



2025:HHC:21766

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No.8295 of 2023

Date of Decision: 08.07.2025

Vinod Kumar Petitioner

Versus

Union of India & Ors. ... Respondents

Coram:

Hon'ble Mr. Justice Sandeep Sharma, Judge.

Whether approved for reporting? ¹

For the Petitioner: Mr. Mehar Chand Thakur, Advocate.

For the Respondents: Mr. Rajender Thakur, Central
Government Counsel.

Sandeep Sharma, Judge(oral):

Petitioner herein is aggrieved by order dated 28.07.2023 (Annexure P-3), issued by respondent No. 3, whereby his candidature for the post of Religious Teacher Junior Commission Officer & Havildar (Surveyor Automated Cartographer) (in short "RTJCOH") has been rejected.

2. Precisely, the grouse of the petitioner, as has been highlighted in the petition and further canvassed by Mr. Mehar Chand Thakur, learned counsel representing the petitioner, is that since the maximum weight was neither specified nor mentioned in the advertisement and the condition prescribed was only with regard to minimum weight of 50 Kg, candidature of the petitioner for recruitment

¹Whether the reporters of the local papers may be allowed to see the judgment?



to the post of RTJCOH could not have been rejected on the ground of his being overweight.

3. Precisely, the facts of the case, as emerge from the record, are that petitioner after his having completed MA Shashtri and B.Ed. from Himachal Pradesh University, submitted online application, pursuant to advertisement (*Annexure P-2*) issued by the respondents for recruitment to the post of RTJCOH. Since petitioner was found eligible, he was issued Admit Card for written examination scheduled to be held on 26.04.2023. After his having cleared written examination, he was invited for physical test along with other candidates on 28.07.2023 at Rajiv Gandhi Stadium, Rohtak, Haryana. Though petitioner successfully cleared ground test, height test and chest test, but his candidature was rejected on the ground of his being overweight.

4. While making this Court peruse rejection order dated 28.07.2023 (*Annexure P-3*), Mr. Mehar Chand, learned counsel for the petitioner, submitted that though no reason has been assigned for rejection of the candidature of the petitioner, but the respondents in their reply have submitted that petitioner was disqualified on the ground of his being overweight. Mr. Mehar Chand, learned counsel for the petitioner, submitted that since maximum weight was not mentioned in the advertisement and there was only prescribed limit of



minimum weight of 50 Kg, coupled with the fact that petitioner had qualified written as well as ground test, there was otherwise no occasion for the respondents to reject his candidature.

5. Pursuant to notices issued in the instant proceedings, respondents have filed reply, wherein factum with regard to petitioner's having passed written examination as well as ground test has not been denied. It is submitted in the reply that since height of the petitioner was 170 cm, his body weight ought to have been 69.4 Kg for his being selected, however, body weight of the petitioner, at the time of examination, was found to be 86 Kg i.e. 16.6 Kg more than the authorized weight i.e. 69.4 Kg as per Body Mass Index Chart authorized by the Integrated Headquarters of Ministry of Defence (Army), Directorate General of Recruiting, vide letter No. 62508/Rtg B(A) dated 26.07.2021 for joining Indian Army. It is further submitted that candidate was duly informed about his over weight during Physical Measurement Test interview and was also made aware of his recorded weight on that day.

6. Having heard learned counsel for the parties and perused material available on record, this Court finds that precise controversy, which needs to be determined in the case at hand, is whether the respondents could have rejected the candidature of the petitioner on the ground of his being overweight i.e. 86 Kg? Though



Mr. Mehar Chand, learned counsel for the petitioner, vehemently argued that advertisement issued for selection to the post in question nowhere provided for maximum weight, but he was unable to dispute that advertisement (*Annexure P-2*) clearly provided that details about the required Educational Qualification, physical/medical standards and job specifications, are available on www.joinindianarmy.nic.in under the candidate's login and can be accessed by the candidate without signing in.

7. At this stage, it would be apt to take note of Clauses 2 & 7 of advertisement (*Annexure P-2*):-

"Important Instructions to Candidates.

(a) Details about required educational qualification, physical/medical standards and job specification are available on www.joinindianarmy.nic.in under the candidate's login and this information can be accessed by the candidate without signing in.

