



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

**CWP-11964-2017
Reserved on: 18.07.2025
Pronounced on: 22.07.2025**

Gagandeep Singh

....Petitioner

Vs.

State of Punjab and Others

....Respondents

CORAM:- HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Vijay Kumar Jindal, Senior Advocate with
Mr. Shoryaveer Vashisht, Advocate,
Mr. Abhishek Shukla, Advocate and
Mr. Sunil Nehra, Advocate for the petitioner.

Mr. Aman Dhir, DAG, Punjab assisted by
Mr. Mukesh Kumar, Coach Water Sports,
Punjab Police.

Mr. Mohd Jameel, Advocate and
Mr. Shehzad Singh Jeji, Advocate for respondent No.4.

JAGMOHAN BANSAL, J.

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking direction to respondent to issue him appointment letter for the post of Constable-Male (Sports Persons).

2. The petitioner pursuant to Advertisement No.2/2016 (Sports) dated 23.11.2016 applied for the post of Constable. There were 10 vacancies for Water Sports (Rowing, Kayaking and Canoeing). The petitioner was issued Admit Card. He qualified selection process from the stage of scrutiny of application forms to sports trial (concerned discipline). He was called for counselling and scrutiny of documents on

17.02.2017. He was awarded 32 marks comprising 17 marks of sports trial and 15 marks for sports achievements. Respondent No.4 was awarded 39 marks comprising 14 marks of sports trial and 25 marks for sports achievements. Respondent No.4 was last selected candidate who had scored 39 marks. The petitioner was not selected because he scored 32 marks i.e. less than the last selected candidate.

3. Mr. Vijay Kumar Jindal, Senior Advocate submits that in the advertisement, standing orders, clarifications issued by Sports Authorities, no distinction had been drawn between 'indoor rowing' and 'outdoor rowing'. Both are water based sports. Respondent has not awarded marks of Indoor Rowing Championship. He had participated in 'Asian Rowing Indoor Championship'. He was entitled to 08 marks. He would be having marks more than last selected candidate if he is awarded 08 marks for Indoor Rowing.

4. Learned State counsel as well as learned counsel representing respondent No.4 submit that in the advertisement, it was specifically mentioned that water sports would be considered. Indoor rowing is not a water sports. The Recruitment Board has rightly denied marks of indoor rowing.

5. I have heard learned counsel for the parties and perused the record with their able assistance.

6. The respondent by advertisement dated 23.11.2016 invited applications for the post of Constable. 289 posts were advertised. All the posts were meant for sports persons. Different number of posts were ear-marked for each discipline of sports e.g. 07 posts were ear-marked for

Archery, 11 posts for Volleyball and 10 posts for water sports (Rowing, Kayaking and Canoeing). For the sake of convenience, extracts of advertisement are reproduced as below:

2) Tentative Vacancies of sportspersons in the different Cadres of Punjab Police:

Name of Cadre	District Police Cadre	District Police Cadre (Drivers)	Armed Police Cadre	Mounted Armed Police (Armed Police Cadre)	Special Protection Unit (Armed Police Cadre)	IT & T	Intelligence Cadre	PPA, Phillaur	Total Vacancies
Vacancies	Total= 146 (Male 110 + Female 36)	23	77	01	06	12	22	02	289

3) Detail of vacancies (Game/Event wise)

Sr. No.	Name of Discipline	Detail of Male Vacancies (District Police Cadre, Armed Police Cadre, IT&T, Intelligence Cadre & PPA/Phillaur)	Detail of Female Vacancies (District Police Cadre)	Grant Total
		A	B	(A+B)
1.	Archery	07	02	09
2.	Aquatic (Swimming & Water Polo)	20	0	20
3.	Athletic	44	12	56
4.	Basketball	13	0	13
5.	Boxing	09	05	14
6.	Football	16	0	16
7.	Gymnastics	08	0	08
8.	Handball	12	0	12
9.	Hockey	18	0	18
10.	Judo	08	05	13
11.	Kabaddi (National Style)	14	0	14
12.	Shooting	22	04	26
13.	Taekwondo	08	0	08
14.	Volleyball	11	0	11
15.	Water Sports(Rowing, Kayaking & Canoeing)	10	0	10
16.	Weightlifting	08	02	10
17.	Wrestling (Free Style &	16	06	22

	Greco Roman)			
18.	Wushu	07	0	07
19.	Yoga	02	0	02
	Total	253	36	289

7. From the perusal of above quoted table, it is quite evident that Recruitment Board ear-marked particular posts for particular discipline of sports. 10 posts were ear-marked for water sports. While jotting down expression “Water Sports”, it was further clarified that it should be either Rowing or Kayaking or Canoeing. No other water sport was permissible.

