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**STANDING COMMITTEE  
ON DEFENCE  
(2004-05)**

**FOURTEENTH LOK SABHA**

**MINISTRY OF DEFENCE**

*[Action Taken by the Government on the Recommendations contained in  
the 20th Report of the Committee (Thirteenth Lok Sabha) on  
'Welfare of Servicemen and Ex-Servicemen']*

**FOURTH REPORT**



**LOK SABHA SECRETARIAT  
NEW DELHI**

*April, 2005/Vaisakha, 1927 (Saka)*

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*Presented to Lok Sabha on 26.4.2005  
Laid in Rajya Sabha on 26.4.2005*



LOK SABHA SECRETARIAT  
NEW DELHI

*April, 2005/Vaisakha, 1927 (Saka)*

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COMPOSITION OF THE STANDING COMMITTEE  
ON DEFENCE (2004-05)

Shri Balasaheb Vikhe Patil—*Chairman*

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2. Shri Churchill Alemao
3. Shri Iliyas Azmi
4. Shri A.V. Bellarmin
5. Shri Suresh Chandel
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22. Shri R.K. Anand
23. Dr. Farooq Abdullah
24. Gen. (Retd.) Shankar Roy Chowdhury

(iv)

25. Shri T.T.V. Dhinakaran
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SECRETARIAT

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3. Shri P.K. Bhandari — *Director*
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5. Shri D.R. Shekhar — *Under Secretary*
6. Shri Nilendu Kumar — *Senior Executive Assistant*

## INTRODUCTION

I, the Chairman, Standing Committee on Defence (2004-05) having been authorised by the Committee to submit the Report on their behalf, present this Fourth Report on Action Taken by the Government on the recommendations contained in the Twentieth Report of the Committee (Thirteenth Lok Sabha) on the 'Welfare of Servicemen and Ex-Servicemen'.

2. The Twentieth Report was presented to Lok Sabha and laid on the Table of Rajya Sabha on 19 August, 2003. The Government furnished their replies indicating action taken on the recommendations contained in the Report on 31 August, 2004 and 19 November, 2004. To have further clarification on the action taken replies, the Sub-Committee of Standing Committee on Defence on Action Taken Reports took evidence of representatives of Ministries of Defence, Finance & Law & Justice (Department of Legal Affairs) on 13 January, 2005. The full Committee, then took further evidence of representatives of Directorate General, Resettlement (Ministry of Defence), Deptt. Of Personnel, Public Grievances & Pension. Deptt. Of Economic Affairs & Deptt. of Expenditure (Ministry of Finance), Deptt. of Legal Affairs (Ministry of Law & Justice) on 15 February, 2005. The Committee found that the DG (Resettlement) was very indifferent to the issues of ex-servicemen, particularly on (1) Reservation for wards of ex-servicemen (2) Training for ex-servicemen (3) Re-employment in Defence PSUs/ Ordnance Factories and other Defence Establishments.

3. The Committee wish to express their thanks to officers of above mentioned Deptts./Ministries for appearing before the Committee for evidence and for furnishing information desired in connection with examination of Action Taken Replies.

4. An analysis of action taken by the Government on recommendations contained in the Twentieth Report of the Standing Committee on Defence (Thirteenth Lok Sabha) is given in Appendix.

5. For facility of reference and convenience, the observations/recommendations of the Committee have been printed in thick in the body of the Reports.

NEW DELHI;  
21 April, 2005  
1 Vaisakha, 1927 (Saka)

BALASAHEB VIKHE PATIL,  
*Chairman,*  
*Standing Committee on Defence.*

## CHAPTER I

### REPORT

The Report of the Standing Committee on Defence deals with action taken by the Government on the recommendations/observations contained in their Twentieth Report (Thirteenth Lok Sabha) on the 'Welfare of Servicemen and Ex-Servicemen' which was presented to Lok Sabha and laid on the Table of Rajya Sabha on 19 August, 2003.

2. In the Twentieth Report (Thirteenth Lok Sabha), the Committee had made 52 observations/recommendations on the following subjects:

Sl.No.	Para No.	Subject
1.	5.6 and 7	Restructuring of officers' cadre
2.	10 and 11	Insurance Benefits to Servicemen
3.	14 and 15	Reservation System for the wards of Servicemen
4.	21 to 25	Grant of Leave to and Redressal of Grievances of the Servicemen
5.	37 to 40	Resettlement and Welfare of Ex-Servicemen
6.	53 to 58	Re-employment in Government Jobs
7.	63 to 66	Self-employment
8.	74 to 76	Other Welfare Schemes
9.	82 and 83	Conditions of War Widows
10.	97 to 102	Pensionary Benefits admissible to the Armed Forces Personnel and their families
11.	114 and 115	Disability Pension
12.	122 and 123	Family Pensions
13.	128	Welfare Associations
14.	142 to 151	Medical Facilities to Servicemen and Ex-Servicemen



3. Action Taken Notes have been received from the Government in respect of all the recommendations/observations contained in the Report. The Sub-Committee of the Standing Committee on Defence on Action Taken Reports took oral evidence of representatives of Ministry of Defence, Finance and Law, Justice & Legal Affairs on 13 January, 2005 for clarification of certain points in Action Taken Replies of the Government. Then the full Committee took evidence of the representatives of Directorate General, Resettlement (Ministry of Defence), Department of Personnel & Training (Ministry of Personnel, Public Grievances and Pensions), Department of Economic Affairs and Department of Expenditure (Ministry of Finance), Department of Legal Affairs (Ministry of Law & Justice) on 15th February, 2005 to have further clarifications on the reservation and resettlement issues of Ex-Servicemen. Action taken Notes have been categorised as follows:

- (i) Recommendations/Observations which have been accepted by Government:

Para Nos. 37, 40, 53, 54, 58, 63, 64, 66, 74, 75, 82, 83, 128, 142 to 147

- (ii) Recommendations/Observations which the Committee do not desire to pursue in view of Government's replies:

Para Nos. 10, 11, 55, 76, 97, 98, 114, 115, 148 to 151

- (iii) Recommendations/Observations in respect of which replies of Government have not been accepted by the Committee:

Para Nos. 7, 14, 15, 21, 22, 23, 38, 39, 57, 99 to 102

- (iv) Recommendations/Observations in respect of which final replies of Government are still awaited:

Para Nos. 5, 6, 24, 25, 56, 65, 122, 123

4. The Committee will now deal with the action taken by the Government on some of their recommendations as contained in Chapter-I of this Report.

#### WELFARE OF SERVICEMEN

#### **Restructuring of Officers Cadre**

##### **Recommendation (Para Nos. 5, 6)**

5. The Committee appreciated the need for a youthful profile of defence forces at the junior and middle levels as they were closely involved in direct combat but felt that non-upgradation of ranks, lack

of adequate promotional avenues and the consequent problems of enlarged base with fewer posts at the top causing constricted career progression had thus resulted in an undesirable situation of not so young commanding officers. The Committee felt that this had inevitably led to decline in interest and motivation among youth/new entrants towards Defence services.

6. The Committee, therefore, recommended that the short-term as well as long-term measures as suggested by the A.V. Singh Committee constituted for the re-structuring of officers' cadre should be examined expeditiously. The Committee desired the Ministry to take steps, in consultation with the Department of Personnel and Training and other departments, to explore transfer/deputation/lateral induction of defence personnel to other non-Defence Departments/Ministries as in the case of civilian officers being transferred/deputed to Defence Departments.

7. The Ministry of Defence (MoD) has, in their action taken reply, stated that the Report of AV Singh Committee on service related aspects like release of vacancies of the rank of Colonel, making the Short Service Commission more attractive and making available focused study programmes and opportunities to middle level officers to assist them in securing suitable careers outside service as (a) Additional deputation vacancies and lateral absorption (b) Detailing of officers on Multi-disciplinary courses/studies (c) self improvement programme (d) Industrial attachment and (e) Entrance in Civil Services. Examination by relaxation of suitable age and course paper, have been accepted in principle. Concrete proposals in this regard are being worked out by Army HQrs., where required, for taking up with other Departments.

8. As for other recommendations relating to (i) upgradation of various ranks (ii) Time based promotion to Lieutenant Colonel rank (iii) Reduction in service for substantive promotions to the ranks of Captain and Major and (iv) Introduction of Colonel (Time Scale), detailed statements of case in respect of these recommendations are being prepared in consultation with Army HQrs.

9. in regard to status of implementation of AV Singh Committee's report, the Ministry has further stated in their written note:

"... recommendation relating to time based promotion to non-select ranks and upgradation of 750 posts of Lieutenant Colonels to Colonels in a phased manner with 400 posts to stand upgraded in the first year i.e. 2004 and 350 posts to be upgraded in the second year i.e. 2005, has been undertaken....."

10. The Ministry has further informed that recommendations of the A.V. Singh Committee relating to making Short Service Commission cadre more attractive. Additional deputation vacancies and lateral absorption, detailing of officers on multi-disciplinary course studies etc. have been taken up with the concerned Departments/Ministries for consideration.

#### **Comments of the Committee**

11. The Committee are pleased to note that the Ministry has initiated concerted efforts on a positive note to implement the recommendations of the A.V. Singh Committee and in line with this time-based promotion to non-select ranks and upgradation of 750 of Lieutenant Colonels to Colonels has already been brought into effect.

The Committee feel that there is a need to provide better scales and other facilities to servicemen so that the best talent can be attracted to join the three services. Similarly, their retirement benefit should also be reviewed to take care of their post-retirement needs.

12. The Committee, however, desire to be apprised of the stipulated time-frame within which the Ministry would come out with concrete plans to implement other recommendations of the A.V. Singh Committee. The Committee feel that though there is a need to introduce additional promotional avenues at the middle and higher levels, yet the opening up of such avenues should not be at the cost of curtailing the posts at the induction level i.e. the posts of Lieutenants/Captains which form the core of our fighting forces.

#### RESERVATION SYSTEM FOR THE WARDS OF SERVICEMEN

##### **Recommendation (Para Nos. 14 and 15)**

12a. The Committee noted that the benefits of reservation in professional institutions had practically not reached the wards/dependents of serving Defence personnel and that of Ex-Servicemen if they were not in the list of gallantry award winners for the reason that as per the criteria fixed by the Kendriya Sainik Board for allotment of reserved seats the requests for admissions received from them were put on the last priority. The Committee were also surprised to note that many of the State Governments had not still made any provision of reservation for wards/dependents of the Defence personnel.

13. The Committee, therefore, recommended that the Ministry should at once take up with such State Governments to make suitable provisions for reservation of seats in professional institutions for the wards of the Defence personnel. The Committee would also asked the Ministry to thoroughly review the existing levels of reservations and explore the possibilities of increasing the same.

14. The Ministry of Defence (MoD) has, in their action taken reply, stated that the Ministry of Defence have recommended the following order of preference to give the benefits of reservation in professional institutions:

- (i) Widows/wards of Defence personnel killed in action;
- (ii) Wards of serving personnel and Ex-Servicemen disabled in action;
- (iii) Widow/Wards of Defense perennial who died while in service with death attribute to military service;
- (iv) Wards of Defence personnel disabled in peace time with disability attributable to military service;
- (v) Wards of Ex-servicemen personnel and serving personnel in receipt of Gallantry awards;
- (vi) Wards of Ex-Servicemen; and
- (vii) Wards of serving personnel.

Since the number of vacancies available as per current reservation is limited, the benefit of reservation does not reach the categories mentioned to wards the end of the preference list. Certain institutions do not provide reservation under Defence quota as per the recommended order of preference. As a result the benefit of reservation is not availabel to wards/dependents of serving defence personnel and Ex-Servicemen.

Ministry of Defence have been insisting on increasing the reservation quota available under Defence category and, in pursuance of this, Ministry of Human Resource Development were requested on 7th November 2000 and 29th August 2003 to instruct all Central Universities, Autonomous bodies, professional and non-professional institutes including IITs and IIMs to consider providing 5% reservation to the wards of Defence personnel and Ex-serviceman and the seats

reserved for them should be allotted strictly in accordance with the priorities of 7 categories of defence personnel. Letters addressed to Ministry of Human Resource Development are annexed as **Annexures I and II.**

Some of the State Governments at their level also provide reservation in various streams in professional institutes for the wards/dependents of defence personnel. State-wise percentage of reservation for dependents of ESM in professional colleges is given in **Annexure III.**

The subject matter has also been discussed with the State Government officials in the KSB meetings held from time to time.

15. The Ministry of Defence (MoD) has further stated that the State Governments were requested to make suitable provisions for reservation of seats in professional institutions for the wards of Defence personnel *vide* MoD letter dated 3rd June 1994. MoD have also requested HRD Ministry on 17th November 2000 and 29th August 2003 to instruct the State autonomous bodies, professional and non-professional institutes including IITs and IIMs to make suitable provisions for reservation of seats in professional institutions for the wards of Defence personnel.

16. In a subsequent written note to the Committee regarding follow up action taken with Ministry of HRD, the Ministry stated:

“In response to the letters addressed by the Ministry of Defence, HRD Ministry had taken up the matter with educational institutions. Some institutions have made provisions for reservation of seats for the wards of Defence personnel and ex-servicemen. Available reservation for dependents of Ex-servicemen in professional colleges in States is given in the statement enclosed (**Annexure-IV**).”

17. During the oral evidence, the representatives of the Ministry in this connection informed the Committee that the Army is taking some steps by setting up their own professional colleges which are meant only for the wards of Ex-Servicemen and serving people. The professional colleges that are being set up are almost across the entire spectrum of professional education like medical, dental, nursing, engineering, management, computer application, law, hotel management, fashion technology etc.

### Comments of the Committee

18. The Committee welcome the move of the Government to set up professional institutions meant only for wards of Ex-Servicemen and serving Defence personnel. The Committee hope this would, to some extent, meet the requirements of Defence personnel. However, in view of large number of Ex-Servicemen and serving personnel there will still be a need for increase in reservation quota in various professional institutions so that the benefits of reservation reach towards last priorities in the order of preference. Since education is a concurrent subject, the Committee, therefore, recommend that Government of India should issue specific directions to the State Governments and Central Universities and institutions to provide necessary reservations for the wards of Ex-Servicemen.

GRANT OF LEAVE TO AND REDRESSAL OF GRIEVANCES OF THE SERVICEMEN

### Recommendation (Para No. 21 to 23)

19. The Committee had been informed that there was liberal treatment with the serving Defence personnel as compared to civilian employees so far as the types and days of leave available to them were concerned. The Committee felt that this was rather desirable despite the depletion in available strength and other implications in sanctioning the leave, keeping in view the strenuous environment and stressful conditions under which they performed their duties.

20. The Committee noted that a provision of annual leave of only 30 days had been made for Recruit Boys whereas Officers and JCOs availed 60 days of leave in a year and Furlough leave was available only for Officers. The Committee also noted that on the one hand practical difficulties were being faced in sanctioning of leave due to exigencies of deployment of troops, leading to accumulation of leave, on the other hand, the personnel were being denied benefit of encashment due to ceiling of 300 days on accumulated leave.

21. The Committee, therefore, recommended that suitable measures should be taken to minimise the difficulties being faced by the Defence personnel in getting their leave sanctioned. At the same time, the discrepancies in kinds of leave provisioned for Officers, JCOs and Recruit Boys should be rectified. The Committee further recommended that the ceiling of 300 days for leave encashment should be removed as part of compensatory measure so as to encourage service personnel

to encash the accumulated leave to maintain availability of sufficient manpower for deployment.

22. The Ministry of Defence (MoD) has, in their action taken reply, stated that the leave is normally sanctioned unless operational commitments demand otherwise, in which case personnel are allowed to carry forward their leave to subsequent years as a special case. Action is being taken to remove discrepancies in kinds of leave provisioned for Officers, JCOs and Recruit Boys.

23. In a subsequent clarification as sought by the Committee, the Ministry have stated that the Defence personnel are entitled to 60 days annual leave unlike the civilian employees, who have only 30 days of earned leave in a calendar year. The Cardinal principle which governs the grant of this higher quantum of leave to the armed forces personnel has relation to their duties being more strenuous than those of the civilians. As such, they are expected to require longer leave for recuperation and for maintaining a healthy and youthful profile. Therefore, the annual leave of the Defence personnel has historically been non-accumulative. However, in deference to the persistent demand from the Service HQrs. For the facility of accumulation and encashment of annual leave, on the analogy of the civilians, approval of the Cabinet Committee on Political Affairs (CCPA) was taken in 1983 to allow accumulation of annual leave to the extent of 30 days in a calendar year, subject to a maximum of 180 days, which was the prevailing ceiling for civilians for the purpose of encashment at the time of retirement.

Subsequently, the maximum ceiling for encashment of leave in respect of Service personnel was enhanced to 240 days in the wake of the implementation of the IV CPC recommendations. The present ceiling of 300 days has been fixed following implementation of the V CPC recommendations in para 160.10 of its Report.

It has also been pointed out by the Ministry that the maximum ceiling of leave encashment for Defence personnel has always been at par with that of the civilian employees in whose case also, the maximum ceiling is 300 days presently as per the V CPC recommendations.

Hence, enhancement of the present ceiling would disturb the parity with that of the civilian employees having considerable implications.

This matter would require detailed examination by the Department of Personnel & Training (DOP&T). which is the nodal Ministry for this subject.

#### **Comments of the Committee**

24. The Committee are pleased to note that efforts have been initiated by the Government to remove discrepancies in the types of leave provisioned for Officers, JCOs and Recruit Boys. The Committee, however, are not inclined to concur with the contention of Government that enhancement of present ceiling of encashment of 300 days would disturb the parity with civilian employees. The service condition of Defence personnel are entirely different from that of civil side. The Defence personnel are involved in multifarious activities like they were called for the relief operations in Tsunami disaster, in low intensity conflicts in some States etc. As such there is always a need for availability of sufficient manpower for deployment of the forces in various exigencies. The Committee, therefore, reiterate the urgent need of removing 300 days' ceiling for leave encashment so that the Defence personnel are not tempted to proceed on leave for the reason that any addition to that number would go waste. The Committee strongly feel that case of Defence Forces should be dealt with separately from Civil Service.

#### **WELFARE OF EX-SERVICEMEN**

##### **Setting up of National Commission of Ex-Servicemen**

###### **Recommendation (Para No. 38)**

25. The Committee felt that the rehabilitation of Ex-Servicemen with due dignity and honour necessarily required a National perspective and vision. The multifaceted plethora of problems of Ex-Servicemen needed to be addressed by the entire society including the Governmental agencies of Center and States and not the existing set up in the Ministry of Defence alone. The Committee, therefore, recommended that a statutory National Commission on Ex-Servicemen on the lines of National Commission for SC/ST/Minorities should be set up urgently. The Commission shall submit its report to the Parliament every year. The Commission shall in addition to the other functions, also monitor DGR, Rajya Sainik Boards and Zila Sainik Boards.

