

Chapter IV

Need for Providing Re-employment to Ex-Servicemen

4.1. Primary role of Armed Forces remains safeguarding of territorial boundaries of the country and for effective fulfilment of this goal, it is imperative that the Forces remain young at all times. Maintaining a youthful profile of Armed Forces entails early retirement of approximately 60,000 Armed Forces personnel in their thirties i.e. most PBORs and all Short Service Commissioned Officers and a large number of permanent commission officers in their forties, who do not get promoted to higher ranks, not because of their lack of commitment, ability or integrity, but due to strictly steep pyramidal structure of Defence hierarchy wherein not more than 3% of commissioned officers reach the levels of Flag Officers rank i.e. Grade Pay 10000/- and above (equivalent to SAG and above level posts in Central Civil Services Government posts). Thus, it becomes imperative that these personnel, who are essentially in their prime for any job except working in Armed Forces, are given reasonable second career option in other government organisations and/ or facilitate their easy and respectable movement into jobs in the corporate world. Satyendra Kishore¹⁴, in his book, "*Resettlement of Ex Servicemen in India – Problems, Patterns and Prospects*" gives three reasons which make it necessary for government to provide resettlement measures for Ex Servicemen. These reasons are as follows:-

- (a) They have to work away from their family for most part of their career.
- (b) The requirements of their job make them to retire early, and finally,
- (c) A great many of their socio-economic obligations, such as education, marriage and employment of their children, etc., yet remain to be fulfilled.

4.2. Thus, they have not retired prematurely/released from service because of their own free will, but had to make way for younger generation for keeping the Armed Forces fighting fit. It becomes a bounden duty of the government and the

¹⁴ Kishore Satyendra (1991), Op cit. fn 9, p. 10

Nation to give these personnel dignified second career options because they have given their youth to the country. It has to be appreciated that any shortcomings in their educational qualifications are not due to their lack of ability but because of the fact that when others were steadily preparing for government and corporate jobs, these personnel in their prime, were already working in the most hostile and difficult terrain and conditions, putting their own life and future of their immediate family to danger, to safeguard the boundaries of the Nation and ensure that the governance and business activities get performed in an atmosphere of peace and security.

4.3. Some avenues of second career for Ex Servicemen have indeed been provided. However, such provisions are outdated. The career of PBORs and officers in the Armed Forces has evolved over the years. The periods of tenure have changed from very short tenures to relatively longer tenures. Thus, the personnel retiring are no more at equivalent Group 'C' and Group 'B' level posts in General Central Civil services, but mostly at Group 'B' posts. Similarly, tenure of Short Service Commissioned officers has also increased. They do not retire at Lieutenant in the Navy and equivalent posts in Army and Air Force, but rather at the posts of Commanders in the Navy (Lieutenant Colonel in the Army and Wing Commander in the Air Force). These changes in the tenures of Armed Forces personnel have made the government policies of providing reservations in Group 'C' and Group 'D' posts redundant and need urgent amendments to address these issues. Another aspect arising out of this policy of increased tenure is that it has added an element of 'part pension' to these retiring personnel. However, the pension though is putting a huge burden on the overall pension bill, does not still justify the years of youth taken away from these retiring personnel which makes them unsuitable for jobs in the open market. These aspects have been discussed by General Balaram¹⁵ in his study "*Utilization of Manpower in the Army*". The author has brought out that, "*prior to 1965, sepoy in the General Duties categories were engaged for Seven Years of "Colour Service" with Eight Years of "Reserve" Liability. Skilled Categories were engaged for 10 years with 10 years of Reserve Liability. The Highly Skilled*

