

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE DEVAN RAMACHANDRAN

FRIDAY, THE 18TH DAY OF AUGUST 2023 / 27TH SRAVANA, 1945

WP(C) NO. 30687 OF 2021

PETITIONER:

DR.RAJU ANTONY,
AGED 52 YEARS, TECHNICAL OFFICER,
KERALA STATE COUNCIL FOR SCIENCE TECHNOLOGY AND
ENVIRONMENT -
JAWAHARLAL NEHRU TROPICAL BOTANIC GARDEN AND
RESEARCH INSTITUTE, PALODE,
THIRUVANANTHAPURAM-695562.
BY ADVS.
S.K.ADHITHYAN
KEERTHI S. JYOTHI

RESPONDENTS:

- 1 KERALA STATE COUNCIL FOR SCIENCE, TECHNOLOGY
AND ENVIRONMENT, JAWAHARLAL NEHRU TROPICAL
BOTANIC GARDEN AND RESEARCH INSTITUTE,
REPRESENTED BY ITS DIRECTOR, PALODE,
THIRUVANANTHAPURAM-695562.
- 2 THE DIRECTOR,
KERALA STATE COUNCIL FOR SCIENCE TECHNOLOGY AND
ENVIRONMENT, JAWAHARLAL NEHRU TROPICAL BOTANIC
GARDEN AND RESEARCH INSTITUTE, PALODE,
THIRUVANANTHAPURAM-695562.
- 3 THE MANAGING COMMITTEE,
KERALA STATE COUNCIL FOR SCIENCE TECHNOLOGY AND
ENVIRONMENT, JAWAHARLAL NEHRU TROPICAL BOTANIC
GARDEN AND RESEARCH INSTITUTE, PALODE,
THIRUVANANTHAPURAM-695562.
- 4 THE EXECUTIVE COMMITTEE,
KERALA STATE COUNCIL FOR SCIENCE TECHNOLOGY AND
ENVIRONMENT, PATTOM,
THIRUVANANTHAPURAM-695004.
BY ADVS.
P.C.SASIDHARAN
C.K.KARUNAKARAN

**WPC Nos.30689,15782,27531,
27490 & 28747 of 2021**

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THIS WRIT PETITION (CIVIL) HAVING COME UP FOR
ADMISSION ON 18.08.2023, ALONG WITH WP(C).15782/2022,
27531/2021 AND CONNECTED CASES, THE COURT ON THE SAME DAY
DELIVERED THE FOLLOWING:

WPC Nos.30689,15782,27531,
27490 & 28747 of 2021

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE DEVAN RAMACHANDRAN

FRIDAY, THE 18TH DAY OF AUGUST 2023 / 27TH SRAVANA, 1945

WP(C) NO. 27490 OF 2021

PETITIONERS:

- 1 DR. LATHAN KUMAR K.J.
AGED 49 YEARS, S/O.C.K.KRISHNAPILLAI,
NEDUNGOLAM.P.O, PARAVOOR, KOLLAM, WORKING AS
TECHNICAL OFFICER GRADE III, JAWAHARLAL NEHRU
TROPICAL BOTANIC GARDEN AND RESEARCH INSTITUTE,
PALODE, THIRUVANANTHAPURAM.
- 2 K.S.KALESH, AGED
53 YEARS, S/O.SEERANGAN, UTHARADAM,
MADATHARA.P.O, KOLLAM, WORKING AS TECHNICAL
OFFICER GRADE II, JAWAHARLAL NEHRU TROPICAL
BOTANIC GARDEN AND RESEARCH INSTITUTE, PALODE,
THIRUVANANTHAPURAM
BY ADVS.
T.A.UNNIKRISHNAN
K.K.AKHIL

RESPONDENTS:

