

News

The Delhi High Court challenges MHA rules that prohibit applicants with tattoos on their right forearm from enlisting in the military.



The limitation is in place to preserve "good order and discipline" and stop the proliferation of "western-influenced skin art," according to MHA standards.

The legitimacy of the Union Ministry of Home Affairs' (MHA) directives prohibiting applicants with tattoos on their right forearms from enlisting in the central armed police forces has been questioned by the Delhi High Court.

The MHA criteria state that tattoos must be small and only be allowed on the left forearm, which is regarded as the non-saluting limb. Additionally, only tattoos including religious names or symbols are permitted, according to the laws. According to the government, the limitation is in place to preserve "**good order and discipline**" and **stop the growth of "skin art that is influenced by the West."**

According to a Division Bench consisting of Justices Om Prakash Shukla and C Hari Shankar, the directions appear initially dubious.

For the respondents, we asked Mr. Rajendra Sahu, a learned SPC, if such a guideline is indeed legally viable. The Court ordered that notice be given to explain why rule nisi should not be issued because, on the surface, we believe that the grounds for disqualifying the petitioner may be dubious.

On November 17, the matter will be heard again.

In response to an appeal from a man named Vipin Kumar contesting the government's decision to deny him a position as a motor mechanic after examiners discovered a tattoo on his right forearm, the court issued its ruling.

Kumar maintained that the tattoo shouldn't disqualify him and even offered to have it surgically removed if needed.

The Bench was surprised by the rule after reviewing the case, stating that a person's tattoo did not appear to be a good enough basis to reject them from a job.

According to a reading of the aforementioned guideline, respondents are okay with the tattoo being on the left forearm only and not the right, but they do not think it is wrong if it is on "traditional sites of the body like inner aspect of the forearm." According to the Court, this seems to be because "the present young generation is considerably under the influence of western culture" and skin art engraving.

Utsav Jain, an advocate, represented the petitioner.

Advocates Vinod Sawant and Rajendra Sahu represented the Union of India.

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