

From,

Bindhu S,  
Amaravathy House,  
CMC-II  
Cherthala.  
Pin: 688524



To,

The Chief Public Information Officer,  
Cochin Port Authority,  
Willingdon Island,  
Cochin-682009

Sub: Information sought under Right to Information Act, 2005.

Kindly provide the following information, in hard copy, related to abolition of post of Sports Inspector under General Administration Department in Cochin Port, under RTI Act, 2005.

1. Please provide the date and year in which the post of Sports Inspector was abolished.
2. Please provide the cadre strength of the post of Sports Inspector prior to abolishment of the post.
3. Please provide the copies of relevant Government guideline/ OM by which the post of Sports Inspector was abolished.
4. Please provide the name of other regular posts related to Sports exist in Cochin Port after abolishment of the post of Sports Inspector.
5. Please provide the copies of the file notings initiated by the concerned section for obtaining approval from the Competent Authority for abolishing the post of Sports Inspector.
6. Please provide the specific reason for abolishment of post of Sports Inspector.
7. Please provide the copies of the approval granted by Cochin Port Sports Control Board for abolishing the post of Sports Inspector.
8. Please provide the original Govt. Rule /Port Regulation by which an employee holding an ex cadre post under General Administration Department is repatriated to her parent cadre at the time of her promotion in the parent cadre.

I am enclosing herewith a postal order for Rs 20/- (No. 08G 440789) and ready to bear additional charges if any, for furnishing the above information.

Yours faithfully

Bindhu S

Cherthala  
15/07/2022

Endt. No. RTI cell | 1525/BS/2022-5 Dated: 18/07/2022

Copy of RTI request is forwarded to Manager '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 26/07/2022

AP10 GAD

ADMINISTRATIVE OFFICE,  
COCHIN - 682009

No. GAD/RTI Cell/1525/BS/2022-S

Dated: 18.08.2022

To

Ms. Bindhu S  
Amaravathy House  
CMC - II  
Cherthala  
Pin: 688524

Sir,

Sub: Information under the RTI Act, 2005- reg.  
Ref: Your application dt. 15.07.2022 (received by this office on 18.07.2022)

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With reference to the above application, the required available information is given below.

- Sl. No. 1 - The post of Sports Inspector was abolished w.e.f 01.04.2020.
- Sl. No. 2 - One
- Sl. No. 3 - Copy of relevant Govt.O.M dt. 12.04.2017 attached (6 pages)
- Sl. No. 4 - Nil
- Sl. No. 5 - Copies of notings attached (3 pages)
- Sl. No. 6 - The post of Sports Inspector was remaining vacant for a period of more than two years.
- Sl. No. 7 - Not available
- Sl. No. 8 - The concerned section is unable to provide the document as the same has not been clearly specified.

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

Shri. Vikas Narwal IAS  
Dy. Chairperson  
Cochin Port Authority  
Cochin - 682009

Yours faithfully,

(Jijo Thomas)  
Central Public Information Officer  
General Administration Department

കോച്ചിൻ പർത്തൻ പ്രാധികരണ വില്ലിംഗ്‌ടൺ ഓർട്ടീൽപ്പുറം കോച്ചിൻ - 682 009 ഭാരത  
Cochin Port Authority Willingdon Island Cochin - 682 009 India  
www.cochinport.gov.in | rticell@cochinport.gov.in | 04842582119 & 04842582129  
| Fax: +91484 2668163

Government of India  
Ministry of Finance  
Department of Expenditure  
E-Coord-I Branch

Sub: Uploading of Compendium of instructions.

Please find enclosed a copy of O.M. dated 12<sup>th</sup> April, 2017 regarding Compendium of instructions for creation, revival, continuation and transfer of posts as approved by competent authority for issuing Secretaries and FAs of all the Ministries/Departments.

2. It is requested that the same may be uploaded in the Department of Expenditure's Website.




(Sobeer Singh)  
US(E.C.I)  
13.04.2017

Encl: As above.