- 1 JAWAHARLAL NEHRU TROPICAL BOTANIC GARDEN AND
RESEARCH INSTITUTE, PALODE, THIRUVANANTHAPURAM,
REPRESENTED BY DIRECTOR. PIN-695562.
- 2 THE DIRECTOR, JAWAHARLAL NEHRU TROPICAL BOTANIC
GARDEN RESEARCH INSTITUTE, PALODE,
THIRUVANANTHAPURAM, PIN-695562.
- 3 THE MANAGEMENT COMMITTEE OF JAWAHARLAL NEHRU
TROPICAL BOTANIC GARDEN AND RESEARCH INSTITUTE,
REPRESENTED BY ITS CHAIRMAN, JAWAHARLAL NEHRU
TROPICAL BOTANIC GARDEN AND RESEARCH INSTITUTE,
PALODE, THIRUVANANTHAPURAM, PIN-695562.
- 4 THE EXECUTIVE COMMITTEE OF KERALA STATE COUNCIL
FOR SCIENCE, TECHNOLOGY AND ENVIRONMENT,
TECHNOLOGY AND ENVIRONMENT, SASTHRA BHAVAN,
PATTOM, THIRUVANANTHAPURAM,
REPRESENTED BY ITS MEMBER SECRETARY, PIN-695004.
BY ADV C.K.KARUNAKARAN

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27490 & 28747 of 2021**

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THIS WRIT PETITION (CIVIL) HAVING COME UP FOR
ADMISSION ON 18.08.2023, ALONG WITH WP(C).30687/2021 AND
CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

WPC Nos.30689,15782,27531,
27490 & 28747 of 2021

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE DEVAN RAMACHANDRAN

FRIDAY, THE 18TH DAY OF AUGUST 2023 / 27TH SRAVANA, 1945

WP(C) NO. 27531 OF 2021

PETITIONER:

K. ASOK KUMAR,
AGED 49 YEARS, S/O.K. KUMARESA PILLAI,
QR.NO. I CHIPANCHIRA, KARIMANCODE P.O.,
PACHA, PALODE,
THIRUVANANTHAPURAM , KERALA 695 562.
BY ADV A.CHANDRA BABU

RESPONDENTS:

- 1 THE DIRECTOR,
JAWAHARLAL NEHRU, TROPICAL BOTANICAL GARDEN AND
RESEARCH INSTITUTE, KARIMANCODE P.O., PACHA,
PALODE, THIRUVANANTHAPURAM , KERALA 695 562.
- 2 THE MANAGEMENT COMMITTEE,
JAWAHARLAL NEHRU, TROPICAL BOTANICAL GARDEN AND
RESEARCH INSTITUTE, KARIMANCODE P.O., PACHA,
PALODE, THIRUVANANTHAPURAM , KERALA, REPRESENTED
BY ITS CHAIRMAN.
- 3 THE EXECUTIVE VICE PRESIDENT,
KERALA STATE COUNCIL FOR SCIENCE, TECHNOLOGY AND
ENVIRONMENT, SASTHRA BHAVAN, PATTOM,
THIRUVANANTHAPURAM 695 004.
- 4 THE ENQUIRY COMMITTEE, .JAWAHARLAL NEHRU,
TROPICAL BOTANICAL GARDEN AND RESEARCH
INSTITUTE, KARIMANCODE P.O. PACHA, PALODE,
THIRUVANANTHAPURAM , KERALA 695 562. REPRESENTED
BY ITS CHAIRMAN
BY ADV C.K.KARUNAKARAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR
ADMISSION ON 18.08.2023, ALONG WITH WP(C).30687/2021 AND
CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

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27490 & 28747 of 2021

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE DEVAN RAMACHANDRAN

FRIDAY, THE 18TH DAY OF AUGUST 2023 / 27TH SRAVANA, 1945

WP(C) NO. 28747 OF 2021

PETITIONER:

B. JAYAKUMAR
AGED 53 YEARS, S/O LATE N.BALAKRISHNAN PILLAI,
GARDEN MESTHIRI, JAWAHARLAL NEHRU TROPICAL
BOTANIC GARDEN AND RESEARCH INSTITUTE (JNTBGRI),

PALODE, THIRUVANANTHAPURAM, PIN-695562.

BY ADVS.

