

Question of 'Honour'

Revisiting 'One Rank, One Pension'

GAUTAM NAVLAKHA

Instead of penny-pinching over the “One Rank, One Pension” scheme, the government ought to save precious resources by withdrawing the army from “internal security duty” and pursuing diplomacy and a political resolution of the Kashmir dispute. But tragically, it has chosen to keep both its soldiers and the areas where they operate (within the country) “disturbed,” and then dishonour the soldiers by being miserly and close-fisted over the OROP scheme.

Subedar Ram Kishan Grewal (RKG), a Dalit, served in the 105 Battalion of the Territorial Army unit of the Rajputana Rifles for six years and in the Defence Security Corps for 24 years, completing a total of 30 years of service (*Telegraph* 2016). His pension at the time of retirement in 2004, when he drew a salary of ₹14,000 a month, was ₹6,500 a month. Because of the implementation of the Sixth Pay Commission (SPC) award as well as intermediate hikes during the terms in office of the Congress-led United Progressive Alliance I and II governments, his pension rose to ₹28,000. Had the SPC arrears been included, his pension would have reached ₹32,000 per month (Dubey 2016). Although several questions surround his suicide, there are some uncontested facts.

The State Bank of India's Ghanta Ghar branch at Hisar in Haryana pointed out that the onus of calculating salaries and pensions lay with the government; the banks merely disbursed salaries and pensions. Pensions, it pointed out, are disbursed in accordance with Pension Payment Orders issued by the former employers of retired staff (Shaktawat 2016). RKG had taken a loan of ₹3.5 lakh against his pension from his bank branch (Murarka 2016). As a retired *fauji*, he is credited with having transformed the Bamla panchayat in the district of Bhiwani. From 2004 to 2009, he was that panchayat's much-loved sarpanch. He received the Nirmal Bharat Puraskar in 2008 for his pioneering role in transforming that panchayat (Bharadwaj 2016). From water conservation to water storage and from girls' education to homestead land for everyone, his achievements endeared him to everyone in Bamla.

So why would he give up hope and end his life? RKG committed suicide on 1 November 2016 protesting that

“One Rank, One Pension” (OROP) was not being complied with. He felt that the *faujies* were slighted by the government's failure to abide by OROP. His family, including his son Jawahar, was detained by the police; family members were even abused and beaten in custody. The government shrugged its shoulders and blamed the bank branch for “miscalculating” RKG's pension. It even patted the police for doing the right thing in cracking down on his family. And to make matters worse, some political leaders and members of the government went to town hurling abuse at everyone, including RKG. It appears they had much to hide.

V K Singh, the ex Army Chief and Minister of State for External Affairs in the Bharatiya Janata Party (BJP)-led government at the centre, was vitriolic in his condemnation. Singh poured scorn on RKG, accusing him of being “mentally unstable” and claimed that he was a member of the Congress party, thereby implying that this disqualified RKG as an army veteran. Ramdas Athawale, an ally of the BJP and Minister of State for Social Justice and Empowerment in the central government, however said that RKG was a *shaheed* (martyr) and he should be accorded the respect due to a martyr (*Tribune* 2016). That V K Singh was once India's army chief in fact compels us not to get bamboozled by officials who demand our silence in the name of “national security” and the “national interest” in order to cover up their misdeeds. With army chiefs and senior retired army officers showing themselves to be no better than rabble-rousers and bigots, and with several senior officers implicated in scams and scandals as well as atrocities, it would be disastrous to remain mute and uncritical of the security apparatus. But while lamenting official political culture as a race to the bottom, RKG's death invites us to revisit the OROP scheme because that is what he himself said in his dying statement.

