

Kerala High Court

Dr.Shine S.R vs State Of Kerala on 23 July, 2020

WP(C).No.38902&41711 OF 2017

1

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE SMT. JUSTICE P.V.ASHA

THURSDAY, THE 23RD DAY OF JULY 2020 / 1ST SRAVANA, 1942

WP(C).No.38902 OF 2017(K)

PETITIONER/S:

- 1 DR.SHINE S.R  
ASSOCIATE PROFESSOR, DEPARTMENT OF AEROSPACE  
ENGINEERING, INDIAN INSTITUTE OF SPACE SCIENCE AND  
TECHNOLOGY,VALIAMALA, THIRUVANANTHAPURAM-695547.
- 2 DR.BIJU DAS C.R.  
ASSOCIATE PROFESSOR, DEPARTMENT OF AEROSPACE  
ENGINEERING,INDIAN INSTITUTE OF SPACE SCIENCE AND  
TECHNOLOGY,VALIAMALA, THIRUVANANTHAPURAM-695547.

BY ADV. SRI.S.VISHNU

RESPONDENT/S:

- 1 STATE OF KERALA  
REPRESENTED BY ITS ADDITIONAL CHIEF SECRETARY  
(FINANCE),FINANCE (PENSION B) DEPARTMENT,  
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695001.
- 2 THE DIRECTOR OF TECHNICAL EDUCATION  
THE DIRECTORATE OF TECHNICAL EDUCATION,  
PADMAVILASOM STREET, FORT P.O., THIRUVANANTHAPURAM-  
695023.
- 3 THE DIRECTOR  
INDIAN INSTITUTE OF SPACE SCIENCE AND TECHNOLOGY,  
VALIAMALA, THIRUVANANTHAPURAM-695547.
- 4 THE CHAIRMAN, BOARD OF MANAGEMENT  
INDIAN INSTITUTE OF SPACE SCIENCE AND  
TECHNOLOGY,VALIAMALA, THIRUVANANTHAPURAM-695547.
- 5 THE SECRETARY  
ISRO HEADQUARTERS, DEPARTMENT OF SPACE, ANTARIKSH  
BHAVAN, BANGALORE-560094.

R3-5 BY SRI.SUVIN R.MENON, CGC  
WP(C).No.38902&41711 OF 2017

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OTHER PRESENT:

SMT.DIVYA.C.BALAN ,GP

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON  
23.07.2020, ALONG WITH WP(C).41711/2017(L), THE COURT ON THE  
SAME DAY DELIVERED THE FOLLOWING:

WP(C).No.38902&41711 OF 2017

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE SMT. JUSTICE P.V.ASHA

THURSDAY, THE 23RD DAY OF JULY 2020 / 1ST SRAVANA, 1942

WP(C).No.41711 OF 2017

PETITIONER/S:

- 1 DR. ANUP.S  
ASSOCIATE PROFESSOR, DEPARTMENT OF AEROSPACE  
ENGINEERING, INDIAN INSTITUTE OF SPACE SCIENCE AND  
TECHNOLOGY, VALIAMALA, THIRUVANANTHAPURAM-695 547.
- 2 DR.DEEPU M.,  
ASSOCIATE PROFESSOR, DEPARTMENT OF AEROSPACE  
ENGINEERING, INDIAN INSTITUTE OF SPACE SCIENCE AND  
TECHNOLOGY, VALIAMALA, THIRUVANANTHAPURAM-695 547.
- 3 DR.ANILKUMAR  
PROFESSOR, DEPARTMENT OF MATHEMATICS, INDIAN  
INSTITUTE OF SPACE SCIENCE AND TECHNOLOGY,  
VALIAMALA, THIRUVANANTHAPURAM-695 547.

BY ADVS.  
SRI.S.VISHNU  
SRI.M.J.AJITH MOHAN

RESPONDENT/S:

- 1 STATE OF KERALA

REPRESENTED BY ITS ADDITIONAL CHIEF SECRETARY  
(FINANCE), FINANCE (PENSION B) DEPARTMENT,  
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695 001.

2 THE DIRECTOR OF TECHNICAL EDUCATION  
THE DIRECTORATE OF TECHNICAL EDUCATION,  
PADMAVILASOM STREET, FORT P.O., THIRUVANANTHAPURAM-  
695 023.

3 THE DIRECTOR,  
INDIAN INSTITUTE OF SPACE SCIENCE AND TECHNOLOGY,  
VALIAMALA, THIRUVANANTHAPURAM-695 547.

4 THE SECRETARY,  
ISRO HEADQUARTERS, DEPARTMENT OF SPACE, ANTARIKSH  
WP(C).No.38902&41711 OF 2017

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BHAVAN, BANGALORE-560 094.

