

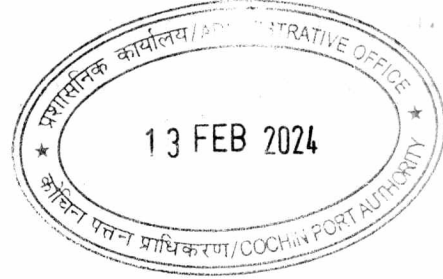
1698

CMSP
13/2/24

By Registered Post with A/D

From

Sabu Varghese
Nellarikayil House
26/279C Jubilee Nagar
Thevara.P.O, Konthuruthy
Cochin- 682013



To

The Chief Information Officer
Cochin Port Authority
Willingdon Island
Cochin – 682009

Sir,

Sub: Information sought under RTI Act 2005

The following information may be provided to me under the RTI Act 2005.

1. Give the names of different types/kinds of leave due/admissible to an employee of Cochin Port under the Cochin Port Employees (Leave) Regulations 1978.
2. If an employee of Cochin Port remains absent after the expiry of the leave granted to him/her by the authority competent to grant leave, how is that absence period treated and debited against his/her leave account as per the Cochin Port Employees (Leave) Regulations 1978.
3. Is Loss of Pay (LOP) a kind/type of leave, due/admissible to an employee of Cochin Port for his/her period of absence under the Cochin Port Employees (Leave) Regulations 1978.
4. Is Fundamental Rules (FR) & Supplementary Rules (SR) for Central Government Employees are applicable for Cochin Port Employees? If applicable for Cochin Port Employees, please give a copy of the government order for implementing the same in Cochin Port.
5. Is Central Civil Services Rules (CCS Rules) for Central Government Employees are applicable for Cochin Port Employees? If applicable for Cochin Port Employees, please give a copy of the government order for implementing the same in Cochin Port.

Postal order No.08G472604 for Rs.20/- drawn in favour of FA&CAO, Cochin Port Authority is enclosed herewith. I am ready to pay additional amount, if any, for providing the above information sought.

Yours faithfully,

Cochin- 13

12/02/2024


SABU VARGHESE

Put up on 16/03/2024

(P. J. O)

1780/2024/COPT
Encl. No RTI/169818V/2024-S Dt. 13/02/2024

Copy of RTI request is forwarded to CPIO/P&CAO,
OM Administrator, HR Division & Asst. Secretary, A Section
GAD for furnishing the details sought for by the
applicant subject to the provisions under RTI Act,
2005, to the RTI cell on or before 21/02/2024. Please

[Signature]
13/2/2024
CPIO (GAD)

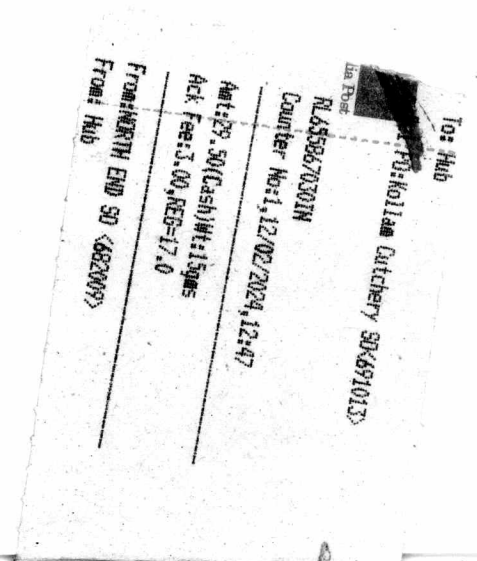
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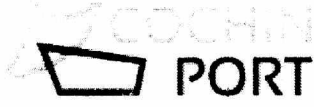
REGISTERED POST WITH A/D



From
SABU VARGHESE
NELLARIKAYIL HOUSE
26/279C JUBILEE NAGAR
THEVARA. P.O
KONTHURUTHY, COCHIN-682013

To
THE CHIEF INFORMATION OFFICER
COCHIN PORT AUTHORITY
WILLINGDON ISLAND
COCHIN-682009





ADMINISTRATIVE OFFICE,
COCHIN - 682009

संख्या /No.GAD/RTI Cell/SV/1698/2024-S

दिनांक: 11.03.2024

सेवा में/To

Shri. Sabu Varghese
Nellarikayil House
26/279C Jubilee Nagar
Thevara P O, Konthuruthy
Cochin - 682013

Sir.

