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PAPER CLIPPING

ಇಲಾಖೆ / ವಿಭಾಗ : DEPARTMENT / SUBJECT: *Grant matter*

ಪತ್ರಿಕೆಯ ಹೆಸರು : NAME OF THE NEWS PAPER: *Deccan Herald* ದಿನಾಂಕ : DATE : *08/12/2010*

GENDER NEUTRAL

# SC allows permanent commission for women in navy

NEW DELHI, DHNS

18/12/2010

**T**he Supreme Court on Tuesday granted permanent commission to women officers in the Indian Navy, rejecting the Union government's contention that male officers were more suited for certain duties due to physiological characteristics.

The court said there can't be gender discrimination after the Centre in 1998 lifted a statutory bar, allowing the entry of women officers into all four branches of executive, engineering, electrical and education.

It said the Centre's contention that certain sea-going duties are ill-suited to women officers

was premised on sex stereotypes.

"Performance at work and dedication to the cause of the nation are the surest answers to prevailing gender stereotypes. To deprive serving women officers of the opportunity to work as equals with men in the Indian Navy is discriminatory," a bench of justices D Y Chandrachud and Hemant Gupta said.

The apex court's judgement comes exactly a month after it allowed command position as well as permanent commission for women officers in the Indian Army.

Acting on appeals by the Centre against the directions of the Delhi



High Court and the Armed Forces Tribunal, the court quashed the government's September 2008 policy which restricted the grant of permanent commission to specified cadres and branches in the navy and only to women officers to be

inducted in future. It ordered that all short service commission officers in education, law and logistics cadres, presently in service, be considered for the grant of permanent commission within a period of three months.

Using its power under the Constitution to do complete justice, the court ordered that women officers who were released from service

before 2008 be granted pension benefits and Rs 25 lakh as one-time compensation for loss of service.

The bench pointed out that in view of a 1999 policy letter by the Ministry of Defence to the Chief of Naval Staff, it was "impossible to countenance a submission that women cannot sail alongside men."

The Centre's contention that women officers are ill-suited to certain avocations since it involved them being aboard ships was "contrary to the equal worth of women officers who dedicate their lives to serving in the cause of the nation", the bench said. "Women officers have worked shoulder to shoulder with their men counterparts in every walk of service," it said.