SRI.SUVIN R.MENON, CGC  
SMT.DIVYA C.BALAN, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON  
23.07.2020, ALONG WITH WP(C).38902/2017(K), THE COURT ON THE  
SAME DAY DELIVERED THE FOLLOWING:

WP(C).No.38902&41711 OF 2017

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#### JUDGMENT

[ WP(C).38902/2017, WP(C).41711/2017 ] Dated this the 23rd day of July 2020 The petitioners in both these cases, who are presently working in the Indian Institute of Space Science and Technology ('IIST' for short), Valiamala, are aggrieved by the rejection of their request for pro-rata pension by the Government towards the service rendered by them under the Government/aided Colleges prior to their joining IIST. The parties and documents referred to in the judgment are as described in W.P.(C) Nos.38902 of 2017 unless specified otherwise.

2. The petitioners in W.P.(C) No.38902 of 2017 were appointed as Lecturers in Mechanical Engineering under the Directorate of Technical Education on 15.01.2001 as per Ext.P1 order. In W.P.(C) No.41711 of 2017, the 1st petitioner worked as Lecturer in Mechanical Engineering and thereafter as Assistant Professor under the Directorate of Technical Education for the period from 09.07.1999 to 09.9.2009; 2nd petitioner worked as Lecturer and as Senior Grade Lecturer in Mechanical Engineering in NSS College of Engineering, Palakkad, an aided College for the period from 09.02.2001 to 01.02.2008 and the 3rd petitioner worked as Lecturer in Mathematics and thereafter as Lecturer Senior Grade in Mathematics in St. Johns College, Anchal, an aided College from 27.09.1996 to 04.09.2007. WP(C).No.38902&41711 OF 2017

3. While the petitioners were working in the respective posts in the Govt/aided Engineering/Arts & Science Colleges in Kerala, the Department of Space published a notification inviting applications for appointment to the post of Readers in Mechanical Engineering at IIST. On the basis of the application submitted by the petitioners through proper channel, they were appointed in IIST as per Exts.P3 and P3(a) orders dated 13.08.2007.

4. It is stated that the IIST is a Deemed University under section 3 of the UGC Act, 1956 and functions as an autonomous body under the Department of Space, Government of India. As petitioners were under the bonded obligation to serve the Government for a period of 4 years from June 2006, the IIST as per Ext.P4 and Ext.P4(a) letters dated 16.08.2007, informed the Government that the Bond is transferable to IIST and that it has no objection to appoint the petitioners subject to production of a fresh bond executed with IIST for the remaining bond period and requesting to relieve the petitioners to join duty in IIST. It is stated that as per Ext.P5, petitioners were relieved from duty from the Technical Education Department with effect from 06.09.2007 to take up the new employment in IIST. Petitioners joined duty on 07.09.2009 after executing Ext.P6 bond in continuance of their bonded obligation with the State Government. It is pointed out that based on correspondence between the Director of Technical Education and IIST in Exts.P7 WP(C).No.38902&41711 OF 2017 to P10 letters the Government transferred the GPF account in respect of the petitioners to ISST on 08.01.2010 and 07.01.2010. The 3rd respondent thereafter addressed the Accountant General in Exts.P11 and P12 letters requesting to transfer the pension liability and service book of the petitioners for counting their past service, pointing out that IIST is an autonomous body and the employee who joined it from other Government/autonomous bodies having a pension scheme after technical resignation are enabled to count their past service as per OM dated 29.08.1984.

5. As there was no positive action, the 3rd respondent again addressed the Government with Ext.P14 letter dated 10.01.2017 stating that the previous employers of all those who joined ISST from various Kerala State Government Organisations, except the 6 faculty members, have remitted the pension liability. But as per Ext.P15 letter dated 06.02.2017 the Government informed the Registrar of the IIST that as per GO(P) No.893/1978/Fin dated 30.12.1978 and GO(P) No.383/1989/Fin dated 29.08.1989 payment of pro-rata pension of an employee who has been absorbed by the employer in public interest should be with the consent of parent department. It was stated that as per circular dated 04.12.1999 it has been clarified that if one gets appointment in a PSU, Local Body or a University while in the State service after applying with reference to a notification, role of employer is limited. In this case, the Government had issued only an NOC to the effect that Department has no WP(C).No.38902&41711 OF 2017 objection in sparing the service of petitioners, if selected based on the application routed through the Head Office and that it did not mean that Government would share the pensionary benefits for the period they served under it. It is stated that if the appointment was made on the basis of the notification issued and the employee applied for his own convenience, it is not obligatory on the part of the former employer to share the pro-rata pensionary liability for the past service in Central or the State service. It was further stated that there was no provision in the KSRs/Government orders to reckon the services in a Central Government autonomous body with state Government Service and vice versa.