P.V.ANIL

V.S.LIJA

RESPONDENTS:

- 1 KERALA STATE COUNCIL FOR SCIENCE,
TECHNOLOGY AND ENVIRONMENT KSCSTE
REPRESENTED BY THE EXECUTIVE VICE PRESIDENT,
SASTHRA BHAVAN, PATTOM, THIRUVANANTHAPURAM, PIN-
659004.
- 2 JAWAHARLAL NEHRU TROPICAL BOTANIC GARDEN AND
RESEARCH INSTITUTE, REPRESENTED BY ITS DIRECTOR,
JNTBGRI, KARIMANCODE.P.O, PACHA, PALODE,
THIRUVANANTHAPURAM, PIN-695562.
- 3 THE DIRECTOR, JAWAHARLAL NEHRU TROPICAL BOTANIC
GARDEN AND RESEARCH INSTITUTE, KARIMANCODE.P.O,
PACHA, PALODE, THIRUVANANTHAPURAM, PIN-695562.
BY ADV C.K.KARUNAKARAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR
ADMISSION ON 18.08.2023, ALONG WITH WP(C).30687/2021 AND
CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

**WPC Nos.30689,15782,27531,
27490 & 28747 of 2021**

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IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE DEVAN RAMACHANDRAN

FRIDAY, THE 18TH DAY OF AUGUST 2023 / 27TH SRAVANA, 1945

WP(C) NO. 15782 OF 2022

PETITIONER:

K. ASOK KUMAR
AGED 49 YEARS, S/O. K. KUMARESA PILLAI,
QR. NO.1, CHIPPANCHIRA, KARIMANCODE P. O.,
PACHA, PALODE,
THIRUVANANTHAPURAM, KERALA PIN-695562.
BY ADV A.CHANDRA BABU

RESPONDENT:

THE DIRECTOR, JAWAHARLAL NEHRU,
TROPICAL BOTANICAL GARDEN& RESEARCH INSTITUTE
KARIMANCODE P. O., PACHA, PALODE,
THIRUVANANTHAPURAM, KERALA. PIN-695562.
BY ADVS.
STANDING COUNSEL (BY ORDER)
C.K.KARUNAKARAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR
ADMISSION ON 18.08.2023, ALONG WITH WP(C).30687/2021 AND
CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

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JUDGMENT

[WP(C) Nos.30687/2021, 15782/2022, 27531/2021, 27490/2021,
28747/2021]

The petitioners in these cases are working in the services of “Jawaharlal Nehru Tropical Botanical Garden & Research Institute” (hereinafter referred to as “Institute” for short) and they were proceeded disciplinarily against, on the allegation that, on 08.11.2018, an incident occurred, wherein, they were involved in a scuffle with a person named Sri.S. Muhammed Shereef. They assert that the allegations against them are wholly without basis and that they have been able to establish so in the disciplinary enquiry, with no evidence or testimony being recorded, to establish their culpability; but that, in spite of this, the Enquiry Officer found against them, leading to an order imposing the punishment in barring three increments with cumulative effect. They say that they, therefore, filed an Appeal before the Appellate Authority, which, however, affirmed the orders of the Disciplinary Authority; and therefore, that they have preferred a further permissible Appeal before the Council of the Kerala State Council for Science, Technology and Environment (“Council” for short hereinafter), leading to impugned order, reducing the punishment to barring of two

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increments with cumulative effect, but confirming all the findings against them.

2. The petitioners assert that the impugned orders is untenable and has been settled with a preconceived impression that they were involved in the scuffle, when they were not; and that this is clearly evident from the evidence on record and the testimony of the witnesses. They thus pray that the order impugned in these cases be set aside.

3. I have heard various counsel for the petitioners in these cases; Sri.C.K.Karunakaran - learned Standing Counsel for the "Institute" and Sri.P.C.Sasidharan - learned Standing Counsel for the "Council".

4. I do not propose to go into the merits of any of the contentions of the parties at this stage because, when I examine the second appellate order - which is the final one issued by the Member Secretary of the "Council" - it merely says that the Executive Committee scrutinized and deliberated upon the case and was convinced that the "scuffle and man handling" occurred in the "Institute". It further records that *'it also turns out to be a fact that the alleged persons were involved in the incident'*(sic); and hence *'the moot question before the Committee was whether to entertain to violence and*

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hooliganism in the premises of a prestigious scientific institute'(sic). They then appear to have concluded that 'it is unbecoming of the employees in a prestigious institute like JNTBGRI indulging in such unruly behaviour'(sic).

5. However, the afore said order does not reflect any specific advertence to the materials gathered in the enquiry, including the evidence and testimony of witnesses; and this is crucial because, it is the specific case of the petitioners that they were not involved in the scuffle at all and that they have been implicated without any cogent evidence. They also have a case that the complainant was not true in reporting the alleged incident and that the Security Officer had offered an embellished report, with a motivated mind. They also rely upon the testimony of the witnesses, to show that they had no role in the alleged scuffle and assert that there is no evidence on record to connect them to the alleged incident in any manner whatsoever.