26. The Ministry of Defence, in their Action Taken Reply, has stated that the High Level Committee on problems of Ex-Servicemen,



constituted under the Chairmanship of Shri K.P. Singh Deo, the then Raksha Rajya Mantri, had recommended in 1984 for the setting up of an Ex-Servicemen Resettlement Commission similar to Scheduled Caste/Scheduled Tribe Commissions. This recommendation and the following inter-linked recommendations made by the Committee were examined in depth in consultation with the Department of Legal Affairs:—

- (a) Enactment of National Ex-Servicemen Resettlement Act.
- (b) Constitution of a Parliamentary Committee for overseeing the implementation of various schemes and facilities for Ex-Servicemen.

27. The DOP&T and the Ministry of Finance were also consulted in the matter. Subsequently, on the basis of the advice received from the Department of Legal Affairs/DOP&T, it was felt that above recommendations involve the question whether Ex-Servicemen should have statutory reservation even in the matter of allotment of infrastructure for self-employment which lies within the purview of the States and that quantum of reservation in favour of the Ex-Servicemen, whether under the proposed Central or State Acts would need to be determined keeping in view the local conditions in each State, and in particular to the percentage of Ex-Servicemen in the States total population. It was felt that it would appear to be difficult to achieve a uniform consensus throughout the country on this matter as local perceptions as well as local infrastructure are bound to differ. For the same reasons, the percentage of reservation in job opportunities under the Model Bill for the States is also likely to vary from State to State and that an additional factor involved in dealing with this issue is the limitation on the overall reservation at 50% of recruitment as per the ruling of the Courts. In view of the above a decision was taken at the highest level not to accept the above recommendations, including the recommendation for providing Commission/Commissioner for Ex-Servicemen.

28. The recommendation concerning setting up of an Ex-Servicemen resettlement Commission was again considered by an Inter-Ministerial Committee set up in 1992 to deal with remainder problems of Ex-Servicemen. This Committee had also not agreed to the proposal, as there are already Sainik Board Organisation in the State/UTs and the DGR at the center to oversee the implementation of reservation policy and the interest of Ex-Servicemen. Details of Central/State

organisations looking after the welfare of Ex-Servicemen are given below:—

### **Central Level**

**(a) Directorate General Resettlement.** The Directorate General Resettlement (DGR) under the Ministry of Defence has been set up to look after all matters connected with Resettlement and Welfare of Ex-Servicemen (including officers), their widows and dependents.

(b) The DGR has a Zonal Resettlement Directorate co-located with each of the five Army Commands Headquarters. These Directorates are the Zonal representatives of the DGR and are responsible for looking after the resettlement and welfare of Ex-Servicemen in their respective Zones.

**(c) Kendriya Sainik Board (KSB).** Kendriya Sainik Board is the apex body at the Centre which provides policy guidelines or resettlement and welfare matters affecting Ex-Servicemen and families serving and deceased personnel. The Board with the Raksha Mantri as President has 45 members including 13 Chief Ministers, 7 Ministers of State from Central and State Governments, the Service Chiefs and other members. The Kendriya Sainik Board co-ordinates the work of Departments of Sainik Welfare in States/UTs and provides budgetary support to the extent of 50 percent for their establishment and maintenance costs.

**State Level.** At the State level, Rajya Sainik Boards have been set up in the 32 States/UTs in the country to provide policy guidelines to the Departments of Sainik Welfare and Zila Sainik Welfare Offices.

**District Level.** The Zila Sainik Welfare Offices provide grassroots resettlement and welfare services to Ex-Servicemen, widows, dependants and families left behind by soldiers serving in field areas. These offices are created in Zilas where the population of Ex-Servicemen, their dependants and families of serving soldiers is over 7500.

29. The functioning of the Zila Boards is monitored by the respective Rajya Sainik Board. In turn five Zonal Resettlement Directorates oversee the functioning of the Rajya Sainik Boards. Kendriya Sainik Board and Directorate General Resettlement monitor the overall functioning of the Rajya Sainik Boards.

30. The above proposal was reconsidered again in the year 2000 on a recommendation made by the Committee on Government Assurances that the Government may constitute a permanent Commission for Ex-Servicemen as in the case of Backward Commission etc. so that it will regulate, monitor and recommend. However, it was felt that there is already a plethora of bodies, both at the State level and the Central level, looking after the welfare of Ex-servicemen and therefore, there is no need to add one more organisation to the existing organisations looking after the welfare of Ex-Servicemen. In this connection, it is also stated that the main constraints in extending the desired welfare and resettlement benefits by the Central/State Governments to the Ex-Servicemen/dependents of deceased Defence services, are lack of adequate financial resources, shrinking of job opportunities in Central/State Governments, increase in the population of Ex-Servicemen by about 55,000 annually, un-employment in general and not the lack of the organizational set up to oversee these aspects. As such it was not considered desirable to constitute a National Commission for rehabilitation of Ex-Servicemen.

31. The proposal has been re-examined and it has been decided that in view of the position mentioned above, there is no need to constitute a statutory National Commission on Ex- Servicemen on the lines of National Commission for SC/ST/Minorities.

#### **Comments of the Committee**

32. The Committee are not convinced with the reply of the Ministry of Defence that the constitution of National Commission on Ex-Servicemen would be mere addition to the existing set-up within the Ministry tasked to look after welfare of Ex-Servicemen. The Committee also note that the existing structure of organisations for the purpose lacks accountability in their functioning and thus welfare issues not being addressed in earnest manner. The Committee, therefore, strongly reiterate their earlier demand that setting up of 'National Commission on Ex-Servicemen', with statutory rights to fix responsibility on different Sainik Boards and State Governments in regard to rehabilitation of Ex-Servicemen, should be taken up in expeditious manner by the Ministry of Defence. The Commission shall also be liable to present annual report on the subject to the Parliament every year.

RESETTLEMENT OF EX-SERVICEMEN

#### **Recommendation (Para Nos. 39)**

33. The Committee recommended that keeping the changing economic and social environment in view the DGR, Rajya Sainik Boards

and Zila Sainik Boards should be thoroughly modernised and re-structured with statutory powers as the consultancy and management agencies for generating self-employment projects for ex-servicemen on a large scale. For this purpose, the required expertise in management, financial, banking insurance and marketing consultancy should be inducted at all levels. DGR should also be entrusted with all responsibility for coordinating various training activities and programmes and should be re-designated as Directorate-General of Resettlement & Training.

34. The Committee under 'Restructuring of Officers cadre' at para 7 of the original report also desired the Ministry to formalise a Consultative Machinery to achievevely involve the retired high rank Defence personnel for consultations to obtain their suggestions on regular basis so as to derive full benefits of their was experience in Defence arena.

35. The Ministry of Defence (MoD), in their action taken reply, has stated that Directorate General of Resettlement is an Inter-Service Organisation which functions under Ministry of Defence and is vested with responsibility of training and resettlement of ex-servicemen, disabled soldier, war widows and their dependents.

Rehabilitation and Welfare of ex-servicemen, widows, disabled personnel boarded out from services, their dependents is the joint responsibility of Government at the Centre, States and Union Territories. For this purpose the Sainik Board Organisation exists. There are 32 Rajya Sainik Boards and 335 Zila Sainik Boards in the country. In order to strengthen the Sainik Board Organisation in the country, the Ministry of Defence provides 50% of the expenditure on the establishment and maintenance of Rajya and Zila Sainik Boards. The functionaries of RSBs and ZSBs are however, State/UTs employees and the Boards are generally functioning as independent Department of Sainik welfare in States/UTs. To standardise these organisations within the country, the High Level Committee under Shri K.P. Singh Deo and the Committee on Standardisation of Sainik Board Organisation had made their recommendations which have been adopted in most States. However, there are certain weaknesses in the system such as that the Directors and Deputy Directors in most of RSBs and Directors of ZSBs are not manned by ex-service personnel which need to be rectified.

Empowerment of DGR, RSBs and ZSBs with statutory power for engaging the consultancy and management agencies for generating

self-employment projects for ex-servicemen is not possible unless the subject of ESM welfare is included in the Concurrent List of the Constitution. However, the State Governments could consider constitution of ESM Corporations with statutory backing for generating self-employment projects for ESM on a large scale.

Presently, there are no specialised experts available in the fields of management, financial, banking, insurance and marketing consultancy in DGR, RSBs and ZSBs. In the States, Consultative and Advisory Committees could be formed with autonomy by including experts from the Banking, Insurance and marketing sector.

Directorate General Resettlement already coordinates training programme and activities for both officers as well as Personnel Below Officers Ranks and thus there is no requirement of changing the existing nomenclature of the organisation.

36. In a further written reply to a question on the performance of Sainik Boards, the Ministry further stated that most of the States have initiated schemes for the ex-servicemen welfare which take into account the local requirement and conditions. In States like Maharashtra, Tamil Nadu, Kerala, Himachal Pradesh, Punjab and Uttar Pradesh, ex-servicemen Corporations have been formed and run by the ESM community.

Rajya Sainik Boards are running 262 sainik rest houses in different States for use by ESM and their dependents. During the last five years, 28 sainik rest houses have been constructed by Rajya Sainik Boards with financial assistance from Central Government.

Rajya Sainik Boards are extending help in holding ex-servicemen rallies in various States to disseminate information on various schemes of Central and State Governments. In such rallies, ex-servicemen are informed about self-employment schemes Prime Minister's Rozgar Yojna and about opportunities extended by private sector companies.

It is worth mentioning that private sector companies and NGO participation has increased in the last five years, and ex-servicemen are getting dealerships from companies like Hero Honda, Kinetic Engineering etc.

With the active participation of Rajya Sainik Boards and Zila Sainik Boards there has been a remarkable increase in collection of

Armed Forces Flag Day Fund through involvement of schools, NCC, corporate houses etc.

Rajya Sainik Boards have been interacting with the respective State administrations to fulfil the job quota in State Government and reservation of seats in educational institutions. Some of the States have shown positive results of such persuasion.

Rajya Sainik Boards/Zila Sainik Boards have been facing certain constraints which require to be addressed by the respective State Governments. Some of these are listed below:—

- (i) Many ESM do not come forward to register in the Zila Sainik Board.
- (ii) These Boards are having inadequate infrastructural support *e.g.* office building transport, telephone, fax etc.
- (iii) Annual meetings of Rajya Sainik Board are not held regularly.
- (iv) Some boards do not have the required staff. The State Governments are not providing adequate attention for filling up vacancies.

37. The Ministry of Defence (MoD), in reply to the recommendation of the Committee regarding involvement of retired defence personnel for consultations has further stated that the recommendations of the Committee set up for the purpose, have been accepted in principle and a case has been taken up with Ministry of Finance/Department of Personnel and Training (DoP&T) for engaging retired officers as consultants. They have been requested to consider granting dispensation to Ministry of Defence (MoD) in respect of the following:

- (i) removal of the restriction of employment of only two consultants from the pool of retired officers of the level of JS & above in MoD and its attached/subordinate offices.
- (ii) The authority to fill up upto 50% of the total number of consultants who could be employed from the pool of retired/retiring officers directly by MoD. In case the number of consultants exceeds 50% approval of DoPT would be sought on a case to case basis.

- (iii) Extension of the period of engagement of consultants from the stipulated period of 6 months, to 6 months extendable to one year or upto the age of 62 years. whichever is earlier.

38. During the oral evidence the defence Secretary informed the Committee that a separate Department had been created by the Government headed by Additional Secretary to exclusively deal with the problems of ex-servicemen including pension, welfare and rehabilitation.

In further evidence before the Committee, the representative of Ministry of Defence submitted that Rajya Sainik Boards and Zila Sainik Boards which primarily constitute the executive arm of DGR have over the years got diluted. There are certain guidelines which have been laid down that they should be staffed by ex-servicemen but many States have basically employed civilian officers, Bureaucrats, policemen, financial advisers etc. to staff these boards.

As regards the training programmes for Officers, ex-servicemen and Personnel Below Officers Rank and how the DGR has been coordinating them, the representative informed that there are 400 courses for JCOs and other ranks of ex-servicemen and those who are about to retire.

He further informed that no Government training centers are involved in giving training to ex-servicemen and they outsource the training to private agencies.

As regards the recognition of these courses by various certifying bodies, the representative informed that these are short courses ranging from one week to 15 days or 3 months and not many of them are recognised by the Council like AICTE or any other University. Only MDI, Gurgaon and IIM. Lucknow are recognised.

#### **Comments of the Committee**

**39. The Committee are happy to note that a separate Department has been created in the Ministry of Defence to exclusively deal with problems of ex-servicemen. The Committee hope that the new Department will be able to address the needs of ex-servicemen effectively. The Committee are, however, concerned to note that Rajya Sainik Boards and Zila Sainik Boards have been facing certain constraints in their working like inadequate infrastructure support,**

vacancies in the Boards etc. which are to be addressed by respective State Governments. In this connection, the Committee have been informed that Central Government provides 50 per cent of the establishment expenditure of the Rajya Sainik Boards and Zila Sainik Boards and the rest is borne by the concerned State Governments. As most of the State Governments are facing resource constraints, and thus unable to provide their share, the welfare and rehabilitation programmes are suffering. Therefore, the Committee recommend that since it is the primary responsibility of Central Government to look after the welfare and rehabilitation of ex-servicemen, the Ministry should consider to enhance the share of Central Government in funding for their welfare. The Committee further desire that in addition to other welfare measures being in place, the Government should also encourage the creation of Self Help Groups (SHGs) so that the problems of ex-servicemen are addressed at the grass-root level. The newly created department for ex-servicemen should chalk out a scheme in this regard as also examine the possibility of engaging various specialised experts to help rehabilitation of ex-servicemen. The State Governments may be asked to appoint consultative and advisory Committees consisting of experts from various fields.

The Committee are unhappy to note that State are not following the guidelines laid down by DGR that Rajya Sainik Board and Zila Sainik Board should be staffed by ex-servicemen and have employed civilian officers etc. to manage then thereby diluting the role of ex-servicemen in managing their own affairs. The Committee desire that the Ministry should take up the matter with State Government regarding appointment of ex-servicemen to the various posts in Rajya Sainik Boards and Zila Sainik Boards so that the multifarious problems of the ex-servicemen can be addressed in right perspective as also to utilise their vast experience in formulation of different programmes and policies for their welfare and also pursue the matter of State share for the better functioning of RSBs & ZSBs.

The Committee are constrained to note that Ministry of Defence has not opened any training centers for ex-servicemen and they only outsource the training to private agencies. The Committee further note that most of the courses which are of too short duration and of very casual nature are not recognised by AICTE or any other University. The Committee feel that because of unsuitability of these courses the retiring defence personnel/ex-servicemen are not keen on taking these training course. The Committee are of strong view



that the Government should invest in opening training centers on their own for ex-servicemen which are recognised to impart them skilled training so as to facilitate them to find employment. The Committee desire that Government should play a proactive role in improving skilled training to ex-servicemen keeping in view the anticipated re-employment opportunities in the public/private sector, The Committee further desire that the full cost of various courses should be borne by the Government so that the course duly recognised by AICTE/University are available to the servicemen/ex-servicemen.

The Committee also note that in consonance with their recommendations to involve the services and vast experiences of retired defence personnel in multifaceted defence matters, the Ministry has taken up the case with the Ministry of Finance/ Department of Personnel and Training (DoP&T). The Committee desire the Ministry to chalk out the strategy by which their services could be utilised in the best possible way in the national interests and furnish progress report on the matter to the Committee from time to time.

The Committee also observe that DGR did not have full information about the number of ex-servicemen who were imparted training and also the number of ex-servicemen who were employed in various Defence establishments. The Committee, therefore, desire that DGR should maintain the proper data as per charter given to him and ensure that maximum ex-servicemen are re-employed in various Defence organisations. The Committee feel that this organization looked static and the Ministry should make efforts to make it more dynamic.

#### RE-EMPLOYMENT IN GOVERNMENT JOBS

##### **Recommendation (Para No. 57)**

40. The Committee noted that the trained, motivated and disciplined manpower released from active service every year at a very young age could be a boon for industries in the public, private and cooperative sectors. As they had worked as a unit all these years. they could work in coordination with each other which could result in enhanced level of productivity. The Committee recommended that the Ministry should enter into a dialogue with public sector undertaking including banks, railways, airlines, insurance, private sector, cooperatives, autonomous bodies *e.g.* Sports Authority of India and the organisations like Confederation of India Industries (CII), Federation

of Indian Chamber of Commerce and Industries (FICCI). Associated chambers of Commerce & Industry of India (ASSOCHAM), PHD Chamber of Commerce and Industry (PHDCCI) etc. and chalk out the plan of action for re-employment of ex-servicemen befitting their rightful dues and dignity.

41. The Ministry of Defence (MoD) has, in their action taken reply, stated that DoP&T has issued instructions for providing reservation in Group C and D posts for ex-servicemen in Central Government jobs. These instructions are also applicable to public sector undertakings and banks; railways, etc.

The Ministry of Defence further stated that Directorate General Resettlement (DGR) is having constant liaison with Public Sector Undertakings like HAL, BHEL and BEL etc. for providing them quality manpower of ex-servicemen on contractual and permanent basis. They have also requested Indian Railways to engage ex-servicemen security agencies sponsored by them for the security of passenger bogies. They also approached Oil & Natural Gas Commission and Indian Oil Corporation for re-employment of ex-servicemen.

In order to explore employment opportunities for ex-servicemen in Private Sector, DGR is already organising Seminars. During 2003-04 such Seminars were conducted with Confederation of Indian Industry and Chamber of Commerce & Industries at Kochi, Pune, Hyderabad, Indore and New Delhi. Besides, DGR also had direct interaction with the leading business houses like Reliance Industries, Larsen & Toubro Ltd., Aditya Birla Group, Mahindra & Mahindra Ltd., Taj Group of Hotels, Kirloskar Brothers etc.

During evidence the Committee enquired about the number of persons absorbed by PSUs, the representative informed that out of 60,000 retired last year, 19,000 people have been placed out of which 11,717 personnel have been placed through security agencies working with Public Sector Undertakings.

The representative, however, admitted that Public Sector Undertakings and Banks are not adhering to instruction of DoPT for providing reservation in Group C&D Posts for ex-servicemen.

Asked about the legality of instructions, the Secretary, Public Sector Enterprises informed that the instructions of administrative nature, its sustainability requires strength of law.

