

# WOMEN-AT-ARMS: ON SC ORDER ON PERMANENT COMMISSION TO WOMEN OFFICERS

Relevant for: Developmental Issues | Topic: Rights & Welfare of Women - Schemes & their Performance, Mechanisms, Laws Institutions and Bodies

The Supreme Court has delivered a sharp rebuke to the government by asking it to adhere to its own stated policy, articulated on February 25, 2019, on [granting permanent commission to women](#) in the Short Service Commission (SSC). Though women are absorbed into the SSC, they are now denied permanent commission in most branches of the Indian Army. More importantly, in furthering the principle of equality and non-discrimination enshrined in the Constitution, the Court has at the same time come down heavily on the stereotypes of women and their physiological features that were consistently put across in the government's submissions to deny equal opportunity to women who fulfil the same criteria their male counterparts do. As long as society holds strong beliefs about gender roles there will not be change of mindsets, the top court observed. Indeed, the Court has torn into a number of contradictions inherent in the [government's arguments](#) that gravely weaken its case and expose inherent prejudices. For instance, it was submitted that deployment of women officers was not advisable in conflict zones where there was "minimal facility for habitat and hygiene". Yet, the government admitted to the Court that 30% of the total number of women officers are in fact deputed to conflict areas. In directing the government to grant permanent commission to those women who opt for it, in 10 branches of the SSC, and by ordering the government to level the playing field, the Court has forced acknowledgement of the sterling role women have played and continue to play, shoulder to shoulder, with their male counterparts, for the security of the nation. It has also made recommendations to correct the anomalies including in the matter of pensions due to women.

It is a telling state of affairs that though Prime Minister Narendra Modi announced on August 15, 2018 that permanent commission would be granted to [serving women officers](#) of the armed forces, it needed the Supreme Court to prod the government into doing it. The efforts of the litigants, who have waged an uphill battle since 2003, fighting their way up from the Delhi High Court, which ruled in their favour 10 years ago — and the government wilfully ignoring it — all the way up to the Supreme Court, deserve applause. That this discrimination should happen even while the Indian Army experiences a shortfall of officers by about 10,000 in the ranks is all the more galling. It is not as if there is surfeit of women officers: a mere 1,653 out of 40,825. Given the inherent flaws in the structure, implementation and change are not likely to happen soon, even given the Court's deadline of three months.

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