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First Appeal (Revised) u/s 19(1) of the Right to Information Act 2005

Before

Shri.Cyril C George

The First Appellate Authority & the Dy.Chairman

Cochin Port Trust

Cochin-9

Sir,

As I am aggrieved by the decision of the Central Public Information Officer, I hereby file this appeal (Revised) for your kind decision.

Details of Appellant:

1.	Name	:	R.Ajith Kumar
2.	Address	:	23/2015, Ajith Bhavan, Viswam Nager Lane (8), Palluruthy, Cochin-6
3.	Phone	:	9846479939, 8921373202, 9447001268
4.	Email-id	:	chwu.cpt@gmail.com

Details of Central Public Information Officer:

Shri.Jijo Thomas, Central Public Information Officer(GAD).

Details of RTI Application and its status:

1. RTI Request Registration No &Date :CPTRS/R/E/20/00012 dated 09-09-2020
2. Information requested : **Kindly provide certified / attested copies of below**

Sl.No	Information Sought	Status& Reason
1	Roster of Programmer Post.	Information Provided
2	Roster of Sr.OCIO Assistant Post.	Information Provided
3	Recruitment rule of Programmer post existed during January 2000	**Not Provided.** Reason: Not Available with Concerned section.
4.	Pre Amended Recruitment rule (RR) of Programmer post, ie RR before the last Gazette notification occured in 2016	Information Provided
5.	Record note of proceedings of the meeting held on 03-01-2015 in the chamber of FA&CAO to discuss promotional opportunities to EDP staff of Computer Centre, Finance Department of Cochin Port Trust with Union Representatives. (Copy attached).	**Not Provided.** Nothing mentioned as reason

Brief Facts Leading to Appeal and Revised Appeal:

1. CPIO has not provided the required information within the time limit of 30 days. Hence on 40th day I have submitted the First Appeal (CPTRS/A/E/20/00004 dated 19-10-2020) through Online showing that I have not received the sought information within time limit. But on next day I got the some information except items mentioned as Sl.No.3 and 5 above through Indian Postal Service. Meantime, the same was not uploaded to the https://rtionline.gov.in/ site till 23-10-2020. Hence I am submitting this revised appeal for your kind consideration.
2. Reasons given by the CPIO to deny required information is not acceptable.
3. Required information mentioned above as Sl.No.3 will be available from the Board of Trustees Meeting for the year 1999-2000, Meeting No.5, Dated 13-12-1999, Agenda Item No.C1 and its resolution no.129.
4. The CPIO has not taken any initiative to collect the required information mentioned above as Sl.No.5 from the FA&CAO - (Copy of the required information is attached)

Prayers/Relief Sought for:

1. Direct the CPIO to supply pending information mentioned as Sl.No.3 and 5 above and vide my online RTI Application dated 09-09-2020, free of cost within 10 days from the date of decision of the appeal.
2. The present appeal be disposed off by this Hon'ble Appellate Authority within 30 days of its receipt as provided under **Section-19(6)of the RTI Act**.

Documents Attached:

1. Copy of RTI Application submitted through online on 09-09-2020 - Attached as **Annexure –I.**
2. Copy of reply given by CPIO dated 13 -10-2020 – Attached as **Annexure -II**
3. Copy of Initial First Appeal submitted through online dated 19-10-2020 – Attached as **Annexure-III**.
4. Copy of the required information mentioned in my RTI application as Sl.No.3. – Attached as **Annexure –IV**.
5. Copy of the required information mentioned in my RTI application as Sl.No.5. – Attached as **Annexure –V.**

Declaration:

I hereby state that information and particulars given above are true to the best of my knowledge and belief. I also declare that this matter is not previously filed with any information commission nor is pending with any court, tribunal or authority.

Place:Palluruthy

Date:24-10-2020 Signature and name of Appellant: **R.Ajith Kumar.**

Advance copy submitted to First Appellate Authority & the Dy.Chairman
Cochin Port Trust through email dated 24-10-2020

द्रुतगामी डाक
SPEED POST

कोचिन पोर्ट ट्रस्ट

COCHIN PORT TRUST

W/Island, Cochin-682009.
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Email: coptrticell@gmail.com
Website: www.cochinport.gov.in

AN ISO-9001:2015
ISPS COMPLIANT PORT

SAGARMALA
PORT-LED PROSPERITY

No. RTI Cell/Appeal/AK/2020-S

Dated: 21.12.2020

To

Shri. R. Ajithkumar
23/2015, Ajith Bhavan
Viswam Nagar Lane (8)
Palluruthy
Cochin – 06.

Sir,

Sub: Information under the RTI Act, 2005- reg.
Ref:- Your appeal dated 24.10.2020

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I have considered your RTI appeal dated 24.10.2020 and the information are furnished herewith.

1. Copy of Recruitment Rule of Programmer post existed during January 2000 (Certified copy - 1 page)
2. Copy of record note of proceedings of the meeting held on 03.01.2015 in the Chamber of FA&CAO to discuss promotional opportunities to EDP staff of Computer Centre, Finance Department of Cochin Port Trust with Union representatives. (Certified copy – 2 pages)

The appeal is disposed off as above.