6. In short, the argument of the petitioners, as made by their respective learned counsel, is that this is a case where there is no evidence at all to link them to the alleged incident; and therefore, deserving of being intervened by this Court, while it acts under Article 226 of the Constitution of India.

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7. On the contrary, Sri.P.C.Sasidharan, appearing for the “Council”, argued that petitioners cannot call upon this Court to sit as an Appellate Authority over the proceedings in the disciplinary enquiry; and that all which is permissible is to verify whether there is some evidence on record, which would justify the conclusions and imposition of penalty, as has been done. He, vehemently, asserted that, unless discipline in the campus of the “Institute” is maintained - which will require strict disciplinary action against the perpetrators - it would cause a catastrophic effect and would encourage more such incidents in future. He concluded saying that the Executive Committee of the “Institute” - which is the final Appellate Authority - had deliberated upon every aspect involved in this case, to hold that the scuffle did occur and that the petitioners were guilty, thus imposing upon them a lesser punishment, taking into account their plea for mitigation. The learned counsel, therefore, prayed that these writ petitions be dismissed.

8. Sri.C.K.Karunakaran - learned standing counsel for the “Institute”, adopted the afore submissions of Sri.P.C.Sasidharan, to argue that if incidents, as seen in these cases, are left without proper action, discipline would be lost

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and it would be a sad day. He also thus prayed that these writ petitions be dismissed.

9. I must say upfront that I do not propose to go into the merits of the enquiry proceedings at this stage because, this Court is only enjoined to verify whether the final appellate order, issued by the Executive Committee of the “Council” answers the requirements in law.

10. As already recorded above, the impugned order of the Executive Committee of the “Council” merely says that they had deliberated upon the case, thus being convinced that the scuffle did happen and that petitioners were involved in the same. No details are mentioned in the appellate order, particularly when the petitioners have a specific contention that such a scuffle never happened; and alternatively that, even if it had occurred, the depositions and evidence would bear testimony that they were not involved in it at all. As said above, in short, the case of the petitioners is that there is no evidence at all to link them with the alleged incident and that, therefore, the Authorities have erred in finding them guilty.

11. I further notice from the impugned second appellate order issued by the Executive Committee of the “Council” that it had decided to ‘*amend the punishment to some extent*’(sic),

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but that this was done *'imbibing the spirit of the judgment of the Hon'ble High Court and the pleading of the delinquents that the punishment awarded is quite damaging'*(sic). This can only mean that the Executive Committee also found that some latitude and lenitude must be shown to the petitioners, but no reasons have been given for this, except as mentioned above.

12. I am, therefore, of the firm view that the appeals of the petitioners before the Executive Committee of the "Council" must be reconsidered, after affording them necessary opportunities of being heard, addressing their specific contention that this is a case where there is no evidence at all to link them to the alleged incident and further that said incident never did happen, as could be established by them from the evidence and testimony of the witnesses. The question whether the punishment imposed against them would require a further reduction on account of the various other mitigating factors as may be noticed or projected, should also cease the attention of the said Executive Committee.

Resultantly, I order these writ petitions to the limited extent of setting aside the orders of the second Appellate Authority, namely the Executive Committee of the "Council"; with a consequential direction to them to reconsider the matter

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in the manner indicated above; thus culminating in fresh orders, as expeditiously as is possible, but not later than four months from the date of receipt of a copy of this judgment.

I, however, clarify that this court has not entered into the merits of the contentions of the petitioners, except for the purpose of this judgment; and that all of them are left open to be, however, decided dispassionately by the “Council” through the afore exercise.

In view of the afore directions, this Court is not entering into the merits of the additional contentions of the petitioners that the Executive Committee of the Council had earlier acted with bias because some of them were also members of the first Appellate Authority - and I leave them open, since this court is not informed of the constitution of the Executive Committee of the “Council” as of today.

