frequent transfers affecting education of children and career prospects of the spouse. As a consequence, it is a *greater challenge* for WOs to meet these hazards of service, owing to their prolonged absence during pregnancy, motherhood and domestic obligations towards their children and families, especially when both husband and wife happen to be service officers.

iv. **Physical Capabilities.** A soldier relies heavily on his physical prowess to engage in combat. The officers are expected to lead their men *'from the front'* and need to be in prime physical condition to undertake combat tasks. Inherent physiological differences (**reference Annexure A**) between men and women preclude equal physical performance resulting in lower physical standards (**reference Annexure B**) and hence the physical capacity of WOs in the IA remain a challenge for command of units.

v. **Composition of Rank and File.** Most of the countries whose armies have women as officers also have women in their rank and file with the exception of India, Pakistan and Turkey. This results in a unique *'all male'* environment in a unit where presence of WOs requires moderated behaviour in their presence. Posting of WOs in all male units thus has its *own peculiar dynamics*.

vi. **Environmental and Physiological Realities.** The country has two unsettled borders one each with a Western and Northern Adversary. IA is mostly deployed in isolated and detached posts in difficult terrain and adverse climatic conditions. The lines of communications are extended and the Internal Security situation in the North East and J & K puts severe limitations on the functioning of WOs in light of their conditions have a major bearing on the employment of WOs in light of their physiological limitations accentuated by the challenges of confinement, motherhood and childcare

vii. **Capture by Enemy.** Armies face situations, wherein a women soldier/officer may become a *prisoner of war*. It would be a situation of extreme physical, mental and psychological stress for the individual, the organization and above all the government. Therefore, such a situation is best avoided by keeping the WOs away from direct combat.

viii. **Employment of WOs.** Their employment policy ensures that they are not placed in '*direct line of fire*' or *in close proximity of the enemy*. A more important aspect is that the employment opportunities to be made available to WOs during peace should be the same as for field/war

ix. **Infrastructure.** Infrastructure in forward/ border areas is very basic with *minimal facilities for habitat and hygiene*. Officers and men have to make do with primitive/ make shift arrangements. Manning forward posts and small detachments with restricted communication facilities leads to a feeling of isolation. Deployment of WOs in such situations or places in the current circumstances is not advisable.

x. **Command Appointments.** Command of units entails setting *personal example and leading from the front* and Commanding Officers must do everything that the troops are required to do. However, existing *physical fitness standards of WOs are distinctly lower than their male counterparts*. Composition of rank and file being male, predominantly drawn from rural background, with prevailing societal norms, *troops are not yet mentally schooled to accept WOs in command of units*. Further, they also lack combat exposure in the form of infantry attachment and service with Rashtriya Rifles units.

xi. **Equal Opportunity Is For Equals.** It is submitted as already apparent from preceding paragraphs, equality of WOs with Male SSCOs does not exist, some important issues are still highlighted as under: -

(a) **Different Physical Standards.** The physical standards for women are considerably different than men viz in the Battle Physical Efficiency Tests (BPET) excellent timings for male is 24 minutes 40 seconds while for women the excellent timings is 31 mins 30 seconds which is even below failed standard for males ie after 27 minutes 30 seconds.

(b) **Exposures.** All males SSCOs of Services (ASC, AOC, EME), Int Corps and Aviation undergo Infantry Attachment in hard field area as also Rashtriya Rifles/ Assam Rifles tenure in counter insurgency

operations later in service. Also the officers of Other Arms i.e. Engrs, Sigs, AAD do posting to Rashtriya Rifles/ Assam Rifles. The personnel other than officer rank in these Arms and Services also are given similar exposure. WOs are not given such exposure as they cannot be exposed to combat situations. Thus comparison cannot be amongst unequals.

(c) It also needs to be understood that as yet there are no women in ranks other than officers in IA.

In view of the above, it is most humbly prayed that the Hon'ble Court may kindly be pleased to accept the proposal of Union of India.