It is also informed that a Second Appeal, if any, against the above decision shall lie within ninety days from the date of receipt of this communication, with the Chief Information Commissioner. The name and address of the Chief Information Commissioner are given below:

Shri. Y.K. Sinha
Chief Information Commissioner
Room No. 401, IVth Floor, CIC Bhawan
Baba Gangnath Marg
Munirka, New Delhi – 110 067

Encl: As above.

Yours faithfully,

DESPATCHED
05 JAN 2021

Dy. Chairman &
First Appellate Authority

RECORD NOTE OF PROCEEDINGS OF THE MEETING HELD ON 03.12.2015 AT 11.00 a.m. IN THE CHAMBER OF FA & CAO TO DISCUSS PROMOTIONAL OPPERTUNITIES TO EDP STAFF OF COMPUTER CENTRE, FINANCE DEPT. OF COCHIN PORT TRUST, WITH UNION REPRESENTATIVES.

PRESENT

1. FA & CAO
2. Sr.Dy. Director , EDP
3. Sr. Accounts Officer (Adm)

UNION REPRESENTATIVES

CPSA

1. Sir. P.M. Mohammed Haneef, Working President
2. " Thomas Sebastian, Sr. Vice President
3. " K. Damodaran, General Secretary
4. " A. Jayakumar, Dy. General Secretary.
5. " C. Dileep, Joint Secretary
6. " Sajithkumar, Member

CHWU

1. Sri. M. Krishnakumar, General Secretary
2. " Viju P. Varghese, Treasurer.

At the outset, FA &CAO welcomed the union representatives and officers to the meeting. He informed the gathering that two letters received from the unions containing the same subject would be taken up for discussion during the meeting. He requested the union representatives to present the case.

Sri. Mohammed Haneef pointed out that there is no Manager level post in EDP Division as recommended by Chakraborthy Committee Report. Since the CC report had dealt with the matters relating to promotions of EDP staff, this subject was not taken up by Afsulpurkar Committee. However, CC Report is not implemented in Cochin Port Trust as far as EDP staff is concerned. He also

Dy CA & AO (Admn)

15/12/15

pointed out that when compared to the recommendations of Chakraborthy Committee, EDP staff is enjoying certain higher scales at present. He requested that the scale of Sr. OCIOA (Rs. 21000- 53500) is to be upgraded to that of the Manager level (Rs. 23600 – 56300) as in the Committee Report, which would not have any financial implication since the incumbents have already attained this level due to grant of MACP.

Representatives of CHWU endorsed the views expressed by Shri Haneef and requested the FA to redress their grievance early.

FA responded that the 4 posts of Sr. OCIOA was made regular only very recently as they were project posts operated since 1998 in connection with the implementation of MIS and ERP projects. The employees of EDP division recently represented to him about this grievance and he had requested them to submit copies of the report enabling the management to consider their case favourably. Afsulpurkar Committee Report does not contain any such recommendations as rightly pointed out by Shri Haneef. However, the recommendations in the Chakraborthy Committee as pointed out by Shri Haneef would be examined in detail and necessary action will be taken to redress the grievance based on such recommendations.

FA directed Sr. DD(EDP) and Sr. AO (Admn) to examine this points in detail and submit their views on the matter. The conditions stipulated in Chakraborthy Committee Report relating to similar post and qualification, etc. will also be considered at the time of examining the case.

The meeting was ended at 12.00 noon.

FINANCIAL ADVISER &
CHIEF ACCOUNTS OFFICER

RR

COCHIN PORT TRUST

APPENDIX-II

RECRUITMENT RULES OF CLASS I AND II POSTS - SCHEDULE'A'

Designation	No.of posts	Classification	Scale of pay	Whether selection or non selection	Age limit for direct recruits	Educational qualifications/ experience required for direct recruits	Whether (a) age (b) educational qualifications/ experience prescribed for direct recruits will apply in the case of promotees.	Method of recruitment	In case of promotion/ deputation/ transfer, grades from which it should be made.
1	2	3	4	5	6	7	8	9	10
Programmer	Four	Class II	Rs.4000-175-7150	Selection	35 yrs	B.E/B.Tech in Computer Engineering or Masters in Computer Application with a minimum of 2 years post qualification experience in programming and software development in an EDP department having client/server technology and networking.	Age : No. Qlfn & Exp: PGDCA from a reputed/ recognised institute in programming and software development.	Promotion/ Direct recruitment in the ratio 1:1	Promotion from the grade of Assistant Programmers with 3 years post qualification experience and if not available from the grade of Senior I/O Operators with three years of post qualification experience/ I/O operator with five years post qualification experience.

Jr. Acctt

Manager (A Sects)

सूचना का अधिकार सेल RTI CELL COCHIN PORT TRUST कोचिन पोर्ट ट्रस्ट