



COCHIN PORT EMPLOYEES SANGH

Reg.No.93/78 (Affiliated to B.P. & D.M.M.S. and B.M.S.)

BMS Office, N VI/8, Thengadi Bhavan, North End,
Willingdon Island, Cochin - 682 009

E-mail : bmscpes@gmail.com Phone : 0484 2582146

1471
No. CPES/RR/Clarification/2021.

To

The Central Public Information Officer (CPIO),
General Administration Dept.,
Cochin Port Trust.

Dated: 22.11.2021.



Mad
23/11/21

Respected Sir,

Sub:- Request for providing copy of document under RTI Act.

Ref:- The Secretary, CoPT's reply letter No. A10/1306/2021-S, dt. 20.11.2021, addressed to CPES,

With reference to the above, we request your good selves to provide the following to us, under RTI Act, at the earliest.

1. Copy of the Note approval of the Chairperson, Cochin Port Trust with regard to misinterpretation of notified Recruitment Rule, to fill up 20% vacancies of Manager/Dy. Chief Accountant (Jr.) cadre, through written qualifying examination, mentioned in the above referred letter.
2. Copy of the Chief Vigilance Officer/Dy. Chief Vigilance Officer, Cochin Port Trust's remarks addressed to the Secretary, CoPT, dt. 19.11.2021 in connection with the Recruitment Rule mentioned at para No. 1 and our letter & E- mail addressed to the Chief Vigilance Officer, CoPT, dt. 28.10.2021 and 19.11.2021, respectively.
3. Provide details of expenditure incurred for conducting test for the post of Manager from the beginning including payment made to external agencies..
4. The postal order No. 50F 109256 for Rs. 10/- towards fee for the same is enclosed herewith.

Thanking you,

Yours faithfully,

ABDUL SALAM P. K
JOINT SECRETARY
COCHIN PORT EMPLOYEES SANGH

13374/2021

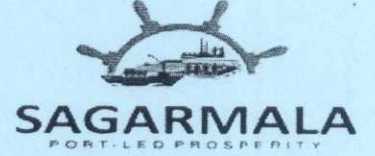
Encl. No. RTI cell/ASPK/1471/2021-S Dt. 23/11/2021

Copy of RTI request is forwarded to DPIO, 'A' Section, GAO for furnishing the details sought for by the applicant subject to the provisions under RTI Act, 2005 to the RTI cell on or before 28/11/2021 Pl.



AN ISO-9001:2015
ISPS COMPLIANT PORT

कोचिन पोर्ट ट्रस्ट
COCHIN PORT TRUST
W/Island, Cochin-682009.
Phone: 2582119, 2582129
Fax: +91(484)2668163, 2666512
Email: rticell@cochinport.gov.in
Website: www.cochinport.gov.in



संख्या /No. GAD/RTI Cell/ASP/1471/2021-S

दिनांक: 20.12.2021

To

Shri. Abdul Salam P K
Joint Secretary
Cochin Port Employee Sangh
W/Island, Cochin - 682009

Sir,

Sub: Information under the RTI Act, 2005- reg.
Ref: Your application dated 22.11.2021

Kindly refer to the above, the available information is give below.

Sl. No. 1 – Attached (3 pages)

Sl. No. 2 – Attached (5 pages)

Sl. No. 3 – The information does not come under section 2(f) of the RTI Act, 2005 and hence the concerned office is unable to provide the information. Hence the applicant is requested to clearly specify the document required.

The details of the Appellate Authority under the RTI Act for Cochin Port Trust are given below:

Shri. S.K. Sahu
Financial Advisor & Chief Accounts Officer
Cochin Port Trust, Cochin – 9.

Yours faithfully,

(Jijo Thomas)
Central Public Information Officer
General Administration Department

MSA
20/12/21

Received
21/12/2021
MS, CPES

N/60

Sub: Amendments to the Cochin Port Trust Employees (Recruitment, Seniority and Promotion) Regulations, 2010 - RR for the post of Deputy Chief Accountant (Jr.) / Manager

As approved by Chairman draft Board Note is placed for approval.

[Signature]
A10

[Signature]
Asst. Secretary

[Signature]
25/1/19
Sr. Asst. Secretary

[Signature]
25/1/19
Secretary
L.O/WO

[Signature]
25/1/19
Sr. Dy. Secretary
The proposal is vetted by L.A. n/s. Attorney's Office
Deputy Chairman

Chairman

[Signature]
28/1/19
Secretary

Welfare Officer. Cas officer
[Signature]
26/1/19

[Signature]
Dr. Chairman

[Signature]
Chairman
Pl do the needful as opined by the chairperson during the pre-board meeting.

