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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 6770/2025 & CM APPL. 30704/2025**

KANIKA MAURYA & ANR.Petitioners

Through: Mr. Anshuman Mehrotra and
Ms. Devika Mehra, Advs.

versus

UNION OF INDIA & ORS.Respondents

Through: Mr. Vikrant N. Goyal, Senior
Panel Counsel with Ms. Uma Tarafdar,
Mr. Sumit Goswami and Mr. Nishu Dagar,
Advs.
Major Anish Muralidhar, Army

CORAM:

HON'BLE MR. JUSTICE C. HARI SHANKAR

HON'BLE MR. JUSTICE AJAY DIGPAUL

ORDER

% **23.05.2025**

CM APPL. 30704/2025

1. Notice already stands issued in WP(C) 6770/2025.
2. This matter was listed today only for consideration of the petitioner's prayer for ad-interim relief in terms of the prayers in CM 30704/2025.
3. The issue that has arisen for consideration essentially involves interpretation of Clause 2(c)(i)(aa) of the advertisement issued by the Army under the NCC Special Entry Scheme for induction of Short Service Commission (Non Tech) men and women officers.



4. Clause 2(c)(i)(aa) reads thus:

“2. **Eligibility**

(c) **Educational Qualification and other Criteria**

(i) **For NCC ‘C’ Certificate Holders**

(aa) **Educational Qualification.** Degree of a recognized University or equivalent with aggregate of minimum 50% marks taking into account marks of all the years. Those studying in final year are also allowed to apply provided they have secured minimum 50% aggregate marks in the first two/three years of three/four years degree course respectively. Such students will need to secure **overall aggregate** of minimum 50% marks in degree course if selected in interview, failing which their candidature will be **CANCELLED**. It is to be noted that securing of 50% aggregate marks in degree course is a qualification to apply for the entry. The Indian Army reserves the right to apply a higher cut off percentage on the aggregate degree marks to shortlist candidates for being put through the Services Selection Board.”

5. The afore-extracted Clause fixes the minimum cut-off marks for consideration of all candidates for recruitment to Short Service Commission as a degree of a recognised university or equivalent with aggregate of minimum of 50% marks over the years for which the degree course was pursued. The last sentence in the Clause reserves



the right with the Army to apply a higher cut-off percentage on the aggregate degree marks to shortlist candidates.

6. Apparently in exercise of this power that stands reserved with the Army, and purportedly towards by way of exercising of the liberty to shortlist, the respondents notified a cut-off of 65% for men and 75% for women, for further consideration in the selection process following the aforesaid advertisement.

7. It is this disparate fixing of cut-off marks between men and women that constitutes the basis of the grievance of the petitioners, who are women candidates aspiring for Short Service Commission, in the present writ petition.

8. We have heard Mr. Vikrant N. Goyal, learned Senior Panel Counsel appearing for the respondents, instructed by Major Anish Muralidhar.

9. They have handed over, across the Bar, some para-wise comments by way of response to the writ petition under cover of a letter dated 21 May 2025 addressed by the Army authorities to the Legal Cell of this Court.

10. Para 8 of the said para-wise comments reads thus:

“8. **Para-16.** The eligibility for applying is 50% and has always remained the same. However, after receipt of applications the process of shortlisting for SSB is based on cut off % based on number of applicants and vacancies and may change for every



course. The parity in shortlisting with respect to Men and Women is maintained by having equal vacancy to number of candidates shortlisting for the vacancies i.e. if in Men for every vacancy 100 candidates are called for SSB then same vacancy call up ratio is applied for Women. As highlighted in the notification at Para 2 (c) (i) (aa) :-

"The Indian Army reserves the rights to apply a higher cut off percentage on the aggregate degree marks to shortlist candidates for being put through the Services Selection Board".

As published in the ticker dated 16 Apr 2025, the cut off percentages are as under:-

- (a) Men-65% and above marks of Degree/Graduation.
- (b) Women -75% and above marks of Degree/Graduation.

The same was published for awareness of all applicants on www.joinindianarmy.nic on 16 Apr 2025. In NCC Special Entry 58th Course (Oct-2025) the vacancy to SSB call up ratio, for Women is more than men. The details are as under:-

	Men	Women
Vacancies	70	06
Appln Recd	12984	7556
Shortlisted	11148	6820
Vac: Shortlisted	1:124	1:425*
Cut off %	65%	75%

* Women called/shortlisted for SSB at 3.42 times the Men's Ratio.

As seen above, there is no discrimination against women, rather Women have been given 3.42 times the advantage for SSB. It needs to be understood that the SSB assessment cap is limited and only a fixed number of candidates can be called for SSBs."

11. Mr. Goyal points out that the aforementioned selection involves 70



vacancies for men and only 6 vacancies for women candidates and that it was this difference in the number of vacancies available for men and women candidates, along with the number of applications received, that resulted in the fixing of different cut-off percentages for shortlisting.

12. As against this, Mr. Anshuman Mehrotra, learned Counsel for the petitioners, seeks to point out that, in earlier years too, there was a large difference in the number of vacancies for men and women candidates, but the cut-off marks for short-listing had always been the same and it is only this year that there is such a wide gap of 65% cut-off for men and 75% cut-off for women.

13. These are aspects which require a deeper scrutiny, which we would undertake when the writ petition is examined in detail.

14. For the present, we have to consider whether the petitioner should be permitted to participate in the selection, keeping in mind the fact that they have obtained more than 65% but less than 75% in their degree/graduation.

15. We note that the number of short-listed men candidates is 11148, whereas the number of short-listed women candidates is only 6820. The total number of applications received from women candidates was only 7556. Even if the respondents were to consider the cases of other women candidates, the number of candidates between those shortlisted and applications received would only be 736. Of these, the number of candidates who would have secured 65%



would probably be even low.

16. In that view of the matter, and keeping in mind the fact that the Supreme Court has, in recent years, emphasised the aspect of gender equality, especially in the matter of recruitment to the Armed Forces, we are of the opinion that, pending further orders, the petitioners, if they have secured more than 65% in their degree/graduation, should be subjected to further rounds of selection, following the aforesaid advertisement.

17. As such, issue notice, returnable on 23 July 2025.

18. Notice is accepted on behalf of the respondents by Mr. Vikrant N. Goyal.

19. Let reply, if any, be filed within four weeks with advance copy to learned Counsel for the petitioner who may file rejoinder thereto, if any, before the next date of hearing.

20. Pending further orders to be passed by this Court, the petitioners would be permitted to undergo the SSB which is now scheduled on 26 May 2025 and to participate in further rounds of selection.

21. Mr. Mehrotra points out that applications for participation in the SSB are to be submitted online and that the respondent's portal may be closed.



22. We do not deem it necessary to make any comment in that regard. It would be for the respondent to ensure that the petitioners are permitted to appear in the SSB either by opening the portal so that they would apply, or by making any other arrangements.

23. The petitioners are directed to contact the concerned officer in the Recruitment Alpha Office which is situated at RK Puram today itself, along with a copy of this order, in order to ensure its implementation.

24. The petitioners will be informed of the centres for the SSB.

25. This would be subject to verification of documents of the petitioners.

26. *Dasti* under signatures of the Court Master.

C. HARI SHANKAR, J.

AJAY DIGPAUL, J.

MAY 23, 2025/AS

Click here to check corrigendum, if any