8. Paragraph 8.3 of the advertisement provides for sports trial and Paragraph 8.4 provides for counselling and scrutiny of sports achievements. Marks of achievements are also specified in Paragraph 8.4.

Paragraphs 8.3 and 8.4 are reproduced as below:

8.3 SPORTS TRIALS

a) The Recruitment Board in association with Senior Coaches/Experts of relevant sport, as deemed necessary, will conduct physical trials of the candidates in the concerned sports discipling to assess their performance in their respective sports discipline. Marks will be awarded to each candidate, out of maximum 25 marks, for performance displayed during the physical trials process. The entire process of Sports trials will be duly videographed.

b) Qualifying Criteria:

- i) The candidates appearing in trials for those sports disciplines which are included in All India Police Games/National will have to display performance of the level or close to the level of achievements/records already established in their concerned sports discipline.*
- ii) The candidates appearing in trials for those sports*

disciplines which are not included in All India Police Games will have to display performance of the level or close to the level of achievements/records already established in their concerned sports discipline in the National Championship or National Games.

iii) Provided that the candidate who fails to obtain minimum 12.5 marks (50%) in the trials of the concerned sports, he/she will not be eligible to continue in the selection process.”

8.4 COUNSELING & SCRUTINY OF SPORTS ACHIEVEMENTS (CERTIFICATES)

*After the Sports trials, the counseling of the candidates will be held and educational/sports achievements/other certificates will be scrutinized. **The candidates appearing in the Counseling shall be required to bring alongwith them all the relevant certificates and supporting documents, in original, alongwith at least one self attested photocopy of each.** The documents shall be scrutinized at the time of counseling and only those candidates whose documents have been found correct and in order shall be considered during the preparation of the Merit List.*

During Counseling, the Recruitment Board will award marks (maximum 25) for the sports achievements (certificates) submitted by the candidate as per the following criteria:-

- a) Olympic/World cup**
- | | |
|---------------|----------|
| Gold Medal | 25 marks |
| Silver Medal | 22 marks |
| Bronze Medal | 21 marks |
| Participation | 15 marks |
- b) Asian Games/World Championship**
- | | |
|---------------|----------|
| Gold Medal | 20 marks |
| Silver Medal | 18 marks |
| Bronze Medal | 17 marks |
| Participation | 12 marks |

c)	<u>Commonwealth Games</u>	
	Gold Medal	18 marks
	Silver Medal	16 marks
	Bronze Medal	15 marks
	Participation	10 marks
d)	<u>Asian Championship</u>	
	Gold Medal	16 marks
	Silver Medal	14 marks
	Bronze Medal	13 marks
	Participation	08 marks
e)	<u>SAF Games/Commonwealth Championship/Junior Asian Championship/World University Games/Junior World Cup</u>	
	Gold Medal	14 marks
	Silver Medal	12 marks
	Bronze Medal	11 marks
	Participation	06 marks
f)	<u>National Championship/National Games/Federation Cup</u>	
	Gold Medal	12 marks
	Silver Medal	10 marks
	Bronze Medal	09 marks
	Participation	04 marks
g)	<u>Junior National/All India Inter University</u>	
	Gold Medal	10 marks
	Silver Medal	08 marks
	Bronze Medal	07 marks
	Participation	02 marks”

Paragraph 8.3 of advertisement makes it clear that trial would be conducted in concerned sports discipline to assess performance in the respective sports discipline.

9. The petitioner participated in indoor as well as outdoor rowing. The respondent awarded him marks for Outdoor Rowing whereas denied for the Indoor Rowing. The petitioner is claiming that advertisement as well as standing order No.13 of 2006 was silent with respect to Indoor and Outdoor Rowing. The Recruitment Board was not authorized to draw distinction between Indoor and Outdoor Rowing.

Each kind of rowing was permissible. The petitioner is further relying upon letter dated 20.08.2018 of Director of Sports, Punjab. The said letter is reproduced as below:

“Subject:- Regarding Indoor Rowing game.

