

1459  
21/10/21

# FEDERATION OF CENTRAL GOVT. SCHEDULED CASTES AND SCHEDULED TRIBES EMPLOYEES (KERALA)

(REG. NO. ER - 4 / 7 7)

COCHIN PORT TRUST UNIT, WILLINGDON ISLAND, COCHIN - 3

Ph : 0484 - 2666871 - 2149

Email : portscstfederation@gmail.com

PATRON Sri. V.K. Babu Ex-MLA 0484 - 2416888 99473 30408	PRESIDENT Dr. Udit Raj Member of Parliament Lok Sabha	VICE PRESIDENT Kovoor Kunjumon MLA Kerala Legislative Assembly	VICE PRESIDENT Sri. K. Vidhyadharan 0484 - 2555615 99952 34072	GENERAL SECRETARY Sri. P.K. Santhosh 98958 52488
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PRESIDENT  
D. Ajith Kumar  
94464 48101

VICE PRESIDENT  
S. Santhosh  
9447146370

SECRETARY  
S. Vijayamma  
9447725657

JOINT SECRETARY  
E.K. Anilkumar  
9400335067

T.G. Nakulan  
9495748085

TREASURER  
K.V. Moly  
9037898997

EXECUTIVE MEMBERS  
A. Babu Kani  
9400768108

K.T. Saritha  
9446428727

P.M. Rajesh Kumar  
8547293265

E. Sudhakaran  
9495222640

K. Shylesh  
9446448974

R. Raju  
9895582616

T.B. Sudhakaran  
9388817998

Sathynarayana Balla  
9567123179

M.R. Premraj  
9446021920

K. Kunjumon  
9995659432

C.B. Soudhamini  
9447593775

P.K. Sini  
9745326815

C. Muthukumar  
9895617687

P.V. Rajesh  
9846486621

AUDITOR  
C.G. Suresh  
9446555697

RTI | 2021 | 2  
Ref To

Date : 21-10-2021

The Chief Public Information officer,  
Cochin Port Trust.

Sir,

Sub: Request for information as per the RTI Act.

\*\*\*\*\*

It is requested that following information may be provided as per  
the RTI Act, 2005.

1. The total no. of OBC candidates working in Cochin Port Trust and percentage of representation . - 50.00
2. The percentage of representation needed for OBC candidates as per the Government norms.
3. How is OBC category appointed in Cochin Port Trust.
4. Is there any excess percentage of OBC category in Cochin port Trust. If so, how?
5. Is OBC category is mentioned in reserved category or in General category (UR.)
6. Is OBC percentage kept in each post as per the reservation norms issued time to time.
7. What action is been taken if the percentage of OBC category is excess in Cochin port Trust.
8. Whether percentage of reservation is applicable only to SC & ST or is it applicable to OBC also.
9. Copy of the details of OBC representations send to the ministry of shipping.
10. Copy of the details of SC/ST representations send to the ministry of shipping from the year 2010 onwards to till date as per prevailing orders/statutory norms.

Your faithfully,




(Ajith Kumar)  
President

Encl: RTI Postal order.

12098/2021

Encl. No. RTI cell/AK/1459/2021-S Dated 21/X/2021

Copy of RTI request is forwarded to all CPIOs, COPT for furnishing the details sought for by the applicant subject to the provisions under RTI Act, 2005 to RTI cell on or before 25/X/2021 Please

  
Anil Kumar (GAD)  
u/s



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: [coptrticell@gmail.com](mailto:coptrticell@gmail.com)

Website: [www.cochinport.gov.in](http://www.cochinport.gov.in)



No. GAD/RTI Cell/1459/A/2021-S

Dated: 30.11.2021

To

Shri. Ajith Kumar  
President  
Federation of Central Govt. SC & ST Employees (Kerala)  
W/Island  
Cochin - 682003

Sir,

Sub: Information under the RTI Act, 2005- reg.  
Ref: Your application dated 21.10.2021

\*\*\*\*\*

With reference to the letter mentioned above, the available information is given below.

