



IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-22473-2020
DATE OF DECISION: 27.05.2024

Pankaj KumarPetitioner

VERSUS

State of Haryana and othersRespondents

CORAM HON’BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present Mr.Jasbir Mor, Advocate,
for the petitioner.

Mr.Harish Rathee, Sr.DAG, Haryana.

HARSIMRAN SINGH SETHI, J (ORAL)

1. In the present petition, the grievance being raised by the petitioner is that the petitioner is not being issued the Sports Gradation Certificate in the game of ball badminton as per Sports Policy dated 25.05.2018.
2. The prayer of the petitioner is that the petitioner had participated in the game of ball badminton, for which, the petitioner applied for the issuance of the Sports Gradation Certificate under the Sports Policy notified on 25.05.2018, as amended from time to time.
3. Learned counsel for the petitioner submits that as per Sports Gradation Policy, copy of which has been appended as Annexure P-22, the Sports / games which have been included in the Haryana Sports Policy, as amended from time to time, are to be treated as a valid game, for the issuance of the Sports Gradation Certificate.
4. Learned counsel for the petitioner submits that the Haryana Sports Policy of the year 2015 has been appended as Annexure P-25, wherein, under clause 20, Sports Discipline have been mentioned. As per the said Sports Policy, there are 26 disciplines which are included in the Olympic games and 16 non Olympic events have been included in the Sports Policy, description of which have been given in the policy



itself but, the ball badminton had not been cited as one of the game, but, the game which are likely to be included in the future Olympic / Asian games, the same have to be treated as a valid game for which the power has been given to the Standing Committee to recommend either to include or delete any game from the list as mentioned in the Haryana Sports Policy.

5. Learned counsel submits that the grievance of the petitioner is that the ball badminton has not been included in the said list which is causing prejudice.

6. Learned State counsel, on the other hand, submits that keeping in view the policy which is in operation as of now, the ball badminton is not the game which has been included in the Hayana Sports Policy hence, no Gradation Certificate can be issued for participation in a game which is not the part of Haryana Sports Policy even as of now.

7. Learned State counsel further submits that in case, the Standing Committee feels at any given point of time, to include the game of ball badminton in the list and in case the same is included, whatever the benefit for which the petitioner becomes entitled, if any, will be extended to the petitioner.

8. I have heard the learned counsel for the parties and have gone through the record.

9. It may be noticed that the Gradation Certificate is to be issued as per the Notification dated 25.05.2018, copy of which has been appended as Annexure P-22. The Gradation Certificate can only be given for this sports / games which has been included in the Haryana Sports Policy. It is a conceded position that as of now, the game of ball badminton has not been included as a game in the Haryana Sports Policy, hence, no Sports Gradation Certificate can be issued to the petitioner.

10. The argument of the learned counsel for the petitioner that the Standing Committee is not recommending the name of the ball Badminton to be included in the list, hence, direction should be given to the Standing Committee as envisaged under Haryana Sports Policy of the year 2015 to include the game of ball badminton in the



list, it may be noticed that this Court does not have the jurisdiction to issue such direction. It is for the Standing Committee to take an appropriate decision keeping in view the Haryana Sports Policy and no direction can be given by the Court to include any game or to delete the game which is already a part of list envisaged under Haryana Sports Policy. Hence, the prayer of the petitioner that direction be given to the Standing Committee to include the ball badminton in the list of the Sports Discipline, cannot be accepted.

11. At this stage, learned counsel for the petitioner submits that Arjuna Award is being granted for the said sport of ball badminton, hence, the petitioner is eligible for the grant of Sports Gradation Certificate.

12. Merely that the Arjuna Award is being granted for a sport of ball badminton does not mean that the State of Haryana becomes liable to grant the benefit of Sports Gradation Certificate to the said sport, which is not even the part of the Sports Policy of State of Haryana. The Gradation is to be given only qua the Sports Discipline mentioned in the Sports Policy, hence, no claim can be raised by the petitioner for the grant of Sports Gradation Certificate for the sport of ball badminton nevertheless the same is included in the Haryana Sports Policy.

13. Keeping in view the above as, the ball badminton is not a sport envisaged under the Haryana Sports Policy as of now, no Gradation Certificate can be issued by the respondent to grant the petitioner the benefit as per the notification dated 25.05.2018.

14. The petition stands dismissed.

27.05.2024
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No