Sd/-

DEVAN RAMACHANDRAN, JUDGE

ACR

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APPENDIX OF WP(C) 30687/2021

PETITIONER EXHIBITS

- Exhibit P1 TRUE COPY OF THE ORDER NO. 3437/ESTT.2/2018/ J.N.T.B.G.R.I. DATED 09/11/2018 ISSUED BY THE 2ND RESPONDENT.
- Exhibit P2 TRUE COPY OF THE MEMO OF CHARGES ISSUED AGAINST THE PETITIONER DATED 05/12/2018.
- Exhibit P3 TRUE COPY OF THE WRITTEN STATEMENT FILED BEFORE THE 2ND RESPONDENT DATED 12/12/2018.
- Exhibit P4 TRUE COPY OF THE REPORT DATED 19/07/2019 SUBMITTED BY THE ENQUIRY COMMITTEE INTO THE UNTOWARD INCIDENTS THAT TOOK PLACE IN JNTBGRI, PALODE ON 08/11/2018.
- Exhibit P5 TRUE COPY OF THE SHOW CAUSE NOTICE ISSUED AS NO.3437(3)/ESTT. 2/2018/JNTBGRI TO THE PETITIONER BY THE 2ND RESPONDENT DATED 19/08/2019.
- Exhibit P6 TRUE COPY OF THE REPLY STATEMENT FILED BY THE PETITIONER DATED 26/08/2019 AGAINST SHOW CAUSE NOTICE BEFORE THE 2ND RESPONDENT.
- Exhibit P7 TRUE COPY OF THE ORDER NO.3437(3)/ESTT. 2/2018/JNTBGRI DATED 20/09/2019 ISSUED BY THE 2ND RESPONDENT.
- Exhibit P8 TRUE COPY OF THE APPEAL FILED BY THE PETITIONER BEFORE THE 3RD RESPONDENT DATED 20/11/2019.
- Exhibit P9 TRUE COPY OF THE ORDER NO.3437(3)/ESTT. 2/2019/JNTBGRI DATED 16/03/2020 ISSUED BY THE 3RD RESPONDENT.
- Exhibit P10 TRUE COPY OF THE MINUTES OF THE 3RD RESPONDENT'S MEETING DATED 05/02/2020.
- Exhibit P11 TRUE COPY OF THE SECOND APPEAL FILED BEFORE THE 4TH RESPONDENT BY THE PETITIONER DATED 05/01/2021.
- Exhibit P12 TRUE COPY OF THE ORDER OF THE 4TH RESPONDENT AS COUNCIL (M) ORDER NO. 102/2021/KSCSTE DATED 08/11/2021.
- Exhibit P13 TRUE COPY OF THE REPORT OF THE SECURITY OFFICER PRODUCED BEFORE THE 2ND RESPONDENT DATED 08/11/2018
- Exhibit P14 TRUE COPY OF THE STATEMENT GIVEN BY SECURITY GUARD MADHUSOODANAN NAIR.V

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APPENDIX OF WP(C) 27490/2021

PETITIONER EXHIBITS

- Exhibit P1 TRUE COPY OF THE MEMO OF CHARGE ALONG WITH THE CHARGE SHEET DATED 05.12.2018 ISSUED TO THE 1ST PETITIONER
- Exhibit P2 TRUE COPY OF THE MEMO OF CHARGE ALONG WITH CHARGE SHEET DATED 05.12.2018 ISSUED TO THE 2ND PETITIONER.
- Exhibit P3 TRUE COPY OF THE REPLY SUBMITTED BY THE 1ST PETITIONER DATED 12.12.2018 .
- Exhibit P4 TRUE COPY OF THE REPLY SUBMITTED BY THE 2ND PETITIONER DATED 12.12.2018.
- Exhibit P5 TRUE COPY OF THE ORDER DATED 09.11.2018 ISSUED BY THE 1ST RESPONDENT.
- Exhibit P6 TRUE COPY OF THE ORDER DATED 06.02.2019 ISSUED BY THE 2ND RESPONDENT
- Exhibit P7 TRUE COPY OF THE REPORT DATED 19.07.19 SUBMITTED BY THE DISCIPLINARY COMMITTEE TO THE 2ND RESPONDENT
- Exhibit P8 TRUE COPY OF THE SHOW CAUSE NOTICE ISSUED BY THE 2ND RESPONDENT TO THE 2ND PETITIONER.
- Exhibit P9 TRUE COPY OF THE REPLY DATED 26.08.2019 SUBMITTED BY THE 2ND PETITIONER.
- Exhibit P10 TRUE COPY OF THE ORDER DATED 20.09.2019 ISSUED TO THE 2ND PETITIONER.
- Exhibit P11 TRUE COPY OF THE MEMORANDUM OF APPEAL DATED 20.11.2019 SUBMITTED BY THE 1ST PETITIONER
- Exhibit P12 TRUE COPY OF THE MEMORANDUM OF APPEAL DATED 20.11.2019 SUBMITTED BY THE 2ND PETITIONER
- Exhibit P13 TRUE COPY OF THE PROCEEDING DATED 05.02.2020 OF THE 3RD RESPONDENT
- Exhibit P14 TRUE COPY OF THE ORDER DATED 16/3/2020 ISSUED BY THE SECOND RESPONDENT
- Exhibit P15 TRUE COPY OF THE APPEAL MEMORANDUM DATED 5/1/2021 SUBMITTED BY THE 1ST PETITIONER
- Exhibit P16 TRUE COPY OF THE JUDGMENT DATED 6/8/21 IN WP(C)NO.15820/2021 OF THIS HON'BLE COURT
- Exhibit P17 TRUE COPY OF THE ORDER DATED 08/11/2021 PASSED BY THE 4TH RESPONDENT
- Exhibit P18 TRUE COPY OF THE TRUE COPY OF THE ORDER DATED 18/10/2019 ISSUED BY THE SECOND RESPONDENT.