Rahul Gandhi, vice president of the Congress party, is right in asking Prime Minister Narendra Modi to “stop lying” about the OROP scheme, because, in reality, it is “pension enhancement” and

Gautam Navlakha (gnavlakha@gmail.com) is a civil liberties and democratic rights activist and journalist, associated for many years with the Peoples Union for Democratic Rights, Delhi.

not OROP. In an interview, former union defence minister A K Anthony pointed out the difference between what the UPA-II government had announced, rather belatedly, in February 2014, and the current government's proposal. First, whereas UPA ordered a constant review of OROP, the Modi government diluted this to every five years, making it "One Rank, Five Pensions", with pensioners suffering a five-year loss. Second, premature retirees have been excluded from it. Third, as against a top-of-the-scale pension, an average scale has been chosen (Manoj 2016). It is true that the UPA government was a reluctant supporter of OROP and took it up only when it was cornered by its own prevarication and double-talk. However, the UPA-II government's policy on OROP was closer to the parliamentary consensus over OROP.

OROP as approved by a parliamentary committee recommended that a sepoy or officer retiring at the same rank and with the same length of service would receive the same pension. At the heart of the issue was parity/equivalence between old and new pensioners. But what has been conceded is a promise to review parity every five years, not annually. In effect this means "One Rank, Many Pensions".

The struggle of ex-service personnel since the Third Pay Commission in 1973 has been protracted; a political consensus was reached when the Petition Committee of the Rajya Sabha under chairpersonship of Bhagat Singh Koshiyari submitted its 142nd Report on "Petition Praying to Grant of One Rank One Pension to Members of the Armed Forces Personnel" on 19 December 2011. The report says that OROP

implies that uniform pension be paid to the Armed Forces Personnel retiring in the same rank with same length of service irrespective of their date of retirement and any future enhancement in the rates of pension [is] to be automatically passed on to the past pensioners.

It goes on to say that "It is quite obvious that the terms and conditions of service, more particularly their span of service, i e, the age at which they enter service and the age at which they retire, vary drastically from the civilian workforce. Under rules governing pension, the longer

a person works, the more pay he gets and consequently becomes entitled to higher pension." The risk of life is always higher for armed force personnel who are subject to transfers and dislocations along with bleak career prospects. Moreover, the fact that they are subject to court martial makes for "uniqueness" of the armed forces.

In sharp contrast, what the Modi government has done is mired in ambiguity. The official offer is for equivalence every five years. Furthermore, the parity principle, equivalence, is diluted by offering a rise calculated as the average of the maximum and the minimum in every pay scale/batch, instead of raising it to the maximum across the scale. Thus, if the wage differential across the scale is say 5–75, and equivalence demands raising everyone to 75, which is what parity demands, then the average of maximum and minimum means reduction for some and a raise for someone else. In other words, the OROP recommended by the Parliamentary Committee, in which major political parties were represented, is quite different from the Modi government's version.

Having made it their electoral commitment, the BJP-led government is doing what Congress governments did for three decades—find ways to reduce the burden by what can only be called penny-pinching—creating divisions, appeasing one section and excluding another or by tweaking the provisions one way or another to keep them "manageable". Such manoeuvring has sowed distrust amongst the ranks. Consider this. At 3 pm on 5 September 2015, the Union Minister for Defence Manohar Parrikar said that those who "retire voluntarily" will not be covered by OROP. At 6.30 pm the very same day when he met a delegation of ex-servicemen he pretended to be surprised about the inclusion of this clause. He then promised that within 20 days all residual problems will get resolved and a detailed order issued. However, the deadline was shifted to another two to four weeks, but with demonetisation overtaking everything else, the issue has been kept in limbo. The fact is that 25%–30% of ex-servicemen, 99% of them personnel below officer

rank (PBOR), take premature retirement, and their grouse is that their pension is calculated on a pro rata basis. On an average, 12,000–14,000 sepoys and junior commissioned officers (JCOs) and 450–500 officers seek premature retirement every year (Singh 2015). This is 25%–30% of the 55,000 officers who retire annually. Thus notwithstanding the Prime Minister's insistence that OROP has been accepted, there is no clarity about what has been conceded and it seems that obfuscation is meant to cover the issue in a cloud of dust.