The Committee enquired about the monitoring being done to see that instructions for providing reservations in Group C&D posts for ex-servicemen in Government are implemented, the Secretary DoPT stated that the mechanism should be in Ministry of Defence.

42. During the oral evidence, the representative of Ministry of Defence submitted before the Committee that there is overall reservation limit of 50 per cent laid down as per ruling of Supreme Court and after reservation made for OBCs, SCs & STs which works out to 49.5 per cent, only 0.5 per cent is left for ex-servicemen.

However, as a matter of clarification, Secretary, DoPT in this connection stated:

“There is some misconception about the 50 per cent limit of reservation. It is a vertical reservation concept which the Supreme Court introduced in the Indira Sawhney case. It really enjoins that there should be 10 per cent reservation in Group ‘C’ and 20 per cent reservation in Group ‘D’ for the ex-servicemen in all the categories across that board—SC, ST, OBC and the General Category. So to say that this 50 per cent limits the reservation for the ex-servicemen is not wholly correct because they can get the 10 per cent reservation/20 per cent reservation in Group ‘C’ and ‘D’ categories within these categories as such. So, the 50 per cent is not a limit which applies to ex-servicemen”.

#### **Comments of the Committee**

43. The Committee are surprised to note that out of approximately 60,000 defence personnel retiring every year, merely 30 per cent are absorbed in Government jobs and public Sector Undertakings despite the fact that DoP&T has exclusively issued instructions to ensure reservations for ex-servicemen in Group ‘C’ and ‘D’ posts. The Committee note the efforts of DGR in regard to their placement and feel that the outcome of these efforts was unsatisfactory. The Committee feel that there is need to improve the working of this organization and monitor it closely.

The Committee, therefore, recommend the Ministry of Defence to urgently evolve a monitoring mechanism so as to coordinate with Public/Private Sector Undertakings, Banks etc. for placement of retired defence personnel as per their eligibility and suitability and strictly oversee that the DoP&T instructions in this regard are implemented in letter and spirit. The Committee further recommend that the

Ministry, besides constantly exploring their appropriate placement in other offices, should earnestly strive to insure their absorption in their own offices and Defence PSUs across the Country. In this connection, the Ministry should also take up the matter with the Ministry of Law so as to provide for reservation in various categories of jobs in Ministry of Defence and its Undertakings. Suitable training should be provided to PBOR so that they take advantage of these reservations. The Committee would like to know the action taken by the Government in this matter within 6 months of the presentation of this report.

The Committee also note with serious concern the misconception ceiling of 50 per cent vertical reservation to deferent strata of the society as laid down by the Supreme Court. The Committee note that it enjoins 10 per cent reservation in Group 'C' posts and 20 per cent in Group 'D' posts in Government jobs to all the ex-servicemen. The Committee, therefore, recommend that the Ministry should take up this issue with DoP&T and the Ministry of Law to ensure the benefit of reservation in various categories of posts so as to accommodate and address the re-employment matters of ex-servicemen in justifiable perspective.

ONE RANK ONE PENSION

**Recommendation (Para No. 99)**

44. The Committee had been recommending for grant of 'One Rank One Pension to the armed forces personnel time and again. The Committee observed that successive Governments and Pay Commissions had made improvements in the pension structure keeping in view the cost of living index. This had accentuated the disparity of pensionary benefits between pensioners of the same rank. The older pensioners who had become infirm in ability and capability and burdened with a larger social obligation received pension calculated at the rate of pay at the time of their retirement in 1950s or 1960s or 1970s, which was quite paltry and the Dearness Relief quite inconsequential in today's context of inflation and shrinking purchasing value of money. The nation must repay its debt to those defenders of the motherland with gratitude and humility. We should, instead of, looking for precedents in this regard, create precedents for the others to emulate. Any amount paid in this regard would be small token of our gratitude to them. The Committee, therefore, once again reiterated their earlier recommendation for providing 'One Rank One Pension' to the armed forces personnel.

45. The Ministry, in their action taken reply, have stated that the demand of 'One Rank One Pension' has been persistently raised by the Organisations of ex-servicemen at different fora in the past. It was considered but not recommended by the Fourth and the Fifth Central Pay Commissions. The Inter-Ministerial Committee, set up by the Department of Pensions & Pensioners' Welfare (DP&PW) deliberated upon this issue and submitted its report to the Government on 24.09.2004. This Committee did not favour grant of 'One Rank One Pension' keeping in view the administrative, financial and legal implications as well as its likely repercussions on the civil side. However to further liberalise the pensionary benefits of Personnel Below Officer Rank (PBOR), the Committee recommended grant of modified parity based on maximum of the pay in the revised scales introduced with effect from 01.01.1996.

46. In written reply to a further clarification on the Administrative, Financial and Legal implications arising out of the implementation of 'One Rank One Pension' for the ex-servicemen, the Ministry of Defence furnished the following information:—

#### **A. Administrative Implications**

The issue of 'One Rank One Pension' has been considered in the past by successive Central Pay Commissions and high level Committees. The Fourth Pay Commission stated that the amount of pension undergo changes as and when pay scales are revised and any attempt to equalise pension with reference to the revised scales of pay would amount to retrospective application of pay scales. A high level Empowered Committee Chaired by the then Defence Minister Shri Sharad Pawar also recommended one time increase and not total parity. The Fifth Central Pay Commission did not agree stating that the additional benefit is given either due to upgradation of recruitment qualifications or change in job contents etc. The benefit accrued on this account need not necessarily be passed on to the pensioners. Inter-Ministerial Committee observed that the job contents over the years have undergone a qualitatively upward change and the present remuneration has to match the increase in skill. Therefore, it would not be financially or administratively pragmatic to accept the concept of 'One Rank One Pension.' In the case of Indian Ex-Services League and others wherein the petitioners had contended that all retirees who held the same rank irrespective of their date of retirement must be given the same amount of pension. This contention was rejected by the Constitution Bench of Hon'ble Supreme Court.

Acceptance of concept of 'One Rank One Pension' would have administrative implications as it will mean total parity between the past and present retirees with future increase in pension to be automatically applicable to the past pensioners, leading to an open ended commitment on part of the Government which may adversely affect the planning and budgeting process of the Government, the liability for the pensionary benefits remaining uncertain. Besides, the implementation of the concept itself would be gigantic task for about 21 lakh pensioners with addition of about 55,000 numbers every year involving manual matching of the past and present rates of pension by about 35,000 pension disbursement agencies comprising of Public Section Banks' branches, Defence Pension Disbursement Offices, Treasuries, Pay and Account Offices and Post Offices. Such an exercise would be involved with each and every increase/revision of pensionary benefits.

#### **B. Legal Implications**

Hon'ble Supreme Court in the case of D.S. Nakara Vs UOI has declared that all pensioners governed by 1972 Rules and Army Pension Regulation shall be entitled to pension as computed under the liberalised pension scheme from a specified date irrespective of date of retirement. In view of this Judgement the Concept of 'One Rank One Pension' cannot be confined to a class/category of pensioners. Once accepted for Ex-Servicemen, the civilians may raise similar demands and if not accepted, may move Court of Law on the above analogy as well as on the principle of law of equity.

The Inter-Ministerial Committee has noted that acceptance of 'One Rank One Pension' may be legally difficult. The Constitution Bench amongst others has not agreed *inter-alia* to the concept of 'One Rank One Pension' filed by All India Service Pensioners' Association.

#### **C. Financial Implications**

The total financial implication for granting 'One Rank One Pension' to the Ex-Servicemen is estimated to be Rs. 600 crores per annum as on 1.4.2004. The liability will further increase every six months with the enhancement of dearness relief. For payment of arrears for the period from 1.1.96 to 31.3.2004, the additional liability would be to the tune of Rs. 4000 crores approximately. This liability would further increase after merger of 50% dearness relief as dearness pension w.e.f. 1.4.2004.

#### **D. Probable implications on civil side**

Acceptance of the concept of 'One Rank One Pension' is bound to give rise to similar demand being raised by the civilian pensioners numbering more than 40 lakhs. If extended to them, the additional financial liability will be enormous. For working out the probable financial implication on civil side, various Ministries/Departments will have to be consulted as the Pension Sanctioning Authority is decentralized to the respective Head of the Office. Fifth Central Pay Commission had recommended uniformity between the civilians and Armed Forces pensioners in granting full parity between pre and post 1.1.86 pensioners and modified parity between pre and post 1.1.96 pensioners. The Inter-Ministerial Committee felt that an appropriate solution of the problem has to be based on factors of capability of the exchequer, the justness of demand and wider implication of scalability.

47. The Defence Secretary further informed the Committee during the evidence that Government has formed a Group of Ministers (GoM) headed by Raksha Mantri look into the issue of 'One Rank One Pension'. The terms of Reference of GoM reads as:

"It has been decided with the approval of the Prime Minister to constitute a Group of Ministers to consider the issues relating to grant of 'One Rank One Pension' to the Members of the Armed Forces retiring with the same length of service irrespective of their date of retirement."

#### **Comments of the Committee**

48. The Committee are disappointed at the report of the Inter-Ministerial Committee constituted to examine the feasibility of application of the long-pending demand of 'One Rank One Pension' for the Ex-Servicemen. The Committee do not concur with the findings of the Inter-Ministerial Committee that bringing into force of the proposal would entail numerous administrative, financial and legal implications as well as wide repercussions on the civil side.

The Committee, however, note that Group of Ministers (GoM) has been formed to look into this contentious issue. The Committee desire that the strong feelings of the Committee in this regard should be conveyed to the Group of Ministers (GoM) for their consideration. The Committee feel that a High Level Empowered Committee should be constituted to go into the whole matter including representatives from all the interested parties.

PENSIONARY BENEFITS ADMISSIBLE TO THE ARMED FORCES  
PERSONNEL AND THEIR FAMILIES

**Recommendation (Para Nos. 100 to 102)**

49. The Committee noted that the 33 years conditionality for grant of full pension was a cardinal principle of pension which was uniformly applicable to all the categories of civil and armed forces pensioners. The armed forces personnel were granted the benefit of weightage of 3-9 years (3 years in the case of General and 9 years for Captains) for the Commissioned Officers and 5 years in the case of Personnel Below Officers Ranks (PBORs) for calculation of their pensions. The Committee were dismayed to learn that the discrepancies existed as regards weightage given to the different categories of service personnel as more weightage was given to Commissioned Officers who already had a longer length of service than the Jawans who served for only about 17 years but were given only 5 years weightage. The Committee, therefore, recommended that the weightage given to various categories of retired Defence service personnel should be reviewed so as to give full benefit to the lower ranks of service personnel who retired early and suffered the most on account of this 33 years conditionality.

50. The Committee felt that uniform conditions for grant of pensions to civilians and Armed Forces personnel did not appear to be logical as only a very small percentage of Defence service personnel retired after 33 years service whereas the civilians completed generally 33 years service before retirement. For example, if a Jawan's salary today is Rs. 3,950/-, he should get a pension of Rs. 1,975, if the conditionality of 33 years was not there. He, however, got only Rs. 1,275 as explained by an expert before the Committee.

51. The Committee, therefore, also recommended that the condition of 33 years of qualifying service to get full pension at 50 per cent of the last pay drawn for the last 10 months should be reviewed in respect of armed forces personnel who served in adverse conditions and inhospitable environment for almost their entire career and, for no fault of theirs, they retired comparably at a young age in the interest of the Nation.

52. The Ministry of Defence (MoD) has, in their action taken reply, stated that the based on the recommendations of the Expert Body (Central Pay Commission) after taking into account all relevant factors is uniformly applicable to the Defence and civil pensioners being a cardinal and integral principle for computation of pension. In order to compensate the Personnel Below Officers Rank (PBOR) for their



truncated career, their pension is computed based on maximum pay of the rank and group held by them at the time of their discharge from service instead of actual pay as is done in the case of officials on the civil side. In addition, a weightage of 5 years in the case of personnel below officer rank is also given which is not available to the civilians. Therefore, the Inter-Ministerial Committee has, after considering all relevant factors, opined that no interference is called for with regard to 33 years conditionality to earn full pension. They have also not recommended any change in the existing weightage available to the Commissioned Officers and Personnel Below Officer Rank. The report of the Committee has been accepted by Ministry of Defence.

53. The Ministry of Defence in reply to another related question from the Committee, stated that the Fifth Central Pay Commission, to whom the Armed Forces had suggested doing away with linkage of retiring pension with 33 years of service were of the view that the rationale behind linkage of 33 years was that both civilian and service personnel who have rendered less service should be given equal treatment. For shorter terms of employment, compensation has been provided separately in terms of weightage *i.e.* 5 years for Personnel Below Officers Rank and 3 to 9 years in the case of Commissioned Officers, computation of pension of personnel below officer rank at the maximum of the pay scale of the rank and group held at the time of retirement and reckonable pay which also includes the element of rank pay in the case of Commissioned Officers and highest classification allowance in the case of personnel below officer rank. This approach has been viewed as reasonable and recommended for continuance by the Commission, 33 years conditionality is a cardinal principle for grant of pensionary awards. The Armed Forces personnel also enjoy certain other benefits which are not available to their civilian counterparts like subsidised canteen facilities, pre retirement vocational training, reservation for re-employment, liberalised schemes for rehabilitation, reservation of seats for their wards in educational institutions etc. In the case of Commissioned Officers, there is actually no depression in pension due to the weightage element who serve till their compulsory age of retirement. With the increase in retirement age by two years, the length of qualifying service has increased for each rank to that extent. Considering all related aspects including repercussion on the civil side and taking into account the fact that neither the successive Central Pay Commissions nor the Raksha mantri's Committee recommended any change in the 33 years conditionality, the Inter-

Ministerial Committee was of the opinion that no interference is called for with regard to the 33 years conditionality to earn full pension.

#### Comments of the Committee

54. The Committee are not convinced with the reply of the Government with regard to 33 years conditionality to earn full pension by Personnel Below Officer Rank (PBOR). The condition of maximum pensionary benefits on 33 years service in the civil side is quite understandable as bulk of the civil employees render more than that period of service. This limit has been imposed to restrict the benefits because a large number of employees can put in as much as 40 years of service. But in case of armed forces personnel especially PBOR, no one can put in 33 years of service, in their case the Government have taken a conscious decision to retire them at a certain age upto which they are considered physically fit to be a part of the fighting forces and that period should be the limit for them to earn full pension. Hence, to put a condition of 33 years of service for them to earn full pension would be a great injustice and against the principle of natural justice. However, if this condition of 33 years' service is suitably amended, the calculation of pension can be rationalised on the pattern followed for civil side.

The Committee, therefore, stress that, keeping in view altogether different job requirements of defence forces whether in times of peace or war, the service condition of defence personnel as also benefits related thereto can never be justifiably equated with that of civilian employees and thus their case should be examined separately, independent of civilian employees, so that the welfare issues of defence personnel are addressed in proper perspective. In this connection, the Committee would also like that Group of Ministers (GoM), constituted to examine the issue of 'One Rank One Pension', be assigned to look into the matter of 33 years' conditionality in conjunction with the examination of 'One Rank One Pension', as the two issues are inter-related. These views of this Committee may also be brought to the notice of the Group of Ministers.

## CHAPTER II

### RECOMMENDATIONS/OBSERVATIONS WHICH HAVE BEEN ACCEPTED BY THE GOVERNMENT

#### **Recommendation (Sl. No. 5, Para No. 37)**

The Committee note that the Directorate General of Resettlement (DGR) was set up to deal with growing needs of the Ex-Servicemen for proper settlement and welfare. Since independence there has been phenomenal increase in the number of Ex-Servicemen who generally need assistance to lead a happy and healthy life. Unfortunately, the DGR has been unable to cope up with the increasing requirements of ever growing Ex-Servicemen population, since they do not have adequate financial and management expertise within the organisation.

#### **Reply of the Government**

An Army Officer of the rank of Major General heads Directorate General Resettlement (DGR). He is assisted by five Directors *viz.* Director (Employment), Director (Self-employment), Director (Training), Director (Publicity) and Director (Statistics & Records). Besides, the DGR has a Zonal Resettlement Directorate co-located with each of the five Army Commands Headquarters. These Directorates are the Zonal representatives of the DGR and are responsible for looking after the resettlement and welfare of ex-Servicemen in their respective Zones.

There is also Kendriya Sainik Board at the Centre for providing policy guidelines on resettlement and welfare matters affecting Ex-Servicemen and families of serving and deceased personnel. The Kendriya Sainik Board under the guidance and supervision of DGR, coordinates the work of Departments of Sainik Welfare in States/UTs.

However, there is a need to upgrade and improve the functional and management expertise within the organisation in view of the increasing number of ex-Servicemen population every year.

[Ministry of Defence OM No. H-11013/19/2003/D (Parl.)  
dated 27.8.2004]

**Recommendation (Sl. No. 5, Para No. 40)**

The Committee note that the Personnel Below Officers Ranks (PBORs) are given many training options like vocational training at various training institutes at diversified places, *i.e.* 4,000 seats are reserved in ITI training institutes, On-the-job Training (OJT) at 27 Public Sector Undertakings (PSUs) spread all over India, training for the servicemen who could not avail of the opportunity while in Service. Similarly, all Officers also have training avenues in the field of security, tourism, materials management, Entrepreneurship Development, Management of Agro Based Industries etc. The Committee note that the number of personnel imparted training during the past five years is hovering around 10,000 while the number of service persons retired/ released every year is about 60,000. The Committee express its displeasure that hardly a fraction of retiring Servicemen and Ex-Servicemen are imparted training and therefore, strongly recommend that the Ministry of Defence to take immediate steps to substantially increase the training facilities at various centres in a time bound manner, so that all interested Ex-Servicemen can avail of the training courses of their preference for getting re-employment nearer their home.

**Reply of the Government**

It is not due to lack of training facilities that only a fraction of retiring soldiers and ex-servicemen are able to avail of training opportunities. Capacity of courses are increased based on response of the volunteers. There are no infrastructure facilities required to be established by Ministry of Defence. Resettlement courses are being organized in Govt., Semi Government and Private institutes in diversified fields spread all over the country. These facilities include Industrial Training Institutes, Public Sector Undertakings and private Institutes.

The response to resettlement courses is dependant on so many factors such as the voluntary nature of resettlement training. Retiring soldiers have the option to attend or not to attend resettlement training and cannot be detailed by Ministry of Defence. The response to the courses is also dependant upon the operational situation and administrative commitments of the service. During OPERATION PARAKRAM, December 01 to December 02 resettlement courses had to be cancelled due to non-availability of participants. Similarly, for the period April to September, 2003 the Air Force had been allotted

1087 vacancies under the Vocational Training scheme. However, due to other commitments, Air Force was able to utilize 205 of these slots.

