IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE

&

THE HONOURABLE MR. JUSTICE GOPINATH P.

THURSDAY, THE 03RD DAY OF DECEMBER 2020 / 12TH AGRAHAYANA, 1942

OP(KAT).No.133 OF 2019

AGAINST THE ORDER/JUDGMENT IN OA 1246/2016 OF KERALA ADMINISTRATIVE TRIBUNAL, THIRUVANANTHAPURAM

PETITIONER/APPLICANT:

DR.SURESH K
AGED 46 YEARS, S/O. R. KAMAKSHY, PROFESSOR IN ELECTRONICS AND COMMUNICATION ENGINEERING, GOVERNMENT ENGINEERING COLLEGE, WAYANAD (NOW WORKING AT GOVERNEMENT ENGINEERING COLLEGE, BARLTON HILL, TRIVANDRUM), RESIDING AT TC41/18, MANAKAD P.O, THIRUVANANTHAPURAM - 695 009

BY ADVS.
SRI.S.KRISHNAMOORTHY
SMT.SNEHA ROSE
SMT.NITHYA SUGUNAN

RESPONDENTS/RESPONDENTS:

1. **STATE OF KERALA**
   REPRESENTED BY PRINCIPAL SECRETARY, HIGHER EDUCATION (G) DEPARTMENT , GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM - 695 001

2. **THE DIRECTOR OF TECHNICAL EDUCATION**
   DIRECTORATE OF TECHNICAL EDUCATION, PADMAVILASAM ROAD, EAST FORT, TRIVANDUM - 695 023

3. **THE PRINCIPAL**
   COLLEGE OF ENGINEERING, TRIVANDRUM - 695 016

4. **THE PRINCIPAL**
   GOVERNMENT ENGINEERING COLLEGE, WAYANAD - 673 592

OTHER PRESENT:

SRI. ANTONY MUKKATH- SR. G.P.

THIS OP KERALA ADMINISTRATIVE TRIBUNAL HAVING BEEN FINALLY HEARD ON 25-11-2020, ALONG WITH OP(KAT).133/2020 AND CONNECTED CASES, THE COURT ON 03-12-2020 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE

&

THE HONOURABLE MR. JUSTICE GOPINATH P.

THURSDAY, THE 03RD DAY OF DECEMBER 2020 / 12TH AGRAHAYANA, 1942

OP(KAT).No.133 OF 2020

AGAINST THE ORDER/JUDGMENT IN OA 567/2019 DATED 05-03-2020 OF KERALA ADMINISTRATIVE TRIBUNAL, THIRUVANANTHAPURAM

PETITIONER/3RD RESPONDENT:

DR.CIZA THOMAS
AGED 52 YEARS,D/O.M.C.THOMAS,
SENIOR JOINT DIRECTOR(ECS), DIRECTORATE OF TECHNICAL EDUCATION,PADMAVILASAM STREET,FORT P.O., THIRUVANANTHAPURAM-695 023.

BY ADVS.
SRI.S.KRISHNAMOORTHY
SMT.NITHYA SUGUNAN
SHRI.JESUDASAN K X

RESPONDENTS/APPLICANT/RESPONDENTS 1 & 2:

1 **STATE OF KERALA**
REPRESENTED BY PRINCIPAL SECRETARY,
HIGHER EDUCATION (G) DEPARTMENT,GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM-695 001.

2 **THE DIRECTOR OF TECHNICAL EDUCATION,**
DIRECTORATE OF TECHNICAL EDUCATION,PADMAVILASAM ROAD,EAST FORT,THIRUVANANTHAPURAM-695 023.

3 **DR.BEENA V.I.,**
AGED 55 YEARS, W/O.DR.N.H.ZEINUL HUKUMAN, WORKING AS PROFESSOR IN COLLEGE OF ENGINEERING, KANNUR-670 563. RESIDING AT K.P.7/240A, EASWARAN THAMPI NAGAR,KALLAYAM P.O., THIRUVANANTHAPURAM-695 043.

R1 & R2 SRI. ANTONY MUKKATH- SR. G.P.
R3 BY ADV. SRI.P.NANDAKUMAR

THIS OP KERALA ADMINISTRATIVE TRIBUNAL HAVING BEEN FINALLY HEARD ON 25-11-2020, ALONG WITH OP(KAT).133/2019 AND CONNECTED CASES, THE COURT ON 03-12-2020 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE

&

THE HONOURABLE MR. JUSTICE GOPINATH P.

THURSDAY, THE 03RD DAY OF DECEMBER 2020 / 12TH AGRAHAYANA, 1942

OP(KAT).No.135 OF 2020

AGAINST THE ORDER/JUDGMENT IN OA 548/2019 DATED 05-03-2020 OF KERALA ADMINISTRATIVE TRIBUNAL, THIRUVANANTHAPURAM

PETITIONER/3RD RESPONDENT:

DR.RENJINI V.O.
AGED 51 YEARS, D/O. V.V ONEHY, PROFESSOR, DEPARTMENT OF CHEMICAL ENGINEERING, GOVERNMENT ENGINEERING COLLEGE, RAMAVARMAPURAM ENGINEERING COLLEGE, THRISSUR 680 009 (UPON ORDERS OF PROMOTION AS PRINCIPAL AND POSTING AT GOVERNMENT COLLEGE OF ENGINEERING, KANNUR ROAD, WEST HILL, KOZHIKODE 673 005) KERALA RESIDING AT VADAKKEKARA HOUSE, PARATHOD P.O, KARUVANNUR, THRISSUR 680 711

BY ADVS.
SRI.S.KRISHNAMOORTHY
SMT.NITHYA SUGUNAN
SHRI.JESUDASAN K X

RESPONDENTS/PETITIONER/RESPONDENTS 1 & 2:

1. **STATE OF KERALA**
   REPRESENTED BY PRINCIPAL SECRETARY, HIGHER EDUCATION (G) DEPARTMENT, GOVERNMENT SECRETARIAT, TRIVANDRUM 695 001

2. **THE DIRECTOR OF TECHNICAL EDUCATION,**
   DIRECTORATE OF TECHNICAL EDUCATION, PADMAVILASAM ROAD, EAST FORT, TRIVANDRUM 695 023

3. **N. VIJAYAKUMAR,**
   AGED 50 YEARS, S/O. NARAYANAN V, RESIDING AT KNRA-39, KAIRALI NAGAR, KURAVANKONAM, KOWDIAR P.O, THIRUVANANTHAPURAM 695 003, WORKING AS PRINCIPAL, GOVERNMENT ENGINEERING COLLEGE, PARASSINIKKADAVU-MAYYIL ROAD, DHARMASALA, KANNUR, KERALA 670 563

(UPON ORDERS OF REVERSION AS PROFESSOR, GOVERNMENT ENGINEERING COLLEGE, KANUR ROAD, WEST HILL, KOZHIKODE 673 005)

R1 & R2 SRI. ANTONY MUKKATH- SR. G.P.
R3 BY ADV. SMT. V.P. SEEMANTHINI, SR.
R3 BY ADV. SRI.M.R.ANISON

THIS OP KERALA ADMINISTRATIVE TRIBUNAL HAVING BEEN FINALLY HEARD ON 25-11-2020, ALONG WITH OP(KAT).133/2019 AND CONNECTED CASES, THE COURT ON 03-12-2020 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE

&

THE HONOURABLE MR. JUSTICE GOPINATH P.

THURSDAY, THE 03RD DAY OF DECEMBER 2020 / 12TH AGRAHAYANA, 1942

OP(KAT).No.232 OF 2020

AGAINST THE ORDER/JUDGMENT IN OA 1646/2019 DATED 05-03-2020 OF KERALA ADMINISTRATIVE TRIBUNAL, THIRUVANANTHAPURAM

PETITIONERS:

1 DR.VIJAYANAND K.S
AGED 39 YEARS
S/O.K.B.KRISHNAKUMAR, ASSOCIATE PROFESSOR, DEPARTMENT OF INFORMATION TECHNOLOGY, GOVERNMENT ENGINEERING COLLEGE, BARTON HILL, THIRUVANANTHAPURAM, RESIDING AT PAZHAVOOR, MARUTHADI, KAVANADU.P.O., KOLLAM-691003.

2 DR.SHAMNA.H.R.
AGED 38 YEARS
D/O.H.RAHIM, ASSOCIATE PROFESSOR, DEPARTMENT OF INFORMATION TECHNOLOGY, GOVERNMENT ENGINEERING COLLEGE, BARTON HILL, THIRUVANANTHAPURAM, RESIDING AT AYILAM, KARAMVILA, NEYYATINKARA, THIRUVANANTHAPURAM.

3 HARIPRIYA.A.P.
AGED 39 YEARS, D/O.R.ACHUTHAN NAIR, ASSOCIATE PROFESSOR, DEPARTMENT OF INFORMATION TECHNOLOGY, GOVERNMENT ENGINEERING COLLEGE, BARTON HILL, THIRUVANANTHAPURAM, RESIDING AT P.R.A. 59, VADAKKEVEEDU, PUTHUPPALLY LANE, MEDICAL COLLEGE.P.O., THIRUVANANTHAPURAM-695011.

4 MANJU.R.
AGED 39 YEARS, D/O.A.V.RAJAN, ASSOCIATE PROFESSOR, DEPARTMENT OF INFORMATION TECHNOLOGY, GOVERNMENT ENGINEERING COLLEGE, IDUKKI, RESIDING AT KRSNA, V.R.A. A-22, T.C.27/1806, VANCHIYOOR.P.O., THIRUVANANTHAPURAM-695035.

5 SANGEETHA JOSE
AGED 41 YEARS, D/O.JOSE, ASSOCIATE PROFESSOR, DEPARTMENT OF INFORMATION TECHNOLOGY, GOVERNMENT ENGINEERING COLLEGE, IDUKKI, RESIDING AT MANIANGATTU, KALLOORKULAM.P.O., KOTTAYAM-686503.

6 DR.LAKSHMI J.MOHAN
AGED 38 YEARS
D/O.P.C.MOHANDAS, ASSOCIATE PROFESSOR, DEPARTMENT OF INFORMATION TECHNOLOGY, GOVERNMENT ENGINEERING COLLEGE, IDUKKI, RESIDING AT JALAJAM, T.C.20/1193(1), VRA 78, KARAMANA.P.O., THIRUVANANTHAPURAM-695002.

7 VIGILKUMAR.V.V.
AGED 38 YEARS
S/O.G.VIJAYADAS, ASSOCIATE PROFESSOR, DEPARTMENT OF INFORMATION TECHNOLOGY, GOVERNMENT ENGINEERING COLLEGE, IDUKKI, RESIDING AT VIGIL BHAVAN, PUTHENKADA, THIRUPURAM.P.O., THIRUVANANTHAPURAM-695133.

BY ADVS.
SRI.C.UNNIKRISHNAN (KOLLAM)
SRI.JOHNSON GOMEZ

RESPONDENTS:

1 STATE OF KERALA,
REPRESENTED BY ITS PRINCIPAL SECRETARY, HIGHER EDUCATION DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM, PIN-695001.

2 THE DIRECTOR OF TECHNICAL EDUCATION,
DIRECTORATE OF TECHNICAL EDUCATION, PADMA VILASOM ROAD, FORT.P.O., THIRUVANANTHAPURAM, PIN-695023.

3 REMESH BABU.K.R.,
AGED 44 YEARS, S/O.B.RAMANAN, ASSOCIATE PROFESSOR, DEPARTMENT OF INFORMATION TECHNOLOGY, GOVERNMENT ENGINEERING COLLEGE, PALAKKAD-678633 RESIDING AT SREERAMA NILAYAM, EROOR (W), THRIPUNITHURA, ERNAKULAM-682306.

4 SANGEETHA.U.,
AGED 44 YEARS, D/O.K.KUNNIKRISHNAN, ASSOCIATE PROFESSOR, DEPARTMENT OF INFORMATION TECHNOLOGY, GOVERNMENT ENGINEERING COLLEGE, PALAKKAD-678633, RESIDING AT ANANTHAKRIPA, MYTHRI NAGAR, BLOCK B - 22, VALIYAVILA, THIRUMALA, THIRUVANANTHAPURAM-695006.

R1 & R2 SRI. ANTONY MUKKATH- SR. G.P. B/o
R3-4 BY ADV. SRI.BABU KARUKAPADATH
R3-4 BY ADV. SMT.M.A.VAHEEDA BABU
R3-4 BY ADV. SRI.P.U.VINOD KUMAR
R3-4 BY ADV. SMT.ARYA RAGHUNATH
R3-4 BY ADV. SMT.VAISAKHI V.
R3-4 BY ADV. SRI.SHELLY PAUL
R3-4 BY ADV. SMT.SNEHA SUKUMARAN MULLAKKAL

THIS OP KERALA ADMINISTRATIVE TRIBUNAL HAVING BEEN FINALLY HEARD ON 25-11-2020, ALONG WITH OP(KAT).133/2019 AND CONNECTED CASES, THE COURT ON 03-12-2020 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE

&

THE HONOURABLE MR. JUSTICE GOPINATH P.

THURSDAY, THE 03RD DAY OF DECEMBER 2020 / 12TH AGRAHAYANA, 1942

OP(KAT).No.236 OF 2020

AGAINST THE ORDER/JUDGMENT IN OA 526/2019 DATED 05-03-2020 OF KERALA ADMINISTRATIVE TRIBUNAL, THIRUVANANTHAPURAM

PETITIONERS/RESPONDENTS 6,7,10 & 12:

1 **SABU P.**
AGED 46 YEARS, ASSISTANT PROFESSOR, DEPARTMENT OF CIVIL ENGINEERING, THIRUVANANTHAPURAM 695 016
(UPON ORDERS OF PROMOTION AS ASSOCIATE PROFESSOR, DEPARTMENT OF CIVIL ENGINEERING),
THIRUVANANTHAPURAM, KERALA 695 016.

2 **DR. JEENU G,**
ASSISTANT PROFESSOR, DEPARTMENT OF CIVIL ENGINEERING, THIRUVANANTHAPURAM 695 016
(UPON ORDERS OF PROMOTION AS ASSOCIATE PROFESSOR, DEPARTMENT OF CIVIL ENGINEERING),
THIRUVANANTHAPURAM, KERALA 695 016.

3 **DR. DEEPARAJ S,**
ASSISTANT PROFESSOR, DEPARTMENT OF CIVIL ENGINEERING, THIRUVANANTHAPURAM 695 016
(UPON ORDERS OF PROMOTION AS ASSOCIATE PROFESSOR, DEPARTMENT OF CIVIL ENGINEERING),
THIRUVANANTHAPURAM, KERALA 695 016.

4 **SIVAKUMAR S,**
ASSISTANT PROFESSOR,RAJIV GANDHI INSTITUTE OF TECHNOLOGY, KOTTAYAM 686 560, RESIDING AT KAILAS, EKRA-64, KARIYAM, POWDIKONAM P.O,
THIRUVANANTHAPURAM, KERALA 695 588

BY ADVS.
SRI.K.JAJU BABU (SR.)
SMT.M.U.VIJAYALAKSHMI
SRI.BRIJESH MOHAN

RESPONDENTS/APPLICANT & RESPONDENTS 1 TO 5,8,9 & 11:

1 **BINDHU K.R.,**
AGED 51 YEARS, W/O.S REEKUMAR M, RESIDING AT GOKULAM, AMBADI NAGAR LANE II (B) SREEKARYAM P.O, THIRUVANANTHAPURAM 695 017
WORKING AS ASSOCIATE PROFESSOR, DEPARTMENT OF CIVIL ENGINEERING, COLLEGE OF ENGINEERING, THIRUVANANTHAPURAM, (UPON ORDERS OF REVERSION AS ASSISTANT PROFESSOR, COLLEGE OF ENGINEERING) THIRUVANANTHAPURAM, KERALA 695 016

2 **STATE OF KERALA,**
REPRESENTED BY THE PRINCIPAL SECRETARY TO THE GOVERNMENT, HIGHER EDUCATION (G) DEPARTMENT, GOVERNMENT OF KERALA, THIRUVANANTHAPURAM, KERALA 695 001

3 **THE DIRECTOR OF TECHNICAL EDUCATION,**
DIRECTORATE OF TECHNICAL EDUCATION, PADMA VILASOM ROAD, FORT P.O, THIRUVANANTHAPURAM, KERALA 695 023

4 **SMT. AJITHA A.R,**
ASSISTANT PROFESSOR, DEPARTMENT OF CIVIL ENGINEERING, THIRUVANANTHAPURAM 695 016
(UPON ORDERS OF PROMOTION AS ASSOCIATE PROFESSOR, DEPARTMENT OF CIVIL ENGINEERING), THIRUVANANTHAPURAM, KERALA 695 016.

