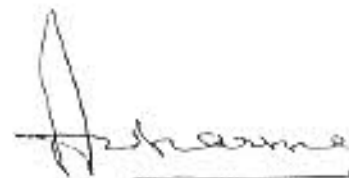


511C

2. The applicant is, however, informed that the matter regarding implementation of the order passed by the Hon'ble CAT in case of Shri Anand Rai & others is under examination in the Ministry in Consultation with DoP&T and Ministry of Law and Justice.
3. The copies of the desired file correspondence/noting, as asked by the applicant are **enclosed**. The applicant is free to inspect the records.
4. The name and address of the First Appellate Authority is as under:

Shri I.S. Chahal,
Joint Secretary (UT)
Ministry of Home Affairs, North Block,
New Delhi - 110001.



(Anuj Sharma)
Director and CPIO
Tel: 2309 2436

To

Shri Mahesh Tholia,
Asst. Commissioner of Police,
Economic Offence Wing,
Crime Branch, Mandir Marg,
New Delhi.

Issued with Enclosure
Date... 13.3.14
Sign... [Signature]

B13/271/2014
11-2-14

91/C

Subject:- Information under RTI Act-2005.

Sir,

The following information may be provided to undersign within 30 days as per RTI Act- 2005.

1. I had sent a representation to Joint Secretary UT MHA, New Delhi through proper channel vide no. 1441-AF Section/EOW Dt. 29/08/2013. (Photocopy Enclosed)
2. What action has been taken on my above representation regarding holding of DPC for the rank of ACP.
3. Whether any DPC was held for the promotion of ACP Rank in 2013 as per the Supreme Court Direction in **Union Of India Vs N.R. Benerjee 1997 SSC 287** and **CAT Delhi Direction in Nem Dutt Bhardwaj and Ors. Vs Union of India.**
4. In the above two judgments the Hon'ble Supreme Court and CAT New Delhi had held that "DPC must be held for year wise vacancies" but MHA has not complied the directions. The reason of it may be informed.
5. On 23/12/2013 CAT New Delhi has allowed the OA No. 1033/2013, MA, 1769/13, MA. 700/2013 titled Anand Rai Vs MHA and Police Head Quarters and directed to effect the promotions only in strict compliance of the Law laid down by the Hon'ble Apex Court in **M. Nagraj And Others Vs. Union of India(2006)8 SCC 212** and **Suraj Bhan Meena Vs. State of Rajasthan (2011) 1 SCC 467**. In view of the judgment in the above OA what action has been taken by the MHA in conducting the DPC for the rank of ACP in Delhi Police. (copy of the judgment and reply filed therein by the PHQ is enclosed herewith)
6. In the counter affidavit filed by MHA in OA no. 1033/2013, it has been mentioned at different paras and specially para 5 B(II), (i), (ii), (iii) & (iv) it has been mentioned that promotion are done as per guidelines framed/ circulated by DOP & T, Govt. of India. Whether DOP& T has been asked to clarify the position with regard to holding of DPC in the Rank of ACP in Delhi Police. (copy of such correspondence may be supplied).
7. Now there is no stay order on the holding of DPC and position is same as before the stay order of CAT, New Delhi.

Information may be provided on the below mentioned address

Receipt of Rs. 10 is enclosed herewith.

Mahesh Tholia
31/1/2014

(Mahesh Tholia)
Assistant Commissioner of Police,
Economic Offence Wing,
Crime Branch, Mandir Marg,
New Delhi.



S.No. 2 (I)

2/16

By Speed Post

No.14039/27/2014-UTS.II
Government of India
Ministry of Home Affairs

North Block, New Delhi - 110 001.
Dated the 04th March, 2014.

Sub: Information sought by Shri Mahesh Tholia under section 6 (3) of the RTI Act, 2005 - regarding.

With reference to RTI application dated 31.01.2014 of Shri Mahesh Tholia, Assistant Commissioner of Police, received in UTS-II, Desk on 21.02.2014 through GNCT of Delhi, point wise information relevant to UTS-II Section is provided as under:

Point No. 1 & 2: The applicant is informed that on perusal of the records, it is revealed that no such representation has been received in the UTS-II Section of this Ministry. This is the first time, when the said representation has been received alongwith RTI application dated 31.01.2014. It is also informed that the holding of DPC for promotion to the rank of ACP (DANIPS) of Inspectors of Delhi Police against the vacancies of 2013 could not be held.

Point No. 3: The applicant is informed that no such DPC could be held for the promotion to the post of ACP Rank in 2013.

3. The name and address of the First Appellate Authority is as under:

Shri L.S. Chahal,
Joint Secretary (UT)
Ministry of Home Affairs, North Block,
New Delhi - 110001

(Anuj Sharma)
Director and CPIO
Tel: 2309 2436

To

Shri Mahesh Tholia,
Assst. Commissioner of Police,
Economic Offence Wing,
Crime Branch, Mandir Marg,
New Delhi.

जाती दिवा/ISSUED
दिनांक/Date..... 05.3.14
हस्ता./Sigs.....

106
114

The DCP/HQ, Cum-PIO,
Police Headquarters,
I.T.O. New Delhi.

Depol/R/04/04819

By. No. 1628
Date 3/2/14

PIO/MHA
ACP/CB

CP-1060
31/1/14

18/C

INSP./RTI/PHQ

ACP/RTI/PHQ

Subject:- Information under RTI Act-2005.

Sir,

The following information may be provided to undersign within 30 days as per RTI Act- 2005.

1. I had sent a representation to Joint Secretary UT MHA, New Delhi through proper channel vide no. 1441-AF Section/EOW Dt. 29/08/2013.(Photocopy Enclosed)
2. What action has been taken on my above representation regarding holding of DPC for the rank of ACP.
3. Whether any DPC was held for the promotion of ACP Rank in 2013 as per the Supreme Court Direction in Union Of India Vs N.R. Benerjee 1997 SSC 287.

Information may be provided on the below mentioned address

Receipt of Rs. 10 is enclosed herewith.

Mahesh

(Mahesh Tholia)

Assistant Commissioner of Police,
Economic Offence Wing,
Crime Branch, Mandir Marg,
New Delhi

08750871276

No RTI
Spr./EOW
Att. Branch/PHQ
y. No. 415
5-2-14

OA No. 1033/13
Anand Rai
& co.