



V. SETHUNATH

ADVOCATE , CHAMBER NO. 530

HIGH COURT OF KERALA . KOCHI. Fax - Phone - 0484-4022549 .

Mob. 9447760549

Mail - sethunathv@gmail.com

To. Public information officer, Cochin Port Trust

Sub: application under RTI Act, 2005

Sir/ Madam,

Kindly furnish me the following details and copies, I shall bear expenses.

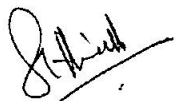
1. Whether Menon & Pai (Lawyer firm) is your retainer counsel now ?
2. Whether Menon & Pai has been removed from the Cochin Port Trust Legal Advisor : if so on what grounds?
3. Whether Menon & Pai had opposed the interest of the port trust in R.F.A No. 378/ 2008 on the file of the Hon: High Court of Kerala ?
4. Whether Menon & Pai being the retainer counsel and appeared in R.F.A No. 378/ 2008 on the file of the Hon: High Court of Kerala had filed Vakkalath for M/s Aspinwall against the interest of the Cochin Port Trust and argued in favour of M/s Aspinwall in the High Court?
5. On account of the professional misconduct of Whether Menon & Pai, whether any financial loss caused to Cochin Port Trust?

6. Whether the matter mentioned above was reported to the Vigilance wing of the Public Sector Undertaking and central Vigilance commission ? If not any sufficient reason for not informing them for the serious offences like this.
7. Whether Cochin Port Trust had filed any petition before Bar Council of Kerala, against the professional misconduct of Whether Menon & Pai ? If not any sufficient reason to protect them ?
8. The possibility of any employees / officers of the Cochin Port Trust behind the land deal of Aspinwall was enquired ?
9. Whether any enquiry conducted with respect to the conspiracy of any official of the Cochin Port Trust with Whether Menon & Pai in the land deal with M/s Aspinwall? If not any cogent reasons for not protecting the interests of the Cochin Port Trust?
10. The True Copy of the Resolution no. 26 (agenda item No. D3) of the cochin port Trust removing Menon & Pai from Port's Legal advisor. I have enclosed postal order worth Rs.10/- as application fee. If any expenses have to be met I shall do it on request by email (sethunathv@gmail.com) or letter

Thanking you in anticipation

Yours faithfully

Dated this the 19th June 2019

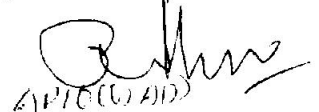


V.SETHUNATH

Reference RUCO/1185/Vs/2019

dt. 30.06.2019

Copy of request is forwarded to the DPID, A Section for furnishing the details sought for by the applicant to the RUCO subject to the provisions under RUCO 2005 and to take dt. 27.06.2019. pls.



DPID (A) Section

forwarded to A Section



AN ISO-9001:2008
ISPS COMPLIANT
PORT

कोचिन पोर्ट ट्रस्ट
COCHIN PORT TRUST

W/Island, Cochin-682009.
Phone: 2582114, 2582118
Fax: +91(484)2668163, 2666512
Email: coptrticeil@gmail.com
Website: www.cochinport.gov.in

वृत्तमाना डा.व.
SPEED POST

SAGARMALA

संख्या /No. GAD/RTI Cell/VS/1185/2019-S

दिनांक: 19th July, 2019

सेवा में/ To,

Shri V. Sethunath,
Advocate, Chamber No. 530,
High Court of Kerala,
Kochi.
Ph. 9447760549.

Sir,

विषय /Sub: Information under the RTI Act, 2005- reg.
संदर्भ /Ref: Your application dated 19.06.2019.

With reference to the above, this is to inform that the concerned section is unable to provide the information sought for at Sl. No 1 to 9, as the applicant has made certain queries only, without specifying any document as per section 2(f) of the RTI Act, 2005. Hence the applicant is requested to clearly specify the document, so that the concerned section can make it available at least cost as per the provisions of RTI Act, 2005.