6. The petitioners are challenging Ext.P15 order pointing out that the Government has issued various orders relating to liability to pay pro-rata pension. It is pointed out that all these orders have been issued on the basis of correspondence between Government of India and the State Government and that whenever the Government of India issued orders offering pro-rata liability in respect of the past service rendered by the Central Government employees on appointment in State Government and State Government Undertakings, Government of Kerala also has been issuing orders in reciprocity. The petitioner points out that subsequent to the circular issued in 1999 pointed out in Ext.P15 the Government had issued Ext.P28 order dated 12.11.2002 in which it is stated as follows:

WP(C).No.38902&41711 OF 2017 "As per G.O. 1st cited Government have issued Orders/Guidelines for reckoning the service rendered in Government of India Departments/Central Autonomous Bodies/State Government Departments/State Autonomous Bodies/Public Sector Undertakings, etc. for pensionary benefits consequent on permanent absorption after deputation in State Government Departments/State Autonomous Bodies and vice versa; As per the Circular dated 4.12.1999, the mobility and other details applicable have been further clarified. However, these Orders cover the cases of permanent absorption after deputation only. There are no rules regarding the reckoning of former service in Government of India/Central Public Sector Undertakings followed by fresh appointments in the State Service, based on recruitment methods for new appointments. In the letter read as 2 nd paper above, Government of India had earlier communicated their concurrence to share proportionate liability on service share basis for counting the service under them for pensionary benefits under State Government. But this has not been adopted in this State so far.

Government have examined the matter in detail and are pleased to order that the employees of the State Government Departments who left the former service in Central Government/Central Public Sector Undertakings on their own volition for taking up appointment in State Government Departments will be allowed to reckon their prior service for all pensionary benefits along with the service in the State Government Department if the former employer remits the share of proportionate pro- rata pensionary liability on a service-share basis. These orders will take effect, including monetary effect, only from the date of this Order and individual cases otherwise settled will not be re-opened. The aforesaid order was issued taking note of the fact that the Government of India had earlier communicated their concurrence to share proportionate liability on service share basis for counting the service under them for pensionary benefits under the State Government as per letter dated 31.03.1982.

7. Along with the reply affidavit the petitioners have produced Ext.P29 order issued by the Government on 06.12.2003. It is stated therein that the Government had as per G.O(P) No.703/02/Fin dated 12.11.2002 (Ext.P28) ordered that the WP(C).No.38902&41711 OF 2017 employees of State Government Department who left the former service in Central Government/central Public Sector Undertakings on their own volition for taking up appointment in State Government Departments will be allowed to reckon their prior service for all pensionary benefits along with the service in the State Government Departments if the former employer remits the share of proportionate pro-rata pensionary liability on a service share basis. It was stated that the Accountant General had requested to modify the Government order in tune with the order dated 31.03.1987 on the basis of prior service rendered by the Central Government employees in State

Government and vice versa; the liability of pension including gratuity, will be borne in full by the Central Government/State Government of which the Government servant permanently belongs at the time of retirement and no recovery of proportionate pension will be made from Central Government/State Government under whom he had served. However it was made clear that in the case of those who left the former service in the Central Public Sector undertakings the orders issued in the Government order dated 12.11.2002 would stand. It was further clarified that the order dated 31.03.1987 (Ext.P25) would be revived. Government had issued Ext.P25 order dated 31.03.1987 on the basis of OM dated 28.10.1984 of the Government of India which provides for counting of service of Central Government employees going over to Central Autonomous Bodies or vice-versa or between Central WP(C).No.38902&41711 OF 2017 Autonomous bodies for pension subject to certain conditions. It is stated that as per a subsequent letter dated 17.02.1986 the Government of India had agreed to extend the benefit of that order to the employees of the Central Government absorbed in the State Government and State autonomous bodies and vice versa and orders in this respect have to be issued by the respective State Government. The Government have examined the matter in detail in consultation with the Government of India and ordered that where an employee under the State Government/State Autonomous body, borne on pensionable establishment is allowed to be absorbed in Government of India/Autonomous Body the service rendered by him under the Government shall be allowed to be counted towards pension under Government of India/autonomous body irrespective of whether the employee was temporary or permanent in Government and the same procedure would be applied in the case of employees of the Government of India autonomous bodies who are permanently absorbed under the State Government/State autonomous bodies. It was ordered that the Government/autonomous body will discharge its pension liability by paying in lump-sum the pro-rata pension/service gratuity/terminal gratuity and death-cum- retirement gratuity as a one-time payment, for the service upto the date of absorption in the autonomous body/Government as the case may be.

