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7th Central Pay Commission Against the Armed Forces



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On my asking a young officer about his impression of the recommendations of the 7th Central Pay Commission (CPC), he said, “**If you will not die for us, you cannot ask us to die for you**”. This remark by a young man, who is putting his life in danger every day, leading his men in one of the longest terror wars that has seen thousands of soldiers and officers lay down their lives for the integrity of the nation, is very significant in the backdrop of the recommendations of the Pay Commission. He did not suggest that the members of the 7th CPC should also face such fearful odds, but his expectations were that they should, at least, show empathy and a sense of belonging to the soldiers who are unrepresented in the CPC, who have no right to agitate, and no right to freedom of speech.

It seems that the members of the 7th CPC have overlooked the need to treat soldiers as those who serve the nation in extraordinary conditions. The CPC’s use of the Institute for Defence Studies and Analyses (IDSA) study selectively to deny pay and perks, and inviting

Key Points

1. 7th CPC should have shown empathy and a sense of belonging to the soldiers who are unrepresented in the CPC, who have no right to agitate, and no right to freedom of speech.
2. 7th CPC has overlooked the need to treat soldiers as those who serve the nation in extraordinary conditions.
3. Non-resolution of core anomalies of the 6th CPC, during the past eight years, has adversely affected the armed forces with regard to their status, morale and emoluments.
4. So far, the troops are not really aware of how they have been treated by the Pay Commission but if the nitty gritty and its long-term impact are known in detail dissatisfaction is inevitable.
5. There has to be a moral contract between the state and soldiers because that inspires men in uniform to go beyond the human endeavour in the line of duty.

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comments from bureaucrats of the Ministry of Defence (MoD) instead of the Services Headquarters about the service conditions and disparity in allowances, suggests a bias. The armed forces have raised more than 65 observations that are being termed as differences of perception that certainly are errors of judgement.

Ajai Shukla, in his column in the *Business Standard* has thrown light on the biased Pay Commission recommendations: “The Indian Police Service (IPS) and the Indian Forest Service (IFoS), are the biggest gainers, assuming the government implements the CPC *in toto*. The biggest relative loser is, once again, the military. Historically, even while it has demanded parity with the Indian Administrative Service (IAS) and the Indian Foreign Service (IFS), the Army has been equated with the IPS, much to its chagrin. Now, even worse, the 7th CPC places the IPS (and, almost in passing, the IFS) on a level with the IAS”. The irony is that the world over, police services are considered much lower in status and perks than militaries. But it appears that systematic erosion has brought the armed forces to the level of other government employees and the Central Armed Police Forces (CAPF) (excluding the IPS). Incidentally, IPS cadres do not lead men directly in either war or as part of border guarding, nor even in counter-insurgency operations, yet are placed higher in pay and perks.

Shukla further states that the 7th CPC has recommended that the relative advantage enjoyed by the IAS/IFS should be extended to the IPS and the IFoS, leaving the military out. After having hotly debated this issue, the 7th CPC report notes: “The chairman is of the view that the fundamental principle for determining the remuneration for any position is that it should be based on the complexity and difficulty of the duties and responsibility of the job in question”. To suggest that the nature and character of the job of the armed forces is much

easier than that performed by the IAS, IPS and IFoS is misplaced. In the instant case, the members of the 7th CPC chose to ignore the logic put forward by the Defence Services that the service conditions of the armed forces are completely different and cannot be equated with other government jobs.

Neelu Sethi, in her article published in the CLAWS Web, has exposed the biased approach of the 7th CPC: “The 7th CPC was inadequately composed to handle the challenges of developing the future pay structure for the defence forces, and yet it continued with the task at hand”. The commission’s report states, “Of the total Central Government manpower of around 47 lakh, personnel belonging to the defence forces form a significant proportion of nearly 29.49 percent”. She has stated that, the 7th CPC had declared that it would abide by the quote of the *Gita* that says, “*Yatho Dharmah, Tatho Jayah*”, meaning “where there is *dharma*, there is victory”. The members of the 7th CPC knew that the largest community among the central government employees comprises the armed forces and they are unrepresented. The members of the 7th CPC should have become the true ambassadors of this unrepresented category, but they chose to ignore this principle of *dharma* and justice.