विषय /Sub : Information under the RTI Act, 2005- reg.
संदर्भ /Ref : Your email dated 12.02.2024 (received in this office on
13.02.2024)

With reference to the above, the information is given below.

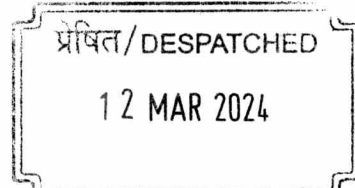
- Sl. No. 1, 2 & 3 : The Cochin Port Employees (Leave) Regulations, 1978 is available
in the website www.cochinport.gov.in
Sl. No. 4 : Not traceable
Sl. No. 5 : The Major Port Trusts (Adaptation of Rules), Regulations, 1964 is
available in the website www.cochinport.gov.in
(Resolution 354 of Minutes of Proceedings of Meeting No. 12 of
1967-1968 of the Board of Trustees & Agenda are attached - 4 pages)

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

Dy. Chairperson
Cochin Port Authority
Cochin - 682009

Yours faithfully


Central Public Information Officer
General Administration Department
Cochin Port Authority



www.cochinport.gov.in | secretary@cochinport.gov.in | +91484 2666412 | +91484 2582100 | Fax: +91484 2668163

1

COCHIN PORT TRUST

Minutes of Proceedings of Meeting No. 12 of 1967-68 of the Board of Trustees held on Friday, the 8th of December 1967

Present

SHRI K. P. K. MENON (Chairman)

- | | |
|------------------------|---------------------------|
| 1. Shri R. Gopalaswamy | 4. Shri Joseph Chakola |
| 2. Mr. A. D. Spence | 5. Shri G. S. Dhara Singh |
| 3. Shri D. B. Khona | 6. Shri D. M. Ashar |

Resolution 328

1. The Board granted leave of absence to Captain S. H. Sarma, Sarvashri V. Balagangadharan, Ratanshi Panchan and A. A. Kochunny who had expressed their inability to attend the meeting.

Resolution 329

2. Read, confirmed and recorded the minutes of proceedings of Meeting No. 11 of 1967-68 held on 17th November, 1967 subject to para 4 of Resolution No. 311 (para 45 of the minutes) being recast as follows:

Resolution 311

"Shri Gopalaswamy, Secretary, Public Works Department, pointed out that the Kerala State were organising their hydrographic department for which they were in need of trained personnel and hence it was likely that the State Government would be willing to consider Shri Warriar for appointment under the State Government."

3. On a suggestion circulated by Shri Khona, Trustee, resolved *not to* implement Resolution No. 300 pending further clarification.

Resolution 330

4. The Board recorded the note placed before it showing the progress made on the Resolutions of the Board referred to Government for approval and pending implementation.

5. With reference to item (3) in the report, it was decided that steps should be taken to convert the DC electric connections in the Malabar Hotel to AC connections and for this necessary estimates should be prepared and placed before the Board for consideration very early.

Resolution 331

6. With reference to the Board's Resolution No. 273 of 1967-68, dated 20th October, 1967 and Chairman's note, dated 9th October, 1967 regarding Ferry Service between Embarkation Jetty at Willingdon Island and Canal Jetty, Ernakulam, and the Customs Jetty at Mattancherry, Shri Gopalaswamy, Secretary, Public Works Department, said that he would explore the possibility of allowing Kerala State Water Transport Corporation boats to touch the places concerned during the peak hours between 8 a.m. to 10 a.m. and 4 p.m. to 6 p.m. in addition to the existing Kerala State Road Transport Corporation boats and report to the Board as early as possible.

Resolution 332

7. With reference to the Board's Resolution No. 296 of 1967-68, dated 17th November, 1967, read Chairman's note, dated 6th December, 1967 regarding hire charges of Tugs used for berthing and unberthing or shifting of vessels.

8. Resolved, in the circumstances stated therein, to approve of the proposal to fix under section 49 of the Major Port Trusts Act, 1963 the following rates of hire charges of Tugs used for berthing, unberthing or shifting of vessels and to make necessary changes in the Trust's Scale of Rates, subject to Government's sanction under section 52 of the Major Port Trusts Act, 1963:—

Rs. 75 per operation for vessels below 1,500

13/26—(c) 1

(ii) Rs. 150 per operation for vessels of 1,500 N.R.T. and above.