8. Thereafter in the year 1989 Ext.P26 order was issued on 10.08.1989 by which the Government ordered that the pro-rata WP(C).No.38902&41711 OF 2017 pension liability would be applicable even in cases where transfers to autonomous body/public undertakings are in own volition when the Accountant General pointed out that Central Government have removed the distinction between 'public interest' and 'own volition'. Thereafter as per ext.P27 order dated 29.08.1989 it was ordered that the pension liability would be paid in a lump sum and the same would be determined with reference to the commutation table under Part III KSR.. It was thereafter Ext.P27 order was issued.

9. The petitioners therefore claim that taking into account the specific provisions in Exts.P24 to P28 Government orders which had been issued based upon reciprocal arrangement with Government of India and the Government of Kerala, the denial of the benefit of the same to petitioners on the basis of circular dated 04.12.1999 would be highly prejudicial to them. They point out that when the Calicut University was good enough to pay the pension liability, for the previous service rendered by persons similarly situated like the petitioners, prior to their joining IIST, the denial of the benefit to the petitioners by payment of pro-rata pension liability of the Government of Kerala towards the pensionable service rendered by them under the Government of Kerala is harsh and unreasonable.

10. The 1st respondent has filed a counter affidavit stating that the Government has not issued any orders permitting payment of pro-rata liability for those who joined Public Sector WP(C).No.38902&41711 OF 2017 Undertakings. It is stated that as per Ext.P28 G.O-GO(P) No.703/02/Fin dated 12.11.2002, the employees who joined the State Government Department after leaving their former service in Central Government/Central Public Sector Undertakings on their own volition for taking up appointment in State Government Departments will be allowed to reckon their prior service for all pensionary benefits along with their qualifying service in the State Government Department, if the former employer remits the share of proportionate pro-rata pensionary liability on a service-share basis. It was modified as per Ext.P29 order dated 06.12.2013 and ordered that the liability of pension including Gratuity towards the prior service rendered by Central Government employees in State Government and vice versa, would be borne in full by the Central Government/State Government to which the Government servant permanently belongs at the time of retirement and no recovery of proportionate pension would be made from the Central Government/State Government under whom he had served last and in the case of employees who left the former service in the Central Public Sector undertakings, the orders issued in the Government order dated 12.11.2002 would stand. The 1st respondent also referred to rule 11 of Part III KSR, as amended as per order dated 22.11.2010 stating that the said provision also provided for reckoning of the past service rendered under the State Government/Central Government service. It is stated that the Government has further amended the WP(C).No.38902&41711 OF 2017 provision as per order dated 03.04.2012 by dispensing the condition of payment of pensionary liability by the former employer. According to them, orders dated 30.12.1978 and 29.08.1989 were issued in respect of the employees who were absorbed in the Government of India or autonomous body. It is stated that the order dated 31.03.1987 also refers to a case when an employee of State Government/autonomous body, borne on a pensionable establishment, is allowed to be absorbed in the Government of India, Central Autonomous body, the service rendered by him under the State Government/State Autonomous body should be allowed to be counted towards pension under the Government of India/Autonomous body irrespective of whether the employee was temporary or permanent in the Government/Central Autonomous body by remitting proportionate pension liability by the concerned Central/State Government. The respondent is relying on the circular dated 04.12.1999 pointing out that the said circular is not varied and it is clarified therein that if one gets appointment in a public sector undertaking on the basis of application with reference to the notification, there is no liability for the employer apart from issuing NOC.

11. Respondents 3 to 5 have also filed a counter affidavit. It is stated that as per clause 5.1 of the bye-law no.1.8, the services rendered by the employees of the Institute in any other office/establishment/academic institutions (Government/aided) to which the GPF (Central Service) Rules 1960 or the CPF (India) WP(C).No.38902&41711 OF 2017 Rules 1962 or the New Defined Contribution Pension Rules of the Government of India or analogous rules applied prior to their joining the Institute, shall also be appropriately reckoned as service in the Institute for the purpose of these rules provided that his/her balance in his/her provident fund account is transferred to his/her new account in the institute and the pension contribution etc. are paid by the other office/establishment/academic institutions (Government/aided) where the employee was previously employed. It is stated that New Defined Contribution Pension Rules of the Government of India which were in force with effect from 01.01.2004 are applicable to the employees joining the Institute

afresh. In the event pension contribution is made with the respondent institution, they would be entitled to pensionary benefits. Otherwise, they would be treated as having joined the institute afresh.