Defence Expenditure and Pensions

According to the Seventh Pay Commission, there were, as on 1 January 2014, 51.96 lakh pensioners. Of these, the Defence Service had 18.60 lakh and 5.55 lakh were Defence Civilians (80% of them were workmen in Defence Public Sector Units). Of these 24.15 lakh, family pensioners were 6.26 lakh (Report of the Seventh Pay Commission, November 2015, para 10.1.8, p 382). Age-wise, the numbers are indicated in Table 1.

Table 1: Age-wise Numbers of Defence Servicemen and Civilian Pensioners (As on 1 January 2014)

Category (age group)	60–70	70–80	80–90	90–100
Defence (civilian)	2,83,638	2,24,435	43,618	3016
Defence (servicemen)	3,57,725	2,97,402	103,132	42,861

Source: Seventh Pay Commission, Para 10.1.10, p 382.

In analysing defence expenditure the SPC observes that it has declined as percentage of gross domestic product from 2.19% in 1995–96 to 1.8% in 2012–13. As a percentage of total expenditure of the Government of India it declined from 14.50% in 1995–96 to 12.80% in 2012–13. Defence capital expenditure in total defence expenditure has meanwhile grown from around 25% in the late 1990s to over 40% in recent years as indicated in the Seventh Pay Commission Report. Significantly, the share of defence modernisation in defence capital expenditure has been in the broad range of 80%–90%.

However, the SPC points out that as a percentage of total defence expenditure, personnel expenditure has risen from 27.55% in 2007 to 41.12% in 2012. It goes on to claim that the conclusion that increased expenditure on personnel has

cut into operations and maintenance expenditure, which declined from 25.12% in 2007 to 15.26% in 2012, “is inescapable” (Seventh Pay Commission Report, p 100). In other words, personnel costs, especially pension costs, were considered as a big impediment.

But let us look at this from another angle. What is most important for a military, equipment or the quality of its personnel? It is not guns which fight wars but people who do so. Why should the government pit and create a dichotomy between the two, personnel as against equipment cost, when modernisation and upgradation have remained robust at 80%–90%? On the one hand, there are 9,642 vacant officer posts and 23,989 in other ranks (Kumari 2015). Vacant posts directly point towards paucity of young officers who are required to provide leadership in the field of combat. On the other hand, in order to attract younger talent, premature retirement is encouraged because, given the steep hierarchy, career advancement in army is severely restricted. In other words, in order for the army to stay “young, fresh and motivated” is essential to “make premature retirements attractive” (Singh 2015) In other words, both in order to fill vacancies as well as to trim the force, attractive pension packages are a must. One who joins the army wants, most of all, that in the event of death or disablement, his near and dear ones will be secure and well looked after.

Hubris Trumps Enlightened Self-interest

There are several ways to cut down the financial outgo in the military sector. The best and most effective way to cut disability pension payments as well as flab is to withdraw the army from “internal security duty” and pursue diplomacy and a political resolution of the Kashmir dispute, which will bring down soldier injuries and premature deaths sharply. Beginning in December 1989 and up to 2016, an estimated 6,245 security force personnel were killed (Kumar 2016), and of these, 4,675 were from the army (Singh 2016). Also, since its inception in 1972, the Northern Command lost 12 soldiers during 1972–83 to ceasefire violations (Kumar 2016). A ceasefire violation is

one where firing lasts for 15–20 minutes using small arms, mortars, etc (Singh 2016). In the following six years, 1984–89, the Northern Command lost 480 personnel on account of the Siachen operations. Since 2003, when a ceasefire came into effect, violations between 2004 and 2010 were 183 and then 51, 93, 199 and 153 in 2011, 2012, 2013, and 2014, respectively (Kumar 2016).