The major anomalies that are discriminatory, with a long-term impact, are as given below:

- **Unresolved Core Anomalies of the 6th CPC.** Non-resolution of core anomalies of the 6th CPC, during the past eight years, has adversely affected the armed forces with regard to their status, morale and emoluments. These are:-
- **Non-Grant of Common Pay Scales for Junior Commissioned Officers (JCOs) and Other Ranks (ORs):** JCOs/ORs in the three Services, with the same entry level qualification, in the same rank and pay group, have different pay

scales. The long standing demand of the Services has been to resolve the above anomaly. The 6th CPC, in some measure, accepted the demand, by recommending common pay scales for all recruits in the three Services post January 01, 2006. However, the same have not been extended for in-service JCOs/ORs as on January 01, 2006, and they have been granted only replacement scales in the existing pay scales, resulting in wide discontent among nearly 11 lakh serving JCOs/ORs. This has resulted in two pay scales, that is, for those enrolled pre-2006 and those enrolled post-2006. Pre-2006 joiners end up getting lower pay despite being senior.

- **Incorrect Grade Pay Fixation.** A Superintendent Engineer in the Military Engineer Service (MES) (14,300-18,300) who was junior to a Lieutenant Colonel in scale and functionally at par, has been granted grade pay of Rs 8,700 and has now become his superior. Similarly, relativities in field and operational situations between the armed forces and Central Police Organisation (CPOs) have also been altered to the disadvantage of the Services. The Second-in-Command of the Border Security Force (BSF) and Sashastra Seema Bal (SSB) (Rs 12,000 -16,500) who were in an identical pay scale to a Major (Rs 12,800-16,050) have been granted Rs 7,600 as grade pay whereas a Major has been granted Rs 6,600. It is pertinent to mention here that the Group of Officers in 1998 had observed while deciding on parity between Commandants (CAPF) and Majors, that there is an established parity between the two in the 14th year. Accordingly, Majors were given an additional increment on promotion in the 10th year so as to draw Rs 14,300 (NFSG scale) in the 14th year. If this observation is held to be valid in 1998, there is no reason for it to be invalid today. Yet the grades of Major and Lieutenant Colonel have been depressed by one rung.
- **Incorrect Basic Pay Fixation:** Replacement scales granted to Lieutenant Colonel and Colonel/equivalent have been depressed by one increment and that of Brigadier/equivalent by two increments. The 6th CPC had rightly fixed the pay of these ranks in relation to the S-25 scale on the civil side. However, the instructions issued by the MoD have fixed the pay of Lieutenant Colonel and Colonel/equivalent with reference to the S-24 scale, as against the S-25 scale. Pre-revised scale of Lieutenant Colonel/equivalent was Rs 15,100 which was at par with the starting scale of the S-25 scale. Similarly, the pre-revised scale of Colonel was Rs 17,100 and that of Brigadier/equivalent was Rs 19,100. Therefore, in the draft instructions submitted by the three Services for the approval of the MoD, pay fixation of these ranks was projected as per the S-25 scale as approved by the Government of India (GoI), Ministry of Finance (MoF) in their OM No. F.No. 1/1//2008-1C dated August 30, 2008. For Captain to Brigadier, non-inclusion of rank pay has resulted in lower basic pay fixation for these officers.
- **Non-Finance Grant of NFU:** Non-Functional Upgradation (NFU) is based on the

Notwithstanding that grade pay will determine seniority of posts within one's cadre and not between cadres, it cannot be ruled out that the differential grades pay may be subjected to varied and incorrect interpretations by different organisations in the future. The distortions in status equations have come about due to the use of different yardsticks without any logic to determine grade pay. Grade pay fixation of various ranks has been lower vis-a-vis their civilian counterparts if compared with the scales that existed pre-6th CPC. Since grade pay is a determinant of status, this has lowered the status vis-a-vis civilians.