5 **DR. THULASEEDHARAN V,**
ASSISTANT PROFESSOR, DEPARTMENT OF CIVIL ENGINEERING, THIRUVANANTHAPURAM 695 016
(UPON ORDERS OF PROMOTION AS ASSOCIATE PROFESSOR, DEPARTMENT OF CIVIL ENGINEERING), THIRUVANANTHAPURAM, KERALA 695 016.

6 **SHIBU K,**
ASSISTANT PROFESSOR, DEPARTMENT OF CIVIL ENGINEERING, THIRUVANANTHAPURAM 695 016
(UPON ORDERS OF PROMOTION AS ASSOCIATE PROFESSOR, DEPARTMENT OF CIVIL ENGINEERING), THIRUVANANTHAPURAM, KERALA 695 016.

7 **DR. BINU SARA MATHEW,**
ASSISTANT PROFESSOR, DEPARTMENT OF CIVIL ENGINEERING, THIRUVANANTHAPURAM 695 016
(UPON ORDERS OF PROMOTION AS ASSOCIATE PROFESSOR, DEPARTMENT OF CIVIL ENGINEERING), THIRUVANANTHAPURAM, KERALA 695 016.

**8 DR. SWARNALATHA K,
ASSISTANT PROFESSOR, DEPARTMENT OF CIVIL ENGINEERING, THIRUVANANTHAPURAM 695 016
(UPON ORDERS OF PROMOTION AS ASSOCIATE PROFESSOR, DEPARTMENT OF CIVIL ENGINEERING),
THIRUVANANTHAPURAM, KERALA 695 016.**

**9 THE PRINCIPAL,
COLLEGE OF ENGINEERING, SREEKARYAM,
KULATHOOR ROAD P.O, SREEKARIYAM,
THIRUVANANTHAPURAM, KERALA 695 016**

**R1 ADV. N. KRISHNA PRASAD
R2, R3 & R9- SRI. ANTONY MUKKATH- SR. G.P.
R4 & R5 ADV. S. KRISHNA MOORTHY**

THIS OP KERALA ADMINISTRATIVE TRIBUNAL HAVING BEEN FINALLY HEARD ON 25-11-2020, ALONG WITH OP(KAT).133/2019 AND CONNECTED CASES, THE COURT ON 03-12-2020 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE

&

THE HONOURABLE MR. JUSTICE GOPINATH P.

THURSDAY, THE 03RD DAY OF DECEMBER 2020 / 12TH AGRAHAYANA, 1942

OP(KAT).No.239 OF 2020

AGAINST THE ORDER/JUDGMENT IN OA (EKM) 500/2019 OF KERALA ADMINISTRATIVETRIBUNAL, THIRUVANANTHAPURAM

PETITIONERS/RESPONDENTS 1 & 2:

1 STATE OF KERALA
REPREENTED BY ITS PRINCIPAL SECRETARY, HIGHER EDUCATION (G) DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM

2 THE DIRECTOR OF TECHNICAL EDUCATION,
DIRECTORATE OF TECHNICAL EDUCATION, PADMA VILASOM ROAD, FORT P.O, THIRUVANANTHAPURAM

SRI. ANTONY MUKKATH- SR. G.P.

RESPONDENTS/APPLICANT & 3RD RESPONDENT:

1 DR.SUMAN K.S
W/O. DR. N. SAJIKUMAR, ASSOCIATE PROFESSOR IN CIVIL ENGINEERING, GOVERNMENT ENGINEERING COLLEGE, THRISSUR 680 009
RESIDING AT MILITHAM, VIYYUR, THRISSUR

2 ALL INDIA COUNCIL FOR TECHNICAL EDUCATION,
NELSON MANDELA MARG, VASANTH KUNJ,
NEW DELHI 110 070 REPRESENTED BY ITS MEMBER SECRETARY, KERALA

R1 BY ADV. SRI.P.NANDAKUMAR
R1 BY ADV. SRI.S.ANEESH
R2 BY ADV. SRI.SAJITH KUMAR V.

THIS OP KERALA ADMINISTRATIVE TRIBUNAL HAVING BEEN FINALLY HEARD ON 25-11-2020, ALONG WITH OP(KAT).133/2019 AND CONNECTED CASES, THE COURT ON 03-12-2020 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE

&

THE HONOURABLE MR. JUSTICE GOPINATH P.

THURSDAY, THE 03RD DAY OF DECEMBER 2020 / 12TH AGRAHAYANA, 1942

OP(KAT).No.250 OF 2020

AGAINST THE ORDER/JUDGMENT IN OA (EKM) 547/2019 DATED 05-03-2020 OF KERALA ADMINISTRATIVE TRIBUNAL, THIRUVANANTHAPURAM

PETITIONER/RESPONDENT:

STATE OF KERALA
REPRESENTED BY ITS PRINCIPAL SECRETARY, HIGHER EDUCATION (G) DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM

SRI. ANTONY MUKKATH- SR. G.P.

RESPONDENTS/APPLICANT & 2ND RESPONDENT:

1 **DR.BINDU KUMAR K**
PROFESSOR IN MECHANICAL ENGINEERING (UNDER ORDERS OF REVERSION TO THE POST OF ASSOCIATE PROFESSOR), GOVERNMENT ENGINEERING COLLEGE, IDUKKI 685 603, RESIDING AT GAYAM, TC 7/591(1), MRA-T 16, KUZHIVILLA, CHENNESERY LANE, MARUTHANKUZHY, KANJIRAMPARA P.O. THIRUVANANTHAPURAM 695 030.

2 **SUNEESH S.S.,**
PROFESSOR IN MECHANICAL ENGINEERING, GOVERNMENT ENGINEERING COLLEGE, SREEKRISHNAPURAM, PALAKKAD 679 513.

R1 BY ADV. SRI.BABU KARUKAPADATH
R1 BY ADV. SMT.M.A.VAHEEDA BABU
R1 BY ADV. SRI.P.U.VINOD KUMAR
R1 BY ADV. SMT.ARYA RAGHUNATH
R1 BY ADV. SMT.VAISAKHI V.
R1 BY ADV. SRI.SHELLY PAUL
R1 BY ADV. SMT.SNEHA SUKUMARAN MULLAKKAL

THIS OP KERALA ADMINISTRATIVE TRIBUNAL HAVING BEEN FINALLY HEARD ON 25-11-2020, ALONG WITH OP(KAT).133/2019 AND CONNECTED CASES, THE COURT ON 03-12-2020 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE

&

THE HONOURABLE MR. JUSTICE GOPINATH P.

THURSDAY, THE 03RD DAY OF DECEMBER 2020 / 12TH AGRAHAYANA, 1942

OP(KAT).No.258 OF 2020

AGAINST THE ORDER/JUDGMENT IN OA 548/2019 OF KERALA ADMINISTRATIVE TRIBUNAL, THIRUVANANTHAPURAM

PETITIONERS/RESPONDENTS 1 & 2:

1 **STATE OF KERALA REPRESENTED BY ITS PRINCIPAL SECRETARY, HIGHER EDUCATION DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM, KERALA-695 001**

2 **DIRECTOR OF TECHNICAL EDUCATION, DIRECTORATE OF TECHNICAL EDUCATION, PADMAVILASAM ROAD, FORT P.O.THIRUVANANTHAPURAM, KERALA-695 023.**

SRI. ANTONY MUKKATH- SR. G.P.

RESPONDENTS/APPLICANT & 3RD RESPONDENT:

1 **DR.N.VIJAYAKUMAR S/O NARAYANAN V, RESIDING AT KNRA-39, KAIRALI NAGAR, KURAVANKONAM, KOWDIAR P.O.THIRUVANANTHAPURAM-695 003, WORKING AS PRINCIPAL GOVERNMENT, ENGINEERING COLLEGE, PARASSINIKKADAVU-MAYYIL ROAD, DHARMASALA, KANNUR, KERALA-670 563, (UPON ORDERS OF REVERSION AS PROFESSOR , GOVERNMENT ENGINEERING COLLEGE, KANNUR ROAD, WEST HILL, KOZHIKODE-673 005, KERALA**

2 **DR. RANJINI V.O. PROFESSOR (DEPARTMENT OF CHEMICAL ENGINEERING), GOVERNMENT ENGINEERING COLLEGE, RAMAVARMAPURAM, ENGINEERING COLLEGE P.O.THRISSUR-680 009, (UPON ORDERS OF PROMOTION AS PRINCIPAL AND POSTING AT GOVERNMENT COLLEGE OF ENGINEERING KANNUR ROAD, WEST HILL, KOZHIKODE, KERALA-673 005.**

R1 BY ADV. SRI.K.SASIKUMAR
R1 BY ADV. SRI.S.ARAVIND

THIS OP KERALA ADMINISTRATIVE TRIBUNAL HAVING BEEN FINALLY HEARD ON 25-11-2020, ALONG WITH OP(KAT).133/2019 AND CONNECTED CASES, THE COURT ON 03-12-2020 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE

&

THE HONOURABLE MR. JUSTICE GOPINATH P.

THURSDAY, THE 03RD DAY OF DECEMBER 2020 / 12TH AGRAHAYANA, 1942

OP(KAT).No.260 OF 2020

AGAINST THE ORDER/JUDGMENT IN OA 526/2019 OF KERALA ADMINISTRATIVE TRIBUNAL, THIRUVANANTHAPURAM

PETITIONERS/RESPONDENTS 1, 2 & 11:

1 **STATE OF KERALA REPRESENTED BY THE PRINCIPAL SECRETARY TO THE GOVERNMENT, HIGHER EDUCATION (G) DEPARTMENT, GOVERNMENT OF KERALA, THIRUVANANTHAPURAM-695 001.**

2 **THE DIRECTOR OF TECHNICAL EDUCATION, DIRECTORATE OF TECHNICAL EDUCATION, PADMA VILASOM ROAD, FORT P.O., THIRUVANANTHAPURAM-695 023,KERALA.**

3 **PRINCIPAL, COLLEGE OF ENGINEERING, SREEKARYAM, KULATHOOR ROAD P.O., SREEKARIYAM, THIRUVANANTHAPURAM-695 016.**

SRI. ANTONY MUKKATH- SR. G.P.

RESPONDENTS/APPLICANT & RESPONDENTS 3 TO 10 & 12:

1 **BINDHU K.R W/O.SREEKUMAR.M., RESIDING AT GOKULAM, AMBADI NAGAR LANE II(B), SREEKARYAM P.O., THIRUVANANTHAPURAM-695 017, WORKING AS ASSOCIATE PROFESSOR, DEPARTMENT OF CIVIL ENGINEERING, COLLEGE OF ENGINEERING, THIRUVANANTHAPURAM, KERALA-695 016. (UPON ORDERS OF REVERSION AS ASSISTANT PROFESSOR, COLLEGE OF ENGINEERING), THIRUVANANTHAPURAM, KERALA-695 016.**

2 **SMT.AJITHA.A.R., ASSISTANT PROFESSOR, DEPARTMENT OF CIVIL ENGINEERING, THIRUVANANTHAPURAM, KERALA-695 016 (UPON ORDERS OF PROMOTION AS ASSOCIATE PROFESSOR, DEPARTMENT OF CIVIL ENGINEERING, THIRUVANANTHAPURAM-695 016, KERALA.**

3 DR.THULASEEDHARAN.V.
ASSISTANT PROFESSOR, DEPARTMENT OF CIVIL ENGINEERING, THIRUVANANTHAPURAM, KERALA-695 016
(UPON ORDERS OF PROMOTION AS ASSOCIATE PROFESSOR, DEPARTMENT OF CIVIL ENGINEERING, THIRUVANANTHAPURAM-695 016, KERALA.

4 SRI.SHIBU.K.
ASSISTANT PROFESSOR, DEPARTMENT OF CIVIL ENGINEERING, THIRUVANANTHAPURAM, KERALA-695 016
(UPON ORDERS OF PROMOTION AS ASSOCIATE PROFESSOR, DEPARTMENT OF CIVIL ENGINEERING, THIRUVANANTHAPURAM-695 016, KERALA.

5 SRI.SABU.P.
ASSISTANT PROFESSOR, DEPARTMENT OF CIVIL ENGINEERING, THIRUVANANTHAPURAM, KERALA-695 016
(UPON ORDERS OF PROMOTION AS ASSOCIATE PROFESSOR, DEPARTMENT OF CIVIL ENGINEERING, THIRUVANANTHAPURAM-695 016, KERALA.

6 DR.JEENU.G.
ASSISTANT PROFESSOR, DEPARTMENT OF CIVIL ENGINEERING, THIRUVANANTHAPURAM, KERALA-695 016
(UPON ORDERS OF PROMOTION AS ASSOCIATE PROFESSOR, DEPARTMENT OF CIVIL ENGINEERING, THIRUVANANTHAPURAM-695 016, KERALA.

7 DR.BINU SARA MATHEW,
ASSISTANT PROFESSOR, DEPARTMENT OF CIVIL ENGINEERING, THIRUVANANTHAPURAM, KERALA-695 016
(UPON ORDERS OF PROMOTION AS ASSOCIATE PROFESSOR, DEPARTMENT OF CIVIL ENGINEERING,THIRUVANANTHAPURAM-695 016, KERALA.

8 DR.SWARNALATHA.K.,
ASSISTANT PROFESSOR, DEPARTMENT OF CIVIL ENGINEERING, THIRUVANANTHAPURAM, KERALA-695 016
(UPON ORDERS OF PROMOTION AS ASSOCIATE PROFESSOR, DEPARTMENT OF CIVIL ENGINEERING, THIRUVANANTHAPURAM-695 016, KERALA.

9 DR.DEEPARAJ.S.,
ASSISTANT PROFESSOR, DEPARTMENT OF CIVIL ENGINEERING, THIRUVANANTHAPURAM, KERALA-695 016
(UPON ORDERS OF PROMOTION AS ASSOCIATE PROFESSOR, DEPARTMENT OF CIVIL ENGINEERING, THIRUVANANTHAPURAM-695 016, KERALA.

10 SIVAKUMAR.S.,
ASSOCIATE PROFESSOR, RAJIV GANDHI INSTITUTE OF TECHNOLOGY, KOTTAYAM-686 560, RESIDING AT KAILAS, EKRA-94, KARIYAM, POWDIKONAM P.O., THIRUVANANTHAPURAM-695 588.

R1 BY ADV. SRI.S.RAMESH BABU (SR.)
R1 BY ADV. SRI.N.KRISHNA PRASAD
R1 BY ADV. SMT.GAYATHRI POTI
R4 BY ADV. SRI.M.P.PRAKASH
R5-6, R9-10 BY ADV. SRI.K.JAJU BABU (SR.)
R5-6, R9-10 BY ADV. SMT.M.U.VIJAYALAKSHMI
R5-6, R9-10 BY ADV. SRI.R.RAJPRADEEP

THIS OP KERALA ADMINISTRATIVE TRIBUNAL HAVING BEEN FINALLY HEARD ON 25-11-2020, ALONG WITH OP(KAT).133/2019 AND CONNECTED CASES, THE COURT ON 03-12-2020 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE

&

THE HONOURABLE MR. JUSTICE GOPINATH P.