[Signature]
31/1

WD/14/19
on 22.1.19
2/1/19

[Signature]
Seety



[Signature]
Manager
'A' Section

2/61

The matter was discussed in the pre-Board meeting. Chairman is of the view that there is no ambiguity in the RR. ~~But~~ It has been decided in the pre-board meeting that, Written ~~qualification~~ qualifying examination is mandatory for filling up 20% of the vacancies to the Manager / Dy. C.A from among graduates in the grade of Sr Accountant / Sr. O.C.I.O.A / Accountant. As per Regulation 30 of the RSP Regulation, decision of the Chairman shall be final and binding ~~matter~~ ~~of~~ when a doubt arises in the interpretation of the any of the Regulation. Hence written test may be conducted immediately. This was clarified by Mrs Menon Pai at C256

SRDs / Sr / As / AS (A)
On
18/8/19

Jmm
8/2/19
Secy.



Manager
'A' Subm

Sub: Filling up of 20% vacancies of Manager/Dy.CA (jr.) cadre through a written qualifying examination – reg.

PUC-I & II are representations received from CPES and CHWU regarding conducting written exam for filling up of 20% vacancies of Manager/Dy. CA (Jr.). (C- 305 & 307). Both the unions have requested to desist from the move to fill up the vacancies by conducting written qualifying examination. CPES has suggested that if management feels that qualifying examination is required to fill up the 20% vacancies, the RR may be amended accordingly.

As per RR, in case of promotion, 80% from among Sr. Accountant/Sr. OCIOA in the scale of Rs. 21000-53500/- with 3 years regular service in the grade and 20% from among graduates in the grade of Sr. Accountant/ Sr. OCIOA failing which from Accountant based on seniority among candidates declared qualified in the written qualifying examination.

Note from Page-54 may kindly be perused in this regard. When there was a doubt regarding the necessity of written qualifying examination for filling up of 20% vacancies of Manager, legal opinions were obtained from M/s. B.S. Krishnan Associates, M/s. Menon & Pai & M/s. Attorneys' Alliance as may be seen at C-255, 258 & 274) and the matter was further discussed during the pre-Board Meeting on 28.01.2019 as recorded at Page-60 & 61/N.

As per Regulation 30 of the RSP Regulations, 2010, decision of the Chairman shall be final and binding when a doubt arises in the interpretation of any of the Regulations. During the pre-Board meeting held on 28.01.2019, the matter was discussed and it was confirmed by the Chairman that there is no ambiguity in the RR and written qualifying examination is mandatory for filling up of 20% of the vacancies to the post of Manager/Dy. CA (Jr.) from among the graduates in the grade of Sr. Accountant/Sr. OCIOA/Accountant. Accordingly fresh circular was issued on 05.03.2019 inviting applications for filling up of 20% vacancies of Manager/Dy.CA (jr.) for the year 2018. If approved, we may intimate the position to the two unions that as per RR, written qualifying exam is mandatory for filling up 20% vacancies to the post of Manager/Dy. CA from among graduates in the grades of Sr. Accountant/Sr. OCIOA/Accountant and accordingly the circular issued by the Administration dt. 05.03.2019 is in order.

Draft letters placed opposite accordingly, for approval please.

Secretary

Sr. Dy. Secretary

Dy. Chairman

Chairperson



Manager

[URGENT/IMPORTANT] Filling up of the post of Manager-Reg.

From : Mijoe Joseph <mijoe.joseph@cochinport.gov.in> Sat, Nov 20, 2021 01:18 PM
Subject : [URGENT/IMPORTANT] Filling up of the post of Manager-Reg.
To : Premakumari C <secretary@cochinport.gov.in>
Cc : DrBeena M <chairman@cochinport.gov.in>, Rajendran Kamalakannan <cvo@cochinport.gov.in>

Respected Madam,

Reference is invited to the trailing email communication from PRESIDENT CPES to the CVO.

Further to our discussion today in the matter, I am directed to convey the following as per the directions of CVO:-

1. You are requested to kindly ensure the instant process for filling up the post of Manager is in strict adherence with the Notified Recruitment Rule for the post under consideration.
2. In case of any interpretation of the Recruitment Rule, the same may be resolved in line with provision 30 of Cochin Port Trust RSP Regulation 2010.
3. A suitable reply to the PRESIDENT CPES is to be given in this regard prior to the conduction of the Selection Tests under intimation to this office without fail if the process adopted for filling up the post of Manager is strictly in line with the existing notified Recruitment Rule.

This may please be treated as urgent.

Yours faithfully
 Mijoe Joseph
 Dy.CVO

From: bmscpes@gmail.com
To: "Rajendran Kamalakannan" <cvo@cochinport.gov.in>
Sent: Friday, November 19, 2021 3:33:19 PM
Subject: Violation of Recruitment Rule

On the above subject, it is informed that the CoPT General Administration Department is going to conduct written test for making appointment to 20% seats of Manager post on 22.11.2021 by violating notified Recruitment rule. Sir, you are aware that Recruitment Rule is the base for making appointment and giving promotions in an organization. Violation of Recruitment Rule is a serious offence while making appointments/giving



A. Subin
 Manager

20-11-2021, 1

promotions. Hence kindly intervene in the matter urgently to uphold Rules and Regulations of the organization.
Yours faithfully

