

15 -ാം കേരള നിയമസഭ

1 -ാം സമ്മേളനം

നക്ഷത്ര ചിഹ്നം ഇല്ലാത്ത പോദ്യം നം. 752

10-06-2021 - ൽ മറുപടിയ്ക്ക്

പരാതികളിന്മേൽ സ്വീകരിച്ച നടപടി

പോദ്യം		ഉത്തരം	
ശ്രീ. എ. രാജ		Shri P. A. Mohamed Riyas (പൊതുമരാമത്തും വിനോദസഞ്ചാരവും വകുപ്പ് മന്ത്രി)	
(എ)	ഗവൺമെന്റ് സെക്രട്ടേറിയറ്റിലെ ബി3/276/2019/പൊ.മ.വ. ഫയലിൽ ഉദ്യോഗാർത്ഥികളിൽ നിന്നും ഏതെങ്കിലും വിധത്തിലുള്ള പരാതികൾ ലഭിച്ചിട്ടുണ്ടോയെന്ന് വ്യക്തമാക്കാമോ; ഉണ്ടെങ്കിൽ പ്രസ്തുത പരാതികളിന്മേൽ സ്വീകരിച്ച നടപടികൾ എന്തൊക്കെയാണെന്ന് വ്യക്തമാക്കാമോ;	(എ)	പൊതുമരാമത്ത് വകുപ്പിലെ താഴ്ന്ന വിഭാഗം ജീവനക്കാർക്ക് മൂന്നാം ഗ്രേഡ് ഓവർസിയർ തസ്തികയിലേക്ക് നിയമനം ലഭ്യമാകുന്നതിന് ഉതകുന്ന വിധത്തിൽ സ്പെഷ്യൽ റൂൾ ഭേദഗതി ചെയ്യുന്ന വിഷയത്തിന്മേൽ ഈ തസ്തികയിലേക്ക് നേരിട്ടുള്ള നിയമനം ലഭിക്കുന്നതിനുള്ള യോഗ്യതകൾ നേടിയ ഉദ്യോഗാർത്ഥികളിൽ നിന്ന് പരാതികൾ ലഭ്യമായിട്ടുണ്ട്. പ്രസ്തുത വിഷയം സർക്കാർ പരിശോധിച്ചു വരുകയാണ്.
(ബി)	പൊതുമരാമത്ത് വകുപ്പിലെ പി.ഡബ്ല്യുഡി-ബി3/50/2021-പി.ഡബ്ല്യുഡി. ഫയലിൽ 03.05.2021-ന് ഉദ്യോഗാർത്ഥികളുമായി നടത്തിയ ഹിയറിംഗ് യോഗത്തിന്റെ മിനുട്ടിന്റെ പകർപ്പ് ലഭ്യമാക്കാമോ;	(ബി)	മിനിട്ട്സ് അംഗീകരിക്കുന്നതിനുള്ള നടപടികൾ സ്വീകരിച്ചു വരുന്നു.
(സി)	പ്രസ്തുത ഹിയറിംഗിനും ശേഷം ഈ ഫയലിൽ സ്വീകരിച്ചിട്ടുള്ള നടപടികൾ എന്തൊക്കെയാണെന്നും ഉണ്ടായിട്ടുള്ള തീരുമാനങ്ങൾ എന്തൊക്കെയാണെന്നും വ്യക്തമാക്കാമോ;	(സി)	ഇക്കാര്യത്തിൽ മറ്റ് തീരുമാനങ്ങളൊന്നും കൈക്കൊണ്ടിട്ടില്ല.
(ഡി)	ബി3/50/2021-പി.ഡബ്ല്യുഡി ഫയലിന്റെ ഒരു പകർപ്പ് ലഭ്യമാക്കാമോ?	(ഡി)	പൊ.മ.വ-ബി3/50/2021-പൊ.മ.വ ഫയലിന്റെ പകർപ്പ് അനുബന്ധം ആയി ചേർത്തിരിക്കുന്നു.

സെക്ഷൻ ഓഫീസർ

File No. PWD-B3/50/2021-PWD

Govt. of Kerala

Kerala
PWD
PWD(B)

SUBJECT

Main Category :
Sub Category :
Description : Time Limit 15.07.2021- OA EK M No.400/2021 filed by Sajid AK & others -reg

OTHER DETAILS

Language : English
Remarks :



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A2 - OAEKM 400/2021/2021009809



2021009809

Dated : 27-02-2021

From

The Advocate General,
Kerala

To

1. ADDITIONAL CHIEF SECRETARY
PERSONNEL & ADMINISTRATIVE REFORMS DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM 695 001
2. SECRETARY
PUBLIC WORKS DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM 695 001



Sir,

Sub:- OA EKM 400/2021 filed by SAJID A K and other(s) before the Hon'ble KERALA ADMINISTRATIVE TRIBUNAL, ERNAKULAM BENCH- Copy of the OA(EKM)- Forwarding of - Reg.