Incharge, NIC, MoF(DoE)



  
Manager, A' Secy

No. 7(1)/E.Coord-1/2017  
 Government of India  
 Ministry of Finance  
 Department of Expenditure

North Block, New Delhi  
 Dated. 12<sup>th</sup> April, 2017

**OFFICE MEMORANDUM**

**Subject: Compendium of instructions for Creation, Revival, Continuation and Transfer of posts.**

This Department has issued instructions related to creation, deemed abolition, revival and continuation of posts from time to time. Therefore, in supersession of all previous instructions/ orders regarding creation, continuation, transfer and revival of posts, it has been decided, with the approval of Competent Authority, to issue a compendium of instructions covering all the aspects relating to these issues.

2.1 These instructions shall apply to creation/continuation/revival of posts in all Ministries/ Departments, their Attached offices, Subordinate offices, Statutory bodies etc.

2.2 Proposal for creation/revival/continuation/supernumerary posts should be routed through IFD of concerned Ministry.

2.3 These instructions are not applicable to CPSEs, which may follow the instructions issued by Department of Public Enterprises in this regard.

2.4 Instructions in respect of Autonomous Bodies will be issued separately.

**3.1 Creation of Posts:**

- a. All powers with respect to creation of posts delegated under DFPRs stands withdrawn and only Finance Minister (for below JS level posts) and Cabinet (for JS and above level posts) would be the Competent Authority for creation of posts.
- b. For creation of posts at JS and above levels, only 'Cabinet' and no other 'Standing Committee' is competent, except in respect of requirements relating to national security.
- c. Approval of this Department is not required for creation of Statutory posts. Only those posts may be considered as Statutory, whose name and level/ pay scale have been specifically provided in an Act of Parliament (only post mentioned in Statute, not support staff).
- d. Proposals for creation of posts may be referred to Department of Expenditure through respective IFD with the approval of Secretary and Minister in-charge of the concerned administrative Ministry.
- e. The proposals for creation of posts may be submitted on file, along with the prescribed checklist issued by this Department (Annexure -I). Separate checklist may be prepared for each category of post. Proposals received without proper checklist would not be considered and returned.
- f. Specific exemptions for creation of posts granted to any Ministry/ Department by this Department will however continue.



Manager  
 A. Beem

3.2 The level of approval for creation of posts is summarized in the following tables:

For Ministries/ Departments, Attached offices, Subordinate offices, Statutory bodies etc.

S.No	Level of Post	Competent Authority
1	JS and above	Cabinet
2	Below JS level	Finance Minister

#### 4.1 Supernumerary Posts:

The following principles should be observed while creating supernumerary posts:

- The supernumerary posts are created for the purpose of accommodating the lien of a Government servant who, though entitled to hold a lien against the regular post, cannot be so accommodated because of non-availability of such a post.
- The supernumerary post is a shadow post, i.e. no duties are attached to such a post. The supernumerary post is created for a definite and fixed period. Since, a supernumerary post is created for accommodating an officer till he is absorbed in a regular post, it should not be created for an indefinite period.
- The supernumerary post is personal to the officer for whom it is created and no other officer can be appointed against such a post. It stands abolished as soon as the officer for whom it was created vacates it on account of retirement or is accommodated in another regular post. In other words, no officiating arrangements can be made against such a post.
- Administrative authorities should maintain a record of the supernumerary posts, the particulars of the individuals who hold liens against them and the progressive abolition of such posts as and when the holder of the posts retire or are absorbed in regular permanent posts, for the purpose of verification of service for pension.