THURSDAY, THE 03RD DAY OF DECEMBER 2020 / 12TH AGRAHAYANA, 1942

OP(KAT).No.271 OF 2020

AGAINST THE ORDER/JUDGMENT IN OA 1646/2019 OF KERALA ADMINISTRATIVE TRIBUNAL, THIRUVANANTHAPURAM

PETITIONERS/RESPONDENTS 1 & 2:

1 STATE OF KERALA
REPRESENTED BY ITS PRINCIPAL SECRETARY,
HIGHER EDUCATION DEPARTMENT, GOVERNMENT
SECRETARIAT, THIRUVANANTHAPURAM-695 001, KERALA.

2 THE DIRECTOR OF TECHNICHAL EDUCATION,
DIRECTORATE OF TECHNICHAL EDUCATION,
PADMA VILASOM ROAD, FORT P.O,
THIRUVANANTHAPURAM-695 023, KERALA.

SRI. ANTONY MUKKATH- SR. G.P.

RESPONDENTS/APPLICANTS:

1 RAMESH BABU K.R.
S/O. B. RAMAN, ASSOCIATE PROFESSOR IN INFORMATION TECHNOLOGY GOVERNMENT ENGINEERING COLLEGE, PALAKKAD-678 633, RESIDING AT SREERAMA NILAYAM, EROOR(W), TRIPUNITHURA, ERNAKULAM, KERALA-682 306

2 SANGEETHA U
D/O. K. UNNIKRISHNAN, ASSOCIATE PROFESSOR IN INFORMATION TECHNOLOGY, GOVERNMENT ENGINEERING COLLEGE, PALAKKAD-678 633, RESIDING AT ANANTHAKRIPA, MYTHRI NAGAR, BLOCK B-22, VALIYAVILA, THIRUMALA, THIRUVANANTHAPURAM-695 006, KERALA.

R1-2 BY ADV. SRI.BABU KARUKAPADATH
R1-2 BY ADV. SMT.M.A.VAHEEDA BABU
R1-2 BY ADV. SRI.P.U.VINOD KUMAR
R1-2 BY ADV. SMT.ARYA RAGHUNATH
R1-2 BY ADV. SMT.VAISAKHI V.

R1-2 BY ADV. SRI.T.M.MUHAMMED MUSTHAQ
R1-2 BY ADV. SRI.SHELLY PAUL
R1-2 BY ADV. SMT.SNEHA SUKUMARAN MULLAKKAL

THIS OP KERALA ADMINISTRATIVE TRIBUNAL HAVING BEEN FINALLY HEARD ON 25-11-2020, ALONG WITH OP(KAT).133/2019 AND CONNECTED CASES, THE COURT ON 03-12-2020 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE

&

THE HONOURABLE MR. JUSTICE GOPINATH P.

THURSDAY, THE 03RD DAY OF DECEMBER 2020 / 12TH AGRAHAYANA, 1942

OP(KAT).No.309 OF 2020

AGAINST THE ORDER/JUDGMENT IN OA 549/2019 OF KERALA ADMINISTRATIVE TRIBUNAL, THIRUVANANTHAPURAM

PETITIONERS/RESPONDENTS 1 & 2:

1 STATE OF KERALA
REPRESENTED BY ITS PRINCIPAL SECRETARY,
HIGHER EDUCATION DEPARTMENT, GOVERNMENT
SECRETARIAT, THIRUVANANTHAPURAM-695001.

2 DIRECTOR OF TECHNICAL EDUCATION,
PADMAVILASAM ROAD, FORT P.O.,
THIRUVANANTHAPURAM-695523.

SRI. ANTONY MUKKATH- SR. G.P.

RESPONDENTS/APPLICANT & RESPONDENT No.3:

1 DR.UNNIKRISHNAN.N,
S/O.SRI.S.NARAYANAN NAIR, PROFESSOR IN CIVIL ENGINEERING, GOVERNMENT ENGINEERING COLLEGE, THRISSUR-680009, RESIDING AT T.C.13/54(1), ARA 32, KAUSTHUBHAM, ANJALI NAGAR, PALLIMUKKU, PETTAH P.O., THIRUVANANTHAPURAM, KERALA-695024.

2 DR.A.PRAVEEN,
S/O.A.S.RAGHAVAN, PROFESSOR (N/O) IN CIVIL ENGINEERING, FORMERLY DEPARTMENT OF CIVIL ENGINEERING, RAJIV GANDHI INSTITUTE OF TECHNOLOGY, RIT JUNCTION, VELLOOR P.O., PAMPADY, KOTTAYAM-686501, RESIDING AT APARTMENT E-3, DEZIRE NEST KALATHIPADY, KOTTAYAM-686010, (IMPLEADED AS PER ORDER DATED 29.03.2019 IN MA NO.719/19 IN O.A.NO.549/19), KERALA.

R1 BY ADV. SRI.S.RADHAKRISHNAN
R1 BY ADV. SRI.S.RAJ MOHAN

R1 BY ADV. SMT.R.ANJALI
R1 BY ADV. SRI.ADITYA THEJUS KRISHNAN
R2 BY ADV. SMT.S.KARTHIKA
R2 BY ADV. SMT.K.MEERA
R2 BY ADV. SMT.PREETHY KARUNAKARAN

THIS OP KERALA ADMINISTRATIVE TRIBUNAL HAVING BEEN FINALLY HEARD ON 25-11-2020, ALONG WITH OP(KAT).133/2019 AND CONNECTED CASES, THE COURT ON 03-12-2020 DELIVERED THE FOLLOWING:

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR.JUSTICE A.M.SHAFFIQUE

&

THE HONOURABLE MR. JUSTICE GOPINATH P.

THURSDAY, THE 03RD DAY OF DECEMBER 2020 / 12TH AGRAHAYANA, 1942

OP(KAT).No.347 OF 2020

AGAINST THE ORDER/JUDGMENT IN OA 526/2019 DATED 05-03-2020 OF KERALA ADMINISTRATIVETRIBUNAL, THIRUVANANTHAPURAM

PETITIONER/5TH RESPONDENT:

SHIBU .K
AGED 26 YEARS
ASSOCIATE PROFESSOR, DEPARTMENT OF CIVIL ENGINEERING, COLLEGE OF ENGINEERING, THIRUVANANTHAPURAM-695 016

BY ADV. SRI.M.P.PRAKASH

RESPONDENTS/APPLICANT/RESPONDENTS 1-4,6 TO 12:

1 **BINDHU K.R**
W/O. SREEKUMAR.M., ASSISTANT PROFESSOR, DEPARTMENT OF CIVIL ENGINEERING, COLLEGE OF ENGINEERING, THIRUVANANTHAPURAM-695 016 RESIDING AT GOKULAM, AMBADI LANE II (B), SREEKARYAM P.O., THIRUVANANTHAPURAM-695 016

2 **STATE OF KERALA,**
REPRESENTED BY THE PRINCIPAL SECRETARY TO GOVERNMENT, HIGHER EDUCATION (G) DEPARTMENT, GOVERNMENT OF KERALA, THIRUVANANTHAPURAM-695 N001

3 **DIRECTOR OF TECHNICAL EDUCATION,**
DIRECTORATE OF TECHNICAL EDUCATION, PADMA VILASAM ROAD, FORT P.O., THIRUVANANTHAPURAM-695 023

4 **SMT. AJITHA A.R.,**
ASSISTANT PROFESSOR, DEPARTMENT OF CIVIL ENGINEERING, COLLEGE OF ENGINEERING, THIRUVANANTHAPURAM-695 016

5 DR.THULASEEDHARAN.V.,
ASSISTANT PROFESSOR, DEPARTMENT OF CIVIL ENGINEERING, COLLEGE OF ENGINEERING, THIRUVANANTHAPURAM-695 016

6 SABU.P.,
ASSISTANT PROFESSOR, DEPARTMENT OF CIVIL ENGINEERING, COLLEGE OF ENGINEERING, THIRUVANANTHAPURAM-695 016

7 DR.JEENU.G.,
ASSISTANT PROFESSOR, DEPARTMENT OF CIVIL ENGINEERING, COLLEGE OF ENGINEERING, THIRUVANANTHAPURAM-695 016

8 DR.BINU MATHEW,
ASSISTANT PROFESSOR, DEPARTMENT OF CIVIL ENGINEERING, COLLEGE OF ENGINEERING, THIRUVANANTHAPURAM-695 016

9 DR.SWARNALATHA.K.,
ASSISTANT PROFESSOR, DEPARTMENT OF CIVIL ENGINEERING, COLLEGE OF ENGINEERING, THIRUVANANTHAPURAM-695 016

10 DR.DEEPARAJ.S.,
ASSISTANT PROFESSOR, DEPARTMENT OF CIVIL ENGINEERING, COLLEGE OF ENGINEERING, THIRUVANANTHAPURAM-695 016

11 PRINCIPAL,
COLLEGE OF ENGINEERING, SREEKARYAM,THIRUVANANTHAPURAM-695 016

12 SIVAKUMAR.S.,
ASSOCIATE PROFESSOR, RAJIV GANDHI INSTITUTE OF TECHNOLOGY, KOTTAYAM-695 588

R1 BY ADV. SRI.S.RAMESH BABU (SR.)
R1 BY ADV. SRI.N.KRISHNA PRASAD
R1 BY ADV. SMT.GAYATHRI POTI
R2 & R3 SRI. ANTONY MUKKATH- SR. G.P.

THIS OP KERALA ADMINISTRATIVE TRIBUNAL HAVING BEEN FINALLY HEARD ON 25-11-2020, ALONG WITH OP(KAT).133/2019 AND CONNECTED CASES, THE COURT ON 03-12-2020 DELIVERED THE FOLLOWING:

'C.R.'

J U D G M E N T

[OP (KAT) Nos.133/2019, 133, 135, 232, 236, 239, 250, 258, 260, 271, 309 & 347/2020]

Dated this the 3rd day of December, 2020

Gopinath, J:

These original petitions have been filed challenging the common order dated 05-03-2020 in OA (EKM) No.500/2019 and connected cases on the file of the Kerala Administrative Tribunal.

2. The issues arising for our consideration relate to qualifications required for the posts of Assistant Professors (now designated as Associate Professors), Professors and Principals in the Government Engineering Colleges in the State of Kerala. These posts are those borne on a service known as the Kerala Technical Education Service and are governed by the Special Rules for the Kerala Technical Education Service issued as per G.O (MS) No.784/67/PD dated 02-09-1967 as amended from time to time ('*the State Rules*').

3. The All India Council for Technical Education Act, 1987 (hereinafter referred to as 'the AICTE Act') was enacted by the Parliament and provisions of the Act and Regulations etc., made under the said Act were to govern the Technical Education Institutions across the country. The scheme formulated by the AICTE for revision of pay scale and conditions of service of teachers in Engineering Colleges was adopted by

the State of Kerala through G.O (P) No.81/90/H.Edn dated 27-03-1990. This Government order was issued following letter No.Fr-I/88/T5 dated 28-02-1989 from the Government of India in the Ministry of Human Resources Development, Department of Education. Clause 10 of the Government order dated 27-03-1990 provided as follows;

> *"All appointments to the Engineering Colleges after 01-04-1990 will be made only according to the qualification prescribed by AICTE".*

Notwithstanding the aforesaid stipulation in Government order dated 27-03-1990, the Special Rules for the Kerala Technical Education Service were amended only in 2003 through G.O (P) No.6/2003/H.Edn dated 24-01-2003. In respect of posts Principal, Professor and Assistant Professor, the amended Rules prescribed that these posts shall be filled by open selection through 'Staff Selection Committee' constituted by the State Government in accordance with the All India Council for Technical Education Norms and on the basis of merit as per qualifications and experience prescribed in Rule 6. The method of appointment and qualifications prescribed for the post of Principal, Professor, Assistant Professor and Lecturer following the amendment brought into force through notification dated 24-1-2003 are as follows: -

1	2	3		4		5
	1	Principal		Appointment by open selection through the Staff Selection Committee constituted by State Government in accordance with the stipulations of the All India Council for Technical Education		(1) Ph.D. Degree in Engineering with 1st class degree at Bachelor's or Master's level in Engineering/Technology
						(ii) 15 years' experience in teaching/Industry/Research out of which 5 years' must be at the level of Professor or above in Engineering/Technology. Note:- Candidates from Industry/Profession with Master's Degree in Engineering/Technology and with professional work which is significant and can be recognised as equivalent to Ph.D degree and with 15 years experience of which at least 5 years should be at a senior level comparable to that of a Professor would also be eligible (Administrative Experience in a responsible position is desirable to these candidates)
	2	Professor		Appointment by open selection through the Staff Selection Committee constituted by State Government in accordance with the stipulation of the All India Council for Technical Education		(i) Ph.D degree with 1st Class degree at Bachelor's or Master's level in the appropriate branch of Engineering/Technology. (ii) 10 years experience teaching/Industry/Research out of which 5 years' must be at the level of Assistant Professor or equivalent. Note:- Candidates from Industry/Profession with Master's degree in Engineering/Technology and with professional work which is significant and can be recognized as equivalent to Ph.D degree and with 10 years' experience of which at least 5 years should be at a senior level comparable to that of an Assistant Professor would also be eligible.
	3	Assistant Professor		Appointment by open selection through the Staff Selection Committee constituted by State Government in accordance with the stipulation of the All India Council for Technical Education		(i) Ph.D degree with the 1st class degree at Bachelor's or Master's level in the appropriate branch of Engineering/Technology. (ii) 3 years experience in teaching/Industry/Research at the level of Lecturer or equivalent. Note:- Candidates from Industry/Profession with I class Bachelor's degree in the appropriate branch of Engineering/Technology or First Class Master's degree in the appropriate branch of Engineering/Technology and with professional work which is significant and can be recognized as equivalent to Ph.D degree and with 5 years experience would also be eligible"
	5	Lecturer		By direct recruitment		First Class Bachelor's degree in the appropriate branch of Engineering/ Technology OR First Class Master's degree in the

						appropriate branch of Engineering/ Technology.

Note:- In all the qualifications noted above, wherever the term I class appears, it means I class with a minimum of 60% aggregate marks".

It can be seen from the above that the qualification of Ph.D was mandatory for the posts of Principal, Professor and Assistant Professor except in situations where the candidates in question were covered under the note inserted under the prescribed qualifications to each of these posts which relates to candidates from 'Industry/Profession'. We are not really concerned with the contents of the note for the purposes of this case. Therefore it would be sufficient if it is noticed that Ph.D was a mandatory qualification for the posts of Principal, Professor and Assistant Professor as per the State Rules following its amendment in 2003.

4. Shortly after the State Rules were amended on 24-1-2003, the AICTE issued a notification bearing F.No.FD/PSSC/Notifications/2002/1 dated 18-2-2003. The Annexure to that notification reads as follows: -

"REVISED MINIMUM QUALIFICATION AND EXPERIENCE PRESCRIBED FOR TEACHING POSTS IN DEGREE LEVEL TECHNICAL INSTITUTIONS.

ENGINEERING & TECHNOLOGY DISCIPLINES.