Ref :- ANNEXURE A4 LETTER NO. EA2/7197/18 DATED 05-09-2019 OF CHIEF ENGINEER , PWD (ADMINISTRATION)

Kind attention is invited to the reference cited. When the above case came up for consideration on 24/02/2021 , the Hon'ble KERALA ADMINISTRATIVE TRIBUNAL, ERNAKULAM BENCH directed the respondents to get instructions/Statement of Facts. Hence Government/you are requested to forward instructions/Statement of Facts in the above case well before the next posting date. Please treat the matter as most urgent. A copy of OA EKM 400/2021 is also enclosed herewith for reference.

Yours faithfully,
Sd/-

REMADEVI T R (353782)
Under Secretary - IV
Phone : 04842564918
For ADVOCATE GENERAL

Enclosure :-

COPY OF OA EKM 400/2021

Copy to:-

CHIEF ENGINEER
PWD, THIRUVANANTHAPURAM.

Approved for issue

Section Officer

(1)

Presented on: 18-02-2021

Sub: Public Works Department /Seeking consideration of Annexure A7
representation before finalizing on Annexure A5 notification for amendment to the
Special Rules.

IN THE KERALA ADMINISTRATIVE TRIBUNAL,
THIRUVANANTHAPURAM,
ADDITIONAL BENCH AT ERNAKULAM

O.A [EKM] No. 400 of 2021

Sajid A K & othersApplicants

Vs

State of Kerala & others.....Respondents

MEMORANDUM OF ORIGINAL APPLICATION FILED UNDER SEC. 19
OF THE ADMINISTRATIVE TRIBUNAL'S ACT, 1985

S.MUHAMMED HANEEF [K/647/1990]
M.H. ASIF ALI [K/732/2016]

Counsels for the applicants

CC 2241/43, 'Alifia',
Behind V.B Terrace Flats, S.R.M Road, Kochi-18
Office: 0484 -2401029 Mobile: 8089056893

IN THE KERALA ADMINISTRATIVE TRIBUNAL,
THIRUVANANTHAPURAM,
ADDITIONAL BENCH AT ERNAKULAM

O.A [EKM] No. _____ of 2021

Sajid A K & othersApplicants


Vs

State of Kerala & others.....Respondents

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Dated this the 17th day of February, 2021


Asif Ali M.H
Counsel for the applicant

A

IN THE KERALA ADMINISTRATIVE TRIBUNAL,
THIRUVANANTHAPURAM,
ADDITIONAL BENCH AT ERNAKULAM

O.A[EKM] No. of 2021

Sajid A K & othersApplicants

Vs

State of Kerala & others.....Respondents

SYNOPSIS

Applicants are fully qualified for appointment by direct recruitment to the post of Third Grade Overseer in the Public Works Department [PWD] as well as in the Irrigation Department of the State as per the Special Rules. Consequently, when applications were invited by the Kerala Public Services Commission (KPSC) for the post of III Grade Overseer in the PWD/ Irrigation Departments vide Annexure A1 notification consequent to Annexure A1, written test has been conducted and publishing of rank list is awaited.


Going by Rule 2(5)(ii) of the Kerala Engineering Subordinate Service Rules, 1958, the post of III Grade Overseer is to be filled up by direct recruitment and by promotion from Blue Printer and in the absence of qualified blue printer by transfer from qualified attender in the ratio 3:1 respectively. The post of blue printers has been abolished by the government and that there are no qualified attenders in the departments for appointment by transfer as provided in Rule 2(5)(ii). Hence the entire vacancies were reported to the KPSC to be filled up by direct recruitment. Aggrieved by the same, various office attendants of the department approached the respondents 1 & 2 seeking amendment to Rule 2(5)(ii) of the Special Rules so as to include them for by transfer appointment to the post of III Grade Overseer. Since their representations were dismissed by the 2nd respondent and further the appeal/ representation before the 1st respondent was not considered, they approached the Hon'ble Kerala Administrative Tribunal vide OA[E] No. 2406/2017 and OA No. 30/2019. The Hon'ble Tribunal by Exts P2 & P3 orders directed the 1st respondent to consider the representation of the applicant(s) therein seeking amendment to the Special Rules so as to include them in the ambit of consideration for by transfer appointment to the post of III Grade Overseer.



