

## **Permanent Commission to Women-in-Army**

### **Why in News?**

The Supreme Court (SC) brought women officers in 10 streams of the Army on a par with their male counterparts in all respects.

### **What is the story behind?**

- The induction of women officers in the Army started in 1992.
- They were commissioned for a period of 5 years in certain chosen streams such as the Army Education Corps, Corps of Engineers, etc.
- Women Special Entry Scheme (WSES) recruits had a shorter pre-commission training period than their male counterparts commissioned under the Short Service Commission (SSC) scheme.

### **What happened when WSES was replaced?**

- In 2006, the WSES scheme was replaced with the SSC scheme, which was extended to women officers.
- They were commissioned for a period of 10 to 14 years.
- Serving WSES officers were given the option to move to the new SSC scheme, or to continue under the erstwhile WSES.
- They were restricted to roles in streams that excluded combat arms.
- While male SSC officers could opt for permanent commission at the end of 10 years of service, this option was not available to women officers.
- They were kept out of any command appointment, and couldn't qualify for government pension that starts after 20 years of service as an officer.

### **What were the petitions filed in the courts?**

- In 2003, a PIL was filed before the Delhi High Court (HC) for grant of permanent commission (PC) to women SSC officers in the Army.
- In 2006, another writ petition was filed primarily to challenge the terms and conditions of service imposed by circulars earlier that year, and to seek PC for women officers.
- In 2008, the Defence Ministry passed an order saying PC would be granted prospectively to SSC women officers in the Judge Advocate General (JAG) department and the Army Education Corps (AEC).
- This circular was challenged before the Delhi High Court on the ground that

it granted PC only prospectively, and in certain specified streams.

### **What did the Delhi HC say?**

- The Delhi HC heard the 2003, 2006, and 2008 challenges together, and passed its **judgment in 2010**.
- It ruled that women officers of the Air Force and Army on SSC who had sought permanent commission would be entitled to PC.
- However, this benefit was only available to,
  1. Women officers in service who instituted proceedings before HC,
  2. Women officers who had retired during the pendency of the writ petitions.
- Women officers who had not attained the age of superannuation for permanently commissioned officers would be reinstated with all consequential benefits.
- The government challenged the order in the SC.
- Even though the HC judgment did not stay, the Defence Ministry did not implement those directions.

### **What is the Government order, 2019?**

- A government order passed in February 2019 granted PC status to SSC women officers in 8 streams of the Army, in addition to JAG and AEC.
- But they would not be offered any command appointments and would serve only in staff posts.
- The government then came up with a proposal whereby women officers of up to 14 years of service would be granted PC in line with the letter of February 2019.

### **What is the SC Order?**

- The SC has rejected the government's arguments, saying they are based on sex stereotypes which discriminate against women.
- It has also said that it only shows the need to emphasise the need for change in mindsets to bring about true equality in the Army.
- It has done away with all discrimination on the basis of years of service for grant of PC in the Army, bringing them on a par with male officers.
- It has also removed the restriction of women officers only being allowed to serve in staff appointments, which is the most significant and far-reaching aspect of the judgment.

### **What are the implications of the order?**

- It means that women officers will be eligible to the tenant all the command

appointments, at par with male officers.

- This would open avenues for further promotions to higher ranks for them.
- It also means that in junior ranks and career courses, women officers would be attending the same training courses and tenantry critical appointments, which are necessary for higher promotions.
- The Army had not officially responded to the judgment until evening, although Defence Minister Rajnath Singh welcomed it.

### **What is next?**

- The judgment's implications will have to be borne by the human resources management department of the Army.
- But the bigger shift will have to take place in the culture, norms, and values of the rank and file of the Army.
- This will be the responsibility of the senior military and political leadership.

**Source: The Indian Express**