#### 5.1 Deemed Abolition & Revival of posts:

- All posts, except newly created posts, kept in abeyance or remaining vacant for a period of more than 2 years in any Ministry/ Department/ Attached office/ Subordinate office/ Statutory body, would be considered as 'deemed abolished' unless an exemption has been given at the time of sanctioning the post.
- A post falling into the category of 'deemed abolished' cannot be filled up prior to obtaining its 'revival' from Department of Expenditure.
- Statutory posts, the name and level/ pay scale of which is specifically provided for in an Act of Parliament, are exempted from falling in the category of 'deemed abolished' on remaining vacant for a period of more than 2 years. Only the posts mentioned in Statute may be considered Statutory, not their support staff.
- Newly created posts (posts which have been sanctioned recently by Department of Expenditure/ Cabinet), which do not have RRs would fall under the category of 'deemed abolished' after a period of 3 years from the date of creation unless it is clarified that this relaxation would not be applicable to those newly created posts which have existing RRs.
- Revival of posts would be considered in rare and unavoidable circumstances only.
- Proposals for revival of posts may be referred to this Department on file, along with the prescribed checklist issued by this Department (Annexure - II). Separate checklist may be prepared for each post. Proposals received without proper checklist would not be considered.

5.2 All Ministries/ Departments may submit to this Department, within 3 months, an Action Taken Report regarding abolition of posts which are vacant for more than 5 years in the Ministry/ Department and organizations under their administrative control. Further, while



Manager  
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referring any proposal for creation/ revival of posts to this Department, Ministries/ Departments may enclose a Certificate that all posts under their administrative control, vacant for more than 5 years on the date of referring the proposal, have been abolished.

The conditions for deemed abolition are provided in the following table:

S.No	Type of Post	Post Live for
1	Existing Post (held in abeyance/ vacant for more than 2 year)	Post is deemed abolished
2	Newly created Post - RRs Exist	2 year
3	Newly created Post - RRs do not Exist	3 years
4	Existing Post vacant for 5 years	Post may be abolished Immediately
5	Statutory Posts	Do not fall under deemed abolition

6.1 Continuation of Posts:

Continuation of posts would be considered subject to continuation of the scheme/project for which the posts were initially sanctioned. For above JS level posts, Department of Expenditure would examine and put up the proposal for approval of Secretary (Exp.), Secretary (DoPT) and Cabinet Secretary. In the case of continuation of Secretary level post, approval of Prime Minister may be obtained by the concerned Ministry/ Department after the approval of Cabinet Secretary.

6.2 Competent Authority for continuation of posts is as follows:

S.No	Level of Post	Competent Authority
1	JS and below level	DoE
2	Above JS level	CoS [Secretary (DoE), Secretary (DoPT) and Cabinet Secretary]
3	Secretary level	CoS as above. Thereafter, Ministry to obtain approval of PM

7. Transfer of Posts:

A post sanctioned for a specific purpose in an organization may not be diverted for another purpose at the same or different station. Cases of transfer/ diversion/ adjustment of posts would amount to creation of new post with simultaneous abolition of existing post and prior approval of Department of Expenditure is required for the same.


8. This issues with the approval of Finance Minister.

  
(Renu Sarim)  
Deputy Secretary(E.C.I)  
Tel # 2309 2761

To,

1. Secretaries of all Ministries/ Departments of Government of India
2. Financial Advisers of all Ministries/ Departments of Government of India