(iii) Rs. 300 per operation for Oil Tankers.

Resolution 333

9. Read Chairman's note, dated 30th October, 1967 regarding disbursement of Provident Fund money to a person on behalf of minors.

10. Resolved to approve of the proposal—

(1) to implement the Ministry of Finance O.M. No. F. 35 (3)-EV/67, dated 11th July, 1967 on the above subject in the Trust;

(2) to adopt the form of Indemnity Bond prescribed by the Government with necessary changes to suit the Trust's requirements as in *Appendix I*;

(3) to pay the expense towards stamp duty on such bonds from the Port Funds; and

(4) to authorise the Heads of Departments to accept the bond on behalf of the Board.

Resolution 334

11. Read Chairman's note, dated 31st October, 1967 regarding withholding and withdrawal of pension under Article 351-A, Civil Service Regulations.

12. Resolved to approve of the proposal to implement the Ministry of Finance O.M. No. F. 19 (9)-EV/66, dated 6th July, 1967 on the above subject in the Trust subject to the condition that the powers referred to in the O.M. will be exercised by the Board of Trustees or the appropriate Officers of the Trust according to the circumstances of each case, as laid down in the Schedule of Powers, Cochin Port Employees (Classification, Control and Appeal) Regulations, 1964 and the Rules for the regulation of the conditions of employment of the Industrial Staff of Cochin Port.

Resolution 335

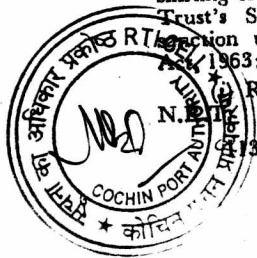
13. Read Chairman's note, dated 30th October, 1967 regarding delegation of powers to the Chairman to grant permission for construction of jetties, slipways, boat-sheds, etc., within Port limits to the Chairman.

14. Resolved, in the circumstances stated therein, to accord approval to the draft guide lines as in *Appendix II* laying down the conditions to be observed by the lessees from the navigational and Port operational point of view and to address the Central Government for the delegation of the powers to the Chairman after obtaining the State Government's concurrence to the same.

Resolution 336

15. Read Chairman's note, dated 31st October, 1967 regarding confirmation of Shri C. K. Sundaraman, Executive Engineer.

16. Resolved, in the circumstances stated therein, to approve of the constitution of the Departmental Promotion Committee in this case consisting of the Chairman, the Financial Adviser and Chief Accounts Officer, and the Secretary and the proposal to confirm Shri C. K. Sundaraman as Executive Engineer (M) in the scale of Rs. 700-40-1100-50/2-1250 (Rs. 800-40-1000-50/2-1150-50-1300 pre-revised scale personal to him) with effect from 1st July, 1964.



of Rs. 700-40-1100-50/2-1250 with effect from 1st May, 1967, as recommended by the Departmental Promotion Committee constituted for the purpose.

Resolution 347

39. Read Chairman's note, dated 21st November, 1967 regarding withdrawal of permission for restricted private practice for Medical Officers on old pay scales.

40. Resolved to accept the opinion of the Legal Adviser on the representation of Dr. P. C. Thomas in this connection and to communicate the same to the Government with reference to the Ministry of Transport communication No. 6-PE (21)/67, dated 23rd June, 1967.

Resolution 348

41. Read Chairman's note, dated 21st November, 1967 regarding the revision of the scale of pay of Labour Officers of the Central Pool from Rs. 350-900 to Rs. 400-950.

42. Resolved, in the circumstances stated therein, to approve of the proposal to upgrade the existing post of Labour Officer in the Class II scale of Rs. 350-25-500-30-590-EB-30-800-EB-30-830-35-900 to Class I post in the scale of Rs. 400-400-450-30-600-35-670-EB-35-950.

Resolution 349

43. With reference to the Board's Resolution No. 265 of 1967-68, dated 20th October, 1967, read Chairman's note, dated 21st November, 1967 with the amended draft Cochin Port Regulations, 1967, after consideration by the Sub-Committee.

44. Resolved to grant approval, under section 123 of the Major Port Trusts Act, to the amended draft Regulations as in *Appendix IV*, subject to the approval of the Central Government under section 124 of the Major Port Trusts Act.

