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23 FEB 2021

To,

SHRI RAMNATH KOVIND,
The President of India
President's Secretariat,
Rashtrapati Bhawan
New Delhi - 110004

**SUBJECT: HUMBLE SUBMISSION & CONSIDERATION TO GRANT PERMANENT
COMMISSION TO DESERVING INDIAN ARMY WOMEN OFFICERS THOSE DENIED
WITHOUT SUBSTANTIAL REASON OR LACK OF TRANSPARENCY OR BIASES /
GENDER DISCRIMINATION**

**Reference: CASE FOR GRANT OF PERMANENT COMMISSION TO WOMEN OFFICERS-1172/2020, AT
HONORABLE SUPREME COURT**

Dear Sir,

1. With utmost humility, I seek to submit the following for your kind consideration and favorable immediate action please.
2. It has come to our knowledge of the on-going issue w.r.t our women officers not having been granted PC for reasons unknown to them despite their outstanding career profile during their tenure in the Indian Army.
3. I, Maj Aditi Mohan, am myself a former Short Service Commissioned Indian Army woman officer, having served for almost 8 years with ASC, and with my father also from the forces having retired as a Full Colonel from Artillery, with siblings and my spouse too being in the Indian Army (now ret'd), married into the family of forces as well too. And today I also represent Women's Indian Chamber of Commerce & Industry Karnataka Defence Personnel Council as the State President to work in support of both women and men in the Defence forces for any assistance and help selflessly, voluntary and honorary.

4. I humbly request you to kindly look into the detailed brief as under and consider our prayer to bring justice to these effected Women Officers.
5. We as a nation have always stood up for woman empowerment and ensured that we level it across all genders and curb gender discrimination or biases.
6. Hence, it is now pertinent that we do accord seriousness to this grave issue for women in uniform since they have adorned the Olive Greens to serve our country being our pride, served with full dedication, achieved and excelled in their assignments.
7. And as much We showcase to the world about our nation's women power, we must not let such discomfort and dissatisfaction seep into our brave ladies that our Indian Army deciding board for PC did not do justice to their meritorious and distinguished service.

Introduction / Background

8. Permanent Commission (PC) in the Army were granted to men only till about 1960s. Women were inducted as nursing officers only. Later, women, doctors only, were granted Short Service Commission (SSC). Grant of PC to these SSC officers started in 1960s. They were kept at par in all respects including command of units and major hospitals. Now there are several lady doctors who have attained the highest possible rank, i.e., of Lt Gen. Induction of women officers in the armed forces, excepting in those branches requiring involvement in combat, started in 1990s. They were granted only SSC. Later these lady SSC officers applied to the Government for grant of PC and when denied, approached the Honorable Supreme Court (HSC) and obtained a favorable decision. The Government after some delay, granted PC only to selected SSC officers of Army Education Corps (AEC) and Judge Advocate General (JAG) Branch and not to those belonging to the other branches of the Army. The aggrieved officers again moved the HSC and obtained redress. The Army, after considerable delay, started screening the affected officers and has now selected some for grant of PC. However, contrary to the general perception, derived from the media, it is considered that the parameters followed for selection are unfair. Hence the HSC is again being approached.
9. Aspirants for a Commissioned rank in the Armed Forces, be it PC, SSC or any other category, have to qualify in Service Selection Board(SSB) tests apart from other tests or qualifying standards. SSB tests are not applicable to doctors applying for Army Medical Corps for whom other tests are applicable. The SSB tests are the same for all types of commission and all the three Services. SSB tests determine suitability of a candidate to be a commissioned officer in the Armed Forces, irrespective of the Service (Army, Navy or Air Force) or the type of commission. Successful candidates undergo comprehensive physical and medical

tests. Those who qualify in both the SSB and medical tests, depending on the vacancies available in the training institution and their position in the merit list, are sent for training to the applicable training institution. On successful completion of the prescribed training, he/she is granted a Commission by the President of India.

Justification

10. In 1990s, the Government decided to grant commission to women in all the three Services of the Armed Forces. There was no provision to grant PC to WO. They were to remain as SSC officers. The terms of service varied for the three Services. *In this letter, cases affecting Army officers only have been considered.*

11. In the Army, they were permitted to exercise option to continue in service in their 4th and 10th year of service for 10 or 14 years respectively. Their suitability to remain in service was determined by Boards of officers on each occasion. On completion of 14 years of service they were discharged. Pension and status of Ex-Servicemen were not granted. Gratuity and other prescribed benefits were admitted.