12. The learned counsel for the petitioners submits that in case the 13 year service rendered by them prior to their joining the 3rd respondent is not reckoned, they would lose the benefit of 13 years service rendered by them and they would be treated as fresh recruits in the Institute and they would be denied statutory pension and pensionary benefits. It was also submitted that the petitioners are willing to make the payment towards the pro-rata liability of State Government, in the event the State Government is refusing the payment.

WP(C).No.38902&41711 OF 2017

13. On a scanning of all these orders it is seen that the service rendered in the Central Government undertakings is reckoned for the purpose of pensionary benefits under the State Government as well as State Government undertakings on the basis of Orders issued by both Central and State Governments and from time to time the service rendered under the respective establishments has been recognised on service share basis, under the initiative of Government of India. As a result of this, even those rendered service in Central PSUs are getting the benefit of their past service towards qualifying service under the State Government as well as State PSU. It is pertinent to note that the Government issued Ext.P29 order while reviving the orders issued on 31.03.1987 and modifying Ext.P28 order dated 12.11.2002 in respect of personnel under the Central Government and State Government and vice versa. The Government specifically ordered that in the case of employees who left service in the Central Government Undertakings, orders issued in Ext.P28 order dated 12.11.2002 would stand. Ext.P28 order was issued with reference to the Government of India letter dated 31.03.1982. All the orders are issued on reciprocal basis considering the mobility of the employees between Central/Central PSU and State/State PSU. Though the initial orders were issued only reckoning the service of those who were absorbed, Government had modified the same providing payment of pension contribution towards the service rendered by those who left the service on WP(C).No.38902&41711 OF 2017 their own volition. Now the service under the central public sector undertaking can be reckoned on payment of pro-rata liability. It will only be a reciprocal act to pay the pension contribution/pro-rata liability for those who were appointed in the Central Public Sector Undertaking after they left service from the State Government, as the employees under the State government as well as under State PSUs, aided Colleges, etc. are getting the previous service rendered by them in not only under Central Government but also under the Central PSUs on the basis of correspondence between State and Centre and all the letters from Government of India requested for reckoning the service rendered in both Central and Central PSUs. Those who worked in State as well as State PSUs prior to their joining in Central/Central PSUs are unable to enjoy the benefit of their prior service towards pension. Though it is true that the petitioners joined the new posts based on their applications, the benefit of service rendered by persons like the petitioners alone is not reckoned towards qualifying service when those who served Central Government and PSUs under it on their own volition in State Government and State PSUs are enjoying their past service based on orders issued on service share basis.



14. At any rate, as the petitioners have expressed their willingness to bear the pension liability by themselves, Government shall reconsider their case and pass appropriate orders for remitting the pro-rata liability in respect of the WP(C).No.38902&41711 OF 2017 service rendered by them under the Government/aided Engineering/Arts & Science College, so as to enable them to enjoy the benefit of service rendered by them under the State Government towards their qualifying service, either accepting the payment from them and remitting the same with ISST or by issuing orders permitting the petitioners to remit the same with the IIST.

15. Therefore, Ext.P15 order shall stand set aside. Government shall reconsider the request of the petitioners and to issue orders remitting the pro-rata liability in respect of the petitioners after accepting the payment from the petitioners after informing them the amount to be remitted within a period of three months from the date of receipt of a copy of this judgment.

The Writ Petition is disposed of accordingly.

Sd/-

P . V . ASHA

rkc  
WP(C) .No.38902&41711 OF 2017

JUDGE

APPENDIX OF WP(C) 38902/2017  
PETITIONER'S/S EXHIBITS:

EXHIBIT P1 TRUE COPY OF THE ORDER NO.EA4/23460/2000  
DATED 15-1-2001 ISSUED BY THE 2ND  
RESPONDENT.

EXHIBIT P2 TRUE COPY OF THE COMMUNICATION

NO.EA4/24334/2007 DATED 23-7-2007 ISSUED BY THE 2ND RESPONDENT.

EXHIBIT P3 TRUE COPY OF THE OFFER OF APPOINTMENT TO THE 1ST PETITIONER VIDE  
COMMUNICATION NO.SHPGA/IIST/2007 DATED 13-8-2007.

EXHIBIT P3(A) TRUE COPY OF THE OFFER OF APPOINTMENT TO THE 2ND PETITIONER  
VIDE COMMUNICATION NO.SHPGA/IIST/2007 DATED 13-8-2007.

EXHIBIT P4 TRUE COPY OF THE COMMUNICATION NO.SHPGA/IIST/07 DATED 16-8-2007 IN  
RESPECT OF THE 1ST PETITIONER SENT BY THE IIST TO GOVERNMENT OF KERALA.

EXHIBIT P4(A) TRUE COPY OF THE COMMUNICATION NO.SHPGA/IIST/07 DATED 16-8-2007 IN RESPECT OF THE 2ND PETITIONER SENT BY THE IIST TO GOVERNMENT OF KERALA.

