



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-5021-2017 (O&M)

DEEPAK SINGH AND OTHERS

..Petitioners

Versus

UNION OF INDIA AND OTHERS

..Respondents

Reserved on: 15.07.2026

Pronounced on : 28.07.2026

Uploaded on : 31.07.2026

Whether only the operative part of the judgment is pronounced? NO
Whether full judgment is pronounced? YES

CORAM: HON'BLE MRS. JUSTICE SUDEEPTI SHARMA

Present: Mr. Dheeraj Mahajan, Advocate
for the petitioners.

Mr. Sandeep Bhatia, Sr. Panel Counsel
for the respondents.

* * * * *

SUDEEPTI SHARMA, J.

1. Present writ petition under Articles 226/227 of the Constitution of India has been filed for issuance of appropriate writ, order or direction especially in the nature of mandamus directing the respondent authorities to consider the case of petitioners for appointment of Constable G.D. in CAPFs, NIA and SSF and Rifleman (GD) in Assam Rifles as the petitioners have duly qualified the written examination, medical examination and have secured more than the prescribed cut off marks for the border area category being falling within the vacancies reserved for the border district, especially in view of the fact that total advertised have not been filled till date prejudicing the valuable rights of the petitioners.



2. Learned counsel for the petitioners contends that despite being duly qualified in written examination and securing more marks than the cut off marks, the petitioners have not been selected. He, therefore, prays that the present petition be allowed.

3. *Per contra*, learned counsel for the respondents argues on the lines of written statement filed by the respondents. He, therefore, prays that the present writ petition be dismissed.

4. I have heard learned counsel for the parties and perused the whole case file with their able assistance.

5. The relevant portion of written statement filed on behalf of respondents is reproduced as under:-

“That the present writ petition is not maintainable. As per the public notice inviting applications for recruitment to the post of Constables in BSF, CRPF, CISF, ITBP, SSB, NIA and SSF for the post of Riflemen in Assam Rifles, the vacancies were allocated statewide, the result was to be declared state wise and the vacancies were thus to be filled state-wise. The said arrangement is based upon the recruitment scheme formulated by the Ministry of Home Affairs. The petitioners are all residents of the State of Punjab. No vacancy exist in the quota allocated to the State of Punjab. No person who is lower to the petitioners in merit has been appointed/recruited. In these circumstances, the present writ petition is totally misconceived and the same deserves to be dismissed being without cause of action.

The relevant provisions of public notice necessary for adjudication of controversy in hand are being reproduced hereinbelow for kind perusal of this Hon’ble Court:



(TO BE PUBLISHED IN THE EMPLOYMENT NEWS/
ROZGAR SAMACHAR DATED 24.1.2015)

STAFF SELECTION COMMISSION

NOTICE

Constables (GD) in CAPFS, NIA & SSF and Rifleman
(GD) in Assam Rifles Examination, 2015

"GOVERNMENT STRIVES TO HAVE A WORKFORCE
WHICH REFLECTS GENDER BALANCE AND WOMEN
CANDIDATES ARE ENCOURAGED TO APPLY"

F.No.3/1/2014-P&P-1 (vol-II). The Staff Selection
Commission will conduct an open examination for
recruitment to the posts of Constable (GD) in, BSF,
CRPF, CISF, ITBP, SSE, NIA and SSF and Rifleman in
Assam Rifles as per the Recruitment Scheme formulated
by the Ministry of Home Affairs and as per the
Memorandum of Understanding signed between Ministry
of Home Affairs (MHA) and the Staff Selection
Commission. The recruitment process will consist of
Physical Standards Test, Physical Efficiency Test, Written
Examination and Medical Examination. The salient
features of the recruitment are as under:

- (i) to (x) xxx xxxxx
- (xi) After conduct of RME/DME, the Commission will
process and declare the final list of selected candidates
state-wise without making Force allocation.
- (xii) to (xiv) xxxx xxxx
- 2. xxxxxxxxxxxxxx xxxxxxxxxxxxxxxxxxxx

The state-wise and category-wise breakup of these
vacancies is enclosed in Appendices as follows:

S.N	Details	Appendix
1	State-wise and Category-wise (SC, ST, OBC & UR) consolidated vacancies of all States/Uts including Naxal/Militancy affected Districts area (Male)	Appendix- 'A'



2	State-wise and Category-wise (SC, ST, OBC & UR) consolidated vacancies of all States/Uts including Naxal/Militancy affected Districts area (Female)	Appendix- 'B'
3	State-wise and Category-wise (SC, ST, OBC & UR) consolidated vacancies of Border Guarding Districts (Male)	Appendix- 'C'
4	State-wise and Category-wise (SC, ST, OBC & UR) consolidated vacancies of Border Guarding Districts (Female)	Appendix- 'D'
5	Organization wise details of vacancy for 2015-16	Appendix- 'E'

Note I: xxx

Note II: xxxx xxxx

Note III: As the vacancies have been allotted to the concerned States'UTs, candidates are required to submit domicile certificates of the States indicated by them in the application at the time of medical examination/documents verification failing which his/her candidature will be cancelled forthright and the candidate will not be allowed to undergo medical examination. If a candidate produces domicile certificate issued by a state other than the state mentioned in his application he will be allowed to change the state code at the time of verification of documents.

