

**108 IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH**

**CWP No.8484 of 2022 (O&M)**

**Date of decision :13.02.2023**

Balwan Singh

..... Petitioner

versus

State of Punjab & ors.

..... Respondents

**CORAM : HON'BLE MR.JUSTICE PANKAJ JAIN**

**\*\*\***

Present :- Mr. Vikram Anand, Advocate  
for the petitioner.

Mr. Rajesh Mehta, Addl. A.G., Punjab.

**\*\*\***

**PANKAJ JAIN, J. (ORAL)**

Petitioner herein prays for issuance of a writ in the nature of certiorari quashing the impugned order dated 05.02.2021 (Annexure P-6) whereby the claim of the petitioner seeking benefit under the Sports Policy stands declined on the ground that the achievements of the petitioner are not covered under the Sports Policy.

Petitioner is working with the Punjab Police. He claims promotion to the post of Assistant Sub Inspector on the basis of his achievements in the field of Sports. As per the pleadings raised in the writ petition the achievements of the petitioner have been spelled out as under :-

- i. Received first position in Judo in Jalandhar Range Police Games in the year 1992.*
- ii. Received first position in North India Karate Championship in the year 1993.*
- iii. Received first position in Chandigarh in second open North India Karate Championship in year 1994.*
- iv. Received first position in Karate Championship held in Ankola (Maharashtra) in the year 1995.*

- v. *Made the country and Punjab Police proud by receiving first position in Asia Karate Open Championship held in Nagpur in the year 1996.*
- vi. *Received Second position representing India by participating in Rajiv Gandhi Gold Cup International Karate Championship held in New Delhi in the year 1997.*
- vii. *Received title of Black Belt from Karate Association World Black Belt Bureau Federation America in the year 1998.*
- viii. *Received first position in body building games in Jalandhar Range Police Games in the year 1998.*
- ix. *Received first position in weight lifting in 44th Police Athletics Meet held in Hoshiarpur in the year 1999.*
- x. *Made new National Records in breaking and established a breaking record by breaking 101 tiles/bricks in just 6 seconds.*
- xi. *Made Punjab Police proud by participating on behalf of Punjab Police in National Karate Championship and receiving first position held in Delhi in September, 2002.*
- xii. *Received second degree of black belt in International value Ryu Jujitsu Association Shotokan Style in the year 2005.*
- xiii. *Received third position in B-Tug of war in Punjab Police Games in Jalandhar Zone, games in the year 2008.*
- xiv. *Received first position for district Kapurthala in boxing and judo in Jalandhar Zone Range Police Athletics Meet and Sports meet in the year 2009.*
- xv. *Was given third black belt of International Diploma Degree by Marshal Arts Police Method Peru, South America on November 17, 2010.*
- xvi. *Received third position in Greco Roman Wrestling Competition in 55th Police Games, 2011 in the year 2011.*
- xvii. *Received first position by participating in Black Belt Grade in National Karate Competition held in Amritsar in the year 2011.*
- xviii. *Received gold medal by achieving first position in 70-75 kg category in 3rd National Karate Championship, 2013 held in Sujampur, Punjab.*
- xix. *Received First Position by participating in 75-80 Kg category in 56th Jalandhar Range Police Sports and Athletic Meet, 2013 held on 25,26th April in Kapurthala.*
- xx. *Got his name registered in Guinness World Record in the year 2014 by doing the techniques of Taekwondo for continuously 40 times in 16 minutes 20 seconds. Earlier, this record was held by England's team of 20 minutes. Made Punjab Police and India proud by setting this record.*
- xxi. *Received first position by participating in South Asia Karate Championship held in Krishna Godawar Indoor Stadium Wayanad Kerala from 10<sup>th</sup> and 11<sup>th</sup> January, 2016."*

As per the Sports Policy which has been placed on record by the petitioner himself, the persons eligible to claim sports quota of 5% for promotion are considered for accelerated promotion under the following criteria :-

**B. For promotion**

*In order to provide transparent and accelerated promotions to the deserving sports persons to the next higher rank against sports persons quota of 5% shall*

be followed :-

| Sr. No. | Performance                                                                 | Marks winning Medal for Gold | Marks winning Medal for Silver | Marks winning Medal for Bronze |
|---------|-----------------------------------------------------------------------------|------------------------------|--------------------------------|--------------------------------|
| A       | For winning positions in All India Police Games/Championships.              | 25                           | 20                             | 15                             |
| B       | For winning positions in National/Federation Games, National Championships. | 40                           | 35                             | 30                             |
| C       | For participation in Commonwealth Asian Games Championships.                | 30 Marks                     |                                |                                |
| D       | For participation in World Cups                                             | 40 Marks                     |                                |                                |
| E       | For participation in Olympics.                                              | 50 Marks                     |                                |                                |

On 09.02.2023 the following order was passed :-

**“CM-14542-2022**

*This is an application for placing on record Sports Policy as Annexure P-8.*

*For the reasons mentioned in the application, application is allowed. Annexure P-8 is taken on record.*

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*Learned counsel for the State prays for time to seek instructions with respect to the achievements as detailed in paragraph 4 of the writ petition mentioned at item No. xvi, xvii and xviii as to whether the same would fall within the ambit of Sports policy (Annexure P-8).*

*On his request, adjourned to 13.2.2023.”*

Today Mr. Rajesh Mehta, Addl. A.G., Punjab on instructions from Sh.Bahadur Singh, Sports Secretary, Punjab Police submits that none of the achievements of the petitioner falls within the ambit of sports policy and the tournaments wherein he has participated are not recognized by Indian Olympic Association or by any other affiliated and recognized body due to which the achievements as claimed by the petitioner cannot be considered.

Faced with the situation learned counsel for the petitioner submits that the claim of the petitioner is also based upon parity wherein similarly situated sports persons have been granted claim for the promotion. He submits

that in the impugned order the details in which the fellow sports persons who have been granted such benefit has not been spelled out and thus the petitioner would be entitled for the benefit under the said policy.

I have heard learned counsel for the parties and have gone through the records of the case.

The claim of the petitioner is based upon Annexure P-1. Learned counsel for the petitioner has not been able to make out the case to demonstrate as to which of the achievement claimed by the petitioner would fall within the policy decision taken by the State of Punjab.

Resultantly, this Court finds that in the aforesaid situation, no relief as claimed by the petitioner can be granted.

Petition stands dismissed.

( PANKAJ JAIN )  
JUDGE

13.02.2023  
*Pooja sharma-I*

|                           |     |
|---------------------------|-----|
| Whether speaking/reasoned | Yes |
| Whether Reportable :      | No  |