EXHIBIT P5 TRUE COPY OF THE G.O.(RT)NO.1625/07/H.EDN DATED 6-9-2007 ISSUED BY THE GOVERNMENT OF KERALA.

EXHIBIT P6 TRUE COPY OF THE BOND EXECUTED BY THE 2ND PETITIONER.

EXHIBIT P7 TRUE COPY OF THE COMMUNICATION NO.EA5/23669/2009 DATED 7-8-2009 ISSUED BY THE 2ND RESPONDENT.

EXHIBIT P8 TRUE COPY OF THE COMMUNICATION NO.IIST/ADMN/63/09 DATED 15-6-2009 ISSUED BY THE IIST.

EXHIBIT P9 TRUE COPY OF THE COMMUNICATION NO.IIST/AO/01/08 DATED 9-1-2009 ISSUED BY THE IIST.

WP(C).No.38902&41711 OF 2017 EXHIBIT P10 TRUE COPY OF THE COMMUNICATION NOI.GE-

14/C/1997 DATED 26-09-2008/30-1-2009 ISSUED BY THE OFFICE OF ACCOUNTANT GENERAL (A&E), KERALA.

EXHIBIT P11 TRUE COPY OF THE COMMUNICATION NO.IIST/ADMN/IN07013/14 DATED 21-11-2014 IN RESPECT OF THE 1ST PETITIONER ISSUED BY IIST.

EXHIBIT P12 TRUE COPY OF THE COMMUNICATION NO.IIST/ADMN/IN07014/14 DATED 21-11-2014 IN RESPECT OF THE 2ND PETITIONER ISSUED BY IIST.

EXHIBIT P13 TRUE COPY OF THE O.M.NO.28-10/84-PENSION UNIT DATED 29-8-1984 ISSUED BY THE DEPARTMENT OF PERSONNEL AND ADMINISTRATIVE REFORMS, GOVT. OF INDIA.

EXHIBIT P14 TRUE COPY OF THE COMMUNICATION

NO.IIST:RO:2016 DATED 10-1-2017 ISSUED BY IIST.

EXHIBIT P15 TRUE COPY OF THE COMMUNICATION NO.PEN.B4/5/2017/FIN/E379661 DATED 6-2-2017 ISSUED BY THE GOVERNMENT OF KERALA.

EXHIBIT P16 TRUE COPY OF THE COMMUNICATION NO.IIST/ADMN/63/17 DATED 1-3-2017 ISSUED BY IIST TO THE 1ST PETITIONER.

EXHIBIT P16(A) TRUE COPY OF THE COMMUNICATION NO.IIST/ADMN/63/17 DATED

1-3-2017 ISSUED BY IIST TO THE 2ND PETITIONER.

EXHIBIT P17 TRUE COPY OF THE ORDER U.O.NO.5795/2017/ADMN DATED 8-5-2017 ISSUED BY THE UNIVERSITY OF CALICUT.

EXHIBIT P18 TRUE COPY OF O.M.NO.28(10)/84-P&PW.VOL.II DATED 7-2-1986 ISSUED BY THE DEPARTMENT OF PENSION & PENSIONER'S WELFARE, GOVT. OF INDIA.

EXHIBIT P19 TRUE COPY OF THE COMMUNICATION NO.28-10-84-

P&PW.VOL.II DATED 30-10-1986 ISSUED BY THE DEPARTMENT OF PENSION & PENSIONER'S WELFARE TO THE CHIEF SECRETARY, GOVERNMENT OF KERALA.

WP(C).No.38902&41711 OF 2017 EXHIBIT P20 TRUE COPY OF O.M.NO.28/30/2004-P&PW(B) DATED 28-10-2009 ISSUED BY THE DEPARTMENT OF PENSION & PENSIONER'S WELFARE TO THE CHIEF SECRETARY, GOVERNMENT OF KERALA.

EXHIBIT P21 TRUE COPY OF THE G.O.(P)NO.893/78/FIN DATED 30-12-1978 ISSUED BY THE GOVERNMENT OF KERALA.

EXHIBIT P22 TRUE COPY OF THE G.O.(P)NO.48/81/GAD DATED 18-2-1981 ISSUED BY THE GOVERNMENT OF KERALA.

EXHIBIT P23 TRUE COPY OF THE G.O.(P)NO.174/68/FIN DATED 2-5-1968 ISSUED BY THE GOVERNMENT OF KERALA.

EXHIBIT P24 TRUE COPY OF THE G.O.(P)NO.710/84/FIN DATED 3-12-1984 ISSUED BY THE GOVERNMENT OF KERALA.