Cadre	Qualification & Experience	Qualification & Experience for candidates from Industry & Profession
Lecturer	First Class Bachelor's Degree in the appropriate branch of Engineering/Technology OR First Class Master's Degree in the appropriate branch of Engineering (Engg.)/Technology (Tech.) (No minimum experience required)	First Class Bachelor's Degree in the appropriate branch of Engineering/Technology OR First Class Master's Degree in the appropriate branch of Engineering (Engg.)/Technology (Tech.) (No minimum experience required)
Assistant Professor	Ph.D. Degree with first class Degree at Bachelor's OR Master's level in the appropriate branch of Engineering/Technology with 3 years' experience in Teaching/Industry/Research at the level	Candidates from Industry/Profession with First Class Bachelor's Degree/First Class Master's degree in the appropriate branch of Engineering/Technology and Professional work which is

	of Lecturer or equivalent. OR First class Degree at Master's Level in the appropriate branch of Engg/Tech. with 5 years experience in Teaching/Industry/Research at the level of Lecturer or equivalent. Such candidates will be required to obtain Ph.D degree within a period of 7 years from the date of appointment as Assistant Professor.	significant and can be recognized as equivalent to Ph.D degree and with 5 years Industrial/Professional experience would also be eligible.
Professor	Ph.D Degree with First Class degree at Bachelor's or Master's Degree in the appropriate branch of Engineering/Technology with 10 years' experience in Teaching/Industry/Research out of which 5 years must be at the level of Assistant Professor and/or equivalent.	Candidates from Industry/Profession with Master's Degree in Engineering Technology and with professional work which is significant and can be recognized as equivalent to Ph.D. Degree and with 10 years' Industrial/Professional experience of which at least 5 years should be at a Senior Level comparable to that of an Assistant Professor would be eligible.
Principal/Director/ Head of Department.	Qualifications as per qualification of the Professor in the respective discipline. In addition the candidate should be an eminent person in the field with 15 years' experience in Teaching/Industry/Research out of which 3 year must be at the level of Professor or above	Candidates from Industry/Profession with Master's Degree in Engineering Technology and with professional work which is significant and can be recognized as equivalent to Ph.D. Degree and with 15 years' Industrial/Professional experience of which at least 5 years should be at a Senior Level comparable to that of Professor would also be eligible. Desirable: Administrative Experience in a responsible position.

Note: 1 If a class/division is not awarded at B.E/B.Tech, ME/M.Tech/equivalent degree, a minimum of 60% marks in aggregate shall be considered equivalent to 1st class/division. If a grade point system is adopted, the CGPA will be converted to equivalent marks and minimum CGPA shall be 6.75 in the scale of 10.

2. In the discipline Computer Science and Engineering/Technology in lieu of the 1st class degree in bachelor's and/or Master's level in the appropriate branch, a 1st class Master's degree in Computer Science & Engineering/Technology together with a 1st class bachelor's degree in any area of Engg./Technology will be acceptable."

A perusal of the notification dated 18-02-2003 of the AICTE shows that in the case of qualification for appointment as Assistant Professor, the AICTE had introduced a relaxation by providing that a person with First Class Degree at Masters Level in the appropriate branch Engineering/Technology with 5 years' experience in Teaching/Industry/ Research at the level of Lecturer or equivalent may also be

appointed/promoted as Assistant Professor with the condition that they should obtain Ph.D within a period of 7 years from the date of appointment as Assistant Professor. It must be noticed that for those with Ph.D the experience requirement was only 3 years. Though this notification/clarification of 18-03-2003 had granted this relaxation only in respect of the post of Assistant Professor, the Government of Kerala again amended the Special Rules for the Technical Education Service by incorporating two provisions as Rules 6A (1) and 6A (2). Rules 6A (1) & (2) read as follows: -

> *"6A. Exemption from qualification-*
>
> *(i) Candidates appointed as Lecturer in Engineering Colleges in the Technical Education Department on or before the 27th March 1990, who have completed 45 years of age on the date of notification published for filling up the posts of Professor, Joint Director (Engineering College Stream) and Director of Technical Education as the case may be are exempted from acquiring Ph. D Degree for eligibility for the above posts.*
>
> *(ii) Candidates applying for the post of Assistant Professor are exempted from possessing Ph.D. Degree but they have to acquire Ph.D Degree within seven years of the appointment to the post of Assistant Professor as stipulated by the All India Council for Technical Education."*

The amendments to the Kerala Technical Education Service Rules incorporating the aforesaid Rules 6A (i) and 6A (ii) came to be challenged before this Court. This Court through judgment dated 06-10-2009 in W.P (C) No.4468/2005 and connected cases declared the entirety of Rules 6A(i) & (ii) to be invalid and contrary to the provisions of the AICTE Regulations and thus illegal and inoperative. It must be noted that the notification

dated 18-2-2003 of the AICTE referred to above was not placed for consideration of the learned single judge. Those aggrieved by the judgment of the learned single judge filed intra Court appeals under Section 5 of the Kerala High Court Act.

5. When the appeals were pending, on 5-3-2010, the AICTE issued the "*Pay Scales, Service Conditions and Qualifications For The Teachers And Other Academic Staff In Technical Institutions Degree Regulations, 2010"*. As the qualifications prescribed by this regulation assumes importance in the context of the controversies, in this case, we extract below the qualifications prescribed for the posts of Assistant Professors (redesignated post of Lecturer), Associate Professors (redesignated post of Assistant Professor), Professors and Principals set out in the aforesaid Regulations of 2010.

Programme	Cadre	Qualifications	Experience
Engineering & Technology	Assistant Professor	BE/B.Tech & ME/ M.Tech in relevant branch with 1st class or equivalent either in BE/B.Tech or ME/M.Tech.	
	Associate Professor	Qualifications as above that is for the post of Assistant Professor, as applicable and Ph.D or equivalent,in appropriate discipline. Post Ph.D publications and guiding Ph.D students is highly desirable.	Minimum of 5 years experience in teaching / research /industry of which 2 years post Ph.D experience is desirable. In case of Architecture, Professional Practice of 5 years as certified by the Council of Architecture shall also be considered valid.
	Professor	Qualifications as above that is for the post of Associate Professor, applicable. Post Ph.D publications and guiding Ph.D students	Minimum of 10 years teaching/research/ industrial experience of which at least 5 years should be at the level of Associate professor.

		is highly desirable.	or Minimum of 13 years experience in teaching and / or Research and /or Industry. In case of research experience, good academic record and books/ research paper publications/IPR/ patents record shall be required as deemed fit by the expert members of the selection committee. If the experience in industry is considered, the same shall be at managerial level equivalent to Associate Professor with active participation record in devising/ designing, planning, executing, analyzing, quality control, innovating, training, technical books/ research paper publications / IPR/ patents, etc., as deemed fit by the expert members of the Selection committee. In case of Architecture, Professional Practice of 10 years as certified by the Council of Architecture shall also be considered valid.
	Principal / Director	Qualifications as above that is for the post of Professor, as applicable Post PhD publications and guiding PhD students is highly desirable	Minimum of 10 years experience in teaching / Research / Industry out of which at least 3 years shall be at the level of Professor or Minimum of 13 years experience in teaching and/ or Research and/or Industry In case of research experience, good academic record and books / research paper publications / IPR / patents record shall be required as deemed fit by the expert members of the Selection committee. If the experience in industry is considered, the same shall be at managerial level equivalent to Professor level with active participation record in

			devising/designing, developing, planning, executing, analyzing, quality control, innovating, training, technical books / research paper publications / IPR / patents, etc. as deemed fit by the expert members of the Selection committee. Flair for Management and Leadership is essential. In case of Architecture, Professional Practice of 10 years as certified by the Council of Architecture shall also be considered valid.

Thus it is clear that after 5-03-2010, the qualification of Ph.D is mandatory for the posts of Principals, Professors and Associate Professors (re-designated post of Assistant Professor). It must also be noticed that these Regulations were also directed to be implemented in the State of Kerala by issuing a Government Order.

6. The intra court appeal to the Division Bench against the judgment in W.P (C) No.4468/2005 and connected cases resulted in the affirmation of the view taken by the Single Judge (See judgment dated 16-12-2013 in W.A.Nos.2706, 2708, 2722, 2724 and 2772 of 2009, 692, 956 and 980 of 2012). The Division Bench also was not made aware of the notification dated 18-2-2003 of the AICTE.

7. The matters were carried to the Supreme Court. The Supreme Court considered the cases concerning Rule 6A (i) and Rule 6A (ii) separately. The Supreme Court through order in Civil Appeal

No.4604/2016 held that Rule 6A (ii) was not invalid in the light of the AICTE notification dated 18-02-2003, referred to above. The Supreme Court also considered the effect of a subsequent notification issued by the AICTE on 4-01-2016 (issued in question and answer format) where the AICTE had clarified that those who were promoted as Associate Professor without the qualification of Ph.D on the basis of the exemption contained in the notification dated 18-2-2003 (granting 7 years to acquire Ph.D) would only lose increments if they fail to acquire Ph.D within 7 years of appointment/promotion as associate Professor and held that the failure to acquire Ph.D within the time stipulated would not result in the appointment of the concerned as Associate Professor being invalid. The Supreme Court through judgment in Civil Appeal No.4502/2016 and connected cases noticed that the notification dated 05-03-2010 (which notification was not in force when this Court had decided the matter) issued by the AICTE makes it clear that those promoted as professors prior to that date were not required to possess the qualification of Ph.D. The notification of 05-03-2010 while prescribing that no one would be eligible to be promoted as Professor without the qualification of Ph.D made it clear that this prescription was not to affect those who are already designated as Professor. The Supreme Court did not, as in the case of Rule 6A (ii) hold that Rule 6A (i) was valid but only granted protection to the appellants before the Supreme Court by holding that since they had been promoted as

Professors prior to 05-03-2010 they were also entitled to the benefit of the stipulation noted above in the notification dated 05-03-2010.

8. In 2014 the State Government issued notifications inviting applications for filling up the posts of Associate Professors (redesignated post of Assistant Professor by the 2010 AICTE Regulation)/Professors and Principals. It must be noted that at this time the judgment that held the field was the judgment of this court holding that the provisions of Rule 6A were invalid and unconstitutional. The notification issued in 2014 came to be challenged before the Tribunal through OA No.1778/2014. That OA was disposed of on 14-11-2018 (after the Supreme Court had delivered its judgment in the cases referred to above). The Tribunal, therefore, issued directions through which the State Government was required to complete the selection process for regular promotion as to the posts of Associate Professors/Professors/Principals strictly in accordance with the judgments of the Supreme Court, this court, orders of the Tribunal the AICTE norms and the Special Rules. It is also further ordered that all promotions effected from 2008 till the date of order of the Tribunal (14-11-2017) shall be treated as provisional. Further directions were issued regarding the constitution of Selection Committees and it was also directed that pending the regular selection no further vacancies shall be filled up provisionally. It was also directed that reversions will also be kept in abeyance till final orders are passed concluding the selection.

9. It appears that the Government thereafter issued G.O (MS) No.71/2019/H.Edn dated 17-03-2019 to carry out the selection, promotion, appointment etc. to the posts of Associate Professors/Professors/ Principals on the premise that the Supreme Court of India has upheld the validity of Rule 6A and notwithstanding the stipulations contained in the AICTE regulations of 2010, the selections could be made with reference to Rule 6A(i) & (ii). This order came to be challenged before the Tribunal through OA Nos.500/2019 and connected cases.

10. On a consideration of the matter the Tribunal came to the conclusion that the order dated 07-03-2019 was issued in complete misunderstanding of the law laid down by the Supreme Court and in complete deviation from the earlier directions issued by the Tribunal. It found that the statement in the order dated 07-03-2019 that Rule 10 (ab) of Part II of KS& SSR would not apply to the selection is completely fallacious. It found that the Government ignored the directions issued by the Tribunal in OA No.1778/2014 and accepted the proposal put forth by the Director of Technical Education (who was an interested party herself) which was completely wrong. It also found that the Government had quite illegally resorted to provisional promotions without giving a quietus to the issue following and complying with the AICTE Regulations, the Supreme Court judgments, the High Court judgments and the orders passed by the Tribunal in OA No.1778/2014. It found that the action of the Government

in further ordering temporary promotions and consequently ordering reversions and transfers was completely illogical and unfounded. It, therefore, interfered with the orders effecting temporary promotions, reversions, transfers etc. and directed that regular promotions shall be effected in strict compliance of the orders issued by the Tribunal in OA No.1778/2014 and connected cases.

11. We have heard the submissions of Smt.V.P Seemanthini, Senior Advocate, Sri.Ramesh Babu, Senior Advocate, Sri.Jaju Babu Senior Advocate, Sri. S. Radhakrishnan, Smt. Vaheeda Babu, Sri. S. Krishnamoorthi, Sri. M.P. Prakash and Sri. Antony Mukkath (for the Government of Kerala).

12. At the outset we must make it clear that we do not intend to examine the individual facts in each of these cases and to determine whether the persons concerned were or were not entitled to promotion or to continue on the basis of provisional promotions granted to them. It appears that the entire promotions/postings etc. the posts of Associate Professors/Professors and Principals, in government engineering colleges have been embroiled in litigations pending before the Tribunal, this Court or the Supreme Court. The government appears to have compounded the issue by resorting to temporary promotions under Rule 31(a)(i) of Part-II of the KS&SSR by issuing orders without understanding the scope and intent of the judgments rendered by the Tribunal and the Supreme Court. The

order dated 7-03-2019 was, as rightly observed by the Tribunal, clearly illogical and against the law and the directions issued by the Tribunal in O.A 1778/2014.

13. Though we are generally in agreement with the view taken by the Tribunal, we believe that certain conclusions of the Tribunal need elaboration and/or clarification. On the basis of the questions arising for our consideration in these matters we frame the following issues for consideration: -

(i) are the AICTE regulations binding on the State Government notwithstanding any contrary stipulation in the State Rules?
(ii) what is the scope and effect of Rule 6A of the State Rules in the light of the judgments of the Supreme Court in Civil Appeal No. 4502/2016 and 4604/2016?
(iii) till what date was the benefit of the notification dated 18-2-2003 granting 7 years' time from the date of appointment/promotion as Associate Professor to acquire Ph.D available and what exactly is the effect of the clarification issued by the AICTE on 4-01-2016 that those who did not acquire Ph.D would only lose increments if they fail to acquire Ph.D within 7 years of appointment/promotion as associate Professor especially in the light of the judgment of the Supreme Court in Civil Appeal No.4604/2016 and connected cases?
(iv) what is the scope and effect of Rule 10(ab) and Rule 28(b)(iA) of Part-II of the KS&SSR and how are those Rules to be applied in the facts of these cases? And
(v) what are the stipulations in the Career Advancement Scheme of the AICTE ?

Re.Issue (i)

14. The AICTE Act is a piece of legislation which can be traced to Entry 66 of List-I of the 7th Schedule to the Constitution of India. Regulation of education including Technical and Medical Education and Universities also finds place in Entry 25 of List-III (the Concurrent List) and this entry is expressly made subject to Entry 66 of List-I. It is settled law that the All India Council for Technical Education can in exercise of the power under the provisions of the AICTE Act, regulate the qualifications, method of appointment etc. of teaching staff in Engineering Colleges. Section 10 under Chapter III of the Act deals with the powers and functions of the AICTE. Under Section10(1) of the AICTE Act *"It shall be the duty of the Council to take all such steps as it may think fit for ensuring coordinated and integrated development of technical and management education and maintenance of stands and for the purposes of performing its functions under this Act*; ..... *(i) lay down norms and standards for courses, curricula, physical and instructional facilities, staff pattern, staff qualifications, quality instructions, assessment and examinations."* In ***Kalyani Mathivanan v. K.V. Jeyaraj*, (2015) 6 SCC 363** it was held: -

> ***"52.*** *In Annamalai University v. Information and Tourism Deptt.; (2009) 4 SCC 590, this Court observed that the UGC Act was enacted by Parliament in exercise of its power under Schedule VII List I Entry 66 to the Constitution of India whereas*

the Open University Act was enacted by Parliament in exercise of its power under Entry 25 of List III. It was held that in such circumstances the question of repugnancy between the provisions of the said two Acts, does not arise. The Court while holding that the provisions of the UGC Act are binding on all the universities held as follows: (SCC p. 607, paras 40 & 42)

40. "The UGC Act was enacted by Parliament in exercise of its power under Schedule VII List I Entry 66 to the Constitution of India whereas the Open University Act was enacted by Parliament in exercise of its power under Entry 25 of List III thereof. The question of repugnancy of the provisions of the said two Acts, therefore, does not arise. It is true that the Statement of Objects and Reasons of the Open University Act shows that the formal system of education had not been able to provide an effective means to equalise educational opportunities. The system is rigid inter alia in respect of attendance in classrooms. Combinations of subjects are also inflexible.