[Ministry of Defence OM No. H-11013/19/2003/D (Parl.)  
dated 27.8.2004]

**Recommendation (Sl. No. 6, Para No. 53)**

The Committee note that in the vacancies reserved for Ex-Servicemen there is no system of carry forward of unutilised vacancies to subsequent years. This coupled with other reasons *viz.* preference for getting jobs nearer to home towns, non-preference for Para Military Forces, non-fulfilment of relaxed standards, popularity of jobs in security agencies and self-employed schemes etc. has resulted in alarming underutilisation of vacancies reserved for Ex-Servicemen during the past several years.

**Reply of the Government**

The Committee has noted the position indicated by the Government in regard to underutilisation of vacancies reserved for ex-Servicemen and has made observation/recommendation in subsequent Paras 55-57 for improving the existing situation for providing re-employment to ex-Servicemen.

[Ministry of Defence OM No. H-11013/19/2003/D (Parl.)  
dated 27.8.2004]

**Recommendation (Sl. No. 6, Para No. 54)**

The Committee also note that in the category of Group "C" percent of utilisation of vacancies has declined from 34% in 1998 to 12% in the year 2000. In other categories also utilisation of vacancies for Ex-Servicemen has been grossly unsatisfactory.

**Reply of the Government**

The Committee has noted the position indicated by the Government in regard to underutilisation of vacancies reserved for ex-Servicemen and has made observation/recommendation in subsequent Paras 55-57 for improving the existing situation for providing re-employment to ex-Servicemen.

[Ministry of Defence OM No. H-11013/19/2003/D (Parl.)  
dated 27.8.2004]

**Recommendation (Sl. No. 6, Para No. 58)**

The technical trade and certificate acquired by the service personnel by virtue of their training and experience is not given due recognition and weightage in the civil side. The Committee, therefore, strongly recommend that the certificate of training/job experience should be recognized and considered equivalent in the similar trade in the civil sector if required in consultation with Ministry of Labour.

**Reply of the Government**

Ministry of Labour publishes a Directory of Equivalence Service Trades with Civil Trades and Guide to Registration of Defence Services Applicants for Employment. The Directory equates Army, Navy and Air Force services trades with equivalent civil trades. The Directory is updated from time to time and action has been initiated for revision of the Directory published in 1986.

All the Personnel Below Officer Rank (PBOR) on retirement are issued with trade equivalency certificate to facilitate their registration for employment in civil. All Employment Exchanges are required to register retired defence personnel for employment based on their trade equivalence certificate. Similarly, all Ministries/Government Departments and Public Sector Undertakings are expected to recognise the trade equivalence certificate while considering retired defence personnel for employment.

[Ministry of Defence OM No. H-11013/19/2003/D (Parl.)  
dated 27.8.2004]

**Recommendation (Sl. No. 7, Para No. 63)**

The Committee note that most of the Ex-Servicemen after their release from service seek jobs near their homes. Keeping this in view, Government have framed several schemes for encouraging Ex-Servicemen to undertake self-employment ventures and provided financial support to them by way of loans.

**Reply of the Government**

The Committee has noted the factual position indicated by the Government. No action on the part of the Government.

[Ministry of Defence OM No. H-11013/19/2003/D (Parl.)  
dated 27.8.2004]

**Recommendation (Sl. No. 7, Para No. 64)**

The Committee, however, note that the response to the schemes by the Ex-Servicemen is very poor because lack of facilitation and adequate support in marketing their produce and services. The Committee, therefore, feel that a support mechanism is required for the Ex-Servicemen opting for self-employment scheme to facilitate coordination among various agencies for setting up their ventures, ensuring availability of tax benefits and to help market products particularly to Defence services.

**Reply of the Government**

In pursuance of the above recommendation, Director General Resettlement (DGR) has worked out a scheme to impart training to those retiring/retired army personnel who would like to undertake enterprises/occupations/professions etc. for which they have aptitude and ability. The proposed training programme will educate army personnel on the issues like source of funds, funds to be contributed by them and to be raised from the bank/financial institutions/other agencies, return on their investment, various parameters to be considered to know the viability of enterprise, knowledge about Govt./ Non-Government agencies who render help for contribution in resettlement and setting up of enterprises.

The above training courses will be arranged by the DGR through Punjab National Bank, which has 10 operating colleges/centres. All these 10 operating colleges can arrange one training programme each every month. The duration of the training programmes will be for 2-4 days depending upon the target group and the content to be covered. DGR will include the above training course for serving defence personnel from the next training year.

[Ministry of Defence OM No. H-11013/19/2003/D (Parl.)  
dated 27.8.2004]

**Recommendation (Sl. No. 7, Para No. 66)**

The Committee also recommend that Ex-Servicemen should be encouraged to set up Cooperative Societies and these should be provided all possible concessions from Central as well as State Governments on a priority basis so that ex-servicemen can be rehabilitated properly.

### **Reply of the Government**

The Directorate General Resettlement in collaboration with National Bank of Agriculture & Rural Development (NABARD), Small Industries Development Bank of India (SIDBI) and Khadi & Village Industries Commission (KVIC) has sponsored the major Self Employment Schemes namely SEMFEX-II (From Arms to Farm), SEMFEX-III (Sena Se Gramodyog) and National Equity Fund (Sena se Laghudyog). Ex-Servicemen entrepreneurs are encouraged to form Co-operative Societies under these Schemes to undertake agricultural, industrial and service sector activities. Provisions have been made to provide concessions to ex-Servicemen borrowers under these Schemes. Similarly, State level concessions are also available to ex-Servicemen forming Co-operative Societies.

[Ministry of Defence O.M. No. H-11013/19/2003/D (Parl.)  
dated 27.8.2004]

### **Recommendation (Sl. No. 8, Para No. 74)**

The Committee note that only Army Welfare Housing Organization (AWHO) and Air Force Naval Housing Board (AFNHB) are constructing houses for the serving and the retired personnel on self finance as no-profit-no-loss basis. The Committee further note that Delhi Development Authority have announced a scheme. "Vijay Vir Awas Yojana" for the widows/ NOK/dependents of the soldiers killed or permanently disabled and boarded out in OP Vijay (Kargil or other operations, on or after 1 May 1999 and under this scheme 414 houses were available for allotment.

### **Reply of the Government**

Factual statement: No action on the part of the government.

[Ministry of Defence O.M. No. H-11013/19/2003/D (Parl.)  
dated 27.8.2004]

### **Recommendation (Sl. No. 8, Para No. 75)**

The Committee desire that Ministry to take up with other State Governments to formulate residential schemes on the line of "Vijayee Veer Awas Yojana" of the Delhi Development Authority for Ex-servicemen. The Committee recommend that Defence personnel



should be treated as a special category and the Ministry should explore with financial and banking institutions to provide housing loans a very low rate of interest with minimum documentation to the servicemen and ex-servicemen.

#### **Reply of the Government**

The State Governments, have been requested for reservation of House site/plots in favour of ex-servicemen *vide* Raksha Mantri's D.O. letters No. RM/745-F/92, dated 14.2.1992, No. RM/1745-F/A/92, dated 30-03-1992, hon'ble Prime Minister's letter dated November 01,1995 and Raksha Mantri's letter dated October 11,1996. Certain States have provided this concession. A copy of the brochure of "Vijayee Veer Awas Yojana" stated above, has been sent to all Chief Secretaries of State Governments on 25-02-2004 with the request to formulate similar schemes. Likewise; Secretary, Ministry of Finance has also been requested *vide* letter dated 25-02-2004 to provide housing loans at low rate of interest at minimum documentation to service and ex-servicemen (Copies enclosed).

[Ministry of Defence O.M. No. H-11013/19/2003/D (Parl.)  
dated 27.8.2004]

**MULAYAM SINGH YADAV**

**Defence Minister**  
**Govt. of India**  
New Delhi-110011  
11 October 1996

Dear Shri

As you are know, that the XXIV meeting of the Kendriya Sainik Board was held on 24th August 1996 at Delhi. In this meeting, the Chief Ministers/Ministers of State Govts. and the Central Govt. Chief of three Services and Senior officers of State & Central Govt. took part in the deliberations regarding various problems of ex-Servicemen.

2. It was emphasized in the meeting that it is very essential in the present circumstances that we should give proper respect to our valiant soldiers and of our Front liners so that there moral remains high and the young people get encouraged to join Defence Forces. A proposal in this regard was that, on special occasion a public reception be given to honour our valued soldiers and special programmes on them be conducted in educational institutions. In addition, it may also be ensured that effective welfare schemes are formulated for the Defence Service personnel, ex-Servicemen and their families so that they may feel that the whole nation is there to look after them and their families and they be vigilant on the borders of the country.

3. All present in the meeting were unanimous on the suggestion that Central Govt. should prepare a package 'Common Minimum Programme' for solving the problems of ex-Servicemen and all the State Govt./Union Territories should implement it. In this regard, I would like to say that the problems of ex-Servicemen are discussed in the annual meetings of Kendriya Sainik Board and Secretaries, Rajya Sainik Boards held from time to time and to implement the decisions taken therein, minutes of meetings and detailed letters are sent to State Govts. But no concrete steps have been taken on most of them by the State Govts. so far. I am also enclosing a list of important points alongwith the letter. I request you to kindly ensure an early action on these points.

4. In the meeting, while discussing the subject of reservation of vacancies in State Govt. and Public Sector Undertakings for the resettlement of ex-Servicemen, it was highlighted that though provisions

of reservation are there, but the same is not being followed up fully, with the result the ex-Servicemen do not get full benefit of reservation policy. It was also emphasized in the meeting that whatever vacancies exist for the ex-Servicemen, only Ex-Servicemen should be recruited against such vacancies and to ensure its compliance 'an Ex-Servicemen Reservation Monitoring Cell' be established. On the basis of decision taken during the meeting I request you for immediate establishment of a 'Reservation Monitoring Cell' in your State so that maximum ex-Servicemen could get re-employment in their own State.

5. In addition to the above I would like to draw your attention to an important issue which is related to providing assistance to the Second World War veterans. For a long time, the ex-Servicemen have been demanding that keeping in view the pitiable condition of these war veterans, monthly assistance may be provided to them. The Central Govt. had approved an inter-Departmental Committee to look into their demands. On the basis of recommendations made by this committee, I request the State Govts. to grant minimum assistance of Rs. 300/-per month to those veterans who now are in the age group of 70 to 80 years.

I not only hope but also have full confidence that you will take an early action on the above recommendations and in the points mentioned in the list attached and will also let us know about the action taken thereon.

With thanks and best wishes.

Yours

Sd/-  
(Mulayam Singh Yadav)  
11 October 1996

To  
Governors/Lt. Governors/  
Chief Ministers of all States

**PRIME MINISTER**

**New Delhi**  
November 1, 1995

Dear Shri

As you are aware, majority of the Defence service personnel retire between 35 and 47 years of age, as we need to keep the Armed Forces young and fighting fit. Every year approximately 55,000 personnel so retire from the three Services. Even while in service, as they serve mostly in Field and non-Field areas far away from their homes, they are not able to attend to their social and family responsibilities. Due to the changing socio-economic conditions in the country, like the breaking down of the joint family system etc. these ex-Servicemen need support and assistance from the Government for their resettlement and welfare. The Governments both at the Centre and in the States/ Union Territories have, in fact, already taken a number of support measures in this regard.

However, as most of the ex-Servicemen take up residence in the State Union Territory to which they belong, frequently in rural areas their rehabilitation can be achieved best by the concerned State Government/Union Territory Administration. The programmes and various schemes for rehabilitation of ex-Servicemen introduced by the Kendriya Sainik Board (KSB), the apex body at the Centre, have by and large been accepted and implemented by the State/Union Territories. Nevertheless, some of the schemes launched and the proposals recommended by the KSB or otherwise taken by Ministry of Defence in the past are yet to be implemented on the desired lines by certain State Governments/Union Territory Administrations. I am enclosing a list of such issues requiring your personnel attention.

I believe that action with promptitude and sympathy on these issues and their regular and periodical review at your level will have a salutary effect in resolution of the problems of ex-Servicemen. I shall be grateful if you could share with us the results of this review at the earliest preferably by the end of November, 1995

With regards,

Your sincerely,

Sd/  
**(P.V. Narasimha Rao)**

To  
Chief Ministers of the All States  
and the Lt. Governors of the Union Territories

**SHARAD PAWAR**

**MINISTER OF DEFENCE  
GOVT. OF INDIA**

DO No. RM/1745-F/A/92

March 30, 1992

Recognising the valuable service rendered to the country by ex-Servicemen, Government attaches the utmost importance to their welfare and rehabilitation. While a lot has been done for their resettlement much more remains. Two areas where time bound action is required are: (i) allotment of land to ex-Servicemen, at or near their native places, to enable their resettlement after retirement, and (ii) preferential treatment to the children of ex-Servicemen in admission to educational institutions, particularly in medical/engineering colleges. Ex-Servicemen, who have renounced away from their homes for most of their service careers, cannot satisfy the domiciliary restrictions. Consequently, they are virtually State less.

2. I shall greatly appreciate your kind personal interest and early response.

Your sincerely,

Sd/-  
**(Sharad Pawar)**

Chief Ministers/Governors  
of all States.

D.O. No. RM/745-F/92

14 February, 1992

Dear Shri

One of the priority requirements of Servicemen, on retirement, is to have their own residential accommodation, at an affordable price. However, the majority of them are unable to acquire houses during their service due to non-exposure to various housing schemes launched by the State Governments, Co-operative Housing Societies and private agencies.

The aforesaid problem has been engaging Government's attention for quite some time now. After analysis, it has been observed that the housing requirements of ex-Servicemen can best be met by promoting housing colonies for them at places where they have large concentrations or where they wish to settle down. On this basis, it is found that 62 cities/districts (other than the metropolitan cities) have sizable population of ex-Servicemen. The identified stations, located in your States are shown in the enclosed statement. I request you to identify suitable pockets of land at these stations and allocate them at concessional rates for the construction of dwelling units either by ex-Service personnel themselves or through their Co-operative Housing Societies or Army Welfare Housing Organisation/Air Force/Naval Housing Boards.

I shall be grateful for your very early response in the matter.

With warm regards.

Yours sincerely,

Sd/-  
**(Sharad Pawar)**

Encl. As above

**P. K. Mishra**

Tel. No.: 23011775

D.O. No. 6(67)/2001/SCOD/II/D(Res)

25th February, 2004

The Standing Committee on Defence (Thirteenth Lok Sabha) have made certain observations/recommendations in the Twentieth Report with regard to housing problems of servicemen and ex-servicemen. I am reproducing the extract of para 75 of the Report for your kind information:

“The Committee desire the Ministry to take up with other State Governments to formulate residential schemes on the line of ‘Vijay Vir Awas Yojana’ of the Delhi Development Authority for Ex-servicemen. The Committee recommend that Defence personnel should be treated as a special category and the Ministry should explore with financial and banking institutions to provide housing loans on a very low rate of interest with minimum documentation to the Servicemen and Ex-servicemen.”

2. As desired by the Standing Committee of Lok Sabha, your Government may consider to formulate special housing schemes for the benefit of servicemen and ex-servicemen. In this context, the Committee has taken note of the ‘Vijayee Vir Awas Yojana’ formulated by DDA for ex-servicemen. I am enclosing a copy of this Scheme for your perusal.

3. The Standing Committee has recommended that defence personnel should be treated as a special category for this purpose. It is, therefore, suggested that the State Governments may consider the need for formulating special housing schemes for the ex-servicemen and servicemen.

4. I shall be grateful if action taken by your Government in this regard is intimated to us.

Yours sincerely,

Sd/-

**(P. K. MISHRA)**

All Chief Secretaries  
State Governments  
(As per list attached)

**Recommendation (Sl. No. 9, Para No. 82)**

The Committee note that the Ministry have programmes for the welfare of widows of Ex-servicemen. However, there is a large number of widows in far-flung areas who are not aware about their rights and welfare schemes available to them. The widows of soldiers who have given their lives fighting for their motherland should be honoured and the welfare schemes should be delivered at their doorstep. The Committee, therefore, recommend that the Ministry should again impress upon the State Governments to keep the widows and Ex-servicemen well informed about various welfare measures through Rajya Sainik Board, District Collectors, Zila Sainik Board as well as NICNET, electronic and print media.

**Reply of the Government**

All efforts are being made to make the ESM, Widows and War Widows aware of the various schemes formulated by the Central and State Governments for their welfare. At the level of Director General Resettlement (DGR) and Kendriya Sainik Board (KSB) a number of Newsletters, pamphlets and revised Guide Book-2003 have been published at periodic intervals and distributed at the Zila Sainik Board level. Even the ESM and widows who visit KSB are distributed this publicity material free of cost. The publicity of the schemes can be gauged from the fact that the number of ESM/families applying for financial assistances in the last few years has increased manifold.

The Ministry of Defence have also from time to time been addressing the State Governments regarding welfare measures of widows and ex-servicemen. A letter has been addressed by Additional Secretary, Ministry of Defence to Chief Secretaries/Administrators of all State Governments/UTs on 22nd August 2003 requesting them to appoint District Collector, Deputy Commissioner as nodal designated officer at the district level to monitor and oversee the functioning of the Zila Sainik Welfare Offices for resolving the various issues.

[Ministry of Defence OM No. H-11013/19/2003/D (Parl.)  
dated 27.8.04]

**Recommendation (Sl.No. 9, Para No. 83)**

The Committee also recommended that the activities of the Zila Sainik Boards should be monitored on a regular basis and the Board should furnish periodical report to the Ministry regarding the benefits actually reaching Ex-servicemen/widows/dependents.



### **Reply of the Government**

Secretaries, Rajya Sainik Boards are expected to carry out inspections of all the Zila Sainik Boards within their jurisdiction at least once a year. Brief reports of the inspections carried out by the Secretaries, Rajya Sainik Boards are forwarded to Secretary, KSB with a copy to the Ministry. The reports highlight both the achievements and the deficiencies of the Zila Sainik Boards.

Secretary, Kendriya Sainik Board (KSB) is the inspecting officer of the Departments of Sainik Welfare in the States. These Departments of Sainik Welfare are visited by the inspecting officers once in a year generally at the time of their State Board meetings where their functioning is monitored. Notes on various problem areas are also shared with these departments of Sainik Welfare.

The Departments of Sainik Welfare of the State are required to submit a Pink Return every six month in which all important information related to the functioning of their organisation is provided to KSB. The information is collated at the level of KSB and grew areas are brought to the notice of these Departments in which their performance is noted. The Zila Sainik Welfare Offices can also be inspected by DGR or KSB on as required basis.