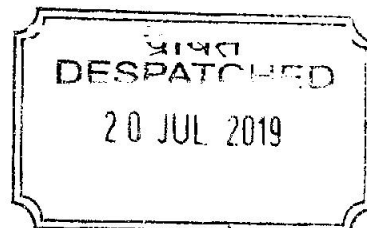
As regards Sl. No. 10, the document comes under section 8(1) (d) of the RTI Act, and hence the information cannot be furnished to a third party.

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

Shri. Goutam Gupta,
Traffic Manager,
Cochin Port Trust,
Cochin - 9.

भवदीया /Yours faithfully,

(Jijo Thomas)
Central Public Information Officer
General Administration Department



V. SETHUNATH

ADVOCATE, CHAMBER NO. 530

HIGH COURT OF KERALA, KOCHI. Fax - Phone - 0484-4022549

Mob. 9447760549

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To. Public information officer, Cochin Port Trust

Sub: application under RTI Act, 2005

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Thanking you in anticipation

Yours faithfully

Dated this the 19th June 2019

V.SETHUNATH

Tom Legat


answered and information furnished to third party in the same letter mentioned above that Legal fees paid to Menon & Pai from 2011 to 2015 without showing any part of documents was furnished by the very same officer(respondent), which means that the respondent had played fraud in denying access to information by seeking protection under Sec. 8(1) (d) of the RTI Act. For the very same question Sl.No. 10 the very same officer(respondent) had furnished to third party on 22nd April 2016 vide Letter no. Secy/RTI/AR/790/2016-S. That means the respondent was playing fraud in denying access to information and respondent may be punished and departmental proceedings may be initiated against the respondent and informing the serious violation to the Central vigilance commission for appropriate action. The appellate authority may kindly furnish the information or direct the respondent to furnish information free of cost.

Dated 07-08-2019

V. Sethunath

V.Sethunath

Edt. No RTI Cell Appeal/VS 201 2019-5

Dt. 13-08-2019

GAD for furnishing the details sought by the applicant to the RTI Cell, GAD subject to the provisions under Sec 8(1)(d) of RTI Act 2005 or or otherwise. 21-08-2019 please.

RECEIVED
14 AUG 2019

[Signature]
APIO(GAD)
RS



कोचिन पोर्ट ट्रस्ट

COCHIN PORT TRUST

W/Island, Cochin-682009.

Phone: 2582003, 2666592.

Fax: +91(484)2668163, 2666512

Email: deputychairman@cochinport.gov.in

Website: www.cochinport.gov.in



संख्या. RTI Cell/Appeal/VS /221/2019-S

दिनांक: 03rd September, 2019

विषय /Sub : Information under the RTI Act, 2005 -reg.

संदर्भ /Ref : Your Appeal dated 07.08.2019.

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I have considered and carefully examined the First Appeal dated 07.08.2019 submitted by you against the decision of Central Public Information Officer (GAD), CoPT on your RTI Application dt. 19.07.2019.

On scrutiny of the Appeal it is understood that the Appellant has made certain queries to the Public Authority. As per the decision of CIC vide Appeal No. CIC/MP/A/2014/0001531 dated 26.05.2015 -"the RTI Act does not cast on the public authority any obligation to answer queries on which a petitioner attempts to elicit answers to his questions with prefixes, such as, why, what, when and whether. 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."

However, a copy of the empanelment order/ renewal order of legal counsel against Sl. No.1 is attached herewith as Annexure - I (1 Page).

The Appeal is disposed off as above.

It is also informed that a Second Appeal 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 .Sudhir Bhargava,  
Chief Information Commissioner,  
Central Information Commission,  
Baba Gangnath Marg,  
Munirka,New Delhi - 110 067

  
(Goutam Gupta)  
Traffic Manager  
Appellate Authority

सेवा में/ To,

Shri V. Sethunath,  
Advocate, Chamber No. 530,  
High Court of Kerala,  
Kochi. (Ph. 9447760549)