In 2016, out of 151 incidents of ceasefire violations, 110 took place after the September 29 “surgical strike” (Singh 2016). So it is better not to incur wasteful expenditure such as on border firing and ceasefire violations which have not only resulted in deaths and injuries of service personnel but of the civilian population since the “surgical strike.” No less than 18 persons, including 12 civilians, have been killed and 83 injured along the international border and the Line of Control in Jammu and Kashmir (J&K). Reportedly, 174 schools along the border/ceasefire line in Jammu were ordered to be closed (Kumar 2016). Lakhs of people are dislocated and are living in camps that stretch from J&K to Punjab. The deliberate policy of keeping the border and LOC surcharged has worked wonderfully to disadvantage people and the use of mortar shells, bullets and bombs can only be described as a criminal use of scarce resources. The spurt in killings and surge in ceasefire violations speak of absurdity in this mindless pursuit of escalation. In other words, there are ways in which military pensions and salaries can cease to become a burden if the government realises the folly of its current approach which pursues coercion to resolve intractable problems. How ex- and serving defence service personnel get affected and how in order to cut corners government tries to reduce the financial outgo by manipulating the rules as it goes along—either not deciding or delaying disbursement (an old tried and tested approach) while ignoring the alternative of a non-militaristic approach—are issues that must also be raised while discussing the military sector.

For instance, is it sensible to buy Rafale jets, each costing ₹1,640 crore or ₹59,000 crore (\$8.9 billion) for 36 jets of which 15% or ₹9,000 crore would be in advance

provided to Dassault, with the French government providing a “comfort letter” which has no legal validity, and there is no technology transfer? Every additional purchase has to be subjected to renegotiation of the price (Pandit 2016; Singh 2016). To propagate this as something great, and a mark of decisiveness, shows how the Indian public is being fooled. The problem does not stop here.

One of the biggest beneficiaries of the Rafale deal is the Reliance Anil Dhirubhai Ambani (RADA) group to which a huge business opportunity has come as a result of a 50% offset clause. The RADA group is the joint venture partner of Dassault to make aero-structures, engine parts and electronics at its special economic zone in Nagpur. This will be of immense help to Dassault to cut its production costs by transferring production of some items to its joint venture in India (Special Correspondent 2016). For a group which entered the military sector in 2015 with the outright purchase of Piparav Shipyard for ₹1,500 crore, its chief executive officer Anil Ambani accompanied Prime Minister Narendra Modi to Paris in April 2015, met Dassault officials as part of the official Indian delegation, and has since landed a lucrative joint-venture partnership by becoming a beneficiary of the offset clause. Does this not smack of a quid pro quo; returning a favour to the first corporate honcho who endorsed Narendra Modi as Prime Minister?

The *Hindu* carried a report which spoke of Dassault’s main concern. “Among ... the French side’s concerns (is one) about a major Indian private conglomerate whose services are being recommended by some sections of the Indian government.” The “key” concern is the role the Indian company will play in the deal. The due diligence done by Rafale on the “recommended” conglomerate has thrown up questions over its financial capabilities (Joseph 2015). What was the track record of this corporate house to land such a lucrative deal, not just anywhere but in the military sector where national security assets are at stake? How has this corporate house fared in terms of probity, transparency and accountability to qualify?

And what are 36 jets, two squadrons, supposed to achieve for us? Well, capability

to carry nuclear payload a longer distance. But, how sensible is it to spend ₹59,000 crore for 36 jets for reasons of nuclear war? If national security considerations derive from strategic assessment then it is rather dim-witted to invest in equipment which will remain a white elephant.

It is worth realising that manpower needs and motivation are as or more important than the acquisition of weapons. Wars, conventional or sub-conventional, are fought by personnel. Without prioritising their needs there can be no solution to their woes and the country's pain. Therefore, by hollowing out OROP and also prevaricating on the issue of OROP for premature retirement, a bigger issue needs addressing. In order to trim the force and cut the flab, pensions have to be made attractive.

So instead of being selective, say meeting the demands of current service personnel while delaying benefits to ex-service personnel, an anomaly is created, because of the professional voluntary nature of recruitment. Besides, the work span is short for soldiers. According to a research survey, 77% of soldiers joined the army either to earn their livelihood or for pay/pension benefits and only 23% said that they joined the army either to live a life of honour or to serve (the) motherland. Within this 23% who joined for non-livelihood reasons, just 6% joined to "serve the motherland" whereas 17% joined to "lead a life of honour" (Dixit 2012).