recommendation of the 6th CPC. It provides an opportunity to all Organised Group A Services to reach higher scales of pay, two years after the same is granted to IAS officers at the Centre. The 6th CPC did not recommend granting of NFU to the IPS, IFoS and the defence Services. However, during the implementation stage, NFU was extended to the IPS and IFoS, but not to the armed forces officers. No reasons for non-extension of NFU to the Defence Services were given for this downgradation of Defence Services officers. The benefit of NFU has been extended to the eight Group A Services like MES, Border Roads Organisation (BRO), Survey of India, etc that operate along with the armed forces in a supporting role, and has created serious command and control and functional problems. All the services have NFU, and the CAPF have ACP which is a means to address stagnation and ensure career progression. In the armed forces too, JCOs/ORs have MACP. Armed forces officers are the only category left, with no career progression. This too has led to disparity, especially in a multi-cadre environment and resulted in command and control problems.

- **Status of Lieutenant General:** The armed forces have been demanding restoration of the status of Lieutenant General to that of Director General (DG) Police since the 5th CPC. Accordingly, the armed forces, in their Joint Services Memorandum to the 6th CPC, sought to place a Lieutenant General in the S-32 scale of Rs 24,050–26,000. The issue has been partly settled as only 1/3rd Lieutenant General equivalents have been placed in HAG + scale against the demand of grant of HAG + scale to all Lieutenant Generals. They have been kept in HAG (1/3 in HAG plus) while DsGP are in HAG plus, with one amongst them in the Apex scale. The irony is that as per order of precedent, a Lieutenant General is placed at 24 whereas the

DGs of the Border Security Force, Indo-Tibetan Border Police, Central Reserve Police Force, Central Industrial Security Force and Sashastra Seema Bal (BSF, ITBP, CRPF, CISF and SSB) are placed at 25, but the DGs, being lower than the Lieutenant Generals, are placed in the Apex scale. The status of Lieutenant Generals has been lowered to even below the Additional DGs because they are placed in HAG+ whereas only 1/3 of Lieutenant Generals are placed in HAG+, and that is a gross anomaly.

Non-resolution of these anomalies in the 6th CPC regime is going to result in widening of the disparity and will further lower the status and emoluments of the armed forces.

The 7th CPC has overlooked the anomalies of the 6th CPC to achieve harmonisation of pay structure, by drafting a separate pay structure for the armed forces, thus, putting the personnel at a disadvantage.

The Terms of Reference for the 7th CPC included restoration of historical and traditional parity of the armed forces. Instead of addressing the same, the 7th CPC, in its recommendations, has further degraded the armed forces. The disparity has emerged especially in the following:

- **Disparity in Allowances.** While all armed forces' allowances are applicable to civilians, the vice versa is not applicable. The comparison is stark, especially when it comes to the CAPFs. Located in the same area, the CAPF draws more allowances by virtue of it claiming all civilian allowances plus risk and hardship allowances. While all risk and hardship allowances have been rationalised for the armed forces, the same for civilians has been kept out of the rationalised matrix. A case in point is Siachen versus the difficult area allowance for civilian when posted out of their cadre.

- **Pensions:** The armed forces were given in principle sanction in One Rank One Pension (OROP) to cater for their truncated careers. This advantage has been negated as the new proposed pension formulas are the same for everyone. In fact, the formula is detrimental to the armed forces as the weightage for early retirement has been marginalised. Another glaring discrepancy is the grant of disability pension. A disabled civilian shall be entitled to disability pension based on percentage of pay while the armed forces disabled personnel have been granted disability pension on fixed slabs. Needless to say, the disability of armed forces personnel is due to the risk and hazard of serving in hostile terrains and uncongenial areas, whereas a civilian employee may have become disabled by falling from the office stairs due to being obese.
- **Terms and Conditions of Service:** The armed forces had been granted certain exclusive terms and conditions of service which were gradually extended to all eg, the Canteen Stores Department (CSD) facility is equivalent to the Kendriya Bhandar. Rations have been extended to all CAPFs. Similar leave concessions too are enjoyed by all. This Pay Commission has now put the armed forces behind everyone by removing marginal benefits like rations for officers in peace areas while others get it, removal of furlough leave while others have the extraordinary leave clause and half pay leave, etc. Certain terms and conditions are applicable to civilians such as counting the training period as part of service, partially funded study leave abroad, treatment abroad, etc. These benefits and privileges were sought by the Services also, but they have been denied.
- The Pay Commission acknowledges that Siachen is the most difficult area to serve in yet the allowances of the armed forces are almost

