

Ullas a. vs the Director

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Court : Kerala

Decided On : May-13-2022

Judge : Honourable Mr.Justice V.G.Arun

Appeal No. : WP(C)/37590/2017

Appellant : Ullas a.

Respondent : The Director

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE V.G.ARUN FRIDAY, THE 13TH DAY OF MAY 2022 / 23RD VAISAKHA, 1944 WP(C) NO. 37590 OF 2017 PETITIONER/S: ULLAS A. AGED 42 YEARS AGED 42, S/O. ALI, NOW WORKING AS GARDENER,JAWAHARLAL NAHRU TROPICAL BOTANIC GARDEN &RESEARCH INSTITUTE, PALODE, THIRUVANANTHAPURAM,RESIDING AT BLOCK NO.2, ALAYIL, TBG JUNCTION,KARIMANKODE P.O., THIRUVANANTHAPURAM - 695 592. BY ADVS. SRI.R.BINDU (SASTHAMANGALAM) SRI.PRASANTH M.P RESPONDENT/S:

1 THE DIRECTOR JAWAHARLAL NEHRU TROPICAL BOTANIC GARDEN & RESEARCH INSTITUTE, PALODE, THIRUVANANTHAPURAM - 695 562. 2 JAWAHARLAL NEHRU TROPICAL BOTANIC GARDEN RESEARCH INSTITUTE PALODE, THIRUVANANTHAPURAM - 695 562, REPRESENTED BY ITS DIRECTOR. 3 THE KERALA STATE COUNCIL FOR SCIENCE TECHNOLOGY AND ENVIRONMENT, SASTHA BHAVAN, PATTOM P.O., THIRUVANANTHAPURAM - 695 004, REPRESENTED BY THE SECRETARY. 4 STATE OF KERALA REPRESENTED BY THE SECRETARY TO GOVERNMENT, DEPARTMENT OF SCIENCE & TECHNOLOGY, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM - 695 001. BY ADVS. SRI.C.K.KARUNAKARAN SC FOR (TBGARI) GOVERNMENT PLEADER PREMCHAND R NAIR (SR.)

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 07.03.2022, ALONG WITH WP(C).1109/2018 AND WP(C)41113/2017, THE COURT ON 13.05.2022 DELIVERED THE FOLLOWING: -2-

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE V.G.ARUN FRIDAY, THE 13TH DAY OF MAY 2022 / 23RD VAISAKHA, 1944 WP(C) NO. 41113 OF 2017 PETITIONER/S:

1 P.K. RAJENDRAN AGED 55 YEARS AGED 55 YEARS, S/O.P.M.KOCHUKUNJU, DRIVER, KFRI, RESIDING AT PUTHENVEEDU, VILENGANNOOR, PEECHI ROAD, THRISSUR. 2 E.O.MATHAI AGED 56 YEARS AGED 56 YEARS, S/O.LATE E.V.OUSEPH, DRIVER, KFRI, RESIDING AT EDAPPARA HOUSE, BETHENY ROAD, VILANGANNOOR, PEECHI, THRISSUR-680653. 3 T.S.PRAKASH AGED 54 YEARS AGED 54 YEARS, S/O.SANKARAN, HELPER, KFRI, RESIDING AT THEKKILA HOUSE, KANNARA P.O., VETTELAPARA, THRISSUR-680652. 4 RUGMANI C. AGED 58 YEARS

AGED 58 YEARS, W/O.P.PEETHAMBARAN, TYPIST, KFRI, RESIDING AT KOZHIPRA HOUSE, P.O.MANNAMANGALAM, THRISSUR-680014. 5 N.RAJAN AGED 50 YEARS AGED 50 YEARS, S/O.VELAYUDHAN, HELPER, KFRI, RESIDING AT NECHIVETIL HOUSE, KAPPIL P.O., VANDOOOR, MALAPPURAM. 6 K.A.THANKACHAN AGED 52 YEARS AGED 52 YEARS, S/O.AYYAPPAN, HELPER, KFRI, RESIDING KALLAMPILLY HOUSE, PLAMUDI P.O., KOTTAPADI, ERNAKULAM-686692. 7 M.S.SANTHOSH KUMAR AGED 46 YEARS AGED 46 YEARS, S/O.SIVARAMAN, HELPER, KFRI, RESIDING