¹⁵ Balaram, Lieutenant General K. (1999), Op cit. fn 7, p. 10

Categories were engaged for 12 years with 8 years of Reserve Liability. Except for Junior Commissioned Officers (JCOs) and Non-Commissioned Officers (NCOs), the age profile of combat units was between 18 and 25 years and those of combat support and technical services and logistic services units were comparatively more. The high spirits, generally associated with youth, pervaded the entire army. Re-employment after release from the army was comparatively less difficult. This was possible because the trained manpower between the ages of 25 and 30 was more acceptable in the employment market. About 65 per cent of the PBORs were released without the army incurring any expenditure on account of their pensions since the minimum service for a pension was 15 years. Only JCOs and Senior NCOs retired with Pensions. The major effect of the increase in the period of colour service was on the pension bill of the Army. Prior to 1 February 1976, about 65 per cent of soldiers used to be released without pensions. The other 35 per cent of retirees, who were entitled to pensions, were JCOs, NCOs and the few who belonged to the highly skilled and technical categories. Thus, Sepoys of General Duties categories who were recruited on or after 1 February 1966 and Sepoys of skilled categories recruited on or after 1 February 1964, became entitled to Pensions. Thus, at least two of the three variable factors of combat effectiveness i.e. re-employment and the high spirits, show a declining trend, the alarming aspect being the decline in mental attitude. It is also worth mentioning that premature release is granted only to about one third to half of the number of soldiers who apply for such discharge from service. Therefore, it is felt that, there is a dire necessity to handle the situation deftly and work on the aspirations of the PBORs to fulfil such gaps." He further carried out an analysis of various alternatives of numbers of years of service for personnel and arrived at the conclusion that present engagement of 15 years was the costliest proposition and has recommended riveting back to seven years of colour service for combatants.

4.4. The Armed Forces personnel join service at fairly young age. As already brought out in Chapter II, their entry to Services can be at Non-Matriculation levels or Matriculation levels, with few joining as diploma holders. However, while in service, PBORs undergo a number of courses specific to their Service and are exposed to vast forms of military training. There was a gap between the qualifications acquired by them while in Service and what is understood and recognized in the corporate

and civilian government posts. This gap was there because although many of the courses are similar to the civilian university and college courses, they were not awarded any degree or Diploma by any of the universities. Therefore, these qualifications were not recognized especially by the private sector when they approached for the jobs after their retirement. The government, vide Department of Personnel and Training (DOP&T) Office Memorandum No 15012/8/82-Estt(D) dated February 12, 1986¹⁶ stipulated that matriculate PBOR of Indian Army, who have completed 15 Years of service will be eligible for employment in group 'C' & 'D' jobs in the government where graduation is an essential requirement. Similarly, various State governments have also stipulated rules with regards to parity of in-service courses with various degree/ diploma certifications. However, the said norms of reservations and relaxations are not being adhered to in filling of the vacancies that come up in government agencies where the above stipulation can be applied for various reasons and no monitoring mechanism exists to ensure their adherence. Most institutions or establishments in the private sector or public domain insist on mark sheet and certificates, provisions for which do not exist in the government order mentioned above. So a need was felt to bridge this gap and empower PBOR by arming them with the requisite diploma/ degree based on the 'in service training' undergone by the PBOR right through his service career. Thus, project 'Gyandeeep' was launched for PBORs of Indian Army based on a Memorandum of Understanding (MoU) signed between the Army and Indira Gandhi National Open University (IGNOU) on 04 Sep 2009. PBOR, who wish to register for award of diploma/ degree can do so through their respective Regimental Centres, all of which have been registered as Army-IGNOU Community Colleges with the university. These community colleges function as autonomous institutes in instituting academic, training and administrative responsibilities etc and do not seek affiliation to IGNOU. On similar lines Project "Akashdeep" was inked on 20 Dec 2010 for recognizing the basic and In-service training imparted to the Airmen and Non-Combatants Enrolled (NC (E)) of the Indian Air Force for award of civil qualifications. It is aimed at fulfilling the long standing desire of the IAF to get civil recognition for the knowledge and experience gained by the airmen and NCs (E) while they are in service. Project

¹⁶ DOP&T OM (1986), Op cit. fn 3, p. 2

'Sagardeep' was inked on 24 June 2011 with Indian Navy to extend educational opportunities to the sailors of Indian Navy under the Community College scheme of IGNOU, recognising the 'In-Service' training/courses undergone by them at Naval Training Schools / Institutes / Establishments of the Indian Navy (known as Navy-IGNOU Community Colleges – NICCs). The sailors are being awarded the Certificate in Naval Science and Technology; Diploma in Diving Operation; and Associate Degree in Science upon successful completion of their training / course. Thus, it can be seen that the educational qualification levels of PBORs have indeed gone up, making them eligible for better job opportunities through these measures.

4.5. With the recognition of their skills acquired during the course of their tenures in the Armed Forces through award of diplomas and degrees by recognized Universities, the aspiration of retiring personnel have increased. However, the avenues of second career, especially in the government jobs, have not really grown commensurately. This gap needs filling by way of amending the requisite reservation and rules for Ex Servicemen. Similarly, the jobs being provided through DG (Resettlement) also need to recognize these changes and look beyond security jobs for these personnel.