(b) Animated videos "How to Register & Apply" and "How to Appear for Online Common Entrance Examination" (CEE) are available on www.joinindianarmy.nic.in

(c) Category wise link has been provided on Join Indian Army (JIA) website to enable candidates to practice online Common Entrance Examination as per their category. All candidates are advised to carry out practice at least once before appearing for actual Common Entrance Examination (CEE).

(d) Candidates are to reach at the examination Centre with colour print out of admit card. Candidates shall be debarred from appearing in online test in case anomalies/irregularities/ incorrect



information are observed during initial verification at the examination venue or at any subsequent stage of selection process.

(e) The candidates should carry their AADHAR Card (as displayed on the Admit Card) as proof of identity whenever they report for the Selection Test (Phase-1, II & III) and Medical Test.

7. Physical Standard and Fitness Test.

(a) RT JCO

Ser	Criteria	Minimum Standard
(i)	Height (cm)	(aa) For General-160 (ab) For Gorkhas & Ladakhi region candidates-157. (ac) Andaman & Nicobar Island, Lakshadweep Gp incl Mini coys-155 (only locals).
(ii)	Chest (cm)	77 for all.
(iii)	Weight (kg)	(aa) For General (less Gorkha & Ladakhis)-50. (ab) For Gorkhas & Ladakhi region candidates-48.
(iv)	Physical Fitness Test	Candidates should be able to run 1600m in 08 Minutes. <u>Note:-</u> Provisions for extra time for 1.6 Km run in Hilly Terrain Areas: (aa) Between 5000 ft to 9000 ft- Additional 30 secs. (ab) Between 900 ft to 12000 ft-Additional 120 secs.

(b) Hav (SAC).

Ser	Region	Height (cms)	Weight (Kg)	Chest
	Physical standard			
(i)	West Himalayan	163	48	77
(ii)	Eastern Himalayan	160	48	77
(iii)	Western Plains	170	50	77
(iv)	Eastern Plains	169	50	77
(v)	Central Plains	168	50	77
(vi)	Southern Plains	166	50	77
(vii)	Gorkhas	157	48	77
(viii)	Ladakhi	157	50	77
(ix)	Andaman & Nicobar	155	50	77



	island, Lakshadweep GP incl Minicoys (Locals)			
(x)	Andaman & Nicobar island, Lakshadweep GP incl Minicoys (Settlers)	185	50	77

8. No doubt, in Clause 7, where minimum standards are prescribed, there is no mention, if any, with regard to maximum weight, which candidate must possess at the time of Physical Measurement Test, but there appears to be merit in the contention of Mr. Rajinder Thakur, Central Government Counsel, that Clause 7 only talks about minimum standard, enabling the petitioner to participate. Aforesaid clause provides that candidate having minimum height of 160 cms in General Category, chest of 77 cms and weight of 50 Kg for General Category and 48 Kg for Gorkhas & Ladakhi region candidates can participate in selection process to the post of RTJCOH. Probably Clause 7 only prescribed the basic eligible standards, which were essential for making an application, whereas complete details with regard to required educational qualification, physical/medical standards and job specifications were made available on the official site of Indian Army, as detailed hereinabove. Important instructions to the candidates, as detailed in advertisement, clearly provided that candidates, after having logged in on the official site of the Indian Army, can have details with regard to qualification,



physical and mental standards as well as job specifications and as such, it cannot be said that condition with regard to maximum weight required to be possessed for selection against the post of RTJCOH was not mentioned in the advertisement.

9. Careful perusal of reply filed by the respondents as well as documents annexed therewith clearly reveals that candidature of the petitioner, who admittedly had cleared written examination as well as ground test, came to be rejected on the ground of his being overweight. As per medical standards and procedures of medical examination for JCOs/OR entries into Army (Annexure R-1), candidate having height of 170 cm was required to possess maximum permissible weight of 69.4 Kg. However, in the instant case, admittedly petitioner at the time of Physical Measurement Test was having weight of 86 Kgs. i.e. 16.6 Kg above than prescribed standard. If it is so, no illegality can be said to have been committed by the respondents, while rejecting the candidature of the petitioner.

10. Consequently, in view of the above, present petition is dismissed being devoid of merit. Pending application(s), if any, stand disposed of.

**(Sandeep Sharma),
Judge**

July 08, 2025
(Sunil)