PRESIDENT CPES



Manager
'A' Seem

Fwd: Violation of Recruitment Rule**From :** DrBeena M <chairman@cochinport.gov.in>

Sat, Nov 20, 2021 12:00 PM

Subject : Fwd: Violation of Recruitment Rule**To :** Premakumari C <secretary@cochinport.gov.in>

With regards,

CHAIRMAN,
COCHIN PORT TRUST.**From:** "Rajendran Kamalakannan" <cvo@cochinport.gov.in>**To:** "Mijoe Joseph" <mijoe.joseph@cochinport.gov.in>**Cc:** "DrBeena M" <chairman@cochinport.gov.in>**Sent:** Saturday, November 20, 2021 11:41:06 AM**Subject:** Fwd: Violation of Recruitment Rule

Mijoe

Please convey the same to Secretary and get her views on this, before conducting the exams. Check the present policy of the port in this aspect. If our action complies with the policies and a suitable reply may be sent by The Secretary to The President of CPES with a Copy to the Vigilance Department. Immediate action may be taken by the The Secretary to resolve this complaint. No reply is not a solution.

From: bmscpes@gmail.com**To:** "Rajendran Kamalakannan" <cvo@cochinport.gov.in>**Sent:** Friday, November 19, 2021 3:33:19 PM**Subject:** Violation of Recruitment Rule

On the above subject, it is informed that the CoPT General Administration Department is going to conduct written test for making appointment to 20% seats of Manager post on 22.11.2021 by violating notified Recruitment rule. Sir, you are aware that Recruitment Rule is the base for making appointment and giving promotions in an organization. Violation of Recruitment Rule is a serious offence while making appointments/giving promotions. Hence kindly intervene in the matter urgently to uphold Rules and Regulations of the organization.

Yours faithfully



Manager
A. Subm

20-11-2021, 1:

4
PRESIDENT CPES

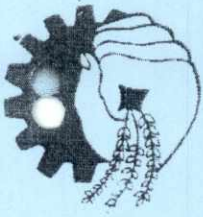
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Regards,

K. Rajendran
Chief Vigilance Officer
Cochin Port Trust
Willingdon Island
Cochin 682009

Mob : +91 7042195071
Telephone: +91 484 2668041
Telefax : +91 484 2666478
Email : cvo@cochinport.gov.in
Web : www.cochinport.gov.in



Asst
Manager
'A' Sehm



COCHIN PORT EMPLOYEES SANGH

Reg.No.93/78 (Affiliated to B.P. & D.M.M.S. and B.M.S.)

BMS Office, N VI/8, Thengadi Bhavan, North End,

Willingdon Island, Cochin - 682 009

E-mail : bmscpes@gmail.com Phone : 0484 2582146

No. CPES/Manager/RR/2021,

Dated: 28.10.2021.

To

The Secretary,
Cochin Port Trust.

Respected Madam,

Sub:- Filling up 20% vacancies of Manager/Dy. CA (Jr.) cadre, through Written qualifying examination.

Ref:- 1. The Asst. Secretary Gr. I's Circular No. A10/1306/2021/S, dt. 13.07.2021.

2. CPES letter even No., dt. 15.09.2021 addressed to the Chairperson, CoPT.

3. The Secretary, CoPT's reply letter No. A10/Representation/2019/S, dt. 19.10.2021.

We are in receipt of the above referred reply letter and invite your kind attention to the following.

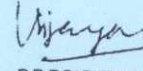
The Rules & Regulations for recruiting Employees/giving promotion to them should have clarity and not give any chance for misinterpretation. The notified Recruitment Rules to fill up 20% vacancies of Manager/Dy. Chief Accountant (Jr.) cadre, through written qualifying examination does not mean the explanation made at para No. 2 of Secretary's letter dt. 19.10.2021. Cochin Port Employees Sangh is not against to fill up the vacancies through written qualifying examination. It is once again reminded that, the decision of conducting test, which is not insisted in RR, is an act of overriding the rule and favoritism.

If the Management wants to improve efficiency in Administration by selecting efficient candidates through written qualifying examination, the same may please be introduced not only promoting to Manager/DCA (Jr.), but also promoting to Class-II & Class-I posts, by making necessary amendments in Recruitment Rules.

Hence it is requested that, either promotion may please be given to Manger/DCA (Jr.) posts from candidates of Sr. Accountant/Sr. OCIA holding graduation, as per notified Recruitment Rule or RR may be amended to conduct written qualifying test for candidates from Sr. Accountant/Sr. OCIA, holding graduation.

Thanking you,

Yours faithfully,


PRESIDENT

COCHIN PORT EMPLOYEES SANGH


Copy to: The PA to Chairperson, Cochin Port Trust.

The Secretary, Ministry of Ports, Shipping & Waterways, Govt. of India, New Delhi.

The Chief Vigilance Officer, Cochin Port Trust.

The Secretary, Central Vigilance Commission, New Delhi.




Manager
A. S. S. S.