Sl. No. 1- Attached as Annexure – I (2 pages)

Sl. No. 2 – G.I., Dept. of Per. & Trg., O.M. No. 36012/22/93/Estt.(SCT), dated 08.09.1993 and O.M. No. 36012/52/93-Estt.(SCT), dated 13.01.1995 is attached (2 pages)- Annexure II

Sl. No. 3 – Copy of relevant pages of CoPT RSP - 2010 having information about Reservation of points for Other Backward Classes is attached (4 pages) - Annexure III

Sl. No. 4 to 8 - The applicant has made some queries without clearly specifying the documents sought for, as stipulated under Section 2(f) of the RTI Act.

As per the decision of CIC vide F.No. CIC/BS/A/2012/00512/2409 dated 06.05.2013-  
"the RTI Act does not cast on the public authority any obligation to answer queries in which a petitioner attempts to elicit answers to his questions. The petitioner's right extends only to seek information as defined in Section 2(f) of the RTI Act either by pinpointing the file, document, paper or record etc. or by mentioning the type of information as may be available with the specified public authority."

Hence the concerned office is unable to provide the information.

Sl. No. 9 & 10 – No representation has been forwarded to Ministry.

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

Received to Sahu  
A. S. Sahu  
2/12/2021



Speed Post  
with AD

# कोचिन पोर्ट ट्रस्ट COCHIN PORT TRUST

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www.cochinport.gov.in

ANNEXURE-I



No. D1/OBC Welfare Committee/2019-S

17.11.2021

The Secretary to the Govt. of India  
Ministry of Shipping  
Transport Bhavan  
1, Parliament Street  
New Delhi - 110 001

(Kind Attention Shri Surendar Singh, ASO (Coord))

Sir,

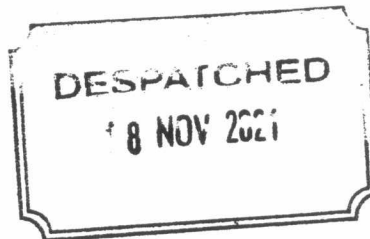
Sub: Committee on Welfare of Other Backward Classes - Selection of subject for examination during the year 2021-22

I am directed to refer to Ministry's e-mail dated 18.10.2021, enclosing MPS & W OM No.H-11011/22/2021-Parl. Dated 14.10.2021, seeking a note on 'measures undertaken to secure representation of OBC in employment and for their welfare' in the Port and to forward herewith the replies to the List of Points alongwith supporting documents (Annexure I to III), for kind reference

Yours faithfully

Encl: as above

  
Secretary  
17/11/21



Manager  
D. Seema  
NH  
%

**LIST OF POINTS FOR DETAILED BACKGROUND NOTE**

**A. Organizational set up**

1. (a) **The detailed information about the organizational set up of the Ministry and organization under its administrative control including the composition of the Management Board/Top Management Body of all Organizations.**

- Ans: The Organization Chart is included in the Administration Report which is enclosed herewith. **Annexure I**
- Composition of Management -The Board of Trustees of Cochin Port Trust is constituted as per Section 3 of the MPT Act, 1963.As per Section 3 of the Act, the Board shall comprise the Chairman, the Dy. Chairman, and not more than 17 members including two Labour Trustees, representatives of the Mercantile and Marine Department, Customs Department, the State Govt., Defense Services, Indian Railways and "such other interests as, in the opinion of the Central Govt. ought to be represented on the Board", comprising inter alia ship owners and Shippers.
- Appointments to the Board of Trustees are done by the Central Government in ex-officio capacity to represent various organizations/interest as laid down in MPT Act, 1963 as stated above.

