

8. The original ToE provided for a contractual period of five years after which the officers were to be released from service. The officers who were granted commission under the Army instruction were not entitled to PC or to any extension beyond five years of commissioned service.

9. On 1 August 1996, an amendment was issued to the WSES, under which the commission for an initial period of five years was made further extendable by five years in the Regiment of Artillery, Corps of Engineers, Corps of Signals, Army Service Corps, Army Ordnance Corps, Corps of Electrical and Mechanical engineers, AEC, Intelligence Corps and JAG department. Women who had been granted commission for an initial period of five years were required to furnish an option for extension by five years or for release. A provision was made for promotion on a substantive basis to the rank of a Lieutenant after two years and to the rank of Captain after five years. The provision contained in para 19 of the earlier Army instruction¹⁴ for the release from service on the completion of the contractual period of five years was substituted by the following provision:

“19. Disposal on Expiry of Commission. On expiry of contractual period of commission i.e. five years/ ten years from the date of grant of commission as the case may be, they will be released from the service. The officers granted commission under these Army Instruction will not be granted permanent commission.”

10. The position that emerges from the above narration is that when the induction of women in the Army was envisaged with effect from 15 February 1992 in stipulated branches and cadres, the tenure of engagement was five years. The above stipulation of five years was deleted on 12 December 1996. On 19

¹⁴SAI NO 1/5/92