The Zila Sainik Welfare offices are inspected by Directors, Department of Sainik Welfare and also by the Directors Resettlement Zone at least once a year. The Zila Sainik Welfare Offices submit a green Return once a year in which their performance is depicted. It is, however, felt that the State Governments should strengthen the organisation at the district and state level and provide necessary manpower and wherewithal.

[Ministry of Defence OM No. H-11013/19/2003/D (Parl.)  
dated 27.8.04]

### **Recommendation (Sl.No. 13, Para No. 128)**

The Committee note that the organisations such as the Indian Ex-Services League (IESL), Air Force Association, Air Force Wives Welfare Association, Army Wives Welfare Association and Naval Wives Welfare Association have been working for the welfare of Ex-servicemen, widows and their families. Those organisations also give scholarships to the meritorious children, take care of mother and children through

family health and hygiene programmes, assist in settlement of family cases, especially family pension cases. The Committee hope that the Government will continue to give financial aid to these organisations and help them to serve ex-servicemen and their families in a better way and also see the proper utilization of the grants/aids provided to these organisations for the purpose of which the same are given.

#### **Reply of the Government**

Army Wives Welfare Association, Air Force Wives Welfare Association and Naval Wives Welfare Association are not getting any financial assistance from the Government. However, they are getting support from the welfare funds of the respective Services. Asha Schools are being run under AWWA at various military stations in the country for special children (Mentally and physically handicapped children) and are getting grants in aid on an annual basis from the Ministry of Social Justice and Empowerment. In addition grants are being provided by Formation Headquarters to make these schools self sustainable.

The Indian Ex-services League and Air Force Association are the two recognized Ex-servicemen associations. The guidelines issued by Government for recognition of ex-servicemen association contain a provision that recognition would not entitle an association for any kind of financial or other assistance from the Government.

[Ministry of Defence OM No. H-11013/19/2003/D (Parl.)  
dated 27.8.04]

#### **Recommendation (Sl. No. 14, Para No. 142)**

The Committee note that despite vast number of personnel of defence services as well as Ex-servicemen settled in and hailing from different parts of the country there are only 127 Service Hospitals to provide treatment to them and only 22 private hospitals are recognized to provide specialized medical facilities.

#### **Reply of the Government**

It may be mentioned that 129 service hospital and 25 private hospitals recognized by DGAFMS scattered all over the country are providing medical facilities to personnel of defence services. In field areas, the comprehensive medical care is being provided to the troops by field medical units.

In addition, the Ex-Servicemen Contributory Health Scheme (ECHS) has come into effect from 01 April 2003 to provide comprehensive medical care to Ex-Servicemen pensioners and their dependents through a network of 227 ECHS Polyclinics including 123 in Non Military Stations and empanelment of Private Hospitals and Diagnostic Centres.

[Ministry of Defence OM No. H-11013/19/2003/D (Parl.)  
dated 27.8.04]

**Recommendation (Sl. No. 14, Para No. 143)**

The Committee feel that medical requirements of Servicemen and Ex-servicemen are massive but very poorly addressed and their grievances get compounded considering the fact that there are only 127 service hospitals and 22 recognized private hospitals for specialized treatment for more than 20 lakh Ex-servicemen and their dependents and about 11 lakh serving personnel excluding their family members. The Committee, therefore, desire that the Ministry of Defence should ensure immediate improvement and balanced expansion in the services/ facilities being provided by the service medical hospitals located in different parts of the country and also prepare suitable plans for increasing the number of such hospitals in a time bound manner. The Ministry as an interim measure may consider other options, *viz.* mobile clinics, polyclinics and attachment with other Government hospitals, increasing the number of private recognized hospitals to ensure that Ex-servicemen and their families/dependents are not deprived of even basic and emergent medical facilities.

**Reply of the Government**

The number of ex-servicemen pensioners is approximately 16.9 lakhs. Ex-servicemen Contributory Health Scheme has come into effect from 1st April 2003 for catering to the Medicare needs of Ex-servicemen pensioners and their dependent family members. 227 polyclinics are proposed to be set up over 5 years under the scheme *i.e.* augmented armed forces clinics in 104 military stations and New armed forces polyclinics in 123 non military stations covering the entire country. These polyclinics will be linked to service hospitals as well as civil Government and private hospitals and diagnostic centres. All stations with Ex-servicemen population of 2500 or more will be covered under

the scheme. For the stations where Ex-servicemen population is less than 2500, the dependency on the nearest new armed forces polyclinics or augmented armed forces clinics will be provided. The Government have approved the list of 431 CGHS empanelled hospitals and 55 Railway empanelled hospitals for better medical treatment to Ex-servicemen pensioners and their dependent family members.

[Ministry of Defence OM No. H-11013/19/2003/D (Parl.)  
dated 27.8.04]

**Recommendation (Sl. No. 14, Para No. 144)**

The Committee note that the Government had introduced a Group Insurance Medical Benefit Scheme on 1st April 1991 for Army and Air Force Ex-servicemen. One time lump sum term premium is charged from them to provide specified financial assistance to cover the cost of specialized treatment of the Ex-servicemen and their spouses in the authorized hospitals. Navy has not launched any such scheme for their Ex-servicemen.

**Reply of the Government**

The Committee has noted the factual position indicated by the Government.

[Ministry of Defence OM No. H-11013/19/2003/D (Parl.)  
dated 27.8.04]

**Recommendation (Sl. No. 14, Para No. 145)**

The Committee further note that the Ministry have approved an Ex-servicemen Contributory Health Scheme (ECHS) on 30 December 2002 and this scheme has been introduced from 1st April 2003 on the pattern of Central Government Health Scheme (CGHS) and the Ex-servicemen will have to pay the charges to avail of the benefits of the new scheme (ECHS) at par with the CGHS rates.

**Reply of the Government**

The Committee has noted the factual position indicated by the Government. No action on the part of the Government.

[Ministry of Defence OM No. H-11013/19/2003/D (Parl.)  
dated 27.8.04]

**Recommendation (Sl. No. 14, Para No. 146)**

The Committee note that the benefits of the new scheme will be available only in those districts where registered Ex-servicemen population is more than 2500. The Committee feel that most of the Ex-servicemen may hesitate in joining this scheme because Ex-servicemen of Army and Air Force who had opted for Group insurance Medical Benefit Scheme and had already paid charges again to avail the medical facility under the ECHS. The Committee feel that it would hardly reduce the patient load in the Military hospitals.

**Reply of the Government**

The benefits of the new scheme will also be available to those stations where Ex-servicemen pensioner population is less than 2500, the dependency on the nearest ECHS polyclinic in military/non military stations will be provided.

The charges paid for Army Group Insurance Fund (AGIF) and Air Force Group Insurance Scheme (AFGIS) will be refunded to their members in accordance with rules framed by these organisations, as these Schemes will terminate 2006 and 2005 respectively. However, the Ex-servicemen who had opted for Group Insurance Medical Benefit Scheme would have to pay the charges for becoming a member of ECHS. Since treatment under ECHS can be availed not only through Service Hospitals but also through empanelled civil hospitals/nursing homes/diagnostics centres, as per the patient's choice, it will lead to reduction in load on Service Hospitals. Furthermore, in Military Stations, the ECHS Polyclinics are being co-located with Service Hospitals, in order to reduce the outdoor patient load.

[Ministry of Defence OM No. H-11013/19/2003/D (Parl.)  
dated 27.8.04]

**Recommendation (Sl. No. 14, Para No. 147)**

The Committee, therefore, recommend that the Government should not charge again for getting benefits under the ECHS from those Ex-servicemen who have already paid the premium for their respective Group Insurance Medical Benefit Schemes for availing medical facilities. Similarly, the widows of Ex-servicemen should also be covered under ECHS and as a gesture of our gratitude to the martyrs they should be exempted from the payment of the premium.

**Reply of the Government**

Charges paid for AGIF/AFGIS will be refunded to their members as these schemes will terminate in 2006 and 2005 respectively. Widows of Ex-servicemen drawing pension have also been made eligible for ECHS on payment of contribution. War widows have been exempted from payment of contribution under ECHS. Further, it is mentioned that AGIS/AFGIS are private schemes of the Army and Air Force and are not controlled by Govt. As such they have no connection with ECHS, which is a much more elaborate scheme, covering all diseases.

[Ministry of Defence OM No. H-11013/19/2003/D (Parl.)  
dated 27.8.04]

### CHAPTER III

#### RECOMMENDATIONS/OBSERVATIONS WHICH THE COMMITTEE DO NOT DESIRE TO PURSUE IN VIEW OF GOVERNMENT'S REPLIES

##### **Recommendation (Sl. No. 2, Para Nos. 10 & 11)**

The Committee also note that there is a Contributory Group Insurance Scheme for the Army and the Air Force personnel to provide cover in case of disability or death of the personnel. This insurance cover is extended after retirement with pension for a period of 15 years or till the age of 70 years, whichever is earlier, on payment of nominal one time lumpsum premium. However, there is no similar scheme available for the personnel of Indian Navy.

The Committee are of the view that the insurance cover for only 15 years after the retirement of Defence personnel is discriminatory as most of the JCOs/ORs and Jawans retire at a young age and, therefore, recommend that the insurance cover should be available to all categories of Defence personnel till the death irrespective of their ranks. The Committee also recommend that a similar insurance scheme should be formulated and implemented for the personnel of Indian Navy as well at the earliest in a time-bound manner.

##### **Reply of the Government**

The post retirement insurance scheme of Army Group Insurance Fund Called "Extended Insurance Scheme" provides for insurance cover for 20 years after retirement or 72 years of age whichever is earlier. Similarly, the Post Retirement Insurance Cover Scheme of Air Force Group Insurance Society for retired Air Force personnel provides for initial 15 years 100% cover or 70 years of age whichever is earlier and beyond 15 years 50% cover upto the age of 70 years. The Indian Navy is also having the Post Retirement Death Insurance Extended Scheme for Naval pensioners which provides for insurance cover for 15 years after retirement or 70 years of age whichever is earlier. The said schemes provide for the insurance cover by charging one time non refundable premium.

2. The suggestion of the Standing Committee on Defence that the insurance cover should be available to all categories of Defence service personnel till death has been considered by the Government. In case extended insurance cover is extended upto death for all members after retirement, then members will have to pay a very heavy one time premium which will be beyond the paying capacity of many of the Personnel Below Officer Rank (PBORs) and in a group insurance concept the scheme has to be made compulsory for all and there cannot be provision of option. In case the extended cover is to be extended to Defence service personnel till death then the scheme will have to be subsidized/supported by the Government and the financial implication thereof would be around Rs. 235 crores per annum for an insurance cover of Rs. 3 lakhs and 1.5 lakhs for approximately 2300 Officers and 57000 PRORs respectively retiring from Defence Services every year. In view of this, the necessity of providing insurance cover for whole life has not been considered financially viable by the Government.

[Ministry of Defence OM No. H-11013/19/2003/D (Parl.)  
dated 27.8.04]

**Recommendation (Sl. No. 6, Para No. 55)**

The performance of Central Government and Ministries/ Departments under it has been particularly pathetic, as only 4 Ex-Servicemen were provided employment in 2001. The Ordnance Factories which are directly under the Ministry of Defence have not filled up even a single vacancy of Ex-servicemen in the last five years. Similarly, no employment has been provided to Ex-Servicemen in Central Para Military Forces in 2001.

**Reply of the Government**

Poor intake of Ex-servicemen in Government jobs is mainly attributable to (i) shrinking job opportunities in Government with the downsizing of the establishment and (ii) lack of effective reservation for the Ex-servicemen in Government jobs because of the 50% restriction imposed on total reservation to be provided to various sections of the society. The reservation made for SC, ST, OBC works out to be 49.5%. As such the reservation provided to Ex-servicemen is of horizontal nature as against the vertical reservation provided to SC/ST/OBC. Under horizontal reservation there is no roster system or carry forward of un-utilised vacancies.



Position in regard to re-employment provided to Ex-servicemen by the Ordnance Factories and Central Para Military Forces has been checked up from them. 42 Ex-servicemen had been recruited against direct recruitment quota during the last five years in 21 Ordnance Factories. Feedback received from the Central Para Military Forces shows that the Ex-servicemen after their retirement from the Army are not keen to join a Force where the service conditions are even more hard and challenging.

In November 2003, Central Industrial force had notified 1104 vacancies exclusively reserved for Ex-servicemen but the response from Ex-servicemen was reported to be not satisfactory. Similarly, Indo-Tibetan Border Force could get only 6 vacancies filled up in 2003 against 13 vacancies reserved for Ex-servicemen. No direct recruitment is carried out by National Security Guards. They had however, recruited 53 Ex-servicemen in technical posts in pursuance of one time permission granted by Ministry of Home Affairs during 2001.

[Ministry of Defence OM No. H-11013/19/2003/D (Parl.)  
dated 27.8.04]

**Recommendation (Sl. No. 8, Para No. 76)**

The Committee would also like the Ministry to provide not only the necessary encouragement but also moral and material support to the Army Welfare Housing Organization (AWHO) and Air Force Naval Housing Board (AFNHB) and other housing organizations to construct houses for the serving and retiring personnel.

**Reply of the Government**

The Army Welfare Housing Organization (AWHO) and Air Force Naval Housing Board (AFNBH) are autonomous bodies constructing houses on no-profit-no-loss basis. Therefore, funds from the budgetary provision can not be diverted to these housing organizations.

[Ministry of Defence OM No. H-11013/19/2003/D (Parl.)  
dated 27.8.04]

**Recommendation (Sl. No. 10, Para Nos. 97 & 98)**

The Committee observe that there are two major demands of the Armed Forces personnel with regard to pensions:

- (a) pension may be granted on the principle of 'One Rank One Pension'; and

- (b) the condition of 33 years of service for drawing the full pension be removed.

The Committee note that the Ministry of Personnel, Public Grievances and Pension had constituted an Inter-Ministerial Committee to examine the demand of 'One Rank One Pension'. The Committee would like the Inter-Ministerial Committee to complete its task speedily.

#### **Reply of the Government**

The Inter-Ministerial Committee in its last meeting held on 24th September, 2004 has finalised and submitted its report to the Government. A copy of the report has been received in this Ministry on 27.09.2004. The report has been accepted by Ministry of Defence.

[Ministry of Defence OM No. H-11013/19/2003/D (Parl.)  
dated 27.8.04]

#### **Recommendation (Sl. No. 11, Para Nos. 114 & 115)**

114. The Committee note that the armed forces personnel many a time get disabled in the process of conflict with other nations and also during national security duties as also during peace time while on training or performing day-to-day activities.

115. The Committee note that the disability pension for the servicemen which is about Rs. 2,600 per month for the commissioned officer and Rs. 1,550 for the Jawan, who are disabled in the line of duty is very less to sustain the livelihood of the injured Jawan/Officer and his family. In cases where there is 100% disability the poor Jawan's standard of living slumps towards the meagre sustenance level. Had he remained in service he would have been eligible for accommodation, rations and other facilities available to the serving personnel. In absence of these benefits inability to take up any job due to disability, the Jawan becomes a burden on his own family. The Committee feel that the disability pension, especially in cases of 100 percent disability, needs to be revised in the case of Armed Forces personnel. The Committee, therefore, recommend that some formulae in the case of disability pension should be worked out so as to provide pension-cum-disability pension equal to last pay drawn to the 100% disabled service personnel as in the case of family pensioners where the widow is granted liberalized family pension equal to the reckonable emoluments last drawn by the deceased. The same should also be worked out suitably in the cases where disability is above 50 percent.

### **Reply of the Government**

The recommendation of the Committee has been examined. Considering the need for keeping the distinction between those disabled on account of war injury and those disabled in the normal course, it has not been found feasible to accept the recommendation of the Committee.

[Ministry of Defence OM No. H-11013/19/2003/D (Parl.)  
dated 27.8.04]

### **Recommendation (Sl. No. 14, Para No. 148)**

The Committee note that the Government have proposed to create or augment medical facilities at 104 existing military hospitals out of 127 hospitals and 123 Polyclinics/Medical Inspection Rooms will be constructed over a period of next 5 years for providing fresh medical facilities at non-military stations in the district head quarters. The Committee express their concern about the construction cost of polyclinics/medical inspection Centres, *i.e.* Rs. 600 per sq. ft. on the basis of MES rates. These rates are almost double as compared to the PWD rates prevailing in various States.

### **Reply of the Government**

The standard cost of construction has been worked out by E-in-C's Branch as per existing norms/scales relevant to other MES constructions for the three services. The average plinth area rate of a polyclinic as per the MES and CPWD schedules works out to Rs. 555 per sq. ft. and Rs. 744 per sq. ft. respectively. However, considering the All India Nature of ECHS, local conditions at various Stations, and the need to establish a modern infrastructure, it was decided to project requirement of construction cost as Rs. 600/Sq. ft. The cost takes into account the construction of Polyclinic building with tiled flooring, glass pivotal aluminium door at the entrance and flush door and polywindows. The cost of external services *viz* electricity, water and sewage, drainage, roads, boundary wall and gates etc. have not been taken into accounts as the same will depend upon site to site. GOI/MOD has approved construction through MES.

[Ministry of Defence OM No. H-11013/19/2003/D (Parl.)  
dated 27.8.04]

**Recommendation (Sl. No. 14, Para No. 149)**

The Committee recommend that the construction of these polyclinics/MI Centres should be expedited and their cost be kept at the minimum.

**Reply of the Government**

Government orders on procedure for construction of ECHS polyclinics have already been issued. The construction of ECHS polyclinics will be done according to Defence Works procedure 1986 as amended from time to time. The allocation of Capital Budget for construction over a five years period has been done on an annual basis.

[Ministry of Defence OM No. H-11013/19/2003/D (Parl.)  
dated 27.8.04]

**Recommendation (Sl. No. 14, Para No. 150)**

The Committee strongly recommend that the Government should recognize all civil hospitals in every district on India as a referral hospital for ex-servicemen under the ECHS card holders and adopt the same pattern at par with the CGHS for the benefit of those ex-servicemen who are residing in far flung areas of the country so that they can also avail this facility at the nearest block/district level not as yet covered by ECHS.

**Reply of the Government**

The procedure for empanelment of hospitals/Nursing Homes/Diagnostic Centres under the ECHS has been finalized. The empanelment will be carried out as per Qualitative Requirement (QR) and stringent standards laid down, to ensure that only those hospitals providing quality services are recognized. The scope of ECHS is much more diverse and polyclinics are proposed in many far flung areas of the country. The facilities under ECHS covers all diseases, for all members and their dependent family members. The empanelment of Hospitals/Nursing Homes/Diagnostic Centres shall be carried out to meet the aspirations of ex-service pensioners (who are mostly rural based) residing all over the country, as opposed to CGHS which is town based and restricted to only 24 cities.