- (b) **Number of officials belonging to OBC category occupying the position in the Board/Top Management Body of the Ministry and Organizations under its administrative control.**

- Ans. One among the officers in Senior Management Team of Cochin Port Trust belongs to OBC

**B. Total Staff strength and number of OBC employees in the Ministry and Organizations under its administrative control**

- 2. (a) The total staff strength at various levels of posts/Classes/Scales and the number of OBC employees as on 30.09.2021.

Level	Total Staff	No. of OBCs
Class-I	89	24
Class-II	87	39
Class-III	894	554
Class-IV	86	68
Total	1156	685

- (b) The total staff strength at various levels of posts/Classes/Scales and the number of OBC employees therein as on 8 September, 1993.

Answer: The information as on 8.9.1993 is not available. The details from the year 2016 are given below: Also, the details of recruitments in OBC category since 1993 are attached as Annexure – II.



NH  
Manager  
"A" Section

## (2) COPIES OF ORDERS

1

G.I., Dept. of Per. & Trg., O.M. No. 36012/31/90-Estt. (SCT), dated 13-8-1990 as modified by O.M. No. 36012/22/93/Estt. (SCT), dated 8-9-1993 and O.M. No. 36012/52/93-Estt. (SCT), dated 13-1-1995  
 Subject:— 27% Reservation for other Backward Classes in Civil Posts/services.

In a multiple undulating society like ours, early achievement of the objective of social justice as enshrined in the Constitution is a must. The Second Backward Classes Commission, called the MANDAL COMMISSION, was established by the then Government with this purpose in view, which submitted its report to the Government of India on 31st December, 1980.

2. Government have carefully considered the report and the recommendations of the Commission in the present context regarding the benefits to be extended to the Socially and Educationally Backward Classes as opined by the Commission and are of the clear view that at the outset certain weightage has to be provided to such classes in the services of the Union and their Public Undertakings.

Following the Supreme Court judgment in the *Indira Sawhney and others v. Union of India and others case* [Writ Petition (Civil) No. 930 of 1990], the Government of India appointed an Expert Committee to recommend the criteria for exclusion of the socially advanced persons/sections from the benefits of reservations for Other Backward Classes in Civil posts and services under the Government of India.

3. Consequent to the consideration of the Expert Committee's recommendations, orders are issued as follows:—

- (a) 27% (twenty-seven per cent) of the vacancies in Civil posts and services under the Government of India to be filled through direct recruitment, shall be reserved for the Other Backward Classes. Detailed instructions relating to the procedure to be followed for enforcing reservation will be issued separately.
- (b) Candidates belonging to OBCs recruited on the basis of merit in an open competition on the same standards prescribed for the general candidates shall not be adjusted against the reservation quota of 27%. (See Clarifications below)
- (c) (i) The aforesaid reservation shall not apply to persons/sections mentioned in Column 3 of the Schedule to this office memorandum. (See Appendix-1.)  
 (ii) The rule of exclusion will not apply to persons working as artisans or engaged in hereditary occupations, callings. A list of

*[Signature]*  
 Asst. Secretary  
 D. Secms



such occupations, callings will be issued separately by the Ministry of Welfare.

- (d) The OBCs for the purpose of the aforesaid reservation would comprise, in the first phase, the castes and communities which are common to both the lists in the report of the Mandal Commission and the State Governments' Lists. A list of such castes and communities is being issued separately by the Ministry of Welfare (See Appendix-2).
- (e) The aforesaid reservation shall take immediate effect. \*\*\*

4. Similar instructions in respect of Public Sector Undertakings and Financial Institutions including Public Sector Banks were issued by the Department of Public Enterprises and by the Ministry of Finance respectively, effective from the date of this Office Memorandum.

The above-said instructions relating to reservations for OBCs have been extended to Autonomous Bodies, Statutory and Semi-Government Bodies and Voluntary Agencies receiving grants from Government.

*Clarification.* — How the OBCs are to be assessed in relation to general candidates and how their reserved quota are required to be filled?