***

42. The provisions of the UGC Act are binding on all universities whether conventional or open. Its powers are very broad. The Regulations framed by it in terms of clauses (e), (f), (g) and (h) of sub-section (1) of Section 26 are of wide amplitude. They apply equally to open universities as also to formal conventional universities. In the matter of higher education, it is necessary to maintain minimum standards of instructions. Such minimum standards of instructions are required to be defined by UGC. The standards and the coordination of work or facilities in universities must be maintained and for that purpose required to be regulated. The powers of UGC under Sections 26(1)(f) and 26(1)(g) are very broad in nature. Subordinate legislation as is well known when validly made becomes part of the Act. We have

noticed hereinbefore that the functions of UGC are all-pervasive in respect of the matters specified in clause (d) of sub-section (1) of Section 12-A and clauses (a) and (c) of sub-section (2) thereof."

53. *The aforesaid judgment makes it clear that to the extent the State legislation is in conflict with the Central legislation including subordinate legislation made by the Central legislation under Entry 25 of the Concurrent List shall be repugnant to the Central legislation and would be inoperative."*

In this regard reference may also be made to the decision of a Constitution Bench of the Supreme Court in ***Preeti Srivastava (Dr.) v. State of M.P.*; (1999) 7 SCC 120; *State of T.N. and another v. Adhiyaman Educational and Research Institute and others; (1995) 4 SCC 104; Prof. Yashpal and another v. State of Chhatisgarh and others, (2005) 5 SCC 420*** and to the Full Bench Judgment of this Court in ***Radhakrishna Pillai v. Travancore Devaswom Board and others*; *2016 (2) KHC 119 (F.B)***.

15. In the light of the above, there cannot be even an iota of doubt that the Rules framed by the State under Article 309 of the Constitution read with the provisions of the Kerala Public Services Act, 1968 will be subject to Regulations framed by the AICTE regarding the qualifications, method of appointment etc. and the Rules framed by the State would, to the extent it is repugnant to the Central Act/Regulations, be void and inoperative.

Re.Issue (ii)

16. As already noticed the Supreme Court in its judgment in Civil Appeal No.4604/2016 held that Rule 6A (ii) was not invalid in the light of the notification dated 18-02-2003, referred to above. Insofar as Rule 6A (i) is concerned, the Supreme Court did not find that the Rule was valid. The Supreme Court through judgment in Civil Appeal No.4502/2016 and connected cases noticed that the notification dated 05-03-2010 issued by the AICTE makes it clear that those promoted as professors prior to 5-3-2010 were not required to possess the qualification of Ph.D. As already noticed from 5-3-2010 Ph.D was clearly mandatory for the posts of Professors and Associate professors.

17. In the light of the above and in the light of our finding that the State Rules cannot operate against the stipulations of the AICTE, it is clear that Rule 6A (ii) has no application beyond 5-3-2010. Rule 6A (ii) was issued on the strength of the AICTE notification dated 18-02-2003 which obviously ceased to operate after 5-3-2010.

18. Insofar as Rule 6 A(i) is concerned we are of the opinion that the declaration of this Court finds that Rule to be contrary to the AICTE regulations was not disturbed by the Supreme Court. However, in the light of the finding of the Supreme Court that the notification dated 5-03-2010 issued by the AICTE makes it clear that those promoted as professors prior to 5-3-2010 were not required to possess the qualification of Ph.D, we are

of the opinion that notwithstanding the fact that there is no enabling provision in the AICTE regulations permitting a course of action contemplated by Rule 6 A(i), those promoted on regular basis as Professor prior to 5-3-2010 are not required to have the qualification of Ph.D to be promoted as such. We also hold that neither Rule 6A(i) nor Rule 6A(2) have any application beyond 5-3-2010.

Re.Issue (iii)

19. Our finding on issue No.2 effectively answers this issue also. However, in the light of the fact that the Supreme Court has in its judgment Civil Appeal No.4604/2016 held that Rule 6A (ii) was not invalid in the light of the notification dated 18-02-2003, referred to above and on account of the fact that the Supreme Court also considered the effect of the subsequent notification dated 4-01-2016 of the AICTE (issued in question and answer format) where it was clarified that those who were promoted as Associate Professor without the qualification of Ph.D on the basis of the exemption contained in the notification dated 18-2-2003 (granting 7 years to acquire Ph.D) would only lose increments if they fail to acquire Ph.D within 7 years of appointment/promotion as associate Professor it may be necessary to consider this issue. In the light of our finding that the exemption granted through notification dated 18-2-2003 would not operate beyond 5-3-2010 we hold that the clarifications issued by the

AICTE in question-answer format on 4-01-2016 relate only to those Assistant Professors (Re-designation as associate professors was only after 5-3-2010) who were promoted on regular basis between 18-2-2003 and 5-3-2010.

Re.Issue (iv)

20. Rule 10(ab) of Part-II of the KS&SSR reads as follows: -

> *"**10 (ab)** Where the Special Rules or Recruitment Rules for a post in any service prescribe qualification of experience, it shall, unless otherwise specified, be one gained by persons on temporary or regular appointment in capacities other than paid or un paid apprentices, trainees and Casual Labourers in Central or State Government Service or in Public Sector Undertaking or Registered Private Sector Undertaking, after acquiring the basic qualification prescribed for the post:"*

Our reading of Rule 10(ab) suggests to us that the dispute regarding the applicability of the aforesaid Rule will, in the facts of the present cases, apply only in the case of Assistant Professor (now redesignated as Associate Professor) and that too only for the period between 18-2-2003 and 5-3-2010 when the exemption contained in the AICTE notification to the effect that Ph.D need be obtained only within a period of 7 years from the date of promotion/appointment as Assistant Professor (now redesignated as associate Professor) was in operation. Rule 10(ab) provides that where the Rules prescribe that for promotion to the higher post a particular qualification is prescribed, and also prescribes a particular period of experience in the lower post, the experience must be one gained after

acquisition of the qualification. Therefore the question arises as to whether the persons who got promotion as Assistant Professor (now redesignated as associate Professor) between 18-2-2003 and 5-3-2010 without having the qualification of Ph.D but later, either within the period of 7 years or thereafter obtained such qualification making them eligible for promotion as Professor can count their experience from the date of their original promotion as Assistant Professor (now redesignated as Associate Professor) or whether the experience requirement must be one gained after acquisition of Ph.D. In our view, in the light of the stipulations contained in the AICTE notification of 18-2-2003 and the provisions of Rule 6A (ii) of the State Rules which was found to be valid by the Supreme Court, the persons who got the benefit of the AICTE notification of 18-2-2003 by being regularly promoted as Assistant Professor (now redesignated as associate Professor) before 5-3-2010 can count experience from the date of their original promotion though they did not have Ph.D on the date of such promotion. This is because the provisions of Part-II of the KS&SSR will apply only in the absence of anything contrary in the special Rules. Rule 2 of Part-II of the KS&SSR reads as follows: -

> *"**2. Relation to the Special Rules: -** If any provision in the General Rules contained in the Part is repugnant to a provision in the Special Rules applicable to any particular service contained in Part III, the latter shall, in respect of that service, prevail over the provision in the General Rules in this Part."*

Here both the AICTE notification of 18-2-2003 (which will apply even in the absence of a similar stipulation in the special Rules for the Kerala Technical Education Service) and the provisions of Rule 6A(ii), persons without Ph.D could be promoted as Assistant Professor (now redesignated as Associate Professor) with the rider that they should obtain Ph.D within a period of 7 years from the date of the promotion. Further, in the light of the Supreme Court holding with reference to the notification dated 4-01-2016 of the AICTE (issued in question and answer format) that those promoted as Assistant Professor (now redesignated as Associate Professor) would only lose increments if they failed to obtain Ph.D within a period of 7 years from the date of promotion, we have no hesitation to hold that such persons can count experience from the date of promotion as Assistant Professor (now redesignated as Associate Professor) and the experience prescribed for promotion as Professor need not be one gained after acquisition of Ph.D. The decisions of the Full Bench of this Court in ***Basheer A (Dr.) v. Dr. Saiful Islam A & ors; 2014(4) KLT 521*** and that of the Division Bench in ***Sirajudeen v. State of Kerala; 2001(2) KLT 268*** and ***Dr.Marykutty Joseph v. State of Kerala; 2007(4) KLT 335*** were cases which were completely different on facts. The benefit of a relaxation like that contained in the notification bearing F.No.FD/PSSC/Notifications/2002/1 dated 18-2-2003 was not available in the facts of those cases. The law laid down in those cases is unexceptionable

but we are afraid that it does not apply here. Therefore we hold that the persons who got the benefit of the AICTE notification of 18-2-2003 by being regularly promoted as Assistant Professor (now redesignated as associate Professor) before 5-3-2010 can count experience from the date of their original promotion though they did not have Ph.D on the date of such promotion.

21. Rule 28(b)(iA) of Part-II of the KS&SSR reads as follows:-

> *"28(b)(iA) Preparation of select list subsequent to the occurrence of vacancy.- When a select list is prepared subsequent to the occurrence of a vacancy, no person who was not qualified for inclusion in the select list at the time of occurrence of the vacancy shall be included in the select list for appointment against that vacancy.*
>
> *Note.- If there are no qualified persons for promotion to a post on the date of occurrence of the vacancy, the person who gets qualified first thereafter, shall be considered for promotion to that post:"*

It is not in dispute before us that following the amendments brought to the Special Rules for The Kerala Technical Education Service, on 24-01-2003, which we have already noticed and referred to, the posts of Principals, Professors and Assistant Professors (now redesignated as Associate Professor), are selection posts in respect of which a select list has to be prepared in accordance with the provisions of Rule 28(b) of Part-II of the KS&SSR. It is therefore obvious that the stipulation in Rule 28(b)(iA) that the person concerned must be qualified on the date of occurrence of the

vacancy is applicable in the matter of promotion to these posts.

Re.Issue (iv)

22. The Career Advancement Scheme (CAS) of the AICTE is an independent scheme which is also governed by Regulations. It provides for placement is a higher grade/grades on completion of prescribed periods of residency. Since the issue has not been agitated before the Tribunal, we do not wish to examine the question of eligibility of persons concerned to obtain higher grade/ designation under CAS. The Government has to determine the issue of eligibility for placement/redesignation under CAS strictly in accordance with the AICTE Regulations.

23. In the light of our findings we hold as follows:-

a. The Kerala Technical Education Service Rules framed by the State under Article 309 of the Constitution of India read with the provisions of the Kerala Public Services Act, 1968 will be subject to Regulations framed by the AICTE regarding the qualifications, method of appointment etc. and the Rules framed by the State would, to the extent it is repugnant to the Central Act/Regulations, be void and inoperative. The AICTE Regulations have to be followed even in the absence of any enabling Rule or Regulation in the State Rules;

b. Those persons who were promoted on regular basis as Professors prior to 5-3-2010 are not required to have the qualification of Ph.D to be promoted as such in view of the law laid down by the Supreme Court in the judgment in Civil Appeal No.4502/2016 and connected cases;

c. Rules 6A(i) and 6A(ii) have no application beyond 5-3-2010, the date on which "*Pay Scales, Service Conditions and Qualifications for The Teachers And Other Academic Staff In Technical Institutions Degree Regulations, 2010*" were issued by the AICTE. In other words, after 5-03-2010, the qualification of Ph.D is mandatory for the posts of Principals, Professors and Associate Professors (re-designated post of Assistant Professor);

d. The clarifications issued by the AICTE in a question-answer format on 4-01-2016 relate only to those Assistant Professors (Re-designation as Associate Professors was only after 5-3-2010) who were promoted on regular basis between 18-2-2003 and 5-3-2010;

e. Those promoted on regular basis as Assistant Professor (now Associate Professor) between 18-2-2003 and 5-3-2010 will be entitled to count their service from the date of

promotion as Associate Professor for the purpose of determining experience for further promotions notwithstanding the fact that they did not have the qualification of Ph.D on the date of their promotion and notwithstanding the stipulations in Rule 10(ab) of Part-II of the KS&SSR;

f. The posts of Principals, Professors and Assistant Professors (now redesignated as Associate Professor), being selection posts in respect of which a select list, has to be prepared in accordance with the provisions of Rule 28(b) of Part-II of the KS&SSR, the stipulation in Rule 28(b)(iA) that the person concerned must be qualified on the date of occurrence of the vacancy is applicable in the matter of promotion to these posts;

g. Since regular selections to the posts of Associate Professors (earlier Assistant Professor), Professors and Principals have been held up for quite some time (the notification issued in 2004 for selection to the posts of Professors, the notification issued in 2014 for selection to the posts of Associate Professors (earlier Assistant Professor), Professors and Principals, and the notification issued in 2016

for selection to the posts of Associate Professors (earlier Assistant Professor), Professors and Principals were all cancelled or the process stopped midway) and since the State Government has issued orders granting provisional/temporary promotions under Rule 31(a)(i) of Part-II of the KS&SSR without understanding the scope and intent of the judgments rendered by the Tribunal and the Supreme Court, we hold that persons who are found entitled to regular promotion but were not granted such promotion will also be treated as if they had been granted regular promotion from the date on which they are found so entitled. **For example:-** a person found entitled to regular promotion as Professor prior to 5-3-2010 will be entitled to such promotion without having the qualification of Ph.D and a person found entitled to promotion as Assistant Professor/Associate Professor prior to 5-3-2010 will be entitled to the benefit of the 7 year period to obtain the qualification of Ph.D and will also be entitled to count their service from the date of promotion in view of our finding that the stipulation in Rule 10(ab) that experience must be one gained after acquisition of qualification will not be applicable to persons who are promoted between 18-2-2003 and 5-3-2010. **This direction/ this finding is only on account of the fact**

that regular promotions have been held up for quite some time and there may be persons who were not promoted either provisionally or on a regular basis from the date of their actual entitlement. These directions will apply only if such a situation exists.

h. The Government shall while ordering regular promotions in accordance with the directions contained in this judgment will also determine the issue of eligibility for placement/redesignation under the Career Advancement Scheme (CAS) strictly in accordance with the applicable AICTE Regulations. If the acquisition of any qualification is mandatory for such placement/redesignation under CAS the same shall be insisted upon.

24. The Tribunal while disposing of O.A. No.1778/2014 had directed as follows;

"The first respondent, before venturing into the proceedings, as stated in para-11 (a) of the Government Order dated 7-11-2017, shall hear all the stake holders in the issue. The first respondent shall issue a notification within two weeks from today inviting written submissions/proposals from all concerned as to the selection process to be initiated in accordance with the pronouncements of the Hon'ble Supreme Court, judgments of the Hon'ble High Court, orders of this Tribunal and AICTE norms and the Special Rules. The notification shall be published in all the Government Engineering Colleges as well as in the web-site of the Department. The parties concerned,

including the parties herein, shall prefer their submissions within a period of two weeks therefrom. On receipt of such submissions, the first respondent shall conduct a hearing in the matter which shall also be notified in the manner prescribed herein before. This shall be conducted either by the first respondent or by the duly constituted Committee with the Secretary, the Director of Technical Education and other competent officers. The hearing shall be held and concluded within two months from the date of receipt of submissions. The first respondent will thereupon issue final orders and thereafter conduct the selection process and carry out the appointments."

While issuing the final order in O.A Nos.500/2019 and connected cases, which are under challenge in this batch of original petitions held as follows;

"The impugned orders, to the extent they concern the applicants herein, are liable to be set aside and it is accordingly done do. The first respondent will ensure that regular promotions are carried out after completing the exercise as directed by this Tribunal in its order in O.A. No.1778 of 2014 and connected cases and as observed herein above. This shall be done within a period of two months from the date of receipt of a copy of this order."