4.6. Governments both at the Centre and in many States have recognized the need to provide certain relaxation in norms and reservations for Ex Servicemen in the government jobs and also for jobs in Banks and PSUs. The policies were formulated in 1970s and 80s and have either not been reviewed since then or the reviews have taken place without recognizing the changed norms of tenures in the Armed Forces or changing economic and social realities of the country over the years.

4.7. **Central Government Jobs.** Central Government has provided certain provisions which include reservation of posts/ relaxation in age and educational qualifications, exemption from payment of application/examination fees, and priority in employment to the disabled ESM and dependants of deceased service personnel on compassionate grounds. The Central Government has reserved 10% of Group "C" posts and 20% of Group "D" posts for ESM, while central PSUs and organization banks provide 14.5% reservation in Group "C" and 24.5% in Group "D"

posts. 10% posts of Assistant Commandants in paramilitary forces are also reserved for ESM. In Security Corps, 100% vacancies are reserved for ESM. Relevant Government Orders on reservation of ESM in Govt jobs are contained in Gazette of India Extraordinary Notifications of Ministry of Personnel, Pension and Grievances dated 01 Jul 1979 duly amended vide Notification dated 04 Oct 2012 titled Ex-servicemen (Re-employment in Central Civil Services and Posts) Amendment Rules, 2012. With regard to reservation of vacancies, it stipulates that, *“Ten per cent of the vacancies in the posts up to of the level of the Assistant Commandant in all paramilitary forces, ten per cent of the vacancies in Group ‘C’ posts; and twenty per cent of the vacancies in Group ‘D’ posts, including permanent vacancies filled initially on a temporary basis and temporary vacancies which are likely to be made permanent or are likely to continue for three months and more, to be filled by direct recruitment in any year shall be reserved for being filled by ex-servicemen.”* Though, apparently the amendment to outdated Government orders have been carried out, a careful read of the same shows that not much application of current scenario or current government policies have been taken into account while carrying out these amendments. Group ‘D’ posts have been discontinued with post implementations of 6th CPC recommendations i.e. since 2008. However, the reservations in these posts continue to figure in the current government orders of 2012¹⁷. Department of ESW has recommended to Department of Personnel and Training (DoPT) to consider shifting of 20% reservation in the erstwhile Group ‘D’ to Group ‘C’ and 10% reservation available in Group ‘C’ to Group ‘B’ in the government jobs, as the Group ‘D’ posts have been abolished by the government as per recommendation of the 6th Pay Commission (CPC). However, no decision has been conveyed by DOP&T. Similarly, changed scenario of 2012 as compared to that of 1979, (with regard to reasons for providing reservation of 10% posts of Assistant Commandants to retired Armed Forces personnel) has not been taken into account.

4.8. **State Government Jobs.** Most state government provide reservations to ESM in state government jobs. Details of reservations/ concessions provided by various State Governments are placed at **Appendix ‘F’**. The disparity in providing reservations/ relaxation in State Government jobs by different states is glaring. While

¹⁷ DOP&T OM (2012), Op cit. fn 4, p. 2

few states like Punjab, which is a Border state and has seen major actions during all wars and during counter-insurgency operations in the 1980's, has a well defined and elaborate system of providing reservations which are as high as 15% in State Government posts at all levels including Group 'A' posts. The state also recognizes the various courses a PBOR undergoes during his in-service training and readily them with school/ College level degrees/ diplomas. Government of Punjab Department Of Personnel & Administrative Reforms (Personnel Policies Branch) vide Notification No. G.S.R.11/Const./Arts. 309,234 and 318/82 dated 02 Feb 1982 has published Punjab Recruitment of Ex-servicemen Rules, 1982¹⁸ which need to serve as guidelines for all state governments because of their detailed analysis of each and every aspect of second career in State Government jobs. On the other hand, there are a number of states which do not provide any reservation to Ex Servicemen in governmental jobs. Meghalaya, Nagaland and Orissa fall under this category. There is third category of States who have reservation policy for Ex Servicemen, but do not have elaborate rules and regulations, similar to ones promulgated by the Government of Punjab.

4.9. The issue of how the government policies can be made more effective has been addressed in Chapter VII, while discussing the adequacy of these policies in the present circumstances.

¹⁸ Government of Punjab, Department Of Personnel & Administrative Reforms (Personnel Policies Branch) Notification No. G.S.R.11/Const./Arts. 309, 234 and 318/82 dated February 02, 1982 regarding Punjab Recruitment of Ex-servicemen Rules, 1982. Retrieved on December 22, 2014 from <http://pbsainikwelfare.gov.in/html/reservations.html>