Normally for any recruitment or selections, basic minimum standards are fixed. In the case of competitive examination, merit lists are drawn, subject to fulfilment of this basic minimum standards and candidates are appointed to the extent of the number of vacancies. The cut-off point for the preparation of this general merit list is normally well above the basic minimum standards. In the process, not all the candidates who have obtained the basic minimum standards prescribed are appointed to the services / posts in question. While the OBCs candidates who come in the general merit list will not be adjusted against the reserved quota, those OBCs candidates who could not come in the merit list but have obtained the basic minimum standards can be appointed against the reserved vacancies.

A similar procedure is also required to be followed in the case of recruitment other than by open competition. It will be up to the recruiting authorities to prescribe the basic minimum standard in respect of any examination / selection.

[ G.I., Dept. of Per. & Trg., O.M. No. 36012/22/93-Estt. (SCT), dated 3-2-1994. ]

1-A

G.I., Dept. of Per. & Trg., O.M. No. 36011/6/2009-Estt. (Res.),  
dated 23-12-2009

*Subject:*— Reservation for SCs, STs and OBCs in autonomous bodies / institutions, etc.

The undersigned is directed to say that instructions were issued vide Ministry of Home Affairs' O.M. No. 39/40/74-SCT (I), dated 30-9-1974 (not printed)

*[Signature]*  
Asst. Secretary  
D' Sectn



**THE COCHIN PORT TRUST EMPLOYEES**  
**(RECRUITMENT, SENIORITY AND PROMOTION)**  
**REGULATIONS, 2010**

In exercise of the powers conferred by Section 28 of the Major Port Trusts Act, 1963 (38 of 1963), the Board of Trustees of Cochin Port hereby makes the following regulations, namely

**1. Short Title and Commencement**

- (i) These Regulations may be called the Cochin Port Trust Employees (Recruitment, Seniority and promotion) Regulations, 2010.
- (ii) They shall come into force on the date of publication of the approval of the Central Government as required under the provisions of Section 124 and 132 of Major Port Trusts Act, 1963 in the Gazette of India.

**2. Application**

These regulations shall apply to all posts created under Section 27 of the Act under the Board, including those covered by clause (a) of sub-section (1) of section 24 of the Act.

**3. Definition**

In these regulations, unless the context otherwise requires

- (a) "Act" means the Major Port Trusts Act, 1963 (38 of 1963).
- (b) "Analogous post" means a post of which the duties and level of responsibilities and the pay ranges are comparable to those of the post to which selection is to be made.
- (c) "Appointing Authority" in relation to any grade or post means the authority empowered under the Cochin Port Trust Employees (Classification, Control and Appeal) Regulations 1964, to make appointment to that grade or post.
- (d) "Board", "Chairman", "Deputy Chairman" and "Head of Department" have the meaning respectively assigned to them under the Act.
- (e) "Class I Posts", "Class II Posts", "Class III posts" and "Class IV posts" shall have the same meaning as assigned to them in Regulation 6 of the Port Trust Employees (Classification, Control and Appeal) Regulations, 1964.
- (f) "Departmental Promotion Committee" means a Committee constituted from time to time under regulation 26 for the purpose of making recommendation for promotion to or confirmation in any grade or post.
- (g) "Direct Recruit" means a person recruited on the basis of a competitive examination or test and/or interview by Services Selection Committee.
- (h) "Employee" means an employee of the Board.
- (i) "Grade" means any of the grades specified in the Schedule of Employees prepared and sanctioned under Section 23 of the Act.
- (j) "Lien" means the title of an employee to hold on regular basis, either immediately or on the termination of a period or periods of absence, a post to which he has been appointed on regular basis and on which he is not on probation.



↓  
Manager  
A' Section



Provided that the title to hold a regular post shall be subject to the condition that the junior most person in the grade will be liable to be reverted to the lower grade if the number of persons so entitled is more than the posts available in that grade.