We are of the opinion that directions issued by the Tribunal in Paragraph 12 of the order in O.A No.1778/2014 to the extent extracted above is not required to be followed. In the matter of granting promotions etc. it is not necessary to invite objections, grant personal hearing etc, as directed by the Tribunal.

25. The State Government and its officers will do well to comply with the directions issued hereinabove in letter and spirit. Considering the fact that the issues considered in this judgment have been embroiled in litigation for very many years, the exercise of reviewing any provisional promotions granted and issuance of orders regarding regular promotions must be completed within a period of 3 months from the date of receipt of a copy of this judgment. Till such time as the exercise is completed *status quo* on the date of issuance of G.O (MS) No.71/2019/H.Edn dated 07-03-2019 shall be maintained and the promotions/reversions ordered therein shall not be implemented.

The original petitions shall stand disposed of as above.

(Sd/-)
A. M. SHAFFIQUE
Judge

(Sd/-)
GOPINATH P.
Judge

AMG

APPENDIX OF OP(KAT) 133/2019

PETITIONER'S/S EXHIBITS:

EXHIBIT P1	**TRUE COPY OF THE ORIGINAL APPLICATION NUMBER.1246 OF 2016 FILED BY THE PETITIONER**
EXHIBIT P1(A1)	**TRUE COPY OF THE PUBLIC NOTICE PUBLISHED IN THE HINDU DAILY DATED 18.04.2003**
EXHIBIT P1(A2)	**TRUE COPY OF THE PROVISIONAL CERTIFICATE DATED 04.102010 ISSUED BY THE INDIAN INSTITUTE OF SCIENCE, BANGALORE**
EXHIBIT P1(A3)	**TRUE COPY OF THE PROMOTIONAL ORDER G.O(RT.) NO.27622015/H.EDN DATED 26.10.2015**
EXHIBIT P1(A4)	**TRUE COPY OF THE NOTIFICATION NO.41397/G1/13/H.EDN DATED 30.04.2014**
EXHIBIT P1(A5)	**TRUE COPY OF THE NOTIFICATION NO.29586/G1/2014/H.EDN DATED 02.09.2014**
EXHIBIT P1(A5(A))	**TRUE COPY OF THE LIST OF ELIGIBLE CANDIDATES PREPARED BY 2ND RESPONDENT**
EXHIBIT P1(A6)	**TRUE COPY OF THE ORDER DATED 03.02.2016 IN CP NO.189/015 IN OA NO.1669/2015**
EXHIBIT P1(A7)	**TRUE COPY OF THE ORDER IN G.O MS NO. 118/16/H.EDN DATED 11.05.2016**
EXHIBIT P1(A8)	**TRUE COPY OF THE NOTIFICATION G.O.P NO.6/03/H.EDN DATED 24.01.2003**
EXHIBIT P1(A9)	**TRUE COPY OF THE JUDGMENT OF HONOURABLE SUPREME COURT IN CIVIL APPEAL NO. 4604/2016 DATED 26.04.2016**
EXHIBIT P2	**TRUE COPY OF THE REPLY STATEMENT FILED BY THE GOVERNMENT**
EXHIBIT P3	**TRUE COPY OF THE G.O(MS)NO.282/2017/H.EDN DATED 07.11.2017**
EXHIBIT P4	**TRUE COPY OF THE ORDER IN O.A.NO.1246 OF 2016 DATED 14.11.2017**
EXHIBIT P5	**TRUE COPY OF THE JUDGMENT IN WP(C) 22613 OF 2004 DATED 26.11.2008**
EXHIBIT P6	**TRUE COPY OF THE GO MS 58/2019/H.EDN DATED 07.03.2019**

APPENDIX OF OP(KAT) 133/2020

PETITIONER'S/S EXHIBITS:

EXHIBIT P1	**TRUE COPY OF THE ORIGINAL APPLICATION NO.567/2019.**
EXHIBIT P1(A1)	**TRUE COPY OF GO(MS) NO.103/2016/H.EDN. DT. THIRUVANANTHAPURAM 26/04/2016.**
EXHIBIT P1(A2)	**TRUE COPY OF GO(MS) NO.62/2019/H.EDN. DT THIRUVANANTHAPURAM 7/3/2019.**
EXHIBIT P1(A3)	**TRUE COPY OF AMENDMENT TO THE SPECIAL RULES GO(P) NO.6/2003/H.EDN. DT. THIRUVANANTHAPURAM 24/01/2003.**
EXHIBIT P1(A4)	**TRUE COPY OF G.O.(P) NO.122/2004/H.EDN. THIRUVANANTHAPURAM 18/09/2004.**
EXHIBIT P1(A5)	**TRUE COPY OF THE CIVIL APPEAL NO.4604 OF 2016 ORDER DT. 26/04/2016.**
EXHIBIT P1(A6)	**TRUE COPY OF INTERIM ORDER IN CO(C) NO.189 OF 2015 IN OA NO.1669/2015 DT. 3/2/2016 ISSUED BY HON'BLE KERALA ADMINISTRATIVE TRIBUNAL.**
EXHIBIT P1(A7)	**TRUE COPY OF THE ORDER GO(MS) NO.282/2017/H.EDN. DT.THIRUVANANTHAPURAM 07/11/2017 ISSUED BY OFFICE OF 1ST RESPONDENT.**
EXHIBIT P1(A8)	**TRUE COPY OF JUDGMENT IN OA NO.1669/2015 DT. 14/11/2017 ISSUED BY HON'BLE KERALA ADMINISTRATIVE TRIBUNAL.**
EXHIBIT P1(A9)	**TRUE COPY OF JUDGMENT IN OA NO.158/2018 DT. 6/6/2018 ISSUED BY HON'BLE KERALA ADMINISTRATIVE TRIBUNAL.**
EXHIBIT P1(A10)	**TRUE COPY OF ADVICE ISSUED BY ADVOCATE GENERAL WITH NO.SS23/2017 AG DT. 23/10/2018.**
EXHIBIT P1(A11)	**TRUE COPY OF THE RELEVANT PAGES OF THE INTERIM ORDER IN MA NO.408/2019 DT. 18/2/2019.**
EXHIBIT P1(A12)	**TRUE COPY OF G.O.(MS) NO.55/2019/H.EDN. THIRUVANANTHAPURAM DT.7/3/2019.**
EXHIBIT P1(A13)	**TRUE COPY OF CIRCULAR NOTE TO HON'BLE CHIEF MINISTER.**
EXHIBIT P2	**TRUE COPY OF THE REPLY STATEMENT DT.31/3/2019 IN OA NO.567/2019.**

EXHIBIT P2(R3A) TRUE COPY OF ORDER DT. 17/1/2012.

EXHIBIT P2(R3B) TRUE COPY OF ORDER DT.1/4/2018 IN OP(KAT) NO.133/2019 OF HON'BLE HIGH COURT.

EXHIBIT P3 TRUE COPY OF THE ORDER IN OA NO.567/2019 DATED 5/3/2020 OF THE KERALA ADMINISTRATIVE TRIBUNAL.

APPENDIX OF OP(KAT) 135/2020

PETITIONER'S/S EXHIBITS:

EXHIBIT P1	**TRUE COPY OF THE ORIGINAL APPLICATION NO. 548 OF 2019 FILED BY THE PETITIONER**
EXHIBIT P1(A1)	**TRUE COPY OF THE NOTIFICATION BEARING NO. 29586/G1/2014/H.EDN DATED 2-09-2014**
EXHIBIT P1(A2)	**TRUE COPY OF THE GO(MS) NO., 88/2016/H.EDN DATED 31-3-2016**
EXHIBIT P1(A3)	**TRUE COPY OF THE GO(MS) NO. 515/14/H.EDN DATED 16-07-2014**
EXHIBIT P1(A4)	**TRUE COPY OF THE REPRESENTATION SUBMITTED DATED 15-06-2016 TO THE 1ST RESPONDENT**
EXHIBIT P1(A5)	**TRUE COPY OF THE ORDER ORDER IN OA 1374/2016 DATED 24-06-2016**
EXHIBIT P1(A6)	**TRUE COPY OF THE GO(RT) NO. 2332/2016/H.EDN DATED 1-9-2016**
EXHIBIT P1(A7)	**TRUE COPY OF THE GO(RT) NO. 3554/2016/H.EDN DATED 30-12-2016**
EXHIBIT P1(A8)	**TRUE COPY OF THE ORDER IN OA 1403/2017 DATED 24-10-2017**
EXHIBIT P1(A9)	**true copy of the go(rt) no. 1918/2018/h.edn dated 24-10-2018**
EXHIBIT P1(A10)	**TRUE COPY OF THE ORDER DATED 25-10-2018 IN CPC NO 195/18**
EXHIBIT P1(A11)	**TRUE COPY OF THE AFFIDAVIT DATED 23-11-2018 FILED BY THE 1ST RESPONDENT IN CPC NO. 195/18**
EXHIBIT P1(A12)	**TRUE COPY OF THE ORDER OF THE HON'BLE TRIBUNAL IN OA NO. 1254/16 DATED 14-11-2017**
EXHIBIT P1(A13)	**TRUE COPY OF THE GO MS NO. 55/2019/H.EDN DATED 7-3-2019**
EXHIBIT P14	**TRUE COPY OF THE GOMS. NO. 58/2019/H.EDN DATED 7-3-2019**
EXHIBIT P1(A15)	**TRUE COPY OF THE CIRCULAR ISSUED Y THE PERSONNEL AND ADMINISTRATIVE REFORMS (RULES) DEPARTMENT BEARING NO. 19305/RULES-1/96/P AND ARD DATED 9-9-1997**

EXHIBIT P2	**TRUE COPY OF THE JUDGMENT DATED 15-07-2019 IN OP(KAT) 151/2019 OF THE HON'BLE HIGH COURT**
EXHIBIT P3	**TRUE COPY OF THE INTERIM ORDER DATED 1-04-2019 IN OP(KAT) 133/2019 OF THE KERALA ADMINISTRATIVE TRIBUNAL**
EXHIBIT P4	**TRUE COPY OF THE ORDER IN OA NO. 548/2019 DATED 5-3-2020 OF THE KERALA ADMINISTRATIVE TRIBUNAL**
EXHIBIT P5	**TRUE COPY OF THE NOTIFICATION GO(MS) NO 26/09/H.EDN 09-02-2009**
EXHIBIT P6	**TRUE COPY OF THE GO(RT) NO 341/2012/H.EDN DATED 21-02-2012**

APPENDIX OF OP(KAT) 232/2020

PETITIONER'S/S EXHIBITS:

EXHIBIT P1	**A TRUE COPY OF THE ORDER DATED 5.3.2020 IN OA.NO.1646/2020.**
EXHIBIT P2	**A TRUE COPY OF THE PROFORMA FURNISHED BY THE RESPONDENT NO.3 SHOWING THE DATE AND YEAR OF ACQUIRING OF M.TECH BY HIM.**
EXHIBIT P3	**A TRUE COPY OF THE ORIGINAL APPLICATION WITH ANNEXURES.**
ANNEXURE (A1)	**TRUE COPY OF THE ORDER G.O.(MS)NO.284 DATED 2.9.1967 ISSUED BY THE PUBLIC (RULES) DEPARTMENT, THIRUVANANTHAPURAM.**
ANNEXURE A2	**A TRUE COPY OF THE SPECIAL RULES AS PER ORDER NO.GO(P)NO.6/2003/H.EDN DATED 24.1.2003.**
ANNEXURE A3	**A TRUE COPY OF THE ORDER G.O.(P)NO.122/2004/H.EDN DATED 18.9.2004.**
ANNEXURE A4	**A TRUE COPY OF THE JUDGMENT IN CIVIL APPEAL NO.4605 OF 2016 DATED 26.4.2016 ISSUED BY THE HON'BLE SUPREME COURT.**
ANNEXURE A5	**A TRUE COPY OF THE G.O.(M.S)NO.282/2017/H.EDN DATED 7.11.2017 ISSUED BY THE 1ST RESPONDENT.**
ANNEXURE A6	**A TRUE COPY OF THE JUDGMENT IN OA.1669/2015 DATED 14.11.2017 ISSUED BY THE HON'BLE KERALA ADMINISTRATIVE TRIBUNAL.**
ANNEXURE A7	**A TRUE COPY OF THE GRADATION LIST AS PER PROCEEDINGS, DIRECTORATE OF TECHNICAL EDUCATION, THIRUVANANTHAPURAM NO.EG2/13106/2012 DATED 7.9.2013.**
ANNEXURE A8	**A TRUE COPY OF THE G.O(M.S)NO.70/2019/H.EDN DATED 7.3.2019 ISSUED BY THE 1ST RESPONDENT.**
ANNEXURE A9	**A TRUE COPY OF THE FILE NUMBER H.EDN-G1/411/2016-H.EDN-PART (1) ISSUED BY THE HIGHER EDUCATION (G) DEPARTMENT.**
ANNEXURE A10	**A TRUE COPY OF THE RELEVANT PAGES OF NOTE FILED OF FILE NO.G1/411/2016/H.EDN OBTAINED THROUGH RTI.**

APPENDIX OF OP(KAT) 236/2020

PETITIONER'S/S EXHIBITS:

EXHIBIT P1	**CERTIFIED COPY OF O.A NO. 526/2019 FILED BY THE 1ST REPONDENT ALONG WITH ANNEXURES A1 TO 12**
ANNEXURE A1	**CERTIFIED COPY OF THE ORDER NO. GO(P) 81/90/H.EDN DATED 27-03-1990**
ANNEXURE A2	**CERTIFIED COPY OF GO(P) NO. 6/2003/H.EDN DATED 24-01-2003**
ANNEXURE A3	**CERTIFIED COPY OF GO(P) NO. 122/2004 H.EDN DATED 18-09-2004**
ANNEXURE A4	**CERTIFIED COPY OF THE JUDGMENT PASSED BY THE HON'BLE SUPREME COURT IN CIVIL APPEAL NO. 4604/2016 AND CONNECTED CASES DATED 26-04-2016.**
ANNEXURE A5	**CERTIFIED COPY OF RELEVANT PAGES OF AICTE (PAY SCALES, SERVICE CONDITIONS AND QUALIFICATIONS FOR THE TEACHERS AND OTHER ACADEMIC STAFF IN TECHNICAL INSTITUTIONS (DEGREE) REGULATIONS, 2010.**
ANNEXURE A6	**CERTIFIED COPY OF NOTIFICATION NEARING F.NO. FD/PSSC/NOTIFICATION/2002/1 DATED 18-2-2003**
ANNEXURE A7	**CERTIFIED COPY OF AGENDA NOTE FOR THE ITEM NO. 42-04-02 OF THE 42ND EXECUTIVE COMMITTEE OF AICTE DATED 11-10-2002**
ANNEXURE A8	**CERTIFIED COPY OF MINUTES OF THE 42ND MEETING OF THE EXECUTIVE MEETING HELD ON 11TH OCTOBER 2002 OF THE AICTE**
ANNEXURE A9	**CERTIFIED COPY OF GO(MS) NO. 113/2016/H.EDN DATED 5-5-2016 (RELEVANT PAGES)**
ANNEXURE A10	**CERTIFIED COPY OF GO(MS) NO. 113/2016/H.EDN DATED 5-5-2016 (RELEVANT PAGES)**
ANNEXURE A10	**CERTIFIED COPY OF THE ORDER IN O.A 1254/2016 AND CONNECTED CASES DATED 14-11-2017.**
ANNEXURE A11	**CERTIFIED COPY OF THE GO(MS) NO. 71/2019/H.EDN DATED 7-3-2019**
ANNEXURE A12	**CERTIFIED COPY OF ORDER NO. ACE1.A3/12447/2012 DATED 30-1-2013**