50 percent of those of central government official who get posted to Guwahati, Shillong or Imphal. The question that arises is: since when has serving in Guwahati become more difficult than serving in Siachen or at a super high altitude area or the Line of Control/Line of Actual Control (LOC/LAC)? The pay of the armed forces is tax free the world over while serving in operational areas. But the Indian armed forces personnel paid taxes even while fighting the Kargil War or fighting insurgency in Jammu and Kashmir (J&K) and the northeast. The 7th Pay Commission has gone to great length to compare the percentage and purchasing power of the forces of other countries, but has not compared the pay and allowances with the civilian counterparts in India. For example, NFU, technical pay and three increments given to the IAS, IPS and IFS for the degree of difficulty in service conditions. It appears illogical to exclude and single out the personnel of the armed forces on the pretext that they are paid in consonance with the other Armies of the world. It is unjust, and the consequences of erosion of elitism could be serious for national security.

Impact of the Anomalies

The impact of the implementation of the recommendations of the 7th Pay Commission will have far-reaching consequences for the morale of the armed forces. Somewhere the impression is being given that since the armed forces have no right to protest, they will accept whatever is given to them. So far, the troops are not really aware of how they have been treated by the Pay Commission but if the nitty gritty and its long-term impact are known in detail, dissatisfaction is inevitable. Thus, the anomalies need to be rectified without any bias. The edge that soldiers enjoyed earlier must be restored. An example of how some

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nations (including those that have not participated in even a single war/ conflict since World War II) compensate their soldiers is as given in the table below:

Table 1: How India Compares

COUNTRY	THE EDGE IN SALARY AS SERVICE PAY/SPECIAL ALLOWANCE FOR MILITARY SERVICE	PENSION SCALE WITH EDGE FOR MILITARY SERVICE
US	15-20%	50 to 75% of last pay drawn protected against inflation. For civil services, the scale is 33.75% of pay as pension
UK	10%	Uniform pension as revised irrespective of rank and date of retirement
Australia	AUD 2,608 PA allowance	76.5% of pay
Japan	12-29% on graded scale	70% of pay
France	15%	75% of pay
Pakistan	10-15% and allowances	50-75% of pay with service element military pension
India	Nil	50% of pay and same is depressed by 6 to 24% in respect of Lt Col & below ranks constituting 90% of the manpower strength of the defence forces

Source: IESM representation to 7th Pay Commission

Conclusion

The UK Parliament has passed a law called the Armed Forces Covenant which is the expression of the moral obligation that the government and the nation owe to the armed forces community. The covenant acknowledges that members of the armed forces sacrifice some freedoms and often face dangerous situations. It recognises that families play a vital role in supporting the operational effectiveness of the armed forces. There has to be a moral contract between the state

and soldiers because that inspires men in uniform to go beyond the human endeavour in the line of duty. This bond is showing some signs of strain and if it remains unaddressed, it will be construed

as a breach of trust by the armed forces. It is a fact that post 1962, politicians have displayed maturity and a sense of empathy towards the armed forces and, by and large, they have stood by the soldiers since they know only too well that it is the military that is the last bastion upon which the nation can depend for every emergency, and the soldiers have never disappointed them.

There is a need to ponder over what and where things have gone wrong. Is it a wilful omission, ignorance or a sense of neglect and contempt towards the men in uniform? At this stage, the political leadership of the country can carry out damage control and set things right so that there is no breach of faith, and the soldiers do get their dues. The soldiers on the ground have faith, and believe that the political leadership will step in and ensure redressal of their genuine grievances in the 7th CPC. If it does not happen as expected by the armed forces, it will be a sad day for the guardians of the nation.

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