[Ministry of Defence OM No. H-11013/19/2003/D (Parl.)  
dated 27.8.04]

**Recommendation (Sl. No. 14, Para No. 151)**

The Committee also recommend that the Ministry should immediately take necessary measures to enable the ex-servicemen to claim their medical bills from the concerned MI centres/Military hospitals and not from the Headquarters at Delhi involving a cumbersome procedure.

**Reply of the Government**

Payment for medical bills for treatment/diagnostic tests of ECHS beneficiaries carried out at empanelled hospitals/nursing homes/diagnostic centres will be paid directly by the scheme and not by the members. Hence ECHS members do not have to pay for treatment from their scarce resources except under certain emergent/unavoidable specific conditions for which reimbursements will be permitted.

[Ministry of Defence OM No. H-11013/19/2003/D (Parl.)  
dated 27.8.04]

## CHAPTER IV

### RECOMMENDATIONS/OBSERVATIONS IN RESPECT OF WHICH REPLIES OF GOVERNMENT HAVE NOT BEEN ACCEPTED BY THE COMMITTEE

#### **Recommendation (Sl. No. 1, Para No. 7)**

The Committee also desire the Ministry to formalize a Consultative Machinery to actively involve the retired high rank Defence personnel for consultations to obtain their suggestions on regular basis so as to derive full benefits of their vast experience in Defence arena.

#### **Reply of the Government**

The recommendations of the Committee set up for the purpose, have been accepted in principle and a case has been taken up with Ministry of Finance/Department of Personnel and Training (DoP&T) for engaging retired officers as consultants. They have been requested to consider granting dispensation to Ministry of Defence (MoD) in respect of the following:—

- (i) removal of the restriction of employment of only two consultants from the pool of retired officers of the level of JS & above in MoD and its attached/subordinate offices.
- (ii) The authority to fill up upto 50% of the total number of consultants who could be employed from the pool of retired/retiring officers directly by MoD. In case the number of consultants exceeds 50% approval of DoPT would be sought on a case to case basis.
- (iii) Extension of the period of engagement of consultants from the stipulated period of 6 months, to 6 months extendable to one year or upto the age of 62 years, whichever is earlier.

#### **Comments of the Committee**

(Please See Para 39 of Chapter-I)

**Recommendation (Sl. No. 3, Para No. 14)**

The Committee note that the benefits of reservation in professional institutions have practically not reached the wards/dependents of serving defence personnel and that of Ex-servicemen if they are not in the list of gallantry award winners for the reason that as per the criteria fixed by the Kendriya Sainik Board for allotment of reserved seats the requests for admissions received from them are put on the last priority. The Committee are also surprised to note that many of the State Governments have not still made any provision of reservation for wards/dependents of the Defence personnel.

**Reply of the Government**

Ministry of Defence have recommended the following order of preference to give the benefits of reservation in professional institutions:

- (i) Widows/wards of defence personnel killed in action
- (ii) Wards of serving personnel and ex-servicemen disabled in action
- (iii) Widows/Wards of defence personnel who died while in service with death attributable to military service
- (iv) Wards of defence personnel disabled in peace time with disability attributable to military service
- (v) Wards of ex-servicemen personnel and serving personnel in receipt of Gallantry awards
- (vi) Wards of ex-servicemen
- (vii) Wards of serving personnel

Since the number of vacancies available as per current reservation is limited, the benefit of reservation does not reach the categories mentioned towards the end of the preference list. Certain institutions do not provide reservation under Defence quota as per the recommended order of preference. As a result the benefit of reservation is not available to wards/dependents of serving defence personnel and Ex-servicemen.

Ministry of Defence have been insisting on increasing the reservation quota available under Defence category and, in pursuance of this, Ministry of Human Resource Development were requested on

7th Nov. 2000 and 29th August 2003 to instruct all Central Universities, Autonomous bodies, professional and non professional institutes including IITs and IIMs to consider providing 5% reservation to the wards of defence personnel and ex-servicemen and the seats reserved for them should be allotted strictly in accordance with the priorities of 7 categories of defence personnel. Letters addressed to Ministry of Human Resource Development are annexed as Annexure A1 and A2.

Some of the State Governments at their level also provide reservation in various streams in professional institutes for the wards/dependents of defence personnel. State wise percentage of reservation for dependents of ESM in professional colleges is given in Annexure B.

The subject matter has also been discussed with the State Government officials in the KSB meetings held from time to time.

[Ministry of Defence OM No. H-11013/19/2003/D (Parl.)  
dated 27.8.04]

#### **Comments of the Committee**

(Please See Para 18 of Chapter-I of the Report)

#### **Recommendation (Sl. No. 3, Para No. 15)**

The Committee, therefore, recommend that the Ministry should at once take up with such State Governments to make suitable provisions for reservation of seats in professional institutions for the wards of the defence personnel. The Committee would also like the Ministry to thoroughly review the existing levels of reservations and explore the possibilities of increasing the same.

#### **Reply of the Government**

The State Governments were requested to make suitable provisions for reservation of seats in professional institutions for the wards of defence personnel *vide* MoD letter dated 3rd June 1994. MoD have also requested HRD Ministry on 17th Nov. 2000 and 29th August 2003 to instruct the state autonomous bodies, professional and non professional institutes including IITs and IIMs to make suitable provisions for reservation of seats in provisional institutions for the wards of defence personnel.

[Ministry of Defence OM No. H-11013/19/2003/D (Parl.)  
dated 27.8.04]



### **Comments of the Committee**

(Please *See* Para 18 of Chapter-I)

#### **Recommendation (Sl. No. 4, Para No. 21 to 23)**

The Committee have been informed that there is liberal treatment with the serving Defence personnel as compared to civilian employees so far as the types and days of leave available to them are concerned. The Committee feel that this is rather desirable despite the depletion in available strength and other implications in sanctioning the leave, keeping in view the strenuous environment and stressful conditions under which they perform their duties.

The Committee note that a provision of annual leave of only 30 days has been made for Recruit Boys whereas Officers and JCOs avail 60 days of leave in a year and Furlough leave is available only for Officers. The Committee also note that on the one hand practical difficulties are being faced in sanctioning of leave due to exigencies of deployment of troops, leading to accumulation of leave, on the other hand, the personnel are being denied benefit of encashment due to ceiling of 300 days on accumulated leave.

The Committee, therefore, recommend that suitable measures should be taken to minimize the difficulties being faced by the Defence personnel in getting their leave sanctioned. At the same time, the discrepancies in kinds of leave provisioned for Officers, JCOs and Recruit Boys should be rectified. The Committee further recommend that the ceiling of 300 days for leave encashment should be removed as part of compensatory measure so as to encourage service personnel to encash the accumulated leave to maintain availability of sufficient manpower for deployment.

#### **Reply of the Government**

Leave is normally sanctioned unless operational commitments demand otherwise, in which case personnel are allowed to carry forward their leave to subsequent years as a special case. Action is being taken to remove discrepancies in kinds of leave provisioned for Officers, JCOs and Recruit Boys.

[Ministry of Defence OM No. H-11013/19/2003/D (Parl.)  
dated 27.8.04]

### Comments of the Committee

(Please *See* Para 24 of Chapter-I)

#### Recommendation (Sl. No. 5, Para No. 38)

The Committee feel that the rehabilitation of Ex-Servicemen with due dignity and honour necessarily require a National perspective and vision. The multifaceted plethora of problems of Ex-Servicemen needs to be addressed by the entire society including the Governmental agencies of Centre and States and not the existing set up in the Ministry of Defence alone. The Committee, therefore, recommend that a statutory National Commission on Ex-Servicemen on the lines of National Commission for SC/ST/Minorities should be set up urgently. The Commission shall submit its report to the Parliament every year. The Commission shall in addition to the other functions, also monitor DGR, Rajya Sainik Boards and Zila Sainik Boards.

#### Reply of the Government

The High Level Committee on problems of ex-Servicemen constituted under the chairmanship of Shri K.P. Singh Deo, the then Raksha Rajya Mantri, had recommended in 1984 for the setting up of an ex-Servicemen Resettlement Commission similar to Scheduled Caste/Scheduled Tribe Commissions. This recommendation and the following inter-linked recommendations made by the Committee were examined in depth in consultation with the Department of Legal Affairs:

- (a) Enactment of National Ex-Servicemen Resettlement Act.
- (b) Constitution of a Parliamentary Committee for over seeing the implementation of various schemes and facilities for ex-Servicemen.

2. The DoP&T and the Ministry of Finance were also consulted in the matter. Subsequently, on the basis of the advice received from the Department of Legal Affairs/DoP&T, it was felt that above recommendations involve the question whether ex-Servicemen should have statutory reservation even in the matter of allotment of infrastructure for self-employment which lies within the purview of the States and that quantum of reservation in favour of the ex-Servicemen, whether under the proposed Central or State Acts would need to be determined keeping in view the local conditions in each

State, and in particular to the percentage of ex-Servicemen in the States total population. It was felt that it would appear to be difficult to achieve a uniform consensus throughout the country on this matter as local perceptions as well as local infrastructure are bound to differ. For the same reasons, the percentage of reservation in job opportunities under the Model Bill for the States is also likely to vary from State to State and that an additional factor involved in dealing with this issue is the limitation on the overall reservation at 50% of recruitment as per the ruling of the Courts. In view of the above a decision was taken at the highest level not to accept the above recommendations, including the recommendation for providing Commission/Commissioner for ex-Servicemen.

3. The recommendation concerning setting up of an ex-Servicemen resettlement Commission was again considered by an Inter-Ministerial Committee set up in 1992 to deal with remainder problems of ex-Servicemen. This Committee had also not agreed to the proposal, as there are already Sainik Board organisations in the State/UTs and the DGR at the Centre to oversee the implementation of reservation policy and the interest of ex-Servicemen. Details of Central/State organisations looking after the welfare of ex-Servicemen are given below:

#### **Central Level**

(a) **Directorate General Resettlement.** The Directorate General Resettlement (DGR) under the Ministry of Defence has been set up to look after all matters connected with Resettlement and Welfare of Ex-Servicemen (including officers), their widows and dependents.

(b) The DGR has a Zonal Resettlement Directorate co-located with each of the five Army Commands Headquarters. These Directorates are the Zonal representatives of the DGR and are responsible for looking after the resettlement and welfare of ex-Servicemen in these respective Zones.

(c) **Kendriya Sainik Board (KSB).** Kendriya Sainik Board is the apex body at the Centre which provides policy guidelines on resettlement and welfare matters affecting Ex-Serviceman and families of serving and deceased personnel. The Board with the Raksha Mantri as President has 45 members including 13 Chief Ministers, 7 Ministers of State from Central and State Governments, the Service Chiefs and other members. The Kendriya Sainik board co-ordinates the work of

Departments of Sainik Welfare in States/UTs and provides budgetary support to the extent of 50 percent for their establishment and maintenance costs.

**State Level.** At the State level, Rajya Sainik Boards have been set up in the 32 States/UTs in the country to provide policy guidelines to the Departments of Sainik Welfare and Zila Sainik Welfare Offices.

**District Level.** The Zila Sainik Welfare Offices provide grassroots resettlement and welfare services to Ex-Servicemen, widows dependents and families left behind by soldiers serving in field areas. These offices are created in Zilas where the population of Ex-Servicemen, their dependants and families of serving soldiers is over 7500.

4. The functioning of the Zila Sainik Boards is monitored by the respective Rajya Sainik Board. In turn five Zonal Resettlement Directorates oversee the functioning of the Rajya Sainik Boards. Kendriya Sainik Board and Directorate General Resettlement monitor the overall functioning of the Rajya Sainik Boards.

5. The above proposal was reconsidered again in the year 2000 on a recommendation made by the Committee on Government Assurances that the Government may constitute a permanent Commission for ex-Servicemen as in the case of Backward Commission etc. so that it will regulate, monitor and recommend. However, it was felt that there is already a plethora of bodies, both as the State level and the Central level, looking after the welfare of ex-servicemen and therefore, there is no need to add one more organisation to the existing organisations looking after the welfare of ex-Servicemen. In this connection, it is also stated that the main constraints in extending the desired welfare and resettlement benefits by the Central/State Governments to the ex-Servicemen/dependents of deceased Defence services, are lack of adequate financial resources, shrinking of job opportunities in Central/State Governments, increase in the population of ex-Servicemen by about 55,000 annually, un-employment in general and not the lack of the organizational set up to oversee these aspects. As such, it was not considered desirable to constitute a National Commission for Rehabilitation of ex-Servicemen.

6. The proposal has been re-examined and it has been decided that in view of the position mentioned above, there is no need to

constitute a statutory National Commission on Ex-Servicemen on the lines of National Commission for SC/ST/Minorities.

[Ministry of Defence OM No. H-11013/19/2003/D (Parl.)  
dated 27.8.04]

### **Comments of the Committee**

(Please See Para 32 of Chapter-I)

### **Recommendation (Sl. No. 5, Para No. 39)**

The Committee also recommend that keeping the changing economic and social environment in view the DGR, Rajya Sainik Boards and Zila Sainik Boards should be thoroughly modernized and re-structured with statutory powers as the consultancy and management agencies for generating self employment projects for ex-servicemen on a large scale. For this purpose, the required expertise in management, financial, banking, insurance and marketing consultancy should be inducted at all levels. DGR should also be entrusted with all responsibility for coordinating various training activities and programmes and should be re-designated as Directorate-General of Resettlement and Training.

### **Reply of the Government**

Directorate General of Resettlement is an Inter-Service Organisation which functions under Ministry of Defence and as vested with responsibility of training and resettlement of ex-servicemen, disabled soldier, war widows and their dependents.

Rehabilitation and Welfare of Ex-servicemen, widows, disabled personnel boarded out from services, their dependents is the joint responsibility of Government at the Centre, States and Union Territories. For this purpose the Sainik Board Organisation exists. There are 32 Rajya Sainik Boards and 335 Zila Sainik Boards in the country. In order to strengthen the Sainik Board Organisation in the country, the Ministry of Defence provides 50% of the expenditure on the establishment and maintenance of Rajya and Zila Sainik Boards. The functionaries of RSBs and ZSBs are however, State/UTs employees and the Boards are generally functioning as an independent Department of Sainik welfare in States/UTs. To standardize these organisations within the country, the High Level Committee under Shri K.P. Singh Deo

and the Committee on Standardization of Sainik Board Organisation had made their recommendations which have been adopted in most states. However there are certain weaknesses in the system such as that the Directors and Deputy Directors in most of RSBs and Directors of ZSBs are not manned by ex-service personnel which need to be rectified.

Empowerment of DGR, RSBs and ZSBs with statutory power for engaging the consultancy and management agencies for generating self employment projects for ex-servicemen is not possible unless the subject of ESM welfare is included in the Concurrent List of the Constitution. However, the state Governments could consider Constitution of ESM Corporations with statutory backing for generating self-employment projects for ESM on a large scale.

Presently there are no specialized experts available in the fields of management, financial, banking, insurance and marketing consultancy in DGR, RSBs and ZSBs. In the States, Consultative and Advisory Committees could be formed with autonomy by including experts from the Banking, Insurance and marketing sector.

Directorate General Resettlement already coordinates training programme and activities for both officers as well as Personnel Below Officers Ranks and thus there is no requirement of changing the existing nomenclature of the Organisation.

[Ministry of Defence OM No. H-11013/19/2003/D (Parl.)  
dated 27.8.04]

#### **Comments of the Committee**

(Please *See* Para 39 of Chapter-I)

#### **Recommendation (Sl. No. 6, Para No. 57)**

The Committee note that the trained, motivated and disciplined manpower released from active service every year at a very young age can be a boon for industries in the Public, Private and Co-operative Sector. As they have worked as a unit all these years, they can work in coordination with each other which can result in enhanced level of productivity. The Committee recommend that the Ministry should enter into a dialogue with Public Sector undertakings including banks, railways, airlines and insurance, Private Sector, Cooperatives

autonomous bodies e.g. Sports authority of India and the organisations like Confederation of Indian Industries (CII), Federation of Indian Chamber of Commerce and Industries (FICCI), Associated Chambers of Commerce & Industry of India (ASSOCHAM), P.H.D. Chamber of Commerce and Industry (PHDCCI), etc. and chalk out the plan of action for re-employment of Ex-servicemen befitting their rightful dues and dignity in Private sector.

### **Reply of the Government**

DoP&T has issued instructions for providing reservation in Group C and D posts for ex-servicemen in Central Government jobs. These instructions are also applicable to public sector undertakings and banks, railways etc.

2. As recommended by the Committee. Directorate General Resettlement (DGR) is having constant liaison with Public Sector Undertakings like HAL, BHEL and BEL etc. for providing them quality manpower of ex-servicemen on contractual and permanent basis. They have also requested Indian Railways to engage ex-servicemen security agencies sponsored by them for the security of passenger boogies. They also approached Oil & Natural Gas Commission and Indian Oil Corporation for re-employment of ex-servicemen.

3. In order to explore employment opportunities for ex-servicemen in Private Sector, DGR is already organising Seminars. During 2003-04 such Seminars were conducted with Confederation of Indian Industry and Chamber of Commerce & Industries at Kochi, Pune, Hyderabad, Indore and New Delhi. Besides, DGR also had direct interaction with the leading business houses like Reliance Industries, Larsen & Toubro Ltd., Aditya Birla Group, Mahindra & Mahindra Ltd., Taj Group of Hotels, Kirloskar Brothers etc.

[Ministry of Defence OM No. H-11013/19/2003/D (Parl.)  
dated 27.8.04]

### **Comments of the Committee**

(Please See Para 48 of Chapter-I)

### **Recommendation (Sl. No. 10, Para No. 99)**

The Committee have been recommending for grant of 'One Rank One Pension' to the armed forces personnel time and again.

The Committee observe that successive Governments and Pay Commissions have made improvements in the pension structure keeping in view the cost of living index. This has accentuated the disparity of pensionary benefits between pensioners of the same rank. The older pensioners who have become infirm in ability and capability and burdened with a larger social obligation received pension calculated at the rate of pay at the time of their retirement in 1950s or 1960s or 1970s, which is quite paltry and the Dearness Relief quite inconsequential in today's context of inflation and shrinking purchasing value of money. The nation must repay its debt to those defendants of the motherland with gratitude and humility. We should, instead of, looking for precedents in this regard, create precedents for the others to emulate. Any amount paid in this regard would be small token of our gratitude to them. The Committee, therefore, once again reiterate their earlier recommendation for providing 'One Rank One Pension' to the armed forces personnel.