B

Consequently the 1st respondent issued Annexure A5 Draft Notification proposing amendment to the Special Rules. Annexure A5 proposes removal of category 7 in Rule 1 and further for substitution of Rule 2.5 to provide appointment to the post of Third Grade Overseer by transfer from lower category of officers including Office Attenders below the scale of pay of Third Grade Overseer. Further Note 1 & Note 2 is also intended to be inserted whereby it is provided that in the absence of qualified hands for by transfer appointment, direct recruitment to be resorted to and further that ratio of 3:1 is to be followed for direct recruitment and by transfer appointment respectively. Further Annexure A5 has been discussed with the concerned Service Unions in the department in the meeting held on 23.12.2020. The applicants submitted Annexure A7 representation pointing out their dissent/ suggestions/ opinions in the matter. Annexure A7 has been forwarded to the Hon'ble Chief Minister of Kerala, Hon'ble Minister for Public Works, respondents 2 & 3 and to the Law Secretary of the State as well. Annexure A7 is yet to be considered. It is necessary that, Annexure A7 is considered before taking a final call on Annexure A5 proposed amendment. Petitioners approached the Hon'ble High Court of Kerala vide WP(C) No. 3623/2021 which was dismissed by judgment dt. 17.02.2021 on the ground that the writ petition is not maintainable in view of Section 19 of the Administrative Tribunal's Act, without prejudice to the rights of the applicants to approach this Hon'ble Tribunal. Hence this Original Application.

Dated this the 17th day of February, 2021


Asif Ali M.H.
Counsel for the applicants

IN THE KERALA ADMINISTRATIVE TRIBUNAL,
THIRUVANANTHAPURAM,
ADDITIONAL BENCH AT ERNAKULAM

O.A[EKM] No.

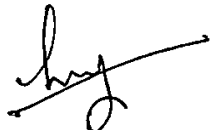
of 2021

1]. Particulars of the applicants:

- 1) Sajid A K, Aged 36 Years, S/o Abdul Hameed,
Areekadan House, Eranhimangad P O, Malappuram - 679329
- 2) As Had K C, Aged 24 Years, S/o Abdul Khadar,
Karappancheri(H), Karulai P. O, Malappuram - 679330
- 3) Ajmal E B, Aged 25 Years, S/o Basheer A M,
Ettukattil House, Edathala P O, Aluva, Ernakulam - 683563
- 4) Anand Bose N, Aged 29 Years, S/o N D Bose,
Nambonthara House, Cherai P O, Ernakulam - 683514
- 5) Kavya A J, Aged 28 Years, D/o Janardanan A K,
Alakkal House, Edamuttam PO, Thrissur - 680568
- 6) Leeshma Mumthaj, Aged 31 Years, W/o Shanavas K P,
Palari House, Mooppanad, Meppadi, Wayanad - 673577
- 7) Krishnendu P M, Aged 27 Years, D/o Mohanan P A,
Puthenpurakkal, Nedunganam, Karumathra P O, Thrissur - 680123
- 8) Leema Rose C V, Aged 25 Years, D/o Varghese C O,
Chittilappilly, Parappur P O, Thrissur - 680552
- 9) Nasreen K S, Aged 26 Years, D/o Sulaiman,
Karipamkulam House, Pazhuvil P O, Thrissur - 680564
- 10) Neethu K, Aged 30 Years, W/o Neeraj P R,
Panambilly House, Kottanellur P.O, Vellagallur Via, Thrissur - 680662
- 11) Niji P V, Aged 31 Years, D/o Vijayan P N,
Pareshappil House, Varandarappilly P O, Thrissur- 680303
- 12) Nivedya T M, Aged 25 Years, D/o Muraleedharan T B,
Thekkoot House, Vallachira PO, Thrissur, - 616651
- 13) Reshma T R, Aged 27 Years, D/o Ramesh T A,
Thayyil House, North Thorave, Pudukad P O, Thrissur, - 680301
- 14) Shabeeba K T, Aged 25 Years, D/o Moossa K,
Kanakkarthodi House, Vadakkangara PO, Makada Via, Malappuram, - 679324

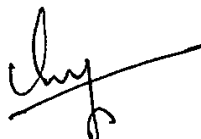


- 15) Anju K P, Aged