- (k) "Permanent Employee" means an employee who has been substantively appointed to a permanent post.
- (l) "Schedule" means the Schedule appended to these regulations.
- (m) "Scheduled Castes" and "Scheduled Tribes" shall have the meanings respectively assigned to them in Clauses (24) and (25) of article 366 of the Constitution of India.
- (n) "Select List" in relation to any grade or post means the select list prepared in accordance with regulation 13 for that grade or post.
- (o) "Selection Post" means a post declared as such under regulation 5 of these regulations.
- (p) "Services Selection Committee" means the Committee constituted under regulation 12 for the selection of candidates by means of a written test, a trade test and/or interview for appointment to posts reserved for direct recruitment.
- (q) "Temporary Employee" means an employee holding a temporary post or officiating in a permanent post or on probation in his appointment in the service of the Board.
- (r) <sup>1</sup>["Regular Service" in relation to any grade means the period or periods of service in that grade rendered after selection and appointment thereto under the regulations according to the prescribed procedure for regular appointment to that grade and includes any period or periods:
- (i) Taken into account for the purpose of seniority in case of those already in service at the time of notification of regulations;
- (ii) During which an employee would have held a post in that grade but for being on leave or otherwise not being available for holding such posts.]

#### 4. MANNER OF APPOINTMENT

All appointments to the posts to which these regulations apply shall be made in accordance with the provisions of these regulations. Appointment may be made either by promotion or by absorption or deputation or direct recruitment. Deputation will be of employees from the Major Ports, Central Govt., State Govts., autonomous bodies, Govt., Companies fulfilling the criteria of eligibility prescribed for the post. The normal period of deputation is 3 years which is extendable to four years. <sup>2</sup>[In exceptional circumstances, this can be extended to five years by the Central Government in case of a post, the incumbent of which is regarded as the Head of a Department; and in case of any other post below the level of Head of Department by the Chairman].

Provided that the appointment in respect of posts treated as Heads of Department and posts one level below the HOD, all the vacancies shall be filled by 'Composite method of recruitment' i.e. through promotion/transfer/deputation on absorption basis failing which deputation and failing both by

<sup>1</sup> Inserted w.e.f. 30-3-2017 vide Ministry of Shipping Notification No.PR-12012/9/2014-PE.I published in the Gazette of India under G.S.R. 649(E) dated 30-3-2017

<sup>2</sup> Substituted w.e.f. 1-7-2016 vide Ministry of Shipping Notification No.PR-12012/9/2014-PE.I published in the Gazette of India under G.S.R. 649(E) dated 1-7-2016



By  
Manager  
'A' Section

direct recruitment. The promotion/transfer/on absorption will be from the officers from Major Port Trusts fulfilling the criteria of eligibility prescribed in the schedule annexed to the regulation.

## 5. SCHEDULES

The manner of appointment i.e. whether by direct recruitment or by departmental promotion or absorption or deputation, the qualification, age, education, training, requirements of experience, classification of posts as selection posts or – non-selection posts and other matters connected with the appointments to various posts shall be shown in the Schedule annexed to these Regulations in respect of Class-I posts. In respect of Class-II, Class-III and Class-IV posts the manner of appointment shall be as laid down by the Board from time to time. The Schedule shall also show the authorized permanent and temporary strength of the various grades as shown in the Schedule of Employees prepared under the provisions of section 23 of the Major Port Trusts Act, 1963. This strength is liable to change from time to time under the provisions of section 27 of the Major Port Trusts Act, 1963. The eligibility requirements prescribed for direct recruitment will apply in the case of promotion to the extent mentioned in Column 9 of the schedule and requirement of experience for promotion will be as prescribed in Column 12 of the schedule.