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AT MADAMPATH HOUSE, PEECHI P.O., THRISSUR-680653. 8 THOMAS I.O. AGED 56 YEARS AGED 56 YEARS, S/O.OUSEPH, HELPER, KFRI, RESIDING AT NJAIYAN HOUSE, KFRI QTRS 1/25,P.O.PEECHI, THRISSUR. 9 T.P.JOHN AGED 57 YEARS AGED 57 YEARS, S/O.T.A.POLOUSE, HELPER, KFRI, RESIDING AT THOTTUMKARYIL HOUSE, VILANGANUR, PEECHI P.O., THRISSUR-680652. 10 P.S.KADEEJA AGED 49 YEARS AGED 49 YEARS, S/O.SAITHALY, HELPER, KFRI, RESIDING AT POONERI HOUSE, VELYPADAM P.O., VETTINGAPADAM- 680303. 11 SIMON T.O. AGED 52 YEARS AGED 52 YEARS, S/O.OUSEPH T.C., HELPER, KFRI, RESIDING AT THARAKAN HOUSE, MANNUTHY P.O., THRISSUR-680651. 12 C.P.UMMER AGED 49 YEARS AGED 49 YEARS, S/O.MOIDEEN, HELPER, KFRI, RESIDING AT CHOLAKKAPARAMBIL HOUSE, RAMANKUTH P.O, NILAMBUR- 670330. 13 V.L.ALPHONSA AGED 57 YEARS AGED 57 YEARS, S/O.LONA, HELPER, KFRI, RESIDING AT VAZHAPPILLY HOUSE, VELYPADAM P.O., THRISSUR-680303. 14 A.V.CHAMY AGED 55 YEARS AGED 55 YEARS, S/O.VELLA, HELPER, KFRI, RESIDING AT KFRI QUARTERS 1/13, PEECHI P.O., THRISSUR. 15 K.KRISHNADASAN AGED 59 YEARS AGED 59 YEARS, S/O.NARAYANAN NAIR, HELPER, KFRI, RESIDING AT KALATHINGAL HOUSE, NILAMBUR P.O.-679329. 16 SURESH M.K.

AGED 46 YEARS AGED 46 YEARS, S/O.KOCHUMON M.M., HELPER, KFRI, RESIDING AT MANGALAN HOUSE, KFRI QUARTERS 17 C.B.SAJY AGED 45 YEARS

-4- AGED 45 YEARS, S/O.C.G.BALAN, HELPER, KFRI, RESIDING AT CHILLAYIMADATHIL HOUSE, KARADEYALLA, KANNARA P.O., THRISSUR-680652. 18 T.P.VALSAN AGED 50 YEARS AGED 50 YEARS, S/O.T.S.PARAMESWARAN, HELPER, KFRI, RESIDING AT THYVALAPPIL HOUSE, CHOOLISSERY P.O., THRISSUR-680541. BY ADVS. SRI.THAMPAN THOMAS SRI.JACOB CHACKO SRI.B.V.JOY SANKER RESPONDENT/S:

1 KERALA FOREST RESEARCH INSTITUTE PEECHI P.O., THRISSUR-680653, KERALA, REPRESENTED BY ITS DIRECTOR. 2 KERALA STATE COUNCIL FOR SCIENCE TECHNOLOGY AND ENVIRONMENT KSCSTE SASTHRA BHAVAN, PATTOM, THIRUVANANTHAPURAM, PIN- 695004, REP. BY ITS EXECUTIVE VICE PRESIDENT. 3 MEMBER SECRETARY KERALA STATE COUNCIL FOR SCIENCE, TECHNOLOGY AND ENVIRONMENT (KSCSTE), SASTHRA BHAVAN, PATTOM, THIRUVANANTHAPURAM, PIN-695004 4 STATE OF KERALA REPRESENTED BY THE PRINCIPAL SECRETARY,SCIENCE & TECHNOLOGY DEPARTMENT, THIRUVANANTHAPURAM-695001. ADDL.R5 HERALD WILSON, AGED 52, S/O.HENTRY, DRIVER, KERALA FOREST RESEARCH INSTITUTE, PEECHI, THRISSUR - 680653. NOW RESIDING AT QUARTERS NO.1/12, KERALA FOREST RESEARCH INSTITUTE, PEECHI, THRISSUR - 680653 BY ADVS. GOVERNMENT PLEADER SRI.V.VENUGOPAL ADDL. R5-R.T.PRADEEP M.BINDUDAS K.C.HARISH ADDL.R5 IS IMPEADED AS PER ORDER DATED 8.9.2021 IN