EXHIBIT P2	**CERTIFIED COPY OF THE ADOPTION MEMO IN O.A NO. 526/2019 ALONG WITH REPLY STATEMENT FILED BY THE 1ST RESPONDENT IN O.A NO. 544/2019 ALONG WITH ANNEXURES R1(A) AND R1(B) DATED 2-07-2019 BEFORE THE KERALA ADMINISTRATIVE TRIBUNAL**
ANNEXURE R1(A)	**CERTIFIED COPY OF THE NOTIFICATION DATED 18-2-2003**
ANNEXURE R1(B)	**CERTIFICATE COPY OF THE NOTIFICATION DATED 4-1-2016 ISSUED BY THE AICTE**
EXHIBIT P3	**CERTIFIED COPY OF THE REPLY STATEMENTS FILED BY THE RESPONDENTS 3 AND 4 A;LONG WITH ANNEXURE-R3(A) AND R3(B) IN O.A NO. 526/2019 BEFORE THE KERALA ADMINISTRATIVE TRIBUNAL DATED 29-3-2019**
ANNEXURE 3(A)	**CERTIFIED COPY OF THE NOTIFICATION GO(MS) NO. 282/2017/HEDN DATED 7-11-2017**
ANNEXURE R3(B)	**CERTIFIED COPY OF THE JUDGMENT IN WRIT PETITION NO. 22613/04 DATED 26-11-2008**
EXHIBIT P4	**TRUE COPY OF THE MISCELLANEOUS APPLICATION /2019 FILED BY THE 2ND RESPONDENT IN O.A NO. 526/2019 DATED 1-4-2019 ALONG WITH ANNEXURE MA1 OF THE KERALA ADMINISTRATIVE TRIBUNAL, THIRUVANANTHAPURAM.**
ANNEXURE MA1	**TRUE COPY OF THE JUDGMENT DATED 28-3-2019 IN OP(KAT) NO. 126/2019 OF THIS HON'BLE COURT.**
EXHIBIT P5	**COPY OF THE REJOINDER FILED BY THE APPLICANT TO THE REPLY FILED BY THE RESPONDENTS 3 AND 4 DATED 29-04-2019 BEFORE THE KERALA ADMINISTRATIVE TRIBUNAL**
EXHIBIT P6	**CERTIFIED COPY OF THE ORDER DATED 5-3-2020 219-268 IN O.A 526/2019 OF THE KERALA ADMINISTRATIVE TRIBUNAL**

APPENDIX OF OP(KAT) 239/2020

PETITIONER'S/S EXHIBITS:

EXHIBIT P1	**TRUE COPY OF THE OA ALONG WITH ANNEXURES**
ANNEXURE (A1)	**TRUE COPY OF THE G.O(MS) NO. 13/2016/H.EDN DATED 5-05-2016 ISSUED BY THE 1ST RESPONDENT.**
ANNEXURE (A2)	**TRUE COPY OF THE AMENDMENT TO THE SPECIAL RULES AS PER G.O(P) NO.6/2003/ H.EDN DATED 24-01-2003 ISSUED BY THE 1ST RESPONDENT.**
ANNEXURE (A3)	**TRUE COPY OF AMENDMENT AS PER G.O(P) NO. 122//2004 /H.EDN DATED 18-09-2004 ISSUED BY THE 1ST RESPONDENT**
ANNEXURE (A4)	**TRUE COPY OF ORDER OF HON'BLE SUPREME COURT IN CIVIL APPEAL NO. 4502 OF 2016 DATED 28-04-2016**
ANNEXURE (A5)	**TRUE COPY OF HON'B'BLE SUPREME COURT IN CIVIL APPEAL NO. 4604 OF 2016 AND CONNECTED CASES DATED 26-04-2016**
ANNEXURE (A6)	**TRUE COPY OF ORDER DATED 14-11-2017 IN O.A NO. 1780 OF 2014**
ANNEXURE (A7)	**TRUE COPY OF REPRESENTATION DATED 24-11-2017 SUBMITTED BY THE APPLICANT BEFORE THE 1ST RESPONDENT**
ANNEXURE (A8)	**TRUE COPY OF G.O(MS) NO. 71/2019/H.EDN DATED 07-03-2019 ISSUED BY THE 1ST RESPONDENT.**
ANNEXURE (A9)	**TRUE COPY OF ORDER DATED 11-03-2019 IN O.A NO. 526 OF 2019**
EXHIBIT P2	**TRUE COPY OF THE MEMO DATED 19-07-2019 ALONG WITH REPLY STATEMENT IN O.A 544 OF 2019**
ANNEXURE R1(A)	**A PHOTOCOPY OF THE NOTIFICATION DATED 18-02-2003**
ANNEXURE R1(B)	**A PHOTOCOPY OF THE NOTIFICATION DATED 04-01-2016 ISSUED BY THE AICTE**
EXHIBIT P3	**TRUE COPY OF THE ORDER DATED 05-03-2020 IN O.A (EKM) NO. 500/2019**
EXHIBIT P4	**TRUE COPY OF THE JUDGMENT DATED 28-03-2019 IN OP(KAT) NO. 126 OF 2019.**

APPENDIX OF OP(KAT) 250/2020

PETITIONER'S/S EXHIBITS:

EXHIBIT P1	**TRUE COPY OF THE OA ALONG WITH ANNEXURES.**
ANNEXURE (A1)	**TRUE COPY OF THE G.O. (MS) NO. 109/2016/H.EDN. DATED THIRUVANANTHAPURAM 05.05.2016.**
ANNEXURE (A2)	**TRUE COPY OF GO(RT) NO. 1391/2017/H.EDN. DATED THIRUVANANTHAPURAM.**
ANNEXURE (A3)	**TRUE COPY OF THE AMENDMENT TO THE SPECIAL RULE G.O. (P) NO. 6/2003/H.EDN. DATED 24.01.2003, THIRUVANANTHAPURAM.**
ANNEXURE (A4)	**TRUE COPY OF THE CIVIL APPEAL NO. 4502 OF 2016 ORDER DATED 28.04.2016.**
ANNEXURE (A5)	**TRUE COPY OF THE SAID INTERIM ORDER IN C.P.C NO. 189 OF 2015 IN O.A. NO. 1669/2015 DATED 03.02.2016 ISSUED BY HONBLE TRIBUNAL.**
ANNEXURE (A6)	**A TRUE COPY OF THE ORDER G.O.(MS0 NO. 282/2017/HEDN DATED 07.11.2017, THIRUVANANTHAPURAM ISSUED BY OFFICE OF THE RESPONDENT.**
ANNEXURE (A7)	**A TRUE COPY OF THE JUDGMENT IN O.A. NO. 1669/2015 DATED 14TH NOVEMBER 2017 ISSUED BY HONBLE TRIBUNAL.**
ANNEXURE (A8)	**A TRUE COPY OF THE JUDGMENT IN O.A. NO. 158/2018 DATED 06.06.2018.ISSUED BY HONBLE TRIBUNAL.**
ANNEXURE (A9)	**TRUE COPY OF THE ADVICE ISSUED BY THE ADVOCATE GENERAL WITH NO. SS23/2017/AG DATED 23.10.2018.**
ANNEXURE (A10)	**TRUE COPY OF THE INTERIM ORDER IN MA 408/2019 IN O.A. NO. 1982/2018 DATED 18.02.2019 OF THE HONBLE KERALA ADMINISTRATIVE TRIBUNAL.**
ANNEXURE (A11)	**TRUE COPY OF THE G.O. (MS) NO. 65/2019/H.EDN DATED 07.03.2019, THIRUVANANTHAPURAM.**
ANNEXURE (A12)	**TRUE COPY OF THE G.O. (MS) NO. 65/2019/HEDN DATED 07.03.2019, THIRUVANANTHAPURAM.**
ANNEXURE (A13)	**TRUE COPY OF THE INTERIM ORDER DATED 8TH MARCH 2019 IN OA 1982/2018.**

ANNEXURE (A14)	**TRUE COPY OF THE CIRCULATION NOTE TO HONBLE CHIEF MINISTER NO. GI/411/2016/H.EDN DATED 15.11.2018.**
EXHIBIT P2	**TRUE COPY OF THE REPLY STATEMENT IN O.A. NO. 547/2019 FILED BY THE 2ND RESPONDENT.**
ANNEXURE R2	**COPY OF THE REPRESENTATION OF 2ND RESPONDENT DATED 11.03.2019.**
EXHIBIT P3	**TRUE COPY OF THE MEMO DATED 19.07.2019 ALONG WITH REPLY STATEMENT IN O.A. 547 OF 2019.**
EXHIBIT P4	**TRUE COPY OF THE MA NO. 756 OF 2019 ALONG WITH ANNEXURE A -15 TO A 16 (A).**
ANNEXURE A15	**TRUE COPY OF THE RTI QUESTION DATED 21.11.2018.**
ANNEXURE A15 A	**TRUE COPY OF THE RTI REPLY OBTAINED FROM ADVOCATE GENERAL OFFICE DATED 04.12.2018.**
ANNEXURE A16	**TRUE COPY OF THE RTI QUESTION DATED 11.12.2018.**
ANNEXURE A16 A	**TRUE COPY OF THE RTI REPLY OBTAINED FROM HIGHER EDUCATION DEPARTMENT DATED 11.02.2019.**
EXHIBIT P5	**TRUE COPY OF THE ABOVE REJOINDER STATEMENT ALONG WITH ANNEXURES A 17 TO A-29.**
ANNEXURE A17	**TRUE COPY OF THE AMENDED SPECIAL RULES AS PER G.O. (P) NO. 122/2004/H.EDN DATED 18.09.2004.**
ANNEXURE A18	**TRUE COPY OF THE AFFIDAVIT FILED BY THE CHIEF SECRETARY TO GOVERNMENT OF KERALA IN WPC NO. 2710/2009 DATED 25.05.2012.**
ANNEXURE A19	**TRUE COPY OF THE CIVIL APPEAL NO. 4604 OF 2016 ORDER DATED 26.04.2016 ISSUED BY THE HONBLE APEX COURT.**
ANNEXURE A20	**TRUE COPY OF THE G.O.(P) NO. 389/10/H.EDN. DATED 07.12.2010 THIRUVANANTHAPURAM ISSUED BY SECRETARY, HIGHER EDUCATION.**
ANNEXURE A21	**A TRUE COPY OF THE JUDGMENT IN W.A. NO. 721 OF 2015 DATED 13.11.2015 ISSUED BY HONBLE HIGH COURT OF KERALA.**
ANNEXURE A22	**TRUE COPY OF THE RELEVANT PAGES OF REPORT OF THE COMPTROLLER AND AUDITOR GENERAL OF INDIA ON GENERAL AND SOCIAL SECTOR FOR THE YEAR ENDED MARCH 2017.**

ANNEXURE A23	**TRUE COPY OF THE JUDGMENT HONBLE KERALA ADMINISTRATIVE TRIBUNAL IN O.A. (EKM) NO. 338/2016 AND CONNECTED CASE ON 20TH MAY 2019.**
ANNEXURE A24	**TRUE COPY OF THE JUDGMENT IN ASSOCIATION OF MANAGEMENT OF PRIVATE COLLEGE V. ALL INDIA COUNSEL FOR TECHNICAL EDUCATION AND OTHERS, CIVIL APPEAL NO. 1145 /2014 BY HONBLE APEX COURT IN 25.04.2013.**
ANNEXURE A 25	**TRUE COPY OF THE INTERIM ORDER BY HONBLE KERALA HIGH COURT OP(KAT) IN OP227/2019 AND CONNECTED CASES DATED 11.06.2019.**
ANNEXURE A26	**TRUE COPY OF HONBLE HIGH COURT JUDGMENT IN WA (1501/1994 AND CONNECTED CASES ON 18.07.2000, KERALA PANCHAYAT EXECUTIVE OFFICERS ASSOCIATION V STATE OF KERALA. KHC 703.**
ANNEXURE A27	**TRUE COPY OF THE JUDGMENT OF HONBLE HIGH COURT OF KERALA, IN WPC NO. 6736 OF 2006 DATED 23.06.2006.**
ANNEXURE A28	**A TRUE COPY OF THE JUDGMENT OF HONBLE HIGH COURT OF KERALA IN WA NO. 967 OF 2006 DATED 10.09.2007.**
ANNEXURE A29	**TRUE COPY OF THE JUDGMENT BY FULL BENCH OF HONBLE HIGH COURT OF KERALA IN W.A. NO. 737 F 2010 (H) IN WPC NO. 25694/2005 DATED 09.10.2014.**
EXHIBIT P6	**TRUE COPY OF THE ORDER DATED 05.03.2020 IN O.A. NO. 547/2019.**
EXHIBIT P7	**TRUE COPY OF THE JUDGMENT DATED 28.03.2019 IN OP(KAT) NO. 126 OF 2019.**

APPENDIX OF OP(KAT) 258/2020

PETITIONER'S/S EXHIBITS:

EXHIBIT P1	**TRUE COPY OF THE OA ALONG WITH ANNEXURES.**
ANNEXURE A1	**TRUE COPY OF NOTIFICATION BEARING NO. 29586/GI/2014/H.EDN. DATED 02.09.2014.**
ANNEXURE A2	**TRUE COPY OF GO (MS0 NO. 88/2016/H.EDN. DATED 31.03.2016.**
ANNEXURE A3	**TRUE COPY OF GO (MS) NO. 515/14/H.EDN. DATED 16.07.2014.**
ANNEXURE A4	**TRUE COPY OF THE REPRESENTATION SUBMITTED DATED 15.06.2016 TO THE 1ST RESPONDENT.**
ANNEXURE A5	**TRUE COPY OF ORDER IN OA 1367/2016 DATED 24.06.2016.**
ANNEXURE A6	**TRUE COPY OF GO (RT) NO. 2332/2016/H.EDN. DATED 01.09.2016.**
ANNEXURE A7	**TRUE COPY OF GO (RT) NO. 3554/2016/H.EDN. DATED 30.12.2016.**
ANNEXURE A8	**TRUE COPY OF THE ORDER IN OA NO. 1403/2017 DATED 24.10.2017.**
ANNEXURE A9	**TRUE COPY OF GO (RT) NO. 1918/2018?H.EDN. DATED 24.10.2018.**
ANNEXURE A10	**TRUE COPY OF THE ORDER DATED 25.10.2018 IN CPC NO. 195/2018.**
ANNEXURE A11	**TRUE COPY OF THE AFFIDAVIT DATED 23.11.2018 FILED BY THE 1ST RESPONDENT IN COC NO. 195/2018.**
ANNEXURE A12	**TRUE COPY OF THE ORDER OF THE HONBLE TRIBUNAL IN OA NO. 1254/2016 DATED 14.11.2017.**
ANNEXURE A13	**TRUE COPY OF THE GO (MS0 NO. 5/2019/HEDN DATED 07.03.2019.**
ANNEXURE A14	**TRUE COPY OF GO (MS) NO. 58/2019/H EDN DATED 07.03.2019.**
ANNEXURE A15	**TRUE COPY OF CIRCULAR ISSUED BY THE PERSONNEL AND ADMINISTRATIVE REFORMS (RULES) DEPARTMENT BEARING NO. 19305 /RULES-1/96/P & ARD DATED 09.09.1997.**