  
Manager  
A Section

**Checklist for Creation of Posts**

S.No.	Particulars	
<b>Details of Post</b>		
1	Name/ Designation of the post	
2	Pay Scale of the post	
3	Nature of Post (Scientific/Technical/Admin/Faculty/other)	
4	Duties and responsibilities of the post	
5	Functional justification for creation	
6	Does this post exists with same scale of pay and grade pay	
7	How work is being managed in the absence of the post	
8	Mode of recruitment of post (enclose copy of RRs)	DR/Deputation/Promotion
9	Essential and minimum qualification of the post	
10	No. of existing posts in the grade of the post	(a) Sanctioned (b) Vacant (with date)
11	Immediate lower (feeder) post in the hierarchy	(a) Sanctioned (b) Vacant (with date)
12	Immediate higher (promotional) post in the hierarchy	(a) Sanctioned (b) Vacant (with date)
13	Workload of the post (Extract of SIU study, if any)	
14	Possibility of outsourcing/contract/redeployment	
15	Financial implication (both recurring and non-recurring)	
16	Matching Savings (Specific posts with pay scales) (FA may certify that posts are live and not surrendered earlier or recommended by SIU for abolition)	
17	Whether any Norms exist for the proposed posts. A copy of the Norms may be provided.	
<b>Organization Details</b>		
1	Name of the organization	
2	Status of Organization (Ministry/ Department/ Autonomous/ Attached/ Subordinate)	
3	Detailed sanctioned strength (category wise) with pay scale and vacancy position (with date of vacancy)	
4	Whether the organization has been studied by SIU/ IWSU. If so, details	
5	Any other relevant information	
<b>Certificate: It is certified that all such posts under the administrative control of this Ministry/ Department which are vacant for more than 5 years, have been abolished</b>		

Concurrence of Financial Advisor

Concurrence of Secretary



Manager  
A. Seem



Checklist for Revival of Posts

S.No.	Particulars	
1	Name of the organization	
2	Name of the post	
3	Pay Scale of the post	
4	Date of Vacancy	
5	Mode of recruitment of the post (enclose copy of RRs)	DR/Deputation/Promotion
6	No. of posts in the grade of post proposed to be revived	(a) Sanctioned (b) Vacant (with date)
7	Duties and responsibilities of the post	
8	Functional justification for revival of the post	
9	Efforts made to fill up the post, since date of vacancy (in chronological order with relevant documents)	
10	How the work is being managed in the absence of the post and why this arrangement cannot continue	
11	Possibility of outsourcing/ contract	
12	Financial implication of the revival of post	
13	Matching Savings (Specific posts with pay scales) (FA may certify that these posts are live and not surrendered earlier or recommended by SIU for abolition)	
14	No. of Posts in immediate lower (feeder) grade	(a) Sanctioned (b) Vacant (with date)
15	No. of Posts in immediate higher (promotional) grade	(a) Sanctioned (b) Vacant (with date)
16	Detailed sanctioned strength and vacancy position of the organization (grade-wise)	
17	Whether the post has been offered as matching savings for creation/ revival of any other post	
18	Whether the post has been recommended for abolition by SIU/ IWSU/ ERC	
19	Any other relevant information	
Certificate: It is certified that all such posts under the administrative control of this Ministry/ Department which are vacant for more than 5 years, have been abolished		

Concurrence of JS/ Director (Admin)

Concurrence of Financial Advisor



Manager  
A/ Secdm



**Sub:- Schedule of Employees as on 01.04.2020.**

1. As per the provision under Section 23 of the Major Port Trusts Act 1963:- 'A Board shall, from time to time, prepare and sanction a Schedule of Employees of the Board whom it deems necessary and proper to maintain for the purposes of this Act and such Schedule shall indicate therein the designations and grades of employees and the salaries, fees and allowances which are proposed to be paid to them'.
2. The Schedule of Employees (SoE) - 2019 approved by the Board vide Resolution No.124 dt.23.10.2019 (C-187) was prepared as per the guidelines regarding abolition of posts vacant for more than two years as given in the O.M. dated 12.04.2017 issued by the Ministry of Finance (C-262) and as per the directions/clarifications issued by the Ministry of Ports, Shipping and Waterways. The sanctioned strength as per SoE 2019 is 1999, after abolishing 1306 posts from the strength of 3305 of SoE 2016 (C- 187). During finalization of SoE 2019, 50 posts in the following category were not considered for abolition(C-255).
  - (i) Posts operated on officiating basis
  - (ii) Posts vacant due to deputation of incumbent
  - (iii) Statutory Posts
  - (iv) SC/ST backlog vacancies
  - (v) Recruitment under process
  - (vi) Posts retained due to court cases/ID
  - (vii) Abolition that would fully eliminate the promotional avenues of employees in the feeder post.