Note iv and v: xxx xxx

3 to 9. xxxx xxxx

10. MODE OF SELECTION:

(i) The Commission will prepare the final merit list of candidates category-wise and state-wise without making any force allocation. Force allocation will be done by Nodal CRPF/MHA and the final result will also be declared by them.



(ii) The minimum cut off percentage of marks for selection will normally be as under:

General and Ex-servicemen : 35%
SC/ST/OBC :33%

xxx xxxx

iv) Result will be declared on the basis of merit-cum-preference of forces/organization exercised by the candidate. If a candidate does not exercise any option for anyforce/organization or exercise limited option(s) he/she will be considered against default option as indicated in the application form. If the candidate does not want to be considered against any force/organization, he/she should put cross mark (X) in the relevant column in the Application Form (Annexure as **P 1**).”

X X X X

Marks secured by the petitioners are less than the last selected candidate in their category of Punjab State (Border). Marks secured by the petitioners are mentioned against them:

Roll No	Name of Petitioner	Marks secured by petitioners
1402013288	Deepak Singh (Genl)	51 Marks
1402012276	Pawan Kumar (OBC)	47 Marks
1402094345	Lovepreet Singh (Genl)	52 Marks
1402030331	Rajesh Sharma (Genl)	53 Marks
1402094861	Damanpreet Singh (OBC)	44 Marks
1402060789	Ajay Kumar (SC)	49 Marks
1402049127	Amandeep (OBC)	45 Marks
1402076764	Jiwan Lal (SC)	48 Marks
1402025929	Jatinder Kumar (SC)	46 Marks

The cut of marks of the last selected UR/OBC/SC candidates from Punjab (Normal/Border) is as per details given below:-

Category	A-BSF	B-CISF	C-CRPF	D-SSB	E-ITBP	F-AR
UR Normal	63	54	54	-	55	57



UR Border	54	-	-	-	-	-
OBC Normal	60	51	51	51	53	51
OBC Border	52	-	-	-	-	-
SC Normal	58	51	51	50	50	55
SC Border	52	-	-	-	-	-

That the contents of para No.5 of the writ petition are wrong and denied and it is submitted that 378 vacancies for Border Districts are not only for the State of Punjab but are for all the Border Districts. Further it is pertinent to mention here that cut of marks which were shown in table is only concerned with calling for medical examination and was not final cut off marks of finally last selected candidate. Hence contents of this para is misconceived and denied. Cut off marks and merit list are two different concepts. A person may have secured more than cut off marks but still may not have been found placed in merit. Thus to say and aver that the petitioners are entitled for recruitment for having secured more marks than the cut off marks prescribed is a misconception. Actual cut of marks of last selected candidate in respect of all categories are reproduced below.

Category	A-BSF	B-CISF	C-CRPF	D-SSB	E-ITBP	F-AR
UR Normal	63	54	54	-	55	57
UR Border	54	-	-	-	-	-
OBC Normal	60	51	51	51	53	51
OBC Border	52	-	-	-	-	-



SC Normal	58	51	51	50	50	55
SC Border	52	-	-	-	-	-

6. The relevant portion of affidavit of Ashok Prasad son of Shri Sadan Prasad, aged about 54 years, Posted as DIG(Adm) HQ, NW Sector, CRPF, Hallomajra, Chandigarh (in CWP-5021-2017) is reproduced as under:-

“I, the above named deponent do hereby solemnly affirm and declare as under:

- 1. That the deponent is fully aware of facts and circumstances leading to the present case and the vacancy position with respect to the recruitment process involved in the writ petition.*
- 2. That in this regard it is intimated that Recruitment of Constable (GD)-2015 has been conducted by SSC on the basis of MHA's policy. CRPF was designated as Nodal Force to co-ordinate for recruitment of CT (GD) exam-2015 to fill up 64,066 vacancies of CT/GD (Male/Female) in CAPFs, AR/NIA & SSF.*
- 3. That SSC is responsible for notification, registration of application forms, conducting of written examination and preparation/declaration of final result/merit list, Nodal Force (CRPF) is responsible for issuing admit cards for PST/PET, Detailed Medical Examination (DME) and all participating CAPFs (i.e. BSF, CRPF, CISF, ITBP, SSB and AR) also responsible for conducting PST/PET and DME of candidates.*
- 4. That the recruitment of Constable (GD) in CAPFs is carried out State wise in accordance with MHA scheme. The vacancies calculated in accordance of roster of DoP&T OM No. 36017/1/2004-Estt(Res) dated 05.07.2005, where they are category wise as per ration of*



population in respective states. The vacancies are arrived as per percentile of category available in a state and filled from category as per merit drawn keeping in view related instructions on it. The vacancies are filled based on merit drawn category wise for each state.