I.A.1/2021 THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 07.03.2022, ALONG WITH WP(C).1109/2018 AND WP(C) 37590/2017, THE COURT ON 13.05.2022 DELIVERED THE

FOLLOWING: -5-

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR.JUSTICE V.G.ARUN FRIDAY, THE
13TH DAY OF MAY 2022 / 23RD VAISAKHA, 1944 WP(C) NO. 1109 OF
2018 PETITIONER/S:

1 VASANTHA KUMARI AGED 55 YEARS, W/O. LATE VIJAYAKUMAR M, OFFICE ATTENDANT KERALA STATE COUNCIL FOR SCIENCE, TECHNOLOGY AND ENVIRONMENT (KSCSTE), RESIDING AT OOLANVILA, KRA-185, NALANCHIRA P.O., THIRUVANANTHAPURAM-695 015. 2 PRASANNAKUMARI C.S AGED 52 YEARS, W/O. GANGAN, OFFICE ATTENDANT KERALA STATE COUNCIL FOR SCIENCE, TECHNOLOGY AND ENVIRONMENT (KSCSTE), RESIDING AT PERUNTHRA MELA, AIBI BHAVAN, KARIAVATTOM P.O., THIRUVANANTHAPURAM. 3 SELIN N.S AGED 38 YEARS, W/O. JOY THOMAS, OFFICE ATTENDANT KERALA STATE COUNCIL FOR SCIENCE, TECHNOLOGY AND ENVIRONMENT (KSCSTE), RESIDING AT MECHIRAGATHU HOUSE, MANJAPPARA, THALIKUZHAY P.O., THIRUVANANTHAPURAM-695 612. 4 SAVITHRY R AGED 54 YEARS, W/O. LATE RADHAKRISHNAN, OFFICE ATTENDANT KERALA STATE COUNCIL FOR SCIENCE, TECHNOLOGY AND ENVIRONMENT (KSCSTE), RESIDING AT KAVUVILA PUTHENVEEDU, T.C LANE 34, KURAVANKONAM, THIRUVANANTHAPURAM. 5 JOSHI K VARUGHESE AGED 37 YEARS, S/O. K.V. VARKEY, OFFICE ATTENDANT KERALA STATE COUNCIL FOR SCIENCE, SREENIVASA RAMANUJAN INSTITUTE FOR BASIC SCIENCES, RESIDING AT KALAYIL HOUSE, PUTHUPPALLY P.O., KOTTAYAM-686 011. 6 CHANDRI C.P AGED 54 YEARS, D/O. CHINDHAMONY, CLERICAL ASSISTANT KERALA STATE COUNCIL FOR SCIENCE, TECHNOLOGY AND ENVIRONMENT (KSCSTE), RESIDING AT 57/1038,