Out of 50 posts retained in SoE 2019, 18 posts filled and 32 posts remain vacant as on 01.04.2020(C-254).
3. Schedule of Employees as on 01.04.2020 is required to be prepared and finalized for submission to the Board, in compliance to the Government guidelines regarding abolition of posts vacant for more than two years as given in the O.M. dated 12.04.2017 issued by the Ministry of Finance .
4. Accordingly, the occupancy and vacancy details of posts generated from the system by HR division was forwarded to all HoDs for cross verification of data provided and to correct and confirm the status of vacancy details.
5. Based on the status confirmed by the departments- (GAD)-(C-142 to C-132) (C.I. & II (dealt by GAD)-(C-131-121) (Finance)-C-120 (Traffic)-C117-85 (D.I.D)-C-84-79 (Medical)-C-42-39 (Marine)-C-38-27 (Civil)-C-78-69 (Mechanical)-C68-43, statement showing the department-wise strength position of Class I, II, III & IV posts in Cochin Port Trust as on 01.04.2020 is placed as Appendix-I- Dept.wise (C-163-143) for kind perusal.



Manager  
A' Section

6. As per clause 5.1 (a) of the Ministry of Finance O.M dated 12.04.2017(C-262), all posts except newly created posts, kept in abeyance or remaining vacant for a period of more than 2 years would be considered as 'deemed abolished'. The said O.M. which exempts statutory posts from being abolished is silent about backlog vacancies which are lying vacant for more than 2 years. In view of the above. Ministry's clarification has been sought as to whether SC/ST backlog vacancies lying vacant for more than 2 years can be retained while finalizing Schedule of Employees (C-194). Reply in this regard is awaited from Ministry and the matter is being followed up. In the meantime on the basis of a representation from the SC/ST Federation, the Vice Chairman of National Commission for SCs (NCSC) during his visit to Cochin Port on 30.12.2019 had informed that the Commission would depute a representative to verify the rosters to identify the backlog vacancies (C-227). However the verification could not be carried out due to the travel restrictions pursuant to Covid 19 spread. Hence 8 vacancies reserved for SC/ST (lying vacant for more than 2 years)(C-256) pointed out by departments may be retained in SoE 2020 subject to verification and confirmation by NCSC as backlog vacancies and on receipt of clarification from the Ministry of PS &W, about application of guidelines dt 12.04.2017 for abolition of backlog vacancies.
7. The sanctioned strength after abolishing the posts vacant for more than 2 years may be seen at Column 'H' of the Appendix-I i.e 1832 posts(C-163). Vacant posts more than two years recommended by the HoDs for retaining in SoE 2020 in addition at Column 'H' (vacant Posts retained in SoE 2019 and posts of which vacancy period crossed two years after finalising SoE2019) may be seen at Column 'I' & 'J' respectively (Appendix-I) (C-163). Recommendation/Justification for retaining posts vacant for more than 2 years (indicated at column 'I' & 'J' of the Appendix-I) for inclusion in the SoE 2020 given by the Heads of Departments and observations is placed at Appendix-II for kind perusal (C-172 to C-164).
8. Out of 62 posts recommended by Departments for retaining in SoE 2020, 32 posts at Column 'I' were already retained in SoE 2019 as noted at para.2 above (C-171 to C-168). Out of the remaining 30 posts (Vacant posts crossed 2 years) (C-167-164), only 13 posts as shown below were considered for retaining in SoE 2020 :-
- SC/ST vacant posts - 8 posts. (C-167)  
(Hon'ble Vice Chairman of NCSC during meeting with Management of CoPT on 30.12.2019, informed that an officer from SC Commission will be deputed to identify the backlog vacancies. The shortfall vacancies may be retained till identification of backlog vacancies by NCSC).
  - Posts to which recruitment under process - 1 Post.(C-166)
  - Abolition would fully eliminate promotional avenues of those in feeder grade - 2 Posts. (C-165)
  - Apart from the above 2 posts (Exe.Engineer (C)-1 post & Sr.Dy.Chief Medical Officer- 1 post) are also being proposed for inclusion as proposal sent to the Ministry seeking approval to fill up vacant post by DR.(C-167)
9. Accordingly, the sanctioned strength of posts in the Schedule of Employees as on 01-04-2020 is 1877 (Annexure-1-(C-189).i.e retaining 45 (32 +13) posts lying vacant for more than 2 years due to reasons indicated at Para 8 above in addition to the sanctioned strength of 1832 given at 'Column H' of Annexure-1.