In other words, could it be that RKG represents the soldier who lived a "life of honour" in and outside military service? And the battle over OROP, the pleading and constant reminding that these ex-soldiers served and did what was asked of them, the fact that they had to come out on the streets and were attacked by police at the behest of the government, made some of them, including RKG, realise that they were no different than other working people who too face the same crackdown when they agitate against their employers. They were mere pawns in the government's game. As faujis they were assured that they are a class apart from the civilians. The fight over entitlements which soldiers feel they ought

to get and the long-drawn-out struggle to get them, have certainly politicised them, all for the greater good. Pleading, demanding, protesting, negotiating, being beaten up by the police, arrested at midnight, tortured in custody, slapped with criminal charges, what else does all this suggest but harassment and humiliation? So the sense of dishonour, being slighted, their services belittled, must rankle some of them. RKG wanted attention to be drawn to the crux of the issue, not just the five or ten thousand rupees denied to him and, therefore, did not pursue the course of individual redress to plead his case, but wanted to draw attention to the cynical way in which praise and calumny go together. His last conversation recorded by his son was that he was doing what he did, not for himself but for all the soldiers.

Sense of Dishonour

Before concluding, however, I cannot help wondering that most of the millions of soldiers serve or have served in "disturbed areas" across the country, waging war against their own people in the past 66 years, for different lengths of time, sometimes in three to four stints. They do what is asked of them and which they are trained to carry out ruthlessly, without fear of prosecution, as in war against an external enemy. They are aware of how the war is actually carried out and what actually takes place in their own ranks during operations/duty. So do they even ask themselves the following:

(i) How would they react if in their village, town or region they were to live through the very same experience inflicted by them during their stint on "others"? In other words, if the roles were reversed, how would they react/feel?

(ii) Why is it that since the 1950s, starting with the Naga areas, Manipur 1970, Assam 1990 and J&K 1990, the army remains, and the areas remain, "disturbed"? Does it not mean that the army has failed to end militancy decisively despite trying umpteen times over the last 66 years? Or, is it the government, which failed and frittered away every opportunity created by brutally crushing militancy, by doing nothing to reach a democratic solution?

(iii) Do they nurture hatred for the "other" in their hearts or acquire a more compassionate view of the "other"?

The reason is that, notwithstanding popular perception, professional soldiers do not join the armed services out of a sense of "patriotism". They are in fact driven by the desire to get a job that offers material security for self and family. Predominantly, it is their own livelihood needs that drive people to enlist in the armed forces. The main objective of any government's concern is to keep the morale of such professional soldiers high, so that they would go out and fight as directed by the government, whether it is "enemies" outside the nation's borders or within, conducting the predatory war for "development" (which profits the corporate class) or suppressing popular movements. Their working class origin does not prevent them from carrying out a predatory war against fellow peasants and workers in "Disturbed Areas." So is a professional soldier any different from a mercenary (Navlakha 2015)?

It is believed that soldiering brings death close and that one's perception of life changes. That many become compassionate and reflective. Or, is the converse true that their experience and the hatred nurtured during conflicts carries on post retirement? The reason is that when planning to "cut the flab" we must also ask how this flab grew and for what reason? The "flab" is primarily on account of wars at home, and these wars are intrinsically manpower intensive. So perhaps it is time to end wars at home if we are serious about trimming the armed forces and saving money. It is only then that we can begin to appreciate the sense of dishonour experienced by soldiers, both during and after service, and how ignoble wars at home and glorification of army go hand-in-hand with class disdain for the people below officer rank.

REFERENCES

- Bharadwaj, Ananya (2016): "Ram Kishan Grewal: An Ex-serviceman Who Changed the Face of His Village," *Hindustan Times*, 3 November.
- Dixit, K C (2012): "Building Army's Human Resources for Sub-Conventional Warfare," *Pentagon Security International*, p 32, http://www.idsa.in/system/files/book/book_dixit_intro.pdf.