PARAPPACHANVILA, KALADY,KARAMANA P.O.,
THIRUVANANTHAPURAM 695 002. 7 VIDHYA BHADRAN AGED 30
YEARS, W/O. JAYAPRASAD K.R,CLERICAL ASSISTANT,KERALA
STATE COUNCIL FOR SCIENCE,TECHNOLOGY AND
ENVIRONEMNT (KSCSTE),RESIDING AT MUDEETHARA
VADAKKATHIL, PUTHIAVILA P.O., ALAPPUZHA 690 531. 8 BEENA
C.N AGED 43 YEARS, W/O. T.D. PRADEEPKUMAR,ASSISTANT
SRINIVASA RAMANUJAN INSTITUTE FOR BASIC
SCIENCES,RESIDING AT THEKKEDATHU YOGAKSHEMA, OLD
BOAT JETTY ROAD, KOTTAYAM-686 001. 9 GRISH KUMAR S AGED
51 YEARS, S/O. SADASIVAN NAIR M.G,HELPER KERALA STATE
COUNCIL FOR SCIENCE,TECHNOLOGY AND ENVIRONMENT
(KSCSTE),RESIDING AT AMBIKA BHAVAN, MACHEL
P.O.,MALAYINKIL VIA, THIRUVANANTHAPURAM-695 571. 10 LALAN
R AGED 34 YEARS, S/O. ROBINSON,GARDNER (SKILLED
ASSISTANT),JAWAHARLAL NEHRU TROPICAL BOTANIC GARDEN &
RESEARCH INSTITUTE (JNTBGRI), RESIDING AT BLOCK NO. 14,
JAWAHAR COLONY,EX.COLONY P.O., PALODE,
THIRUVANANTHAPURAM-695 562. BY ADVS. SRI.THAMPAN
THOMAS SRI.JACOB CHACKO SRI.B.V.JOY SANKER

RESPONDENT/S:

1 KERALA STAE COUNCIL FOR SCIENCE TECHNOLOGY AND
ENVIRONMENT (KSCSTE),SASTHRA BHAVAN, PATTOM,
THIRUVANANTHAPURAM,PIN-695 004, REP. BY ITS EXECUTIVE
VICE PRESIDENT. 2 MEMBER SECRETARY KERALA STATE
COUNCIL FOR SCIENCE,TECHNOLOGY AND ENVIRONMENT
(KSCSTE),SASTHRA BHAVAN, PATTOM, THIRUVANANTHAPURAM-
PIN-695 004. 3 SRINIVASA RAMANUJAN INSTITUTE FOR BASIC
SCIENCES SRIBS VELLOOR P.O., PAMPADY, KOTTAYAM-686
501,REPRESENTED BY ITS DIRECTOR.

4 CENTRE WATER RESOURCES DEVELOPMENT AND MANAGEMENT CWRDM KUNNAMANGALAM, KOZHIKODE-673 571, REPRESENTED BY ITS DIRECTOR 5 JAWAHARLAL NEHRU TROPICAL BOTANIC GARDEN RESEARCH INSTITUTE JNTBGRI PALODE, THIRUVANANTHAPURAM-695 562, REPRESENTED BY ITS DIRECTOR. 6 STATE OF KERALA REPRESENTED BY THE PRINCIPAL SECRETARY, SCIENCE & TECHNOLOGY DEPARTMENT, THIRUVANANTHAPURAM-695 001. BY ADVS. GOVERNMENT PLEADER SRI.ANOOP P.V., SC, CWRDM

OTHER PRESENT: SC FOR KSCSTE AND NATPAC P.C.SASIDHARAN; GP VENUGOAPL V AND SR. GP PREMCHAND R. NAIR; ADV. IMAM GRIGORIOS KARAT FOR KFRI THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 07.03.2022, ALONG WITH WP(C).37590/2017 AND 41113/2017, THE COURT ON 13.05.2022 DELIVERED THE FOLLOWING: -8-

JUDGMENT

Dated this the 13th day of May, 2022 The petitioners are working in various posts in the research institutions under the Kerala State Council for Science and Technology (KSCSTE), an autonomous body under the Ministry of Science and Technology, Government of Kerala, constituted in November 2002. Initially, there were six institutions under the KSCSTE undertaking research work in identified domains. The institutions are the Centre for Water Resources Development and Management (CWRDM), the Kerala Forest Research Institute (KFRI), the National Transportation Planning and Research Centre (NATPAC), the Jawaharlal Nehru Tropical Botanic Garden and Research Institute (JNTBGRI), the Malabar Botanical Garden & Institute for -9- Plant Sciences (MBGIPS) and the Kerala School of Mathematics (KSoM). On 19.06.2003, the KSCSTE framed its own rules for regulating the conditions of service and other related matters of the employees in the various institutions under it.