5. *That as per DOP&T OM No.36011/1/1/98-Estt. (Res) dated 01/07/1998, SC/ST/OBC candidates who are selected on their own merits without relaxed standards alongwith candidates of other communities will not be adjusted in reserved vacancies. The reserved vacancies will be filled up separately from amongst the eligible SC/ST/OBC candidates who are found suitable for appointment by relaxed standards. The relaxations in age, height and chest are permissible to the candidates falling in various Categories, States and special areas (LWE districts etc) in accordance with Revised Recruitment Scheme dated 21/01/2015 and Govt. Orders on the subject. As such candidates of SC/ST/OBC candidates who are selected after availing any of the relaxed standards shall be adjusted against reserved vacancies in their respective Category.*

6. *That allocation to various CAPFs has been done as per merit cum preference of Force/Organization exercised by the candidates, subject to availability of vacancies in State/UT concerned, considering Border and Naxal/Militancy affected districts and Category-wise reservation. Candidates belonging to Border/Naxal or Militancy affected districts have been considered against vacancies in such areas or in the State concerned against General Vacancies as may be advantageous to them. If a candidate has not exercise any option for any Force/Organization or exercised Limited option(s), he/she has been considered against default option as indicated in the Application Form. Those who exercised*



Blank/Invalid/Limited options have been considered in default options, after filling up vacancies by candidates who have exercised their preference.

7. That the Details of each petitioner are as under:

SI. No.	Roll No	Name of Petitioner	Relaxation on availed in	Remark																					
1	1402013288	Deepak Singh	--	He is an Un-reserved (Male) candidate from Punjab (Border) State Code-28 and Border code-09) and scored 51 marks. He was not selected since he had scored less marks than the last selected candidate in Un-reserved Category in Punjab (Border). The cut of marks of the last selected UR (male) candidates from Punjab (Border) are as under: <table><tr><td>Category</td><td>BSF</td><td>CISF</td><td>CRP F</td><td>SSB</td><td>ITBP</td><td>AR</td></tr><tr><td>Ur Normal</td><td>63</td><td>54</td><td>54</td><td>No vacancy</td><td>55</td><td>57</td></tr><tr><td>UR Border</td><td>54</td><td>No vacancy</td><td>No vacancy</td><td>No vacancy</td><td>No vacancy</td><td>No vacancy</td></tr></table>	Category	BSF	CISF	CRP F	SSB	ITBP	AR	Ur Normal	63	54	54	No vacancy	55	57	UR Border	54	No vacancy	No vacancy	No vacancy	No vacancy	No vacancy
Category	BSF	CISF	CRP F	SSB	ITBP	AR																			
Ur Normal	63	54	54	No vacancy	55	57																			
UR Border	54	No vacancy	No vacancy	No vacancy	No vacancy	No vacancy																			
2	1402012276	Pawan Kumar	Age	He is a OBC (Male) candidate from Punjab (Border) (State Code-28 and Border code-09) and scored 47 marks. He was not selected since he had scored less marks than the last selected candidate in OBC Category in Punjab (Border). The cut of marks of the last selected OBC (male) candidates from Punjab (Border) are as under: <table><tr><td>Category</td><td>BSF</td><td>CISF</td><td>CRP F</td><td>SSB</td><td>ITBP</td><td>AR</td></tr><tr><td>Ur Norm</td><td>60</td><td>51</td><td>51</td><td>51</td><td>50</td><td>51</td></tr></table>	Category	BSF	CISF	CRP F	SSB	ITBP	AR	Ur Norm	60	51	51	51	50	51							
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al																		
UR Bord er	52	No vaca ncy	No vaca ncy	No vacan cy	No vaca ncy	No vaca ncy												
3	1402094345	Lovepreet Singh	--	He is a Un-reserved (Male) candidate from Punjab (Border) (State Code-28 and Border code-09) and scored 52 marks. He was not selected since he had scored less marks than the last selected candidate in Un reserved Category in Punjab (Border). The cut of marks of the last selected UR (Male) candidates from Punjab (Border) as shown at Sl No.1														
4	1402030331	Rajesh Sharma	--	He is a Un-reserved (Male) candidate from Punjab (Border) (State Code-28 and Border code-09) and scored 53 marks. He was not selected since he had scored less marks than the last selected candidate in Un reserved Category in Punjab (Border). The cut of marks of the last selected UR (Male) candidates from Punjab (Border) as shown at Sl No.1														
5	1402094861	Damanpreet Singh	--	He is a OBC (Male) candidate from Punjab (Border) (State Code-28 and Border code-09) and scored 44 marks. He was not selected since he had scored less marks than the last selected candidate in OBC category in Punjab (Border). The cut of marks of the last selected OBC (male) candidates from Punjab (Border) as shown at SI No.2.														
6	1402060789	Ajay Kumar		He is a SC (Male) candidate from Punjab (Border) (State Code-28 and Border code-09) and scored 49 marks. He was not selected since he had scored less marks than the														