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APPENDIX OF WP(C) 27531/2021

PETITIONER EXHIBITS

- Exhibit P1 TRUE COPY OF THE COMPLAINT DATED 8.11.2018 SUBMITTED BY THE PETITIONER BEFORE THE IST RESPONDENT.
- Exhibit P2 TRUE COPY OF THE COMPLAINANT FILED BY THE PETITIONER BEFORE THE PALODE POLICE STATION DATED NIL.
- Exhibit P3 TRUE COPY OF THE MEDICAL RECORDS OF THE PETITIONER DATED 08.11.2018.
- Exhibit P4 TRUE COPY OF THE SUSPENSION ORDER 3437/ESSTA.2/2018 JNTBGRI DATED 09.11.2018 PASSED BY THE IST RESPONDENT.
- Exhibit P5 TRUE COPY OF THE MEMO OF CHARGES DATED 05.12.2018.
- Exhibit P6 TRUE COPY OF THE MEMO OF CHARGE SHEET DATED 5.12.2018.
- Exhibit P7 TRUE COPY OF THE REPLY FILED BY THE PETITIONER TO EXHIBIT P6 AND P7 DATED 12.12.2018.
- Exhibit P8 TRUE COPY OF THE LETTER DATED 28.02.2019 ISSUED BY THE ENQUIRY COMMITTEE TO THE PETITIONER.
- Exhibit P9 TRUE COPY OF THE ORDER DATED 20.09.2019 VIA ORDER NO. 3437/3STA.2/2018/JNTBGRI BY THE IST RESPONDENT.
- Exhibit P10 TRUE COPY OF THE JUDGMENT DATED 28.09.2019 PASSED BY THIS HONBLE COURT IN WPC 25540/2019.
- Exhibit P11 TRUE COPY OF THE APPEAL DATED 14.10.2019 SUBMITTED THE PETITIONER BEFORE THE 2ND RESPONDENT.
- Exhibit P12 TRUE COPY OF THE ORDER DATED 13.0.2020 PASSED BY THE 2ND RESPONDENT MANAGING COMMITTEE.
- Exhibit P13 TRUE COPY OF THE ORDER DATED 22.10.2020 PASSED BY THE 2ND RESPONDENT.
- Exhibit P14 TRUE COPY OF THE APPEAL DATED 05-01-2021 FILED BY THE PETITIONER BEFORE THE EXECUTIVE VICE PRESIDENT.
- Exhibit P15 TRUE COPY OF THE RELEVANT RULES FOR DISCIPLINARY PROCEDURE OF THE IST RESPONDENT DEPARTMENT.

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Exhibit P16 TRUE COPY OF THE ORDER DATED 18.10.2019
ISSUED BY THE 2ND RESPONDENT.