2. The petitioners were appointed to some

of the above mentioned institutions, initially on daily wages and thereafter on contractual basis. Their service was later regularised against sanctioned posts. While so, the KSCSTE implemented regular scale of pay for the employees in all its institutions. The benefit of regular scale of pay and revision of pay based on the previous Pay Revision Commission's recommendations was extended to the petitioners along with the other employees. By G.O.(MS) No.6/2017/S&TD dated 17.10.2017, the Government -10- approved the proposal for revision of pay and allowances of the employees submitted by the KSCSTE. The approval was granted subject to the condition that no person shall be appointed to any post created without prior approval of the Government and that pay revision will not be allowed for such posts. On its part, the KSCSTE also issued Ext.P12 communication, directing that revision of pay shall not be allowed to those employees whose service was regularised without Government approval. This resulted in the petitioners being denied the benefit of pay revision, despite their service having been regularised against sanctioned posts long back. Hence, the writ petitions. For the sake of convenience the Exhibits and parties are described as in W.P(c) No. 1109 Of 2018.

3. Advs.Thampan Thomas and R. Bindu

-11- Sasthamangalam, learned Counsel for the petitioners, submitted that, having regularised the service of the petitioners long back and having implemented regular pay scale and their pay having been revised in accordance with the previous pay revision recommendations, the respondents cannot turn around and deny the benefit of the pay revision sanctioned as per Ext.P11 to the petitioners, on the specious reasoning that their service was regularised without obtaining prior approval from the Government. It is pointed out that the decision to regularise the service of the petitioners was taken by the Council of the KSCSTE consisting of the Chief Minister and other ministers, as also the Secretaries of various Government Departments. The decision was ratified by the Executive Committee with the concurrence of the -12- Government. As such, it is not open for the respondents to contend that, regularisation of petitioners' service and grant of

consequential benefits is bad for want of Government approval. The further contention is that the interdiction in Ext. P11 Government Order will not apply to the petitioners, as they were appointed against sanctioned posts.

4. Senior Government Pleader V.Venugopal

contended that, having made a backdoor entry into public service by clandestinely getting their service regularised, the petitioners have no right to seek the benefit of pay revision. It is contended that the very appointment of the petitioners being in contravention of the specific directions of the Supreme Court in *State of Karnataka and others v. Uma Devi and others* [2006(4) SCC 1], their right to continue in -13- service itself is doubtful, let alone the right

for revision of pay. In the Government order

sanctioning pay revision it is specifically stated that the Government had found some disparities in the proposal submitted by the KSCSTE and therefore, only the categories included in the previous pay revision order and posts for which post creation orders were available will be considered for revision. The Government had also indicated that no person should be appointed to posts created without prior sanction and pay revision will not be applicable to the posts created without approval. Reliance is placed on the decision in *Retired Teachers and Employees Union and others v. State of Kerala and others* [2012 (1) KHC 323] to contend that an employee has no vested right to demand implementation of the pay revision - 14- recommendations.

5. Advocates P.C. Sasidharan, C.K.

Karunakaran and P.V.Anoop, appearing for the KSCSTE and its institutions, adopted the contentions urged by the learned Government Pleader, Adv.R.T.Pradeep appearing for the additional 5th respondent in W.P.(C) No.41113 of 2017 supported the arguments advanced by the petitioners.

