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**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

**R.A.241/2005
M.A.No.2261/2005
M.A.No.2262/2005
in
O.A.No.1497/2004**

**Hon'ble Shri Justice B. Panigrahi, Chairman
Hon'ble V.K. Agnihotri, Member (A)**

New Delhi, this the 10th day of May, 2006

1. Staff Selection Commission
Through its Chairman
C.G.O. Complex, Lodhi Road
New Delhi – 110 003.
2. The Department of Personnel
and Training,
through its Secretary
Ministry of Personnel, Public Grievances
and Pension, North Block
New Delhi. ... Review Applicants

(By Advocate: Sh. S.M.Arif)

Vs.

Shri Ashok Kumar
Constable (Ex.)
Delhi Police
(Roll No.1225986)
PIS No.28891776, R/o H.No.C-55, Extension-I
Nangloi, Delhi – 41. ... Review Respondent

(By Advocate: Sh. Anil Singhal)

O R D E R(Oral)

By Justice B. Panigrahi, Chairman

This Review Application has been filed by Respondents No.5 and 6 in O.A.No.1497/2004 against the order passed by this Tribunal on 19.8.2005. They have stated in the application that they have no objection to implement the order if the cut off dates are fixed as 01.01.2004 and 01.07.2004, if the examination is

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held in the first and second half of the year respectively for the post of SI (Executive) as per Rule-7 of Delhi Police (Appointment & Recruitment) Rules, 1980. It is also stated that Rule-7 of the aforesaid Rules is not applicable to the other posts notified by the Review Applicants for the Central Government Offices as the said posts are to be governed by DoPT OM dated 14.07.1988 for the purpose of cut off date and the said OM has already been upheld by the Hon'ble Supreme Court.

2. Shri Anil Singhal, learned counsel appearing for the opposite party (Original Applicant) has stated that the respondents have already implemented the decision in respect of posts other than SI (Executive). There is no dispute that the other posts have already been filled up pursuant to the order passed by this Tribunal. As per Rule-7 of the aforesaid Rules, if the examination is held in the first half of the year then the cut off date has to be treated as 1.1.2004 and if the examination is held in the second half of the year, then the cut off date should be accepted as 1.7.2004.

3. In that view of the matter, the Review Applicants are directed to follow the Delhi Police (Appointment & Recruitment) Rules, 1980 by taking the cut off dates as 1st of January and 1st of July of the respective year, if the examination is held in the first or second half of the year respectively. It is stated that examination for the post of SI (Executive) was conducted between 2.7.2004 and 4.7.2004. As such, the cut off date in the present case should be treated as 1.7.2004.

4. RA and MAs are disposed of accordingly.


(V.K. AGNIHOTRI)
Member (A)


(B. PANIGRAHI)
Chairman

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