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APPENDIX OF WP(C) 28747/2021

PETITIONER EXHIBITS

- Exhibit P1 TRUE COPY OF THE RELEVANT PORTION RULES AND REGULATIONS OF THE STATE COUNCIL I.E.KERALA STATE COUNCIL FOR SCIENCE TECHNOLOGY AND ENVIRONMENT (KSCSTE)
- Exhibit P2 TRUE COPY OF THE COMPLAINT DATED 08.11.2018 FILED BY MR.S.MOHAMMED SHEREEF TO THE 3RD RESPONDENT
- Exhibit P3 TRUE COPY OF THE COMPLAINT FILED BY THE MR.K.ASHOK KUMAR ON 08.11.2018 TO THE 3RD RESPONDENT
- Exhibit P4 TRUE COPY OF THE REPORT DATED 08.11.2018 FURNISHED BY THE SECURITY OFFICER TO THE 3RD RESPONDENT
- Exhibit P5 THE TRUE COPY OF THE LETTER DATED 08.11.2018 SENT BY THE 3RD RESPONDENT TO THE CIRCLE INSPECTOR OF POLICE, PALODE POLICE STATION
- Exhibit P6 TRUE COPY OF THE ORDER OF SUSPENSION ISSUED BY THE 3RD RESPONDENT BY NO.3437/ESTT.2/2018/JNTBGRI DATED 09.11.2018
- Exhibit P7 TRUE COPY OF THE MEMO OF CHARGES AND MEMO OF ALLEGATION BY NO.3437(G)/ESTT.2/2018/JNTBGRI DATED 05.12.2018
- Exhibit P8 TRUE COPY OF THE REPLY DATED 12.12.2018 SENT BY THE PETITIONER TO THE 3RD RESPONDENT
- Exhibit P9 TRUE COPY OF THE ORDER BY NO.3437/ESTT.2/2018/JNTBGRI DATED 06.02.2019 ISSUED BY THE 3RD RESPONDENT
- Exhibit P10 TRUE COPY OF THE COMMUNICATION BY NO.JNTBGRI/DR/61/2019 DATED 28.02.2019 ISSUED BY THE 3RD RESPONDENT TO THE PETITIONER
- Exhibit P11 TRUE COPY OF THE STATEMENT IN THE FORM OF AN AFFIDAVIT SUBMITTED BY THIS PETITIONER ON 15.03.2019 BEFORE THE DISCIPLINARY COMMITTEE
- Exhibit P12 TRUE COPY OF THE COMPLAINT FILED BY THIS PETITIONER TO THE 3RD RESPONDENT DATED 12.07.2019

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- Exhibit P13 TRUE COPY OF THE REPORT OF THE DISCIPLINARY COMMITTEE DATED 19.07.2019 FURNISHED BEFORE THE 3RD RESPONDENT
- Exhibit P14 TRUE COPY OF THE SHOW CAUSE NOTICE BY NO.3437(6)/ESTT.2/2018 JNTBGRI DATED 19.08.2019 ISSUED BY THE 3RD RESPONDENT.
- Exhibit P15 TRUE COPY OF THE REPLY GIVEN BY THIS PETITIONER TO THE 3RD RESPONDENT TO EXT.P13 DATED 26.08.2019
- Exhibit P16 TRUE COPY OF THE ORDER BY NO.3437/ESTT.2/2018/JNTBGRI DATED 20.09.2019
- Exhibit P17 TRUE COPY OF THE APPEAL MEMORANDUM SUBMITTED BY THIS PETITIONER ON 20.11.2019 TO THE MANAGEMENT COMMITTEE OF THE 2ND RESPONDENT
- Exhibit P18 THE TRUE COPY OF THE MINUTES OF THE 25TH MANAGING COMMITTEE OF JAWAHARLAL NEHRU TROPICAL BOTANIC GARDEN AND RESEARCH INSTITUTE (KSCSTE-JNTBGRI), PALODE, THIRUVANANTHAPURAM DATED 05.02.2020
- Exhibit P19 TRUE COPY OF THE ORDER PASSED BY THE 3RD RESPONDENT BY NO.3437/ESTT.2/2019/JNTBGRI DATED 16.03.2020
- Exhibit P20 TRUE COPY OF THE DETAILS OF THE MEMBERS INVOLVED IN THE EXECUTIVE COMMITTEE-KERALA STATE COUNCIL FOR SCIENCE TECHNOLOGY AND ENVIRONMENT(KSCSTE)
- Exhibit P21 TRUE COPY OF THE APPEAL DATED 05.01.2021 FILED BY THIS PETITIONER BEFORE THE EXECUTIVE VICE PRESIDENT, KERALA STATE COUNCIL FOR SCIENCE TECHNOLOGY AND ENVIRONMENT (KSCSTE)
- Exhibit P22 TRUE COPY OF THE FILE BY NO.KSCSTE/64/2021-C2(COMPUTER NO.30677)DATED 30.06.2021 ISSUED BY THE EXECUTIVE VICE PRESIDENT OF THE 1ST RESPONDENT
- Exhibit P23 TRUE COPY OF THE JUDGEMENT OF THIS HON'BLE COURT IN WP(C)NO.16617/2021 DATED 15.09.2021
- Exhibit P24 TRUE COPY OF THE COMMUNICATION DATED 20.10.2021 BY NO.KSCSTE/64/2021-C2 ISSUED BY THE 2ND RESPONDENT TO THIS PETITIONER
- Exhibit P25 TRUE COPY OF THE INTERLOCUTORY APPLICATION FILED BY THIS PETITIONER DATED 21.10.2021