6. A perusal of the documents produced by

the petitioners reveals that their service was regularised on various dates between 2010-2014. The decision of the Council to regularise their service was ratified by the Executive Committee also. It is pertinent to note that the Council of the KSCSTE consist of the following persons; Chief Minister President Minister for Industries Vice President Minister for Finance Minister for Agriculture -15-

Minister for Health Minister for Education Minister for Forests Minister for Water Resources Vice Chairman, State Planning Board Chief Secretary to Govt. of Kerala Executive Vice President Secretary, Department of Science and Technology, Government of India Vice Chancellors of Cochin University of Science and Technology and Kerala Agricultural University Secretary to Government, Finance Department Five eminent persons nationally known for their expertise in S&T, Industry and Environment (nominated by Government) Director, Vikram Sara Bai Space Centre, Thiruvananthapuram Director, Regional Research Laboratory, Thiruvananthapuram Director, Sree Chitra Tirunal Institute for Medical Sciences and Technology, Thiruvananthapuram Secretary to Government, Planning and Economic Affairs Department Member Secretary (nominated by Government)

-16- Directors of two Science and Technology Institutions under the Council to be nominated in rotation by the President/Government

As such, there is merit in the contention that the Government cannot feign ignorance about the decision taken by the Council. Moreover, Ext P2 shows that, at least in the case of the first petitioner, a proposal had been submitted to the Government seeking ratification of the appointment. As directed by the Government, the proposal was placed before the Executive Committee and the Committee ratified the Councils decision to regularise the first petitioner's service. In such circumstances, it is doubtful whether, at a later point of time, the respondents can contend that the appointment of the petitioners is bad for want of Government approval. -17-

7. It is true that in Ext.P11 order

sanctioning pay revision for the employees of the KSCSTE, the Government has mentioned about the disparities in the proposal submitted by the KSCSTE and has made it clear that only the categories included in the pay revision order and posts for which post creation orders were available shall be considered for revision. The posts for which sanction is accorded for revising the scale of pay is separately shown in the order. The respondents have no case that the posts held by the petitioners are not included in the order or that the petitioners' appointment were not against sanctioned posts. On the other hand, the respondents are relying on Clauses (i), (k) and (o) in Ext.P11 Government order to deny the petitioners claim for revision of pay. Being so, it will be beneficial to refer to -18- Clauses (i), (k) and (o) in EXt.P11;

(i) No creation/upgradation/abolition/re- designation of post will be done without prior Government approval.

(k) No person shall be appointed (whether full time, part time, provisional, temporary, contract or daily wages) to posts created without prior Government sanction.

(o) This pay revision will not be applicable to posts, if any, created without Government approval in violation of Government

order read as 1st paper above.

A careful scrutiny of the above clauses would show that the interdiction in Clause (i) is against creation/upgradation/abolition/ re-designation of posts without prior Government approval. Clause (k) prohibits appointment of persons to posts created without prior Government sanction and Clause (o) makes it clear that pay revision will not be applicable to posts, if any created without Government approval. As already mentioned, neither the Government nor the KSCSTE -19- has a contention that the petitioners were not appointed against sanctioned posts. Their contention is that the petitioners were regularised without obtaining prior sanction from the Government. It is nowhere stated in Ext.P11 that pay revision will not be applicable to persons regularised without getting prior approval from the Government. As such, Ext.P12 decision of the first respondent, to keep in

abeyance the revision of pay in respect of employees regularised without Government permission, is not in tune with the clauses in Ext.P11 Government order. Therefore, the first respondent is bound to have a re-look at the claim raised by the petitioners. In the result, the writ petitions are disposed of directing the first respondent to consider the issue regarding revision of pay of -20- the petitioners based on Ext.P11 (G.O.(MS) No.6/2017/S&TD dated 17.10.2017) expeditiously and to take a decision thereon strictly in terms of the relevant clauses in the Government order. The decision shall be taken untrammelled by the observation in Ext.P12 communication (No.610/C1/2016/KSCSTE dated 27.10.2017), after affording an opportunity of hearing to the petitioners or their chosen representative, as also the additional 5th respondent in W.P.(C) No.41113 of 2017. V.G.ARUN JUDGE ScI/ -21- APPENDIX OF WP(C) 37590/2017 PETITIONER EXHIBITS EXHIBIT P1 TRUE COPY OF THE LETTER ISSUED BY THE

CONTROLLER OF ADMINISTRATION, KERALA STATE COUNCIL FOR SCIENCE, TECHNOLOGY AND ENVIRONMENT DATED 01.6.2012.