In reference to your letter No.3140/SA-2/CSO-18, dated Jalandhar:- 23.04.2018 with regard to the above cited subject.

2.Rowing game has been included in the Sports Gradation Policy vide letter No. 47/26/83-1SS/1103 dated 05.06.2003 by the Government of Punjab, Sports and Youth Services Department (Flag 'A').

3.Shri Girish J. Phadnis, Secretary General, Rowing Federation of India has sent the clarification on letter pad regarding the Indoor National Rowing Championship (Flag 'B').

4. Shri Jaspreet Singh Sidhu, Secretary General, Punjab Amateur Rowing Association (affiliated to Rowing Federation of India and Punjab Olympic Association) has sent his clarification about Indoor Rowing to this office (Flag 'C').

5.Photostat copy of Sport Gradation Certificate Serial No.10067, No. Sports 34378, dated 24.07.2017 of Shri Gagandeep Singh son of Shri Baldev Singh, Rowing player sent by you is sent after attesting the same (Flag 'D').”

10. The respondent is also relying upon undated certificate issued by Rowing Federation of India. In the said certificate, Secretary General, Rowing Federation of India has clarified that Indoor National Rowing Championship is a recognized Championship by the Ministry of Youth Affairs and Sports, Government of India and can be considered as a recognized Championship at the National Level. The relevant extracts

of said certificate are reproduced as below:

“TO WHOMSOEVER IT MAY CONCERN

This is to state that the Indoor National Rowing Championships conducted by Rowing Federation Of India is a national Level Rowing Championship where more than 22 Affiliates of RFI take part... It follows the Rules & Regulations of the Rowing federation Of India and all parameters of a National Championship.

The Indoor National Rowing. Championship is recognized Championship by the Ministry of Youth Affairs & Sports, Government of India and can be considered as a recognized Championship at the National Level. The first Indoor rowing was conducted in September 2016 and the Indian team was sent to Thailand for the 2016 Asian Indoor Rowing Championships. It is presently recognized at the Asian and the World Championship level.”

11. Unescapable conclusion of aforesaid letter dated 20.08.2018 and certificate of Rowing Federation of India is that Indoor Rowing is also a recognized sport. It is duly recognized by Ministry of Youth Affairs and Sports, Government of India. It is also recognized by Punjab Olympic Association. Recognition of a sports does not mean that every applicant who had participated in Indoor Rowing had become eligible to marks for achievements.

12. Petitioner's contention is right to the extent that Indoor Rowing is recognized as National Championship as well as Asian Game. Every candidate whose sports discipline has been recognized as World Championship, Commonwealth Game, Asian Championship and National Championship is entitled to marks on the basis of achievement. The petitioner has participated in Asian Rowing Indoor Championship. He is

claiming 08 marks for participating in Asian Rowing Indoor Championship.

Claim of petitioner cannot be countenanced. The advertisement specifically provides that participation should be in water sports. All the water sports are not recognized. There are only 03 water sports which are recognized i.e. Rowing, Kayaking and Canoeing. The petitioner is trying to claim that Rowing includes Indoor Rowing. As submitted by respondent, Indoor Rowing is not a water sport. It is played at a particular machine. There is no active involvement of water. The advertisement categorically provides that game should be water sport. The title is water sports and Rowing, Kayaking and Canoeing are its species. Rowing may include Indoor Rowing but it cannot be considered for the purpose of selection because advertisement specifically prescribes water sports.

13. Indoor Rowing is not a water sport. It is recognized as Asian Game, Olympic Game, National Championship, however, for the post of advertisement, it cannot be treated as water sport. The respondent has rightly awarded marks of Outdoor Rowing and rejected marks of Indoor Rowing.

14. There is another aspect of the matter. The petitioner participated in the selection process which was initiated in 2016 and completed in 2017. A period of 08 years from the date of selection of other candidates has already passed away. The post advertised was of Constables (Sports Persons). Physical/mental fitness is of paramount consideration in the Police Force. The petitioner cannot be expected of

having fitness as postulated for Constable at the time of initial selection.

15. In the wake of above discussion and findings, the present petition deserves to be dismissed and accordingly dismissed.

(JAGMOHAN BANSAL)
JUDGE

22.07.2025
Prince Chawla

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No