#### **Reply of the Government**

The demand for One Rank One Pension has been persistently raised by the Organisations of Ex-Servicemen at different fora in the past. It was considered but not recommended by the Fourth and the Fifth Central Pay Commissions. The Inter-Ministerial Committee set up by the Department of Pensions & Pensioners' Welfare (DP&PW) deliberated upon this issue and submitted its report to the Government on 24.09.2004. This Committee did not favour grant of 'One Rank One pension' keeping in view the administrative, financial and legal implications as well; as its likely repercussions on the civil side. However, to further liberalise the pensionary benefits of Personnel Below Officer Rank (PBOR), the Committee recommended grant of modified parity based on maximum of the pay in the revised scales introduced with effect from 01.01.1996.

[Ministry of Defence OM No. H-11013/19/2003/D (Parl.)  
dated 27.8.04]

#### **Comments of the Committee**

(Please See Para 48 of Chapter-I)

#### **Recommendation (Sl. No. 10, Para No. 100)**

The Committee note that the 33 years conditionality for grant of full pension is a cardinal principle of pension which is uniformly



applicable to all the categories of civil and armed forces pensioners. The armed forces personnel are granted the benefit or weightage of 3-9 years (3 years in the case of Generals and 9 years for Captains) for the Commissioned Officers and 5 years in the case of personnel Below Officers Ranks (PBORs) for calculation of their pensions. The Committee are dismayed to learn that the discrepancies exist as regards weightage given to the different categories of service personnel as more weightage is given to Commissioned Officers who already have a longer length of service than the Jawans who serve for only about 17 years but are given only 5 years weightage. The Committee, therefore, recommend that the weightage given to various categories of retired Defence service personnel should be reviewed so as to give full benefit to the lower ranks of service personnel who retire early and suffer the most on account of this 33 years conditionality.

#### **Reply of the Government**

The condition of 33 years of qualifying service to earn full pension, which was introduced based on the recommendations of the Expert Body (Central Pay Commission) after taking into account all relevant factors is uniformly applicable to the Defence and civil pensioners being a cardinal and integral principle for computation of pension. In order to compensate the Personnel Below Officer Rank (PBOR) for their truncated career, their pension is computed based on maximum pay of the rank and group held by them at the time of their discharge from service instead of actual pay as is done in the case of officials on the civil side. In addition, a weightage of 5 years in the case of personnel below officer rank is also given which is not available to the civilians. Therefore, the Inter-Ministerial Committee has, after considering all relevant factors, opined that no interference is called for with regard to 33 years conditionality to earn full pension. They have also not recommended any change in the existing weightage available to the Commissioned Officers and Personnel Below officer Rank. The report of the Committee has been accepted by Ministry of Defence.

[Ministry of Defence OM No. H-11013/19/2003/D (Parl.)  
dated 27.8.04]

#### **Comments of the Committee**

(Please See Para 54 of Chapter-I)

**Recommendation (Sl. No. 10, Para No. 101 & 102)**

The Committee feel that uniform conditions for grant of pensions to civilians and Armed Forces personnel does not appear to be logical as only a very small percentage of Defence service personnel retire after 33 years service whereas the civilians complete generally 33 years service before retirement. For example, if a Jawan's salary today is Rs. 3,950/-, he should get a pension of Rs. 1,975, if the conditionality of 33 years is not there He, however, gets only Rs. 1,275 as explained by an expert before the Committee.

**Paragraph No. 102**

The Committee, therefore, also recommend that the condition of 33 years of qualifying service to get full pension at 50 percent of the last pay drawn for the last 10 months should be reviewed in respect of armed forces personnel who serve in adverse conditions and in hospitable environment for almost their entire career and, for no fault of theirs, they retire comparably at a young age in the interest of the Nation.

**Reply of the Government**

The condition of 33 years of qualifying service to earn full pension, which was introduced based on the recommendations of the Expert Body (Central Pay Commission) after taking into account all relevant factors is uniformly applicable to the Defence and civil pensioners being a cardinal and integral principle for computation of pension. In order to compensate the Personnel Below Officer Rank (PBOR) for their truncated career, their pension is computed based on maximum pay of the rank and group held by them at the time of their discharge from service. In addition., a weightage of five years in the case of PBOR and 3 to 9 years (depending upon rank) to the Commissioned Officers is also given which is not available to the civilians. Therefore, the inter-Ministerial Committee has, after considering all relevant factors. opined that no interference is called for with regard to 33 years conditionality to earn full pension. The report of the Committee has been accepted by Ministry of Defence.

[Ministry of Defence OM No. H-11013/19/2003/D (Parl.)  
dated 27.8.04]

**Comments of the Committee**

(Please See Para 54 of Chapter-I)

## CHAPTER V

### RECOMMENDATIONS/OBSERVATIONS IN RESPECT OF WHICH FINAL REPLIES OF GOVERNMENT ARE STILL AWAITED

#### **Recommendation (Sl. No. 1, Para No. 5 & 6)**

The Committee appreciate the need for a youthful profile of defence forces at the junior and middle level as they are closely involved in direct combat but feel that non-upgradation of ranks, lack of adequate promotional avenues and the consequent problems of enlarged base with fewer posts at the top causing constricted career progression have thus resulted in an undesirable situation of not so young commanding officers. The Committee feel that this has inevitably led to decline in interest and motivation among youth/new entrants towards Defence services.

The Committee, therefore, recommend that the short term as well as long-term measures as suggested by the A.V. Singh Committee constituted for the re-structuring of officers' cadre should be examined expeditiously. The Committee desire the Ministry to take steps in consultation with the Department of Personnel and Training and other departments, to explore transfer/deputation/lateral induction of defence personnel to other non-Defence Departments/Ministries as in the case of civilian officers being transferred/deputed to Defence Departments.

#### **Reply of the Government**

The recommendations contained in the Report of A.V. Singh Committee on service related aspects like release of vacancies of the Rank of Colonel, making the Short Service Commission more attractive and making available focused study programmes and opportunities to middle level officers to assist them in securing suitable careers outside service as (a) Additional deputation vacancies and lateral absorption (b) Detailing of officers on Multidisciplinary courses/studies (c) Self improvement programme (d) Industrial attachment and (e) Entrance in Civil Service Examination by relaxation of suitable age and course paper have been accepted in principle. Concrete proposals in this regard are being worked out by Army Hqrs. where required for taking up with other Departments.

As for other recommendations relating to (i) upgradation of various ranks (ii) Time-based promotion to Lieutenant Colonel rank (iii) Reduction in service for substantive promotions to the ranks of Captain and Major and (iv) Introduction of Colonel (time scale), detailed statements of case in respect of these recommendations are being prepared in consultation with Army Hqrs.

#### **Comments of the Committee**

(Please See Para 11 of Chapter-I of the Report)

#### **Recommendation (Sl. No. 4, Para No. 24 & 25)**

The Committee observe that the Service Headquarters are the sole authority on the grievances reported by the Service personnel. In recent years many Defence personnel have been taking recourse to the Judiciary after summary disposal of their cases by the Military Court. In many countries, *viz.*, France, Germany Russia, Sweden, and United Kingdom, a Court of appeal exists for redressal, if grievances persist after the judgement by Service Headquarters.

The Committee, therefore, recommend that a Special Court of Appeal, headed by a retired judge of the Supreme Court, independent of the Service Headquarters, should be constituted for the redressal of grievances of the Service personnel where the aggrieved personnel may appeal within 90 days against the Judgment of the Military Courts. The judgement of the Special Court of Appeal can be reviewed only by the Supreme Court of India.

#### **Reply of the Government**

As recommended in 169th Report of the Law Commission, a proposal for setting up of an Armed Forces Tribunal for adjudicating service matters and appeals arising out of the verdicts of Court martials is under active consideration of the Government. The modalities are being worked out in consultation with Ministry of Law, Ministry of Finance and Department of Personnel and Training.

[Ministry of Defence OM No. H-11013/19/2003/D (Parl.)  
dated 27.8.04]

#### **Recommendation (Sl. No. 6, Para No. 36)**

The Committee are extremely constrained to observe the all round failure of the Government to provide employment to Ex-Servicemen

and, therefore, recommend that the entire gamut of issues may be looked into in depth by constituting a study group as to ensure corrective measures in shortest possible time. The Committee also desire that the Ministry should immediately take steps to formulate a National Policy for resettlement of Ex-Servicemen on the basis of the report of the proposed study group.

### **Reply of the Government**

It has not been possible to provide employment to all the ex-Servicemen who have registered themselves for employment assistance because of (i) shrinking job opportunities in civil with the downsizing of the establishment and (ii) lack of effective reservation for the ex-Servicemen in Government jobs because of the 50% restriction imposed on total reservation to be provided to various Sections of the society. The reservation made for, SC, ST, OBC works out to 49.5%. As such the reservation provided to ex-Servicemen in of horizontal nature as against the vertical reservation provided to SC/ST/OBC. Under horizontal reservation there is no roster system or carry forward of un-utilised vacancies.

In view of the difficulties mentioned above, Directorate General Resettlement has been organising seminars/workshops with the representative of Corporate Sector to find job opportunities for ex-Servicemen in Private Sector. Ex-Servicemen are also being encouraged to take up self-employment ventures. Besides, a Working Group was set up under the Chairmanship of Adjutant General for working out modalities of lateral transfer of defence personnel into Central Para Military Forces (CPMFs). Draft Report of the Working Group is under consideration of Ministry of Home Affairs. As such another Study Group as recommended by the Standing Committee on Defence may not be of much help in finding new employment opportunities for ex-Servicemen.

The issue concerning formulation of a National Policy for resettlement of ex-Servicemen has already be gone into by a Committee constituted under the Chairmanship of Raksha Mantri to evolve a National Policy for the welfare of Jawans and ex-Servicemen. The Committee observed that ex-Servicemen require a second career as they are young and active and their responsibilities are at the peak when they are compulsorily retired and hence it becomes a national obligation to resettle and rehabilitate them. The Committee further

observed that there has been significant improvement in pensionary benefits such as stepping up of fitment weightage from 20% to 40% in the pension calculation formula revision of rates of disability/war injury pension/special family pension/liberalised family pension etc. and that Ex-Servicemen contributory health scheme has been announced for providing better medical facilities to ex-servicemen and their dependents. The Committee recommended that the State Governments should uniformly provide ex-gratia to the family of every soldier killed in action, employment to one member of the family, free education to wards of deceased defence personnel etc. Copies of the report have been forwarded to State Governments for necessary action.

[Ministry of Defence OM No. H-11013/19/2003/D (Parl.)  
dated 27.8.04]

**Recommendation (Sl. No. 7, Para No. 65)**

The Committee are constrained to observe that though a high power Committee had, in 1984 recommended for setting up of an ex-Servicemen Financial Corporation as well as an ex-Servicemen Industrial Corporation, there has been no progress in this area vital for ex-servicemen. The Committee, therefore, recommend that the Ministry should again examine the matter in consultation with State Governments and other agencies and ensure setting up of these corporations. The ex-Servicemen should also be provided loans by the banks at a lower rate of interest on par with other special sections of the society, and their projects should be treated as priority sector.

**Reply of the Government**

The proposal to set up Financial Corporation and Industrial Development Corporations had been examined in the past at the level of Finance Minister. It was felt that there are adequate number of agencies at the Centre, State and District levels for the welfare and resettlement of ex-Servicemen and their dependents, and that a Corporation of this type would not add substantially to the present set-up and may in some cases make the States less enthusiastic than they are present in regard to welfare of ex-Servicemen. The proposal was therefore, not agreed to. However, in pursuance of the recommendation made by the Committee, an approach paper on the subject is being prepared by the Directorate General Resettlement for reconsideration of the matter in consultation with the Ministry of Finance etc.

[Ministry of Defence OM No. H-11013/19/2003/D (Parl.)  
dated 27.8.04]

**Recommendation (Sl. No. 12, Para No. 122 and 123)**

122. The Committee appreciate the efforts made by the Government in the past for giving pensions to the widows/families of Servicemen killed in action/in service.

123. The Committee desire that further efforts should be made by the Government to look into the grievances of the widows who may remarry due to personal security and various other social reasons and ensure that they get some amount to support themselves, earn respect and adjust themselves in the new families. There should not be any discrimination/anomaly in respect of grant of pensionary benefits to the widows who got married prior to or after 1.1.1996. The Committee also desire the Ministry to make provision for suitable financial assistance, from out of the pensionary benefits, to the parents of the deceased Defence personnel.

**Reply of the Government**

The matter regarding removal of discrimination/anomaly in respect to grant of pensionary benefits to the widows who got married prior to and after 1.1.1996 is under consideration in consultation with concerned agencies.

As regards the recommendation of the Committee to make provision for suitable financial assistance, from out of the pensionary benefits, to the parents of the deceased Defence personnel, the matter requires detailed examination and the same is separately under consideration in consultation with various agencies concerned.

NEW DELHI;  
19 March, 2005  
28 Phalgun, 1926 (Saka)

BALASAHEB VIKHE PATIL,  
*Chairman,*  
*Standing Committee on Defence.*

MINUTES OF THE FIRST SITTING OF SUB-COMMITTEE-III OF  
THE STANDING COMMITTEE ON DEFENCE (2004-05)

The Committee sat on Monday, the 20 December 2004 from 1800 hrs. to 1830 hrs. in Room No. '139', Parliament House Annexe, New Delhi.

PRESENT

Shri Balasaheb Vikhe Patil—*Chairman*

Shri S. Bangarappa—*Convenor*

MEMBERS

*Lok Sabha*

3. Shri Churchill Alemao—*Convenor, Sub-Committee-I*
4. Shri Manvendra Singh

SECRETARIAT

1. Shri P.K. Bhandari — *Director*
2. Smt. Anita Jain — *Under Secretary*

At the outset, the Chairman welcomed the Members to the first sitting of Sub-Committee-III of the Standing Committee on Defence (2004-05). The Sub-Committee then took up for consideration of the draft Report (14th Lok Sabha) on action taken by the Government on the recommendations contained in Twentieth Report of the Committee (13th Lok Sabha) on the subject, 'Welfare of Servicemen and Ex-Servicemen'.

2. The Sub-Committee decided to call for evidence of the representatives of Ministries of Defence, Finance and Law & Company Affairs for seeking clarifications on some of the Action Taken Replies furnished by Government on the recommendations of the Report before finalising the draft Action Taken Report.

*The Committee then adjourned.*



MINUTES OF THE SECOND SITTING OF THE SUB-COMMITTEE-III  
OF THE STANDING COMMITTEE ON DEFENCE (2004-2005) ON  
ACTION TAKEN BY THE GOVERNMENT ON 'WELFARE  
OF SERVICEMEN AND EX-SERVICEMEN'

The Committee sat on Thursday, the 13 January, 2005 from 1100 hrs. to 1230 hrs. in Committee Room No. 'D', Parliament House Annexe, New Delhi.

PRESENT

Shri Balasaheb Vikhe Patil—*Chairman*

Shri S. Bangarappa—*Convenor*

MEMBERS

*Lok Sabha*

3. Shri Churchill Alemao
4. Shri Raghuraj Singh Shakya

SECRETARIAT

1. Shri Anand B. Kulkarni — *Joint Secretary*
2. Shri P.K. Bhandari — *Director*
3. Smt. Anita Jain — *Under Secretary*

LIST OF WITNESSES OF THE MINISTRY OF DEFENCE/  
FINANCE/DEPTT. OF PENSIONS & PENSIONERS'  
WELFARE AND DEPARTMENT OF LEGAL AFFAIRS

Sl.No.	Name & Designation
1.	Shri Ajai Vikram Singh, Defence Secretary
2.	Ms. Somi Tandon, Secretary (Defence Finance)
3.	Dr. (Ms.) Rekha Bhargava, Additional Secretary (B)
4.	Shri Harcharanjit Singh, Joint Secretary (Pen)/MoD
5.	Dr. Santokh Singh, JS & LA/MOL

6. Shri Manoj Joshi, OSD/MoF
7. Shri Ranjan Chatterjee, JS(E)/MoD
8. Shri Shashi Kant Sharma, JS(ESW)/MoD
9. Lt. Gen. M.G. Girish, VSM, DG DC & W
10. Maj. Gen. K.P.D. Samantha, ADG PS
11. Maj. Gen. K.S. Sindhu, VSM, DGR
12. Air Cmde, K.K. Dwivedi, VM, Secretary KSB
13. Brig. A.K. Gulati, DDG (PS)
14. Shri M.P. Singh, Director (PP)
15. Shri Sunil Mathur, CDA(Pen)
16. Ms. Anuradha Mitra, Director (Pay)
17. Smt. Chandralekha Mukherjee, Director(AG)
18. Shri Harbans Singh, Director (Pen)/MoD
19. Smt. Rita Khorana, Director (Res)/MoD
20. Shri P.J. Mathew, Deputy Secretary (Pen-C)/MoD

2. At the outset, Hon'ble Chairman welcomed the representatives of the Ministry of Defence/Finance/Deptt. of Pensions & Pensioners' Welfare and Deptt. of Legal Affairs. The Chairman then sought clarifications from them on certain issues arising out of the Action Taken Replies to the recommendations contained in the 20th Report of the Committee (13th Lok Sabha) on 'Welfare of Servicemen and Ex-Servicemen', as furnished by the Ministry. The representatives responded to the queries as raised by the Chairman and Members of the Sub-Committee.

3. A verbatim record of the proceedings was kept.

*The Committee then adjourned.*

MINUTES OF THE THIRD SITTING OF THE SUB-COMMITTEE-III  
OF THE STANDING COMMITTEE ON DEFENCE (2004-2005) ON  
ACTION TAKEN BY THE GOVERNMENT ON 'WELFARE OF  
SERVICEMEN AND EX-SERVICEMEN'

The Committee sat on Tuesday, the 25 January, 2005 from 1100 hrs. to 1114 hrs. in Committee Room No. '139', Parliament House Annexe, New Delhi.

PRESENT

Shri S. Bangarappa—*Convenor*

MEMBERS

*Lok Sabha*

2. Shri Churchill Alemao
3. Shri Ramesh Jigajinagi

SECRETARIAT

1. Shri P.K. Bhandari — *Director*
2. Smt. Anita Jain — *Under Secretary*

2. At the outset, Hon'ble Convenor welcomed the members of the Sub-Committee-III of the Standing Committee on Defence. The Sub-Committee then took up consideration of the Draft Report (14th Lok Sabha) on action taken by the Government on the recommendations contained in Twentieth Report of the Committee (13th Lok Sabha) on the subject, 'Welfare of Servicemen and Ex-Servicemen'.