EXHIBIT P2 TRUE COPY OF THE ORDER ISSUED BY THE 1ST RESPONDENT DATED 04.6.2012. EXHIBIT P3 TRUE COPY OF THE ORDER DATED 09.7.2013. EXHIBIT P4 TRUE COPY OF THE ORDER DATED 17.10.2017. EXHIBIT P5 TRUE COPY OF THE ORDER DATED 27.10.2017. RESPONDENT'S EXHIBITS R4(A) A COPY OF THE LETTER DATED 22.11.2018 R4(B) A COPY OF THE MINUTES OF THE 11TH ANNUAL GENERAL MEETING OF THE STATE COUNCIL DATED 03.10.2016 -22- APPENDIX OF WP(C) 41113/2017 PETITIONER EXHIBITS EXHIBIT P1 TRUE COPY OF THE LETTER ISSUED BY THE 1ST RESPONDENT TO THE 2ND RESPONDENT DATED 21-07-2006. EXHIBIT P2 TRUE COPY OF THE ORDER LETTER ISSUED BY THE 3RD RESPONDENT TO THE 1ST RESPONDENT DATED 3-01-2012. EXHIBIT P3 TRUE COPY OF THE ORDER DATED 7-01-2012 ISSUED BY THE 1ST RESPONDENT. EXHIBIT P4 TRUE COPY OF THE ORDER DATED 26-05-2012 OF THE 3RD RESPONDENT. EXHIBIT P5 TRUE COPY OF THE LIST OF SANCTIONED POSTS OF 1ST RESPONDENT APPROVED BY THE 4TH RESPONDENT. EXHIBIT P6 TRUE COPY OF THE ORDER NO.G.O.

(MS)NO.06/2017/S&TD DATED 17-10-2017. EXHIBIT P7 TRUE COPY OF THE ORDER OF THE 3RD RESPONDENT DATED 27-10-2017. RESPONDENT'S EXHIBITS R4(A) A COPY OF THE LETTER DATED 22.11.2018 R4(B) A COPY OF THE MINUTES OF THE 11TH ANNUAL GENERAL MEETING OF THE STATE COUNCIL DATED 03.10.2016 -23- APPENDIX OF WP(C) 1109/2018 PETITIONER EXHIBITS EXHIBIT P1 TRUE COPY OF THE ORDER NO DATED 29.05.2013. EXHIBIT P2 TRUE COPY OF THE ORDER NO. DATED 12.11.2014

EXHIBIT P3 TRUE COPY OF THE ORDER

NO.189/2014/KSCSTE ISSUED BY THE 1ST RESPONDENT DATED 16.10.2014 REGULARIZING THE ABOVE PETITIONERS IN THE SERVICE OF THE 1ST RESPONDENT.

EXHIBIT P4 TRUE COPY OF THE APPOINTMENT LETTER ISSUED BY THE 1ST RESPONDENT DATED 29.11.2010 EXHIBIT P5 TRUE COPY OF THE CERTIFICATE ISSUED BY THE 1ST RESPONDENT DATED 29.01.2011 EXHIBIT P6 TRUE COPY OF THE ORDER NO. RESPONDENT DATED 27.07.2012. EXHIBIT P7 TRUE COPY OF THE ORDER NO. DATED 25.08.2014. EXHIBIT P8 TRUE COPY OF THE ORDER OF APPOINTMENT DATED 09.10.2009 EXHIBIT P9 TRUE COPY OF THE ORDER NO. 2ND RESPONDENT.

EXHIBIT P10 TRUE COPY OF THE APPOINTMENT ORDER

DATED 11.01.2005 EXHIBIT P11 TRUE COPY OF THE ORDER NO. G.O.MS NO. ANNEXURE. EXHIBIT P12 TRUE COPY OF THE ORDER NO. 610/C1/2016/KSCSTE OF THE 1ST RESPONDENT DATED 27.10.2017. -24- RESPONDENT'S EXHIBITS R4(A) A COPY OF THE LETTER DATED 22.11.2018 R4(B) A COPY OF THE MINUTES OF THE 11TH ANNUAL GENERAL MEETING OF THE STATE COUNCIL DATED 03.10.2016

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