

No. RTI/GAD/2022-S

Dated 30.12.2022

ORDER

1. An RTI Application dated 13.10.2022 was filed by the Appellant seeking the Application and related documents submitted for compassionate appointment of Late K Gopakumar, who was the dependent of the deceased Late. V.M.Krishnamoorthy, who expired on 14.12.1989 while in service of Cochin Port. The CPIO vide reply dated 11.11.2022 denied the information citing that the same is not available with the concerned Division as the document is more than 32 years old and would come under section 8 (1) (j) of the RTI Act.
2. Aggrieved by the CPIO's reply, the Appellant filed the RTI Appeal dated 28.11.2022 wherein he submitted that the sought information pertaining to his elder brother is required to be submitted in a partition suit pending before the Hon'ble Vanchiyoor Court regarding partition of their family property and would cause him loss if not made available.
3. The Appellant and the CPIO were given an opportunity of hearing on 21.12.2022 at 4.00 pm. The Appellant submitted that after of death of his father, Late Krishnamurthy, his wife, i.e, the appellant's mother has nominated their elder son, Late Gopakumar, the appellant's brother as the nominee for compassionate appointment. The Appellant claimed that during that time an undertaking was submitted to Cochin Port by the said Gopakumar that he would take care of their widowed mother and siblings. He pleaded that the documents sought are necessary for submitting before court in the pending partition suit.
4. The CPIO submitted that they have received only a request to furnish the details as per RTI Act 2005, regarding compassionate appointment of the dependent of the deceased Shri. V.M.Krishnamoorthy, who expired on 14.12.1989 while in service. Based on the RTI request they have enquired with the welfare division only and as the document was not found, replied accordingly. The CPIO informed that the applicant had not mentioned that he was the brother of the deceased employee and assured that efforts shall be made to search for the details with the other relevant Division/Department.

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Cochin Port Authority | Willingdon Island | Cochin - 682 009 | India

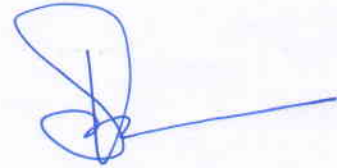
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5. Based on the above submissions made during the hearing, I am of the view that if any such undertaking is taken by the Port, efforts shall be made to find that document from other concerned department/division/Service Book, as the case may be. The Appellant may be given access to any such documents found and a copy of required documents may be provided to the Appellant to the extent not to disclose any irrelevant personal information. I also direct that if the applicant required any additional information, during the time of such inspection, the same may be made available as expeditiously as possible upon filing of an additional RTI request and payment of requisite fee. The process shall be completed within a period of 30 days from the date of receipt of this order.

6. The Appeal is disposed off with a direction to the CPIO as per para 5 above.

7. 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, whose name and address 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



Vikas Narwal
Appellate Authority/Dy. Chairperson
Cochin Port Authority, Cochin

To

1. Shri. Vinod Kumar.K,
Medayil House, 18/784-C,
S.N.Junction, Palluruthy, Cochin
2. The CPIO
GAD, CoPA – for compliance