Provided that the prescribed upper age limits may be relaxed by the Central Govt. in case of HODs and by Chairman in all other cases for reasons to be recorded in writing for direct recruitment/absorption/deputation as under:-

- (i) Up to 5 years where the minimum experience prescribed is 10 years or more and up to 3 years where the minimum experience prescribed is 5 to 9 years.
- (ii) in the case of a candidate who is an ex-serviceman, i.e. ex-employee of India's Defence Forces, and who has put in not less than 6 months continuous service in the Defence Forces, up to the extent of the service rendered by him in the Defence Forces plus three years where the vacancy to be filled is a vacancy reserved for such ex-servicemen and dependants of those killed in action and upto the extent of the service rendered by him in the Defence Forces, where the vacancy to be filled is an unreserved vacancy; and
- (iii) In the case of a candidate belonging to the Scheduled Castes or the Scheduled Tribes or other backward classes in accordance with such orders as the Central Government may issue from time to time in this regard.

Provided further that the requirement of experience is relaxable at the discretion of the Central Govt, in the case of candidates belonging to the Scheduled Castes and the Scheduled Tribes if at any stage of selection the Central Govt. is of the opinion that sufficient number of candidates from these communities possessing the requisite experience are not likely to be available to fill up the posts reserved for them.

## 6. ROSTER OF VACANCIES

A roster shall be maintained for each grade to show whether particular vacancy should be filled by direct recruitment or promotion. However, if a vacancy which is reserved for direct recruitment cannot be filled by direct recruitment, it may be filled by promotion and the next vacancy shall be filled by direct recruitment. Similar practice can be followed in the case of a vacancy reserved for promotion but cannot be filled by promotion method.



*[Signature]*  
Manager  
-A' Section

## 7. RESERVATION

- (1) Orders issued by the Central Government from time to time for reservation of posts under it, whether to be filled by direct recruitment or promotion in favour of the Scheduled castes and the Scheduled Tribes shall apply mutatis mutandis to all appointments covered by these regulations.
- (2) Orders issued by the Central Government from time to time for the reservation of posts under it in favour of other backward classes, ex-servicemen and dependants of those killed in action, sportsmen and physically handicapped persons shall also apply mutatis mutandis to appointments covered by these regulations and to which direct recruitment is made.

## 8. NATIONALITY, CHARACTER, PHYSICAL FITNESS ETC. FOR DIRECT RECRUITMENT;

- (1) In order to be eligible for direct recruitment to any grade or post, a candidate must be-
  - (a) a Citizen of India; or
  - (b) a subject of Nepal; or
  - (c) a subject of Bhutan; or
  - (d) A Tibetan refugee who came over to India before the 1<sup>st</sup> January, 1962 with the intention of permanently settling in India; or
  - (e) A person of Indian origin who has migrated from Pakistan, Burma, Sri Lanka or the East African countries of Kenya, Uganda, the united Republic of Tanzania, Zambia, Malawi, Zaire and Ethiopia and Vietnam with the intention of permanently settling in India.

Provided that a candidate belonging to category (a) shall produce such proof of his nationality as the Chairman may, from time to time require. Provided further that a candidate belonging to categories (b), (c), (d) and (e) shall be a person in whose favour a certificate of eligibility has been issued by the Government of India;

Provided also that a candidate in whose case the proof of nationality or a certificate of eligibility is necessary may be provisionally appointed, pending the production by him of the necessary certificate in his favour from the Central Government, as the case may be. In such cases the provisional appointment shall not exceed a period of one year.

- (2) The Chairman may, with the prior approval of the Central Government, modify or waive any of the requirements of sub regulation (1) when an appointment for work of a special nature is to be made and it is not practicable to obtain a suitable candidate who fulfils the requirements of these regulations.
- (3) No person.
  - (a) Who has entered into or contracted a marriage with person having a spouse living; or
  - (b) Who having a spouse living, has entered into or contracted a marriage with any person.

Shall be eligible for appointment to any grade or post to which these regulations apply.;

*WSP*  
Manager  
A' section