Resolution 350

45. Read Chairman's note, dated 19th November, 1967 regarding payment of interest on Provident Fund balances for a period exceeding 6 months.

46. Resolved, in the circumstances stated therein, to approve of the proposal to carry out the following amendment to Regulation 11 (4) of the Cochin Port Employees (General Provident Fund) Regulations based on the Ministry of Finance O.M. No. F-49 (1)-EV/60, dated 11th March, 1960.

"Add the following as the 1st proviso to Regulation 11 (4).—

Provided that interest beyond a period of one year may be authorised by the Financial Adviser and Chief Accounts Officer/Head of Accounts Department after he has personally satisfied himself that the delay in payment was occasioned by circumstances beyond the control of the subscriber and that administrative delays involved in the matter have been fully investigated and action taken.

Provided further that the benefits under the immediately preceding proviso herein shall be available only for the period during which the Ministry of Finance Office Memorandum N. F-49 (1)-EV/60, dated 11th March, 1960 is in force or is extended by the Central Government from time to time and that such benefits shall cease to be available on the expiry of the said period or extended period of the said Memorandum or on the withdrawal of the said O.M. by the Central Government", subject to the approval of the Central Government under section 124 of the Major Port Trusts Act."

Resolution 351

47. Read Chairman's note, dated 28th November, 1967, regarding creation of additional posts in the supervisory cadre in the Traffic Department.

48. Resolved, in the circumstances stated therein, to approve the creation of a temporary post of Assistant

Traffic Manager in the scale of Rs. 350-25-500-30-590-EB-30-800-EB-30-830-35-900 in the Traffic Department of the Trust for a period of one year from the date the post is filled in.

Resolution 352

49. Read Chairman's note, dated 28th November, 1967, regarding Incentive Scheme for Electric Crane Drivers.

50. Resolved, in the circumstances stated therein, to approve of the proposal to extend the benefits of the Incentive Scheme introduced for Electric Crane Drivers under Board's Resolution No. 82 of 1967-68, dated 9th June, 1967 to the qualified persons of the Electrical Section when they are posted on shift duty to work as Drivers on the Electric Cranes during the absence of Electric Crane Drivers on short leave.

Resolution 353

51. With reference to Board's Resolution No. 93 of 1967-68, dated 9th June, 1967, read Chairman's note, dated 28th November, 1967 regarding hire of Port's Zenith Pile Extractor to the Vishakhapatnam Port Trust.

52. Resolved to ratify the action of the Chairman in extending the period of hire of the above plant to the Vishakhapatnam Port Trust to end of 9th October, 1967 on the same terms and conditions.

Resolution 354

53. Read Chairman's note, dated 28th November, 1967, regarding adaptation of amendments and clarifications issued by the Central Government to Fundamental Rules, Supplementary Rules, Civil Service Regulations, General Financial Rules and Treasury Rules mentioned as "existing rules" in the Major Port Trusts (Adaptation of Rules) Regulations, 1964.

54. Resolved, in the circumstances stated therein, to approve of the proposal to amend the Regulation No. 4 of the Major Port Trusts Act (Adaptation of Rules) Regulations, 1964 as in *Appendix V*.

Resolution 355

55. Read and recorded Chairman's note, dated 28th November, 1967 regarding anticipated requirement of plan provision for 1968-69, after noting the statement made by the Chief Engineer of the Trust at the meeting that it would be possible to find the required funds for the second berth in Mattancherry Channel for which a proposal is being placed before the Board by the Sub-Committee of the Trustees constituted for the purpose.

Resolution 356

56. Read Chairman's note, dated 30th November, 1967 regarding black topping further roads in leasing area.

57. Resolved, in the circumstances stated therein, to approve of the proposal to carry out the work of black topping on the existing water bound macadam road in the leasing area and by the side of the Police Quarters at an estimated cost of Rs. 35,000.

Resolution 357

58. Read and recorded the Chairman's note, dated 30th November, 1967 enclosing the lists of holidays for the year 1968 in respect of various categories of employees of the Port.

59. The Board also approved, 26th December 1967 as the additional paid holiday for B & C Category workmen for the calendar year 1967 consequent on the report of Shri Salim Merchant.