EXHIBIT P2	**TRUE COPY OF REPLY STATEMENT OF THE 3RD RESPONDENT (2ND RESPONDENT HEREIN).**
EXHIBIT P3	**TRUE COPY OF REJOINDER STATEMENT.**
ANNEXURE A16	**TRUE COPY OF DUTY CERTIFICATE BEARING NO. PRL/2019/GECBH DATED 13.03.2019 ISSUED BY GOVERNMENT ENGINEERING COLLEGE, BARTON HILL, THIRUVANANTHAPURAM.**
ANNEXURE A16(A)	**TRUE COPY OF THE E-TICKET DATED 08.03.2019.**
ANNEXURE A16 B	**TRUE COPY OF THE E-TICKET DATED 13.03.2019.**
ANNEXURE A17	**TRUE COPY OF THE COMPLAINT SUBMITTED BY THE 3RD RESPONDENT BEARING NO. E2/1354/19 DATED 01.04.2019 TO THE 2ND RESPONDENT AND THE ATTENDANCE REGISTER APPENDED ALONG WITH IT.**
ANNEXURE A18	**TRUE COPY OF THE MEMORANDUM BEARING NO. EA1/14792/19/DTE DATED 17.04.2019 ISSUED BY THE 2ND RESPONDENT.**
ANNEXURE A19	**TRUE COPY OF THE REPLY TO THE MEMORANDUM DATED 27.04.2049 SUBMITTED BY APPLICANT TO THE 2ND RESPONDENT.**
EXHIBIT P4	**TRUE COPY OF THE MEMO DATED 19.07.2019 ALONG WITH REPLY STATEMENT IN OA 548 OF 2019.**
ANNEXURE R1 A	**A PHOTOCOPY OF THE NOTIFICATION DATED 18.02.2003.**
ANNEXURE R1 B	**A PHOTOCOPY OF THE NOTIFICATION DATED 04.01.2016 ISSUED BY THE AICTE.**
EXHIBIT P5	**TRUE COPY OF THE ORDER DATED 05.03.2020 IN O.A. NO. 548/2019.**
EXHIBIT P6	**TRUE COPY OF THE JUDGMENT DATED 28.03.2019 IN OP (KAT) NO. 126 OF 2019.**

APPENDIX OF OP(KAT) 260/2020

PETITIONER'S/S EXHIBITS:

EXHIBIT P1	**TRUE COPY OF THE OA ALONG WITH ANNEXURES.**
ANNEXURE A1	**TRUE COPY OF THE ORDER NO.GO(P)81/90/H.EDN DATED 27.03.1990.**
ANNEXURE A2	**TRUE COPY OF GO(P)NO.6/2003/H.EDN DATED 24.01.2003.**
ANNEXURE A3	**TRUE COPY OF GO(P) NO.122/2004/H.EDN. DATED 18.09.2004.**
ANNEXURE A4	**TRUE COPY OF THE JUDGMENT PASSED BY THE HON'BLE APEX COURT IN CIVIL APPEAL NO.4604/2016 AND CONNECTED CASES DATED 26.04.2016.**
ANNEXURE A5	**TRUE COPY OF RELEVANT PAGES OF AICTE (PAY SCALES, SERVICE CONDITIONS AND QUALIFICATIONS FOR THE TEACHERS AND OTHER ACADEMIC STAFF IN TECHNICAL INSTITUTIONS (DEGREE) REGULATIONS 2010.**
ANNEXURE A6	**TRUE COPY OF NOTIFICATION BEARING F.NO.FD/PSSC/NOTIFICATION/2002/1 DATED 18.02.2003.**
ANNEXURE A7	**TRUE COPY OF AGENDA NOTE FOR THE ITEM NO.42.04.02 OF THE 42ND EXECUTIVE COMMITTEE OF AICTE DATED 11.10.2002.**
ANNEXURE A8	**TRUE COPY OF MINUTES OF THE 42ND MEETING OF THE EXECUTIVE MEETING HELD ON 11TH OCTOBER 2002 OF THE AICTE.**
ANNEXURE A9	**TRUE COPY OF GO(MS)NO.113/2016/H.EDN. DATED 05.05.2016 (RELEVANT PAGES).**
ANNEXURE A 10	**TRUE COPY OF THE ORDER IN OA NO.1254/2016 AND CONNECTED CASES DATED 14.11.2017.**
ANNEXURE A11	**TRUE COPY OF GO(MS) NO.71/2019/H.EDN. DATED 07.03.2019.**
ANNEXURE A12	**TRUE COPY OF ORDER NO.ACE1/A3/12447/2012 DATED 30.01.2013.**
EXHIBIT P2	**TRUE COPY OF THE REPLY STATEMENT OF THE RESPONDENTS 3 & 4.**
ANNEXURE R3 A	**TRUE COPY OF THE NOTIFICATION GO(MS) NO.282/2017/H.EDN DATED 07.11.2017.**

ANNEXURE R3 B **TRUE COPY OF THE JUDGMENT IN WPC NO.22613/04 DATED 26.11.2008.**

EXHIBIT P3 **TRUE COPY OF THE REJOINDER STATEMENT TO THE REPLY STATEMENT OF THE RESPONDENTS 3 & 4.**

EXHIBIT P4 **TRUE COPY OF THE REPLY STATEMENT FILED ON BEHALF OF RESPONDENTS 5, 8 & 9.**

EXHIBIT P5 **TRUE COPY OF THE REPLY STATEMENT IN OA NO.544/2019 ALONG WITH ADOPTION MEMO.**

ANNEXURE R1(A) **TRUE COPY OF THE NOTIFICATION DATED 18.02.2003.**

ANNEXURE R1(B) **TRUE COPY OF THE NOTIFICATION DATED 04.01.2016 ISSUED BY THE AICTE.**

EXHIBIT P6 **TRUE COPY OF THE ORDER DATED 05.03.2020 IN OA NO.526/2019.**

EXHIBIT P7 **TRUE COPY OF JUDGMENT DATED 28.03.2019 IN OP(KAT)NO.126 OF 2019.**

APPENDIX OF OP(KAT) 271/2020

PETITIONER'S/S EXHIBITS:

EXHIBIT P1	**TRUE COPY OF THE OA ALONG WITH ANNEXURES, WITH MISCELLANEOUS APPLICATION.**
ANNEXURE A1	**TRUE COPY OF THE ORDER G.O(MS) NO.284/PD DATED THIRUVANANTHAPURAM 02.09.1967 ISSUED BY PUBLIC (RULES) DEPARTMENT.**
ANNEXURE A2	**TRUE COPY OF THE SPECIAL RULES AS PER ORDER NO.G.O(P) NO. 6/2003/H.EDN. DATED 24.01.2003.**
ANNEXURE A4	**TRUE COPY OF THE JUDGMENT IN CIVIL APPEAL NO. 4604/2016 DATED 26.04.2016 ISSUED BY THE HON'BLE SUPREME COURT.**
ANNEXURE A5	**TRUE COPY OF THE G.O(MS)NO. 282/2017/H.EDN. DATED 07.11.2017 ISSUED BY 1ST RESPONDENT.**
ANNEXURE A6	**A TRUE COPY OF THE JUDGMENT IN OA NO. 1669/2015 DATED 14TH NOVEMBER 2017 ISSUED BY HON'BLE KERALA ADMINISTRATIVE TRIBUNAL.**
ANNEXURE A7	**TRUE COPY OF THE GRADATION LIST AS PER PROCEEDINGS, DIRECTORATE OF TECHNICHAL EDUCATION, THIRUVANANTHAPURAM, NO.EG2/13106/2012 DATED 07.09.2013.**
ANNEXURE A8	**TRUE COPY OF THE G.O(MS) NO. 70/2019/H.EDN. DATED THIRUVANANTHAPURAM 07.03.2019 ISSUED BY 1ST RESPONDENT.**
ANNEXURE A9	**TRUE COPY OF THE FILE NO.H. EDN. G1/411/2016-HEND-PART (1) ISSUED BY HIGHER EDUCATION(G) DEPARTMENT.**
ANNEXURE A10	**TRUE COPY OF THE RELEVANT PAGES OF NOTE FILE OF FILE NO. G1/411/2016/H.EDN. OBTAINED THROUGH RTI.**
EXHIBIT P2	**TRUE COPY OF THE ORDER DATED 05.03.2020 IN O.A. NO.1646/2019.**
EXHIBIT P3	**A PHOTOCOPY OF THE JUDGMENT DATED 28.03.2019 IN OP(KAT) NO. 126 OF 2019.**

APPENDIX OF OP(KAT) 309/2020

PETITIONER'S/S EXHIBITS:

EXHIBIT P1	**TRUE COPY OF THE OA ALONG WITH ANNEXURES.**
ANNEXURE (A1)	**TRUE COPY OF THE ORDER G.O(MS)NO.111/2016/H.EDN DATED, THIRUVANANTHAPURAM 05.05.2016.**
ANNEXURE(A2)	**TRUE COPY OF G.O(RT)NO.317/2017/H.EDN DATED, THIRUVANANTHAPURAM 20.02.2017.**
ANNEXURE(A3)	**TRUE COPY OF THE AMENDMENT TO THE SPECIAL RULES G.O.(P)NO.6/2003/H.EDN DATED, THIRUVANANTHAPURAM, 24.01.2003.**
ANNEXURE(A4)	**TRUE COPY OF AMENDED THE SPECIAL RULES AS PER G.O.(P)NO.122/2004/H.EDN. DATED, THIRUVANANTHAPURAM, 18.09.2004.**
ANNEXURE(A5)	**TRUE COPY OF THE ORDER IN THE CIVIL APPEAL NO.4604 OF 2016 ORDER DATED 26.04.2016.**
ANNEXURE(A6)	**TRUE COPY OF THE SAID INTERIM ORDER IN C.P.NO.189 OF 2015 IN OA NO.1669/2015 DATED 03.02.2016 ISSUED BY THE HON'BLE TRIBUNAL.**
ANNEXURE(A7)	**TRUE COPY OF THE ORDER G.O.(MS)NO.282/2017/H.EDN DATED, THIRUVANANTHAPURAM, 07.11.2017 ISSUED BY THE OFFICE OF THE 1ST RESPONDENT.**
ANNEXURE(A8)	**TRUE COPY OF THE JUDGMENT IN OA.NO.1669/2015 AND CONNECTED CASES, DATED 14TH NOV 2017 ISSUED BY THE HON'BLE TRIBUNAL.**
ANNEXURE(A9)	**TRUE COPY OF THE JUDGMENT IN OA 158/2018 DATED 06.06.2018 ISSUED BY THE HON'BLE TRIBUNAL.**
ANNEXURE(A10)	**TRUE COPY OF THE ADVICE ISSUED BY THE ADVOCATE GENERAL WITH NO.SS23/2017/AG DATED 23.10.2018.**
ANNEXURE(A11)	**TRUE COPY OF THE INTERIM ORDER IN MA 408/2019 IN OA NO.1982/2018 DATED 18.2.2019 OF THIS HON'BLE TRIBUNAL.**
ANNEXURE(A12)	**TRUE COPY OF ORDER G.O.(MS)NO.62/2019/H.EDN DATED, THIRUVANANTHAPURAM, 07.03.2019.**
ANNEXURE(A13)	**TRUE COPY OF THE G.O(MS)NO.71/2019/H.EDN. DATED, THIRUVANANTHAPURAM, 07.03.2019.**

ANNEXURE(A14)	**TRUE COPY OF THE INTERIM ORDER DATED 8TH MARCH 2019 IN OA 1982/2018.**
ANNEXURE(A15)	**TRUE COPY OF THE CIRCULATION NOTE TO THE HON'BLE CHIEF MINISTER.**
ANNEXURE(A16)	**TRUE COPY OF CIRCULAR NO.EA1/1981/19 DATED 12.03.2019.**
EXHIBIT P2	**TRUE COPY OF THE MEMO DATED 19.07.2019 ALONG WITH REPLY STATEMENT IN OA 544 OF 2019.**
EXHIBIT P2(A)	**TRUE COPY OF THE REPLY STATEMENT FILED BY THE 3RD RESPONDENT.**
ANNEXURE R3(A)	**TRUE COPY OF THE ORDER DATED 30.04.2019 PASSED BY THE HONOURABLE HIGH COURT OF KERALA IN O.P(KAT)NO.182/2019.**
ANNEXURE R3(B)	**TRUE COPY OF THE ORDER DATED 25.05.2019 PASSED BY THE 1ST RESPONDENT.**
ANNEXURE R1(A)	**A PHOTOCOPY OF THE NOTIFICATION DATED 18.02.2003.**
ANNEXURE R1(B)	**A PHOTOCOPY OF THE NOTIFICATION DATED 04.01.2016 ISSUED BY THE AICTE.**
EXHIBIT P3	**TRUE COPY OF THE ORDER DATED 05.03.2020 IN O.A. (EKM)NO.549/2019.**
EXHIBIT P4	**TRUE COPY OF THE JUDGMENT DATED 28.03.2019 IN OP(KAT)NO.126 OF 2019.**

APPENDIX OF OP(KAT) 347/2020

PETITIONER'S/S EXHIBITS:

EXHIBIT P1	**TRUE COPY OF THE O.A.NO.526/2019 ON THE FILES OF THE KAT**
ANNEXURE-A1	**TRUE COPY OF G.O(P) NO.81/90/HEDN DATED 27.03.1990**
ANNEXURE-A2	**TRUE COPY OF G.O(P) NO.6/2003/HEDN DATED 24.01.2003**
ANNEXURE-A3	**TRUE COPY OF G.O(P) NO 122/2004/HEDN DATED 18.09.2004**
ANNEXURE-A4	**TRUE COPY OF JUDGMENT DATED 26.04.2016 OF THE APEX COURT IN C.A.NO.4604/2016 AND CONNECTED CASES**
ANNEXURE-A5	**TRUE COPY OF THE RELEVANT PAGES OF AICTE REGULATIONS 2010**
ANNEXURE-A6	**TRUE COPY OF THE NOTIFICATIONS DATED 18.02.2003**
ANNEXURE-A7	**TRUE COPY OF THE AGENDA NOTE FOR THE 42ND MEETING OF THE EXECUTIVE COMMITTEE OF AICTE DATED 11.10.2002**
ANNEXURE-A8	**TRUE COPY OF THE MINUTES OF THE 42ND MEETING OF THE EXECUTIVE COMMITTEE OF AICTE DATED 11.10.2002**
ANNEXURE-A9	**TRUE COPY OF THE G.O(MS) NO.113/2016/HEDN DATED 05.05.2016 (RELEVANT PORTION)**
ANNEXURE-A10	**TRUE COPY OF ORDER DATED 14.11.2017 IN OA NO.1254/2016 AND CONNECTED**
ANNEXURE-A11	**TRUE COPY OF G.O(MS) NO.71/2019/HEDN DATED 07.03.2019**
ANNEXURE-A12	**TRUE COPY OF ORDER NO.ACE1.A3/12447/2012 DATED 30.01.2013**
EXHIBIT P2	**TRUE COPY OF THE REPLY STATEMENT FILED ON BEHALF OF THE STATE GOVERNMENT**
ANNEXURE-R1A	**TRUE COPY OF THE NOTIFICATION DATED 18.02.2003**
ANNEXURE-R1B	**TRUE COPY OF THE NOTIFICATION ISSUED BY THE AICTE DATED 04.01.2016**
EXHIBIT P3	**TRUE COPY OF THE REPLY STATEMENT FILED BY THE RESPONDENTS 5,8,9 IN THE OA**

ANNEXURE-R3A	**TRUE COPY OF THE NOTIFICATION G.O (MS) NO.282/2017/HEDN DATED 07.11.2017**
ANNEXURE-R3B	**TRUE COPY OF THE JUDGMENT DATED 26.11.2008 IN W.P(C) NO.22613/2004**
EXHIBIT P4	**TRUE COPY OF THE REPLY STATEMENT FILED BY THE 3 AND 4 IN THE OA**
ANNEXURE-R4A	**TRUE COPY OF THE NOTIFICATION G.O(MS) NO.282/2017/HEDN DATED 07.11.2017**
ANNEXURE-R4B	**TRUE COPY OF THE JUDGMENT DATED 26.11.2008 IN WPC NO.22613/2004**
EXHIBIT P5	**TRUE COPY OF THE REJOINDER STATEMENT FILED BY THE PETITIONERS IN THE OA**
EXHIBIT P6	**TRUE COPY OF THE ORDER DATED 05.03.2020 IN OA NO.526/2019 OF THE KERALA ADMINISTRATIVE TRIBUNAL**