				last selected candidate in Sc Category in Punjab (Border). The cut of marks of the last selected Sc (Male) candidates from Punjab (Border) are as under: <table><tr><td>Cate gory</td><td>BSF</td><td>CISF</td><td>CRP F</td><td>SSB</td><td>ITBP</td><td>AR</td></tr><tr><td>Ur Norm al</td><td>58</td><td>51</td><td>51</td><td>50</td><td>50</td><td>55</td></tr><tr><td>UR Bord er</td><td>52</td><td>No vaca ncy</td><td>No vaca ncy</td><td>No vacan cy</td><td>No vaca ncy</td><td>No vaca ncy</td></tr></table>	Cate gory	BSF	CISF	CRP F	SSB	ITBP	AR	Ur Norm al	58	51	51	50	50	55	UR Bord er	52	No vaca ncy	No vaca ncy	No vacan cy	No vaca ncy	No vaca ncy
Cate gory	BSF	CISF	CRP F	SSB	ITBP	AR																			
Ur Norm al	58	51	51	50	50	55																			
UR Bord er	52	No vaca ncy	No vaca ncy	No vacan cy	No vaca ncy	No vaca ncy																			
7	1402049127	Amandeep	--	He is a OBC (Male) candidate from Punjab (Border) (State Code-28 and Border code-09) and scored 45 marks. He was not selected since he had scored less marks than the last selected candidate in OBC Category in Punjab (Border). The cut of marks of the last selected OBC (male) candidates from Punjab (Border) as shown at Sl. No.2																					
8	1402076764	Jiwan Lal	Age	He is a Sc (Male) candidate from Punjab (Border) (State Code-28 and Border code-09) and scored 48 marks. He was not selected since he had scored less marks than the last selected candidate in Sc Category in Punjab (Border). The cut of marks of the last selected Sc (male) candidates from Punjab (Border) are shown at Sl. No.6																					
9	1402025929	Jatinder Kumar	Age	He is SC (Male) candidate from Punjab (Border) (State Code-28 and Border code-09) and scored 46 marks. He was not selected since had had scored less marks than the last selected candidate in SC Category in Punjab (Border). The cut of marks of the last selected Sc (male) candidates from Punjab (Border) are shown at Sl. No.6																					



8. That the category wise vacancies, filled and unfilled of Punjab State are as under:-

CAPF	Type of Vacancy	Category	Vacancies	Filled	Lowest Marks
BSF	G	9	47	47	63
BSF	B	9	73	73	54
BSF	G	1	27	27	58
BSF	B	1	43	43	52
BSF	B	6	20	20	60
BSF	B	6	31	31	52
CISF	G	9	132	132	54
CISF	G	1	75	75	51
CISF	G	6	66	66	51
CRPF	G	9	134	134	54
CRPF	G	1	78	78	51
CRPF	G	6	56	56	51
SSB	G	1	22	22	50
SSB	G	6	17	17	51
ITBP	G	9	22	22	55
ITBP	G	1	12	13	50
ITBP	G	6	9	9	53
AR	G	9	2	2	57
AR	G	1	1	1	55
AR	G	6	1	1	51

G-General, B-Border

9. That from the above, it is clear of vacancies of Punjab State in all category filled completely. There is no possibility of consideration of these requests as petitioner’s marks in written examination are not only far less than the last selected candidate in their respective state/category/area (Border) and grievances of petitioner don’t come under merit and purview of criteria of selection for applied pot since all vacancies of categories to which petitioners belong have been full filled.”



7. In view of the above, since the petitioners secured less marks than the last selected candidate, therefore, I do not find any merit in the present writ petition and the same is hereby **dismissed**.
8. Pending miscellaneous application(s), if any, stand disposed of.

28.07.2026

Ayub/Saahil

(SUDEEPTI SHARMA)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No