**WPC Nos.30689,15782,27531,
27490 & 28747 of 2021**

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BEFORE THE EXECUTIVE COMMITTEE IN EXT.P21
APPEAL

Exhibit P26 TRUE COPY OF THE MINUTES OF THE 56TH
EXECUTIVE COMMITTEE(SPECIAL)MEETING OF THE
KERALA STATE COUNCIL FOR SCIENCE TECHNOLOGY
AND ENVIRONMENT DATED 21.10.2021

Exhibit P27 TRUE COPY OF THE ORDER DATED 08.11.2021 BY
ORDER BEARING NO.COUNCIL(M) ORDER
NO.102/2021 KSCSTE PASSED BY THE MEMBER
SECRETARY OF THE 2ND RESPONDENT WITH TYPED
COPY

Exhibit P28 TRUE COPY OF THE JUDGEMENT DATED 20.09.2021
IN WP(C)NO.19551/21 ON THE FILE OF THIS
HON'BLE COURT.

WPC Nos.30689,15782,27531,
27490 & 28747 of 2021

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APPENDIX OF WP(C) 15782/2022

PETITIONER EXHIBITS

- Exhibit P1 TRUE COPY OF THE JUDGMENT DATED 28.09.2019 PASSED BY THIS HON'BLE COURT IN WP (C) 25540/2019.
- Exhibit P2 TRUE COPY OF THE ORDER DATED 18.01.2022 PASSED BY THIS HON'BLE COURT IN WP Â© NO. 27531 /2021.
- Exhibit P3 TRUE COPY OF THE ORDER DATED 09.03.2022 PASSED BY THE EXECUTIVE VICE PRESIDENT OF THE KERALA STATE COUNCIL FOR SCIENCE TECHNOLOGY AND ENVIRONMENT.
- Exhibit P4 TRUE COPY OF THE TRANSFER ORDER DATED 22.04.2022 ISSUED BY THE RESPONDENT.
- Exhibit P4(a) TYPED AND ENGLISH TRANSLATION OF EXHIBIT P4 IS PRODUCED.
- Exhibit P5 TRUE COPY OF THE LIST OF GARDENERS WORKING IN THE RESPONDENT INSTITUTE.
- Exhibit P6 TRUE COPY OF THE REPRESENTATION DATED 06.05.2022 SUBMITTED BY THE PETITIONER BEFORE THE RESPONDENT.
- Exhibit P7 TRUE COPY OF THE REPLY LETTER ISSUED BY THE KERALA FOREST RESEARCH INSTITUTE DATED 08.06.2022 TO THE PETITIONER UNDER THE RIGHT TO INFORMATION ACT
- Exhibit P8 TRUE COPY OF THE ATTENDANCE REGISTER AT BIOTECHNOLOGY AND BIOINFORMATICS DIVISION AT JNTBGRI, MAIN CENTRE AT PALODE FROM 03.01.2022 TO 28.04.2022 OBTAINED UNDER THE RIGHT TO INFORMATION ACT
- Exhibit P7 TRUE COPY OF THE REPRESENTATION DATED 10.04.2023 SUBMITTED BY THE PETITIONER TO THE RESPONDENT

RESPONDENT EXHIBITS

- ANNEXURE R(a) TRUE COPY OF PROCEEDINGS DATED 23.05.2022 ISSUED BY THE RESPONDENT