Manager  
in Charge

10. <sup>Further</sup> The draft Schedule of Employees with proposed strength- 1877 as on 01.04.2020 was circulated to all Head of Departments to verify and communicate discrepancies, if any, within the stipulated time for placing before the Board and <sup>with conditions</sup> that if no reply is received, the same will construed as no comments to offer.
11. In response:-  
 (i) Medical Dept. – Approved the draft SoE 2020(C-245)  
 (ii) Finance Dept.- Approved the draft SoE 2020 (C-246).  
 (iii) Marine Dept.- Requested to retain all posts abolished as per draft SoE 2020 due to operational exigencies.(C-240)  
 (iv) Civil Engineering Dept.- Requested to retain all posts abolished ~~as per~~ <sup>in the</sup> draft SoE 2020.(C- 233)  
 (v) Traffic Dept- Requested to retain the post of Welfare Officer (Traffic) being a statutory posting in Traffic Dept. (C- 243)  
 (vi) Mechanical Engg.Dept – Requested to retain HSK-1(Power House)-1 post as employees exist in the feeder post (C-248).

12. On examination, it was noticed that abolished posts pointed out by the Civil & Marine departments to retain in SoE 2020 do not comes under the purview of the criteria mentioned at para.8 for retaining in Schedule of Employees as shown at C-234 & C-242. With regard to Traffic Dept., proposal to retain the post of Welfare Officer (Traffic)(C-243), it is proposed that as the number of employees are coming down, the post of Welfare Officer in GAD may be considered as Welfare Officer for entire Port. As regards operating one post of Dy.Traffic Manager in Fisheries Harbour it may be noted that the post was operated in CFH as on 01.04.2020. One post of HSK-I (Power House) required by Mechl.Engg. Dept. is single cadre post and abolition would fully eliminate promotional avenues in the feeder category hence may retain in the SoE 2020.

*Accordingly, sanctioned strength in SoE 2020 will come to 1878 (ie 1877 + 1 Post of HSK I (Power House)).*

13. In view of the above, Chairman's approval is solicited for the following :-  
 a. To consider the sanctioned strength of posts in the Schedule of Employees as on 01-04-2020 as 1878 (Annexure-1-(C-220)) <sup>ie</sup> retaining 46 (32 +14) posts lying vacant for more than 2 years (Annexure-1(A)- (C-219-214) due to reasons indicated at Para 8 above in addition to the sanctioned strength of 1832 given at 'Column H' of Annexure-1. 121 posts are being abolished from the strength of 1999 of SoE 2019(C-251).

b. Draft Board Note for placing Schedule of Employees as on 01-04-2020 in the ensuing Board Meeting is placed for approval please (C- 264).

*Pos*  
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*[Signature]*  
Manager

*[Signature]*  
Dy. Secretary 29/10/2021  
Asst. Secretary (G-1)

*[Signature]*  
Sr. Dy. Secretary  
2/11/21

*[Signature]*  
Dy. Chairman 4/11/21

DBN along with SOE as on 1.4.2020 is submitted for approval M. *[Signature]*  
Secretary 21/11/21

*[Signature]*  
Chairman



*Pos*  
Manager  
& Secy