12. In 2006, a case was filed in the Delhi High Court by a WO, **praying** for grant of PC to WO. The High Court, in 2010, directed the Government to grant PC to WO. The Government moved the HSC against this decision. However, the HSC upheld the verdict of the High Court. Consequent to the directions of the HSC in the year 2011, to grant PC to all WO, Army granted PC to selected WO of AEC and JAG Branch only. When the affected WO moved the HSC again, directions were issued in Feb 2020 to grant PC to WO of all branches of the Army, consider them for promotion to higher ranks and provide all consequential benefits. The Army convened a Board of officers to select officers found suitable for grant of PC. The findings of the Board were made known on 19 Nov 2020. Policy or parameters for grant of PC to be followed by the Board was not made known. Prima facie, those appear to be illogical, irrational and arbitrary.

13. Analysis of the finding of the Board mentioned in Para 12 above, brings out the following facts:-

- (a) **615** WO of 31 batches having 10 to 26 years of service were considered. **277** were found suitable for PC. Thus, **45%** were selected. More than half were found unfit to continue as officers.
- (b) In these 31 batches, 1555 WO were commissioned. 615 opted to continue and 940 opted out, i.e., about **60%** left.
- (c) All these 615 officers were found suitable for retention earlier, by Boards similar to those mentioned in Para 4 above, at least once if not twice.
- (d) Out of 77 with more than 20 years of service, 28 were selected. Percentage of selection is **36**. For those in 14 to 20 years of service range, 88 were selected

out of 254. 34%. With 10 to 14 years of service, 161 out of 284 were selected - 56%.

Further to add more for even those effected who are not petitioners but the aggrieved WO who also did not receive PC.

- (e) The latest SB5 Board that was held in Dec in consideration for being at par with male offrs, there to, women offrs average success rate of PC was approx. **30 %** only WHEREAS approx. **70 %** of Male officers were granted PC.
 - (f) Many meritorious women offrs, including one such who herself is training the men in uniform as instructor but is not fit for PC is beyond understanding including the fact that she has even served in the hard field as Siachen and brought pride to her Corps not once but many a times.
 - (g) The first 5 ACRs are considered for WO when they were not even aware that they will ever be considered for PC. Commanding Officers never graded them as their male counterparts as they were never in that PC race at that point of time due to ambiguity of continuity of WO service in the Indian Army by the honorable GOI. Now judging them on those grounds at par with male offrs who were always aware that their ACR will be considered for PC is absolutely unfair and totally discriminative and not justified as well.
14. It is an established fact that all officers, irrespective of the type of commission they are holding, are suitable to hold the rank in which they were commissioned and any promotion they earned subsequently as per the prescribed standards. In case an officer is found unsuitable at any time, there are prescribed methods to advise or warn or even terminate his/her service. Thus, an officer who has served for 6 years and is promoted to the rank of Major or has served for 14 years and has attained the rank of Lt Col, without any adverse remark thereafter, is eminently suitable to continue in service with dignity.

15. The following also merit careful consideration:-

- (a) A number of officers who have been found unsuitable for PC have **earned Commendation** by Chief of Army Staff or Army Commander. One has been awarded VSM.
- (b) Many of these rejected officers have held prestigious appointments outside their Corps. It is a well known fact that only the best officers of the Corps are nominated for such appointments.
- (c) A study has found that most of the ladies who applied for a commission were highly educated and motivated. So much so that for many batches there were more qualified candidates than vacancies in the training establishment. Rare is the case when a male candidate qualifies but is not in the merit list.
- (d) After being granted a commission, suitability of a man to retain it is never questioned unless he displays significant negative traits. SSB results are

sufficient proof of his suitability. In the instant case, however, a WO who has rendered 20 years or more of service, has been found suitable by two Boards, has passed promotion examinations, has earned three promotions is found unsuitable to hold her Commission. This defies logic and rational thinking. The promotions, though on time scale, are not granted to unsuitable officers. Thus, a Lt Col with 14 years of service, has already been cleared six times, i.e., SSB, two Boards granting extension of service and three promotions. Similarly, an officer with 10 years of service, a Major, would deem to have been found fit on four or even five occasions. Suitability has clearly been established. Anything else is untenable and immoral.

- (e) The Army has taken ten years to decide on the fate of an individual even after unambiguous orders by the HSC. An irrational, illogical, inordinately sluggish and a negative action will ruin the chances of another career option.
- (f) The fact that about 60% of the **highly qualified and motivated officers left** on their own before completing their full term of engagement indicated their possible dissatisfaction with the treatment meted out to them. They were aware of the terms of engagement and service conditions before joining.
- (g) Evidently it is the inappropriate or biased attitude of the Army which is the root cause of the irrational treatment given to WO. The message is loud and clear that women who join the Army will be assuredly ruined unless our Indian Army makes an earnest effort to bring justice to these effected, very promising officers.
- (h) It is evident from the result that there was no cap on the vacancies and anyone above the benchmark was declared fit, however this type of benchmarking with comparison of performance with last male officer in merit is arbitrary/ un-notified, while the GOs terms of engagement were governed by different policies, opportunities which were not afforded to WOs.
- (i) Army has used the RANDOM BENCHMARK which has completely ignored the notified BENCHMARK of the GoI and is a case of clear gender bias so as to deny PC to meriteous WOs, further putting them in disadvantageous position at this age and service.