Resolution 358

60. With reference to Board's Resolution No. 223 of 1967-68, dated 12th September, 1967, read Chairman's note, dated 30th November, 1967 regarding feasibility study for an Off Shore Oil Terminal at Cochin Port.

61. Resolved, in the circumstances stated therein, to recommend to the Government the lowest offer of Messrs. Bertlin, Wilton and Bell, Bombay, Rs. 61,500 inclusive of a foreign exchange component



3

COCHIN PORT TRUST

Meeting No. 12 of 67-68 of the Board of Trustees to be held on Friday, the 8th of December, 1967.

.....

AGENDA ITEM No.27

Adaptation of amendments and clarifications issued by the Central Government to Fundamental Rules, Supplementary Rules, Civil Service Regulations, General Financial Rules, Treasury Rules etc. mentioned as the existing Rules in the Major Port Trust (Adaptation of Rules) Regulations, 1964.

.....

Reference is invited to Reso.No.512 of Meeting No.17 of the Board of Trustees held on Friday, the 16th of July, 1965, on the above subject - copy reproduced below:-

"15. Resolved, with reference to the Chairman's note dated 6-7-1965 to approve of the proposal to give effect to the amendments and clarifications issued by the Central Government to Fundamental Rules, Supplementary Rules, Civil Service Regulations, General Financial Rules and Treasury Rules which have already been made applicable to the Trust, without reference to the Board, provided they are not inconsistent with the provisions of the Major Port Trusts Act or Regulations issued thereunder or unless the Port Trust decides otherwise".

On the same question, which had been referred to Government by the Vizag Port Trust, the Government stated, after obtaining the opinion of the Ministry of Law, that the proposal to adopt the Central Government Rules goes against the mandatory provision of Section 124 of the Major Port Trusts Act, according to which the implication of each amendment which may be made by the Central Government to the various rules, which continue to apply to the Port employees, will have to be separately considered before the amendment can be applied to the Port Trust employees.

2. The matter was then placed before the Inter Port Consultations and according to its decision dated 14-10-1966 as given below, the matter was taken up again with the Government.

"It was felt that the Cochin, Kandla and Vishakhapatnam Port Trusts should take up the matter further with Government and cite, if necessary, the instance of the Calcutta Port Commissioners who had taken Resolutions adopting the F.Rs. S.Rs. and certain other Government Rules with provision that amendments to such Rules, as might be made by the Central Government from time to time, would also automatically apply in respect of their employees."

3. Government considered the matter further in consultation with the Ministry of Law and have advised that the purpose aimed at can be achieved by amending Regulation 4 of the Major Port Trust (Adaptation of Rules) Regulations 1964. A copy of the amendment to the Adaptation Regulation forwarded by the Government is attached.



4.....

4. Accordingly, as advised by the Ministry, it is proposed to substitute the existing Regulation 4 of the Major Port Trusts Act (Adaptation of Rules) Regulations, 1964 as follows:-

Notification

In exercise of the powers conferred by Section 28 and 123 of the Major Port Trusts Act, 1963 (38 of 1963), the Board of Trustees constituted for the Cochin Port hereby makes the following regulations to amend the Major Port Trusts (Adaptation of Rules) Regulations, in so far as they apply to the Port Trust of Cochin, namely:-

1. These Regulations may be called the Major Port Trusts (Adaptation of Rules) Amendment Regulations, 1967.

2. In the Major Port Trusts (Adaptation of Rules) Regulations, 1964, for regulation 4, the following regulations shall be substituted, namely:-

"4. Existing rules to continue:- Existing Rules and orders and subsequent amendments thereto made on or after the date of coming into force of the Major Port Trusts (Adaptation of Rules) Amendment Regulations, 1967, relating to the following matters shall, to the extent they are not inconsistent with the provisions of the Act or any regulations made thereunder, continue in force namely:-

- i) matters specified in clause (b), Clause (c) and Clause (e) of Section 28 of the Act; and
- ii) matters specified in clause (b) and clause (e) to (n) of Section 123 of the Act.

Provided that any amendment aforesaid to the existing rules and orders not advantageous to an employee shall not be made applicable to such employees unless the Board obtains the previous sanction of the Central Government."

5. Board's approval to the proposal is requested for further action as contemplated in the Major Port Trusts Act, 1963.

(Handwritten Signature)
28/11
(K.P.K. Menon)
CHAIRMAN

VE/-