EXHIBIT P25 TRUE COPY OF THE G.O.(P)NO.369/87/FIN DATED 31-3-1987 ISSUED BY THE GOVERNMENT OF KERALA.

EXHIBIT P26 TRUE COPY OF THE G.O.(P)NO.361/89/FIN DATED 10-8-1989 ISSUED BY THE GOVERNMENT OF KERALA.

EXHIBIT P27 TRUE COPY OF THE G.O.(P)NO.383/89/FIN DATED 29-8-1989 ISSUED BY THE GOVERNMENT OF KERALA.

EXHIBIT P28 TRUE COPY OF THE G.O.(P)NO.703/2002/FIN DATED 12-11-2002 ISSUED BY THE GOVERNMENT OF KERALA.

EXHIBIT-P29 TRUE COPY OF G.O.(P) NO.651/03/FIN. DATED 6.12.2003 ISSUED BY THE GOVERNMENT OF KERALA.

EXHIBIT-P30 TRUE COPY OF O.M.NO.28/10/84-PENSION UNIT DATED 29.8.1984 ISSUED BY THE DEPARTMENT OF PERSONNEL AND ADMINISTRATIVE REFORMS.

EXHIBIT-P31 TRUE COPY OF O.M.NO.28/30/2004- P AND PW(B) DATED 26.7.2005 ISSUE DBY THE GOVERNMENT OF INDIA.

WP(C).No.38902&41711 OF 2017 EXHIBIT-P32 TRUE COPY OF THE O.M.NO.28/30/2004-P AND PW(B) DATED 28.10.2009 ISSUED BY THE GOVERNMENT OF INDIA.

EXT.P33: TRUE COPY OF OM NO.28/30/2004-P&PW(B) DT.11.6.20 ISSUED BY THE GOVT. OF INDIA, MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSION WP(C).No.38902&41711 OF 2017 APPENDIX OF WP(C) 41711/2017 PETITIONER'S/S EXHIBITS:

EXHIBIT P1 TRUE COPY OF THE ADVICE BY KERALA PUBLIC SERVICE COMMISSION VIDE NO.RIC (3)11072/99/GW DATED 22.4.1999.

EXHIBIT P2 TRUE COPY OF THE COMMUNICATION

NO.E2/1170/2009/GECB DATED 12.5.2009 ISSUED BY THE PRINCIPAL, GOVERNMENT ENGINEERING COLLEGE, BARTON HILL, TRIVANDRUM.

EXHIBIT P2(A) TRUE COPY OF THE NO OBJECTION CERTIFICATE IN RESPECT OF THE 2ND PETITIONER.

EXHIBIT P2(B) TRUE COPY OF THE NO OBJECTION CERTIFICATE IN RESPECT OF THE 3RD PETITIONER.

EXHIBIT P3 TRUE COPY OF THE OFFER OF APPOINTMENT TO THE 1ST PETITIONER VIDE COMMUNICATION NO.IIST/ADMN/RMT/APAE03/09 DATED 18.6.2009. EXHIBIT P3(A) TRUE COPY OF THE OFFER OF APPOINTMENT TO THE 2ND PETITIONER VIDE COMMUNICATION NO.IIST/ADMN/08 DATED 24.1.2008.

EXHIBIT P3(B) TRUE COPY OF THE OFFER OF APPOINTMENT TO THE 3RD PETITIONER VIDE COMMUNICATION NO.SHPGA/IIST/2007 DATED 13.8.2007.

EXHIBIT P4 TRUE COPY OF THE G.O.

(RT)NO.1408/09/H.EDN.DATED 8.9.2009 ISSUED BY THE GOVERNMENT OF KERALA.

EXHIBIT P5 TRUE COPY OF THE COMMUNICATION NO.IIST/INO9071/14 DATED 21.11.2014 IN RESPECT OF THE 1ST PETITIONER.

EXHIBIT P6 TRUE COPY OF THE COMMUNICATION NO.IIST/INO8024/14 DATED 22.12.2014 IN RESPECT OF THE 2ND PETITIONER.

EXHIBIT P6(A) TRUE COPY OF THE COMMUNICATION NO.IIST/IN007003/14 DATED 25.8.2014 IN RESPECT OF THE 3RD PETITIONER.

EXHIBIT P7 TRUE COPY OF THE COMMUNICATION NO.DP3/4609/15/DTE DATED 11.5.2015 ISSUED BY THE 2ND RESPONDENT.

WP(C) .No. 38902&41711 OF 2017

EXHIBIT P8	TRUE COPY OF UNIT DATED DEPARTMENT OF REFORMS, GOVT.	THE O.M.NO.28-10/84-PENSION 29.8.1984 ISSUED BY THE PERSONNEL AND ADMINISTRATIVE OF INDIA.
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EXHIBIT P9 TRUE COPY OF THE COMMUNICATION

NO.IIST:RO:2016 DATED 10.1.2017 ISSUED BY IIST.