3. The Sub-Committee, however, decided to call for evidence the representatives of Department of Personnel & Training (DoP&T) to seek clarifications on some issues of administrative nature arising out of the Action Taken Replies furnished by the Ministry of Defence on the recommendations contained in the Report before finalisation of the draft ATR on the subject.

*The Committee then adjourned.*

MINUTES OF THE FIFTEENTH SITTING OF THE STANDING  
COMMITTEE ON DEFENCE (2004-2005) ON EVIDENCE ON  
ACTION TAKEN BY THE GOVERNMENT ON THE REPORT  
OF THE STANDING COMMITTEE ON DEFENCE ON  
'WELFARE OF SERVICEMEN AND EX-SERVICEMEN'

The Committee met on Tuesday, the 15 February, 2005 from  
1100 hrs. to 1200 hrs. in Committee Room No. 'G-074', Parliament  
Library Building, New Delhi.

PRESENT

Shri Balasaheb Vikhe Patil—*Chairman*

MEMBERS

*Lok Sabha*

2. Shri Iliyas Azmi
3. Shri Suresh Chandel
4. Shri Thupstan Chhewang
5. Shri Milind Deora
6. Shri Ramesh Jigajinagi
7. Dr. C. Krishnan
8. Dr. K.S. Manoj

*Rajya Sabha*

9. Dr. Farooq Abdullah
10. Gen. (Retd.) Shankar Roy Chowdhury
11. Shri Janardan Dwivedi
12. Shri Pramod Mahajan
13. Shri Anand Sharma
14. Shri Lalit Suri

SECRETARIAT

1. Shri Anand B. Kulkarni – *Joint Secretary*
2. Shri P.K. Bhandari – *Director*
3. Smt. Anita Jain – *Under Secretary*

WITNESSES

MINISTRY OF DEFENCE (DIRECTORATE GENERAL  
RESETTLEMENT)

1. Maj. Gen. K.S. Sindhu, VSM-DGR
2. Air Cmde. K.K. Dwivedi, VM, Secretary KSB
3. Lt. Col. V.S. Yadav, SO to DGR

MINISTRY OF FINANCE (DEPARTMENT OF  
ECONOMIC AFFAIRS)

4. Shri G.C. Chaturvedi, Joint Secretary
5. Shri R.K. Sharma, Deputy Secretary
6. Shri N.P. Topno, DGM (HRDD), RBI
7. Shri V. Ramachandran, Vice President, IBA

MINISTRY OF FINANCE (DEPTT. OF EXPENDITURE)

8. Shri Anurag Goel, Additional Secretary
9. Smt. Sushma Nath, Joint Secretary

MINISTRY OF INDUSTRY & PUBLIC ENTERPRISES  
(DEPTT. OF PUBLIC ENTERPRISES)

10. Shri Priyadarshi Thakur, Secretary
11. Shri K.D. Tripathi, Joint Secretary
12. Shri G.S. Bothyal, Director
13. Shri M.M. Gupta, Dy. Director

MINISTRY OF LAW AND JUSTICE (DEPARTMENT  
OF LEGAL AFFAIRS)

14. Shri D.P. Sharma, Additional Secretary
15. Dr. Santokh Singh, Additional L.A.

MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES & PENSIONS  
(DEPTT. OF PERSONNEL & TRAINING)

16. Shri A.N. Tiwari, Secretary

2. At the outset, Hon'ble Chairman welcomed the representatives of Directorate General of Resettlement (Ministry of Defence), Deptt. of Economic Affairs (Ministry of Finance), Deptt. of Public Enterprises (Ministry of Industry and Public Enterprises), Deptt. of Legal Affairs (Ministry of Law and Justice) and Deptt. of Personnel & Training (Ministry of Personnel, Public Grievances & Pensions) and apprised them about the purpose of the sitting. The Chairman, then, requested the representatives to help the Committee in clarifying some of the contentious issues arising out of the Action Taken Replies furnished by the Ministry of Defence on 20th Report of the Committee (13th Lok Sabha) on 'Welfare of Servicemen and Ex-Servicemen' e.g. (i) one rank one pension; (ii) Conditionality of 33 years service for giving full pensionary benefit to retiring personnel; (iii) Constitution of National Commission for Ex-Servicemen on the lines of SC/ST; (iv) How far restructuring of Directorate General of Resettlement, Rajya Sainik Board and Zila Sainik Board with statutory powers can be helpful in addressing the resettlement issue of Ex-Servicemen; (v) Making available suitable jobs to Ex-Servicemen in Public Sector Undertakings; (vi) Providing relaxation in qualifications for various Services to Ex-Servicemen; and (vii) Possibilities for providing 100% financial assistance from the Central Government to Sainik Boards. The representatives answered the queries put forth by the Hon'ble Members.

*The witness then withdrew.*

4. A verbatim record of the proceedings was kept.

*The Committee then adjourned.*

MINUTES OF THE NINETEENTH SITTING OF THE STANDING  
COMMITTEE ON DEFENCE (2004-05)

The Committee sat on Saturday, the 19 March, 2005 from 1600 hrs. to 1730 hrs. in Committee Room No. 'C', Parliament House Annexe, New Delhi.

PRESENT

Shri Balasaheb Vikhe Patil—*In the Chair*

MEMBERS

*Lok Sabha*

2. Shri Churhill Alemao
3. Shri Iliyas Azmi
4. Shri A.V. Bellarmin
5. Shri Milind Deora
6. Dr. C. Krishnan
7. Dr. K.S. Manoj
8. Shri Manvendra Singh

*Rajya Sabha*

9. Smt. N.P. Durga
10. Shri Janardan Dwivedi
11. Shri Anand Sharma

SECRETARIAT

1. Shri P.D.T. Achary – *Secretary*
2. Shri P.K. Bhandari – *Director*
3. Smt. Anita Jain – *Deputy Secretary*
4. Shri D.R. Shekhar – *Under Secretary*

2. At the outset, Chairman welcomed the Members to the sitting of the Committee. The Committee then considered the Draft Action Taken Report on the recommendations contained in First Report of the Committee (14th Lok Sabha) on Demands for Grants of the Ministry of Defence for the year 2004-05. The Committee thereafter took up the Draft Action Taken Report on the recommendations contained in the Twentieth Report (13th Lok Sabha) on 'Welfare of Servicemen and Ex-Servicemen'.

3. The Members suggested certain additions/modifications/amendments for incorporating in the two draft Reports. The draft Reports with some modifications were then adopted by the Committee.

4. The Committee authorized the Chairman to finalise the Reports in the light of further Discussions and consequential changes for their presentation to Parliament.

*The Committee then adjourned.*



ANNEXURE I

**MINISTER OF DEFENCE  
INDIA**

D.O. No. 12 (73)/US (WE)/2000/D (Res)/7833-F/RM

17 November, 2000

The issue of reservation of seats for widows/wives/wards of Armed Forces Personnel killed/disabled in action in professional and non-professional courses in universities and autonomous Institutes run by Central/State Governments has all along been pursued during various meetings of Kendriya Sainik Board. As a result, majority of Central/State universities and professional institutes have made provision for reservation for wives/widows/wards of Defence personnel and ex-servicemen.

It has, however, been observed that while providing reservations, these universities/institutes do not adhere to the under mentioned prioritization prescribed by Ministry of Defence for reservation of seats under Defence category resulting in non-utilisation or under-utilisation of the reserved seats.

- (i) Widows/wards of Defence personnel killed in action.
- (ii) Wards of serving personnel and ex-servicemen disabled in action.
- (iii) Widows/Wards of Defence personnel who died in peace time with death attributable to military service.
- (iv) Wards of Defence personnel disabled in peace time with disability attributable to military service.
- (v) Wards of ex-servicemen and serving personnel who are in receipt of Gallantry Awards.
- (vi) Wards of ex-servicemen.
- (vii) Wards of serving personnel.

I shall be grateful if you kindly advise to all Central universities, autonomous bodies, professional and non-professional institutes

including IITs and IIMs to consider providing minimum 5% reservation to the wards of Defence personnel and ex-servicemen and the seats reserved for them should be allotted strictly in accordance with the priorities of seven categories of Defence personnel as indicated above.

With regards,

Yours sincerely,

Sd/-

**George Fernandes**

Shri Murli Manohar Joshi  
Minister for Human Resource Development  
Shastri Bhavan  
New Delhi

ANNEXURE II

D.O. No. 12 (73)/US (WE)/00/3688-F/RM

29th August 2003

As a follow up to my DO letter dated 17.11.2001, I would once again like to bring to your notice the issue of full utilization of reservation of seats for the widows/wards of armed forces personnel killed/disabled in action or during peace time in Central/State Universities/Autonomous professional/non-professional institutions under the purview of your Ministry.

It has been observed that while providing reservations, these universities/institutions do not cover all the categories prescribed by this Ministry for reservation of seats under Defence category resulting, in non-utilization or under utilization of the reserved seats.

- (i) Widows/Wards of Defence personnel killed in action.
- (ii) Wards of serving personnel and ex-servicemen disabled in action.
- (iii) Widows/Wards of Defence personnel who died in peace time with death attributable to military service.
- (iv) Wards of Defence personnel disabled in peace time with disability attributable to military service.
- (v) Wards of ex-servicemen personnel and serving personnel who are in receipt of Gallantry awards.
- (vi) Wards of ex-servicemen.
- (vii) Wards of serving personnel.

I would like to request for your personal intervention and ensure that these universities/institutions follow the guidelines laid down *vide* MoD DO letter NO. 3547/AS (R)/94 dated 3rd June 1994 (copy enclosed), which clearly lays down 7 priorities instead of the 4 priorities being presently followed up. The re-introduction of the last three

priorities will ensure maximum utilization of the reserved seats and resolve the long standing request of the ex-servicemen/serving armed forces personnel.

With regards,

Yours sincerely,

Sd/-

**George Fernandes**

Murli Manohar Joshi  
Minister of Human Resource Development  
Shastri Bhavan  
New Delhi.

## ANNEXURE III

## RESERVATIONS FOR DEPENDENTS OF ESM IN PROFESSIONAL COLLEGES

Sl. No.	STATE/UT RSB Code	MBBS		ENGR		AGRI		POLYTECH		ITI		LLB		MSc., MA, M.Com, MBA, LLM etc.		B.Ed.		NURSING	
		%	Seats	%	Seats	%	Seats	%	Seats	%	Seats	%	Seats	%	Seats	%	Seats	%	Seats
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
1.	Andhra Pradesh	1	-	2	-	2	-	2	-	3	-	1-2	-	1-2	-	3	-	1	-
2.	Arunachal Pradesh	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
3.	Assam	-	3	-	2	0	0	0	2	0	0	0	0	0	0	0	0	-	0
4.	Bihar	0	0	-	1	-	1	-	1	-	1	-	1	-	1	-	2	0	0
5.	Chhattisgarh	3	-	5	-	3	-	5	-	-	5	-	-	-	-	2	-	-	-
6.	Delhi	-	0	-	7	0	0	5	-	5	-	5	-	5	-	5	-	5	-
7.	Goa	1	1	1	6	0	0	1	-	-	1	0	0	0	0	0	0	1	1

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
8.	Gujarat	0	0	1	-	0	0	1	-	-	1	-	1	0	0	-	2	0	0
9.	Haryana	1	-	1	-	1	-	1	-	1	-	1	-	1	-	1	-	1	-
10.	Himachal Pradesh	-	2	-	1	0	2	10	-	15	-	0	0	0	0	1	-	1	-
11.	Jammu and Kashmir	3	-	3	-	3	-	3	-	3	-	3	-	3	-	3	-	3	-
12.	Jharkhand	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
13.	Karnataka	-	1 2	-	1 1 9	2.5	-	2.5	-	2.5	-	0	0	0	0	-	15	1	4
14.	Kerala	-	9	-	2	-	2	-	16	15	-	-	1	0	0	-	2	-	1
15.	Madhya Pradesh	3	-	5	-	2	-	5	-	-	5	0	0	0	0	2	-	-	20
16.	Maharashtra	5	5	5	5	5	5	5	5	5	5	5	5	0	0	0	0	0	0
17.	Manipur	-	1	-	1	-	1	-	1	-	2	0	0	0	0	0	0	0	0
18.	Meghalaya	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
19.	Mizoram	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
20.	Nagaland	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
21.	Orissa	3	-	2	-	0	0	2	-	2	-	1	-	1	-	1	-	0	0
22.	Punjab	2	-	2	-	4	-	4	-	5	-	2	-	2	-	2	-	2	-
23.	Rajasthan	-	3	-	2	0	0	5	-	5	-	0	0	0	0	5	-	0	0
					1														
					0														
24.	Sikkim	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
25.	Tamil Nadu	-	6	-	8	-	7	-	81	-	5	5	1	0	0	-	23	1	60
					1								0					0	
													7						
26.	Tripura	-	1	-	2	-	1	2	-	2	-	0	0	0	0	2	-	0	0
27.	Uttaranchal	2	-	2	-	2	-	5	-	8	-	0	0	0	0	0	0	0	0
28.	Uttar Pradesh	1	-	2	-	0	0	5	-	8	-	0	0	0	0	0	0	0	0
29.	West Bengal	0	0	7	-	0	0	0	0	0	0	0	0	0	0	0	0	0	0
30.	* Andaman and Nicobar UT	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
31.	Chandigarh UT	5	-	5	-	0	0	5	-	5	-	-	2	5	-	5	-	5	-
32.	Pondicherry UT	1	-	1	-	1	-	1	-	1	-	1	-	1	-	1	-	1	-

Note: (\*) or (-) Information/Latest information not available.

## ANNEXURE IV

STATE-WISE RESERVATION OF SEATS FOR WARDS OF DEFENCE PERSONNEL AND EX-SERVICEMEN IN  
VARIOUS PROFESSIONAL AND NON-PROFESSIONAL INSTITUTES

Sl. No.	STATE/UT RSB Code	MBBS		ENGR		AGRI		POLYTECH		ITI		LLB		MSc., MA, M.Com, MBA, LLM etc.		B.Ed		NURSING	
		%	Seats	%	Seats	%	Seats	%	Seats	%	Seats	%	Seats	%	Seats	%	Seats	%	Seats
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
1.	Andhra Pradesh	1	-	2	-	2	-	2	-	3	-	1-2	-	1-2	-	3	-	1	-
2.	Arunachal Pradesh	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
3.	Assam	-	3	-	2	0	0	0	2	0	0	0	0	0	0	0	0	0	0
4.	Bihar	0	0	-	1	-	1	-	1	-	1	-	1	-	1	-	2	0	0
5.	Chhattisgarh	3	-	5	-	3	-	5	-	-	5	-	-	-	-	2	-	-	-
6.	Delhi	-	20	-	47	0	0	5	-	5	-	5	-	5	-	5	-	5	-
7.	Goa	1	1	1	6	0	0	1	-	-	1	0	0	0	0	0	0	1	1



1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
8.	Gujarat	0	0	1	-	0	0	1	-	-	10	-	10	0	0	-	2	0	0
9.	Haryana	1	-	1	-	1	-	1	-	1	-	1	-	1	-	1	-	1	-
10.	Himachal Pradesh	-	2	-	1	0	2	10	-	15	-	0	0	0	0	15	-	15	-
11.	Jammu and Kashmir	3	-	3	-	3	-	3	-	3	-	3	-	3	-	3	-	3	-
12.	Jharkhand	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
13.	Karnataka	-	12	-	119	2.5	-	2.5	-	2.5	-	0	0	0	0	-	15	1	4
14.	Kerala	-	9	-	25	-	2	-	16	15	-	-	1	0	0	-	2	-	1
15.	Madhya Pradesh	3	-	5	-	2	-	5	-	-	5	0	0	0	0	2	-	-	20
16.	Maharashtra	5	5	5	5	5	5	5	5	5	5	5	5	0	0	0	0	0	0
17.	Manipur	-	1	-	1	-	1	-	1	-	2	0	0	0	0	0	0	0	0
18.	Meghalaya	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
19.	Mizoram	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
20.	Nagaland	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
21.	Orrisa	3	-	2	-	0	0	2	-	2	-	1	-	1	-	1	-	0	0
22.	Punjab	2	-	2	-	4	-	4	-	5	-	2	-	2	-	2	-	2	-
23.	Rajasthan	-	3	-	210	0	0	5	-	5	-	0	0	0	0	5	-	-	0
24.	Sikkim	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
25.	Tamil Nadu	-	6	-	81	-	7	-	81	-	5	5	107	0	0	-	23	10	60
26.	Tripura	-	1	-	2	-	1	2	-	2	-	0	0	0	0	2	-	0	0
27.	Uttaranchal	2	-	2	-	2	-	5	-	8	-	0	0	0	0	0	0	0	0
28.	Uttar Pradesh	1	-	2	-	0	0	5	-	8	-	0	0	0	0	0	0	0	0
29.	West Bengal	0	0	7	-	0	0	0	0	0	0	0	0	0	0	0	0	0	0
30.	Andaman & Nicobar UT	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
31.	Chandigarh	5	-	5	-	0	0	5	-	5	-	-	2	5	-	5	-	5	-
32.	Pondicherry	1	-	1	-	1	-	1	-	1	-	1	-	1	-	1	-	1	-

## APPENDIX

### ANALYSIS OF THE ACTION TAKEN BY THE GOVERNMENT ON THE RECOMMENDATIONS CONTAINED IN THE 20TH REPORT OF THE STANDING COMMITTEE ON DEFENCE (THIRTEENTH LOK SABHA) ON 'WELFARE OF SERVICEMEN & EX-SERVICEMEN'

		Percentage of Total
(i) Total number of recommendations	52	–
(ii) Recommendations/Observations which have been accepted by Government ( <i>vide</i> recommendations at Para No. 37, 40, 53, 54, 58, 63, 64, 66, 74, 75, 82, 83, 128, 142, 143, 144, 145, 146, 147.	19	36%
(iii) Recommendations/Observations which the Committee do not desire to pursue in view of Government's replies Para No. 10 & 11, 55, 76, 97 & 98 114 & 115, 148, 149, 150, 151.	12	23%
(iv) Recommendations/Observations in respect of which Government's replies have not been accepted by the Committee ( <i>vide</i> recommendations at Para No. 7, 14, 15, 21 to 23, 38, 39, 57, 99, 100, 101& 102	13	25%
(v) Recommendations/Observations in respect of which final replies of Government are still awaited Para No. 5 & 6, 24 & 25, 56, 65, 122 to 123.	8	15%