



2024:DHC:9240-DB



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
Date of decision: 28.11.2024

+ W.P.(C) 11115/2023, CM APPL. 43163/2023, CM APPL. 49133/2024

UMED SINGH & ORS.Petitioners
Through: Ms. Pallavi Awasthi and Mr. Ayush Jain, Advs.

versus

UNION OF INDIA & ORS.Respondents
Through: Mr. Pradeep Kumar Jha, SPC with Mr. Devender Singh, Dy. JAG, ITBP.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA
HON'BLE MS. JUSTICE SHALINDER KAUR

NAVIN CHAWLA, J. (ORAL)

1. This petition has been filed by the petitioners, challenging the Orders dated 08.06.2023, issued by the respondents, rejecting the candidature of the petitioners for the post of Constable (General Duty) under sports quota-2022 in the Indo-Tibetan Border Police (in short, 'ITBP').

2. The respondent no. 2 had issued an advertisement calling upon applications for appointment to the post of Constable (GD) under the sports quota in the ITBP. The recruitment was exclusively for meritorious sports persons, who were either medal winners/position holders and/or participants, as specified in paragraph 4(d) of the advertisement. The advertisement, as far as team events are concerned, further provided as under:-

"Team event (International / National)

In the team event, sportsperson who have won any medal

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in National Games/National Championships Both (Junior & Senior). recognized by respective Federation/Association recognized by the Ministry of Youth Affairs & Sports or conducted by the Indian Olympic Association during the period of 01/01/2021 to 21/02/2023, while representing State/UT/Sports Control Boards. Sports person should be playing member of the team. However this condition does not apply to medal(s) in international tournaments.”

3. The paragraph 4(d)(i) in turn laid down the sports qualification, and so far as is relevant to the present petition, is reproduced herein under:-

“4. (d) Sports Qualification:

(i) Only those players who have participated or won medal(s) in the levels of competition mentioned in table below during the period from 01/04/2021 till 01/03/2023 are eligible to apply.

... ..

(iii) Marking will be done as per the table given below:-

Sl. No.	Competition	Marks of Gold Medal	Marks of Silver Medal	Marks for Bronze Medal	Marks for participation
9.	<u>Youth/Junior National Championship</u>				
	(i) Individual Medal	20	16	12	-
	(ii) Team medal in individual sports	16	12	08	-

4. The learned counsel for the petitioners submits that the petitioners have participated in various Junior National Volleyball Championships conducted by the Volleyball Federation of India, and their teams have secured either first or second positions. She further submits that the respondents have disregarded these certificates by contending that the Volleyball Federation of India was not recognised by the Ministry of Youth Affairs and Sports during the period from 2021 to 2022, which was the period in question and for which the



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certificates were produced by the petitioners.

5. By placing reliance on the Order dated 08.08.2023, passed by the High Court of Andhra Pradesh in W.P. No. 20080/2023, titled ***Koyyala Keerthi Raghav Sree vs. The State of Andhra Pradesh & Ors.***, she submits that merely because of an infight between two Sports Federations, the certificate issued by one of the Federation cannot be ignored thereby denying an opportunity of employment to the petitioners based on such certificate and their merit as sportspersons.

6. She further submits that similar certificates have been accepted in the recruitment process initiated by the Central Reserve Police Force (in short, 'CRPF') and the Sashastra Seema Bal (in short, 'SSB').

7. On the other hand, the learned counsel for the respondents submits that the advertisement itself made it compulsory that the certificate must be issued by a Sports Federation which is recognised by the Ministry of Youth Affairs and Sports, or the event must be conducted by the Indian Olympic Association. In the present case, it is not denied that the Volleyball Federation of India, which has issued the subject certificates, was not recognised by the Ministry of Youth Affairs and Sports during the relevant period. The certificates themselves do not inspire any confidence. He submits that, therefore, the candidature of the petitioners was rightly rejected by the respondents.

8. He further submits that merely because similar certificates have been given due recognition by the CRPF and the SSB, the same



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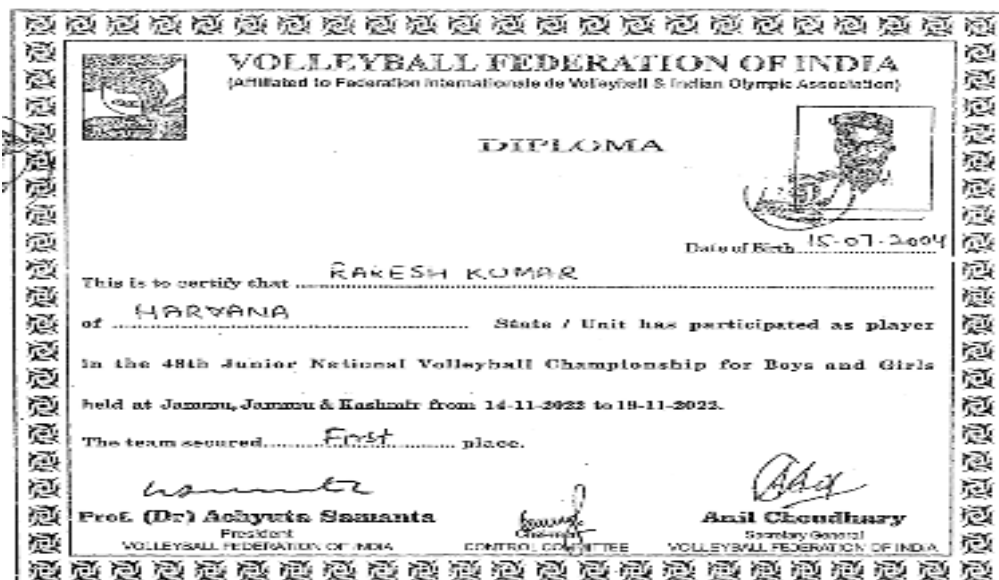


cannot be a ground to direct the respondents also to give credence to the certificates.

9. We have considered the submissions made by the learned counsels for the parties.

10. The advertisement clearly states that, for the team event, the certificate issued by the Sports Federation recognised by the Ministry of Youth Affairs and Sports would only be recognised. In the present case, it is undisputed that the Volleyball Federation of India, which has purportedly issued the certificates to the petitioners, was not recognised by the Ministry of Youth Affairs and Sports during the relevant period. The certificates, therefore, could not have been given credence by the respondents on this short ground itself.

11. Even otherwise, the certificates do not inspire the confidence of this Court. As an example only, we reproduce one of the certificates as under:-



12. This certificate is in the form of a “diploma”. Though it states



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that the petitioner belongs to a particular State, it does not further go on to state whether that 'State' has won the event.

13. Only because similar certificates were given recognition by the other Armed Forces, that is, CRPF and SSB, in our view, cannot be a ground to direct the respondents herein to also give credence to these certificates in breach of the terms of their advertisement and to act against their own advertisement by giving recognition to these certificates.

14. As far as the Order of the High Court of Andhra Pradesh in *Koyyala Keerthi Raghav Sree* (supra) is concerned, it confined itself to a dispute between two Sports Federations. In the present case, as we have noted herein above, it is not a fight of the two Federations that is before us, but the only question is whether the respondents should be directed to give credence to the certificates contrary to their own advertisement and which even otherwise do not inspire any confidence of the Court.

15. We, therefore, do not find any infirmity in the impugned decision of the respondents.

16. Accordingly, we find no merit in the present petition. The same along with pending applications is, accordingly, dismissed.

NAVIN CHAWLA, J

SHALINDER KAUR, J

NOVEMBER 28, 2024/ss/sk/DG

Click here to check corrigendum, if any