Summary

- 16. Contrary to the big announcement made by the PM on 15 Aug 2018 from the ramparts of the Red Fort to grant Permanent commission to the Short Service Commissioned Women Officers of the Indian Army in a *transparent manner*, 55% of the meritorious Women Officers having service of 11-26 years have been ousted by means of an opaque, unjust and discriminatory Selection Board procedure.
- 17. There was no policy on PC till judgement of Hon'ble Supreme Court issued vide order dt 17 feb 2020. No clear cut parameters for conduct of Special No 5 SB were promulgated through general instructions as is done for male offrs. Hence, in the

absence of clear cut instructions, the conduct seems arbitrary and it seems the focus was more on rejection than approval.

- a. **ACR** of 5/10 years' service taken into account but medical & discipline criteria of entire service.
- b. **Value judgement marks** are most arbitrary thing in the board which gives leeway to suit army's convenience in the approval procedure and has been tweaked to their favour by ousting maximum WOs by giving more negative marks.
- c. Parity in terms of success ratio is **POOR**. Male batches get 95-100% success whereas Women batches have got dismal success of only 0-35% which heavily reeks of gender bias.

18. Establishment of merit by culling out data from the consigns of history by way of comparing it with male counterparts in the current timeframes is highly unjust & irrational*. Stipulated minimum qualifying marks of 60% which was achieved by all 615 WOs has been ignored and new arbitrary benchmark of marks obtained by male officers retrospectively **has been used to eliminate meritorious WOs.
19. The GOs batches are detailed on many competitive courses and criteria appointments but WOs were deprived of this opportunity. Hence comparing them with GO merit is unwarranted and disadvantageous to the WOs and is like comparing Apples to the Oranges. The unfair, unnotified n flawed procedure adopted by the Army stands challenged in the Hon'ble Supreme Court.
20. Of late newspaper headings of Army granting Permanent commission to 422 women officers turned out to be a complete eyewash as on ground only 277 out of total 615 women officers have been approved. The balance 55% Women officers who are not approved have given best part of their lives to the organization & selfless service to the nation for over two decades. Any amount of claims of fair result cannot recover the loss of 10 years to serving women officers caused due to delay by Army. These women officers have prevailed in a male dominated organization and given their best even when deprived of equitable opportunities, career progression, and promotion as applicable to their male counterparts. Having regards of their seniority, specialized expertise, experience, merit, current age and service, willing women officers should have been granted Permanent Commission by the competent authority. The organization needs to relook into this flawed procedure and set things right.



Prayer

21. It is a humble submission and request to the **Your Honorable Kind Self** to personally intervene into the matter of grant of PC to all WO who have not been proceeded against as on 19th Nov 2020 & Dec 2020 (result declared on 11th Jan 2021 for SS 90 & 91) , for qualities unless there are substantial reasons that do not meet the criteria for qualifying for PC.

Indian Women Army Officers are a great asset to this Nation and not only are they determined to serve the country but are prepared under all circumstances to lay down their lives.

This is not about if their services are pensionable or not; this is about according justice to what they righteously deserve and are accorded the same dignity as their fellow male officers or perhaps even more.

22. We sincerely seek your kind directions and necessary perusal and positive action over the said case and look forward to a fruitful result of the agony and humiliating experience these outstanding women officers are going through.

23. Thanking You.

Yours' Sincerely,



(Maj Aditi Mohan)
Former Indian Army Officer- ASC
WICCI STATE PRESIDENT
Karnataka Defence Personnel Council

Encls : As above

Copy to:-

Shri Rajnath Singh,
Defence Minister

- For your info & necessary action pl

Gen Bipin Rawat, PVSM, UYSM, AVSM, YSM, SM, VSM, ADC
Chief of Defence Staff

- For your info & necessary action pl

Gen MM Naravane, PVSM, AVSM, SM, VSM, ADC
Chief of Army Staff

- For your info & necessary action pl

Dr Ajay Kumar, IAS
Defence Secretary

- For your info pl & necessary action pl

Lt Gen Rajeev Sirohi,
MS

- For your info pl & necessary action pl

Lt Gen Harsha Gupta, UYSM, AVSM, YSM, VSM
Adjutant General

- For your info & necessary action pl

Maj Gen Ashok Singh,
ADG PS

- For your info & necessary action pl

Shri SD Tripathi
Secretary to President

- For your info & necessary action pl

Dr PK Mishra,
Principal Secy to PM

- For your info & necessary action pl

Lt Gen Harsha Gupta, UYSM, AVSM, YSM, VSM
Adjutant General

- For your info & necessary action pl

