

**CENTRAL INFORMATION COMMISSION**  
**2nd Floor, 'B' Wing, August Kranti Bhawan,**  
**Bhikaji Cama Place, New Delhi -110066**  
**Tel : +91-11-26717355**

**Appeal No. CIC/VS/A/2015/000847**

Appellant: V. Seshadri  
HNo. 24-147/4/2, East Anandbagh, Malkajgiri,  
Secunderabad-500047, Telangana.

Respondent: Central Public Information Officer  
Rly Board Room No. 5 RTI Cell, Rail Bhawan, Rafi  
Marg, New Delhi-110001.

Date of Hearing: 30.11.2016  
Dated of Decision: 30.11.2016

**ORDER**

**Facts:**

1. The appellant filed RTI application dated 07.01.2015 seeking information about details of cases, for the period from 2000 to 2009, year wise case wise , order passed restraining the Railway Board, RPF Directorate for not appointing committees and/or not conducting departmental promotion /selections etc.
2. The CPIO response is not on record. The appellant filed first appeal on 17.03.2015 with the First Appellate Authority (FAA). The FAA response is not on record. The appellant filed appeal on 07.04.2015 before the Commission with the plea that the sought for information has not been provided to him.

**Hearing:**

3. The appellant and the respondent both participated in the hearing.
4. The appellant stated that he wanted to know the details of Court cases that came in the way of the Railway Board, RPF Directorate in not conducting the DPCs as per the time Schedule laid down in the RPF Rules, etc.
5. The appellant stated that due to different Court cases the DPC was delayed and his promotion was not considered in due time. The appellant

stated that if he were in service at the time of DPC then his promotion might have been considered. The appellant stated that his juniors who were in service at the time of DPC got regular promotion and are getting higher pension than him. The appellant stated that as per the DoPT Circular, after retirement, he is eligible for deemed promotion and increased pension benefits. The respondent referred to various case laws and stated that it has been settled that after retirement deemed promotion can be given to the eligible retirees.

6. The respondent stated that the appellant has been replied to vide letter dated 08.04.2015. The respondent stated that the sought for information is not specific. However, the appellant was advised to visit the office on any working day and collect the available information/ documents.

7. The respondent stated that the appellant was empanelled for the year 2004 and 2005 but due to different Court cases and DoPT Circular appellant's name has not been considered for promotion in the DPC conducted in 2009 for 2004-2005 panel as the appellant had retired in 2006 on superannuation.

**Discussion/ observation:**

8. The information with regard to reasons for delay in conducting DPC in due time should have been provided to the appellant.

**Decision:**

9. Respondent is directed to provide to the appellant, reasons indicating Court case details as to why DPC was not conducted in due time, within 30 days of this order.

10. The respondent is advised to examine the appellant's deemed promotion case.

The appeal is disposed of. Copy of the order be given to the parties free of cost.

**(Radha Krishna Mathur)**  
**Chief Information Commissioner**

Authenticated true copy

(S.C. Sharma)  
Dy. Registrar