EXHIBIT P10 TRUE COPY OF THE COMMUNICATION NO.PEN B4/5/2017/FIN/E379661 DATED 6.2.2017 ISSUED BY THE GOVERNMENT OF KERALA.

EXHIBIT P11 TRUE COPY OF THE COMMUNICATION NO.IIST/ADMN/63/17 DATED 1.3.2017 ISSUED BY IIST TO THE 1ST PETITIONER.

EXHIBIT P12 TRUE COPY OF THE COMMUNICATION NO.IIST/ADMN/63/17 DATED 1.3.2017 ISSUED BY IIST TO THE 2ND PETITIONER.

EXHIBIT P12(A) TRUE COPY OF THE COMMUNICATION NO.IIST/ADMN/63/17 DATED 1.3.2017 ISSUED BY IIST TO THE 3RD PETITIONER.

EXHIBIT P13 TRUE COPY OF THE ORDER U.O.NO.5795/2017/ADMN DATED 8.5.2017 ISSUED BY THE UNIVERSITY OF CALICUT.

EXHIBIT P14 TRUE COPY OF O.M.NO.28(10)/84-P&PW/VOL.II DATED 7.2.1986 ISSUED BY THE DEPARTMENT OF PENSION & PENSIONERS' WELFARE, GOVT. OF INDIA.

EXHIBIT P15 TRUE COY OF THE COMMUNICATION NO.28/10/84-

P&PW VOL.II DATED 30.10.1986 ISSUED BY THE DEPARTMENT OF PENSION AND PENSIONERS' WELFARE TO THE CHIEF SECRETARY, GOVERNMENT OF KERALA.

EXHIBIT P16 TRUE COPY OF O.M.NO.28/30/2004-P&PW(B) DATED 28.10.2009 ISSUED BY THE DEPARTMENT OF PENSION AND PENSIONERS' WELFARE TO THE CHIEF SECRETARY, GOVERNMENT OF KERALA.

EXHIBIT P17 TRUE COPY OF G.O.(P) NO.893/78/FIN DATED 30.12.1978 ISSUED BY THE GOVERNMENT OF KERALA.

EXHIBIT P18 TRUE COPY OF G.O.(P) NO.48/81/GAD DATED 18.2.1981 ISSUED BY THE GOVERNMENT OF KERALA.

WP(C).No.38902&41711 OF 2017 EXHIBIT P19 TRUE COPY OF THE G.O.(P) NO.174/68/FIN DATED 2.5.1968 ISSUED BY THE GOVERNMENT OF KERALA.

EXHIBIT P20 TRUE COPY OF THE G.O.(P) NO.710/84/FIN DATED 3.12.1984 ISSUED BY THE GOVERNMENT OF KERALA.

EXHIBIT P21 TRUE COPY OF THE G.O.(P) NO.369/87/FIN DATED 31.3.1987 ISSUED BY THE GOVERNMENT OF KERALA.

EXHIBIT P22 TRUE COPY OF THE G.O.(P) NO.361/89/FIN DATED 10.8.1989 ISSUED BY THE GOVERNMENT OF KERALA.

EXHIBIT P23 TRUE COPY OF THE G.O.(P) NO.383/89/FIN DATED 29.8.1989 ISSUED BY THE GOVERNMENT OF KERALA.

EXHIBIT P24 TRUE COPY OF THE G.O.(P) NO.703/2002/FIN DATED 12.11.2002 ISSUED BY THE GOVERNMENT OF KERALA.

EXHIBIT 25 TRUE COPY OF G.O(P) NO.651/03/FIN.DATED 6.12.2003 ISSUED BY THE GOVERNMENT OF KERALA.

EXHIBIT P26 TRUE COPY OF O.M.NO.28/10/84-PENSION UNIT DATED 29.8.1984 ISSUED BY THE DEPARTMENT OF PERSONNEL AND ADMINISTRATIVE REFORMS.

EXHIBIT P27 TRUE COPY OF O.M.NO.28/30/2004-P&PW(B) DATED 26.7.2005 ISSUED BY THE GOVERNMENT OF INDIA.

EXHIBIT P28 TRUE COPY OF O.M.NO.28/30/2004-P&PW (B) DATED 28.10.2009 ISSUED BY THE GOVERNMENT OF INDIA.

EXHIBIT P29 TRUE COPY OF O.M.NO.28/30/2004-P&PW(B) DATED 11.6.2020 ISSUED BY THE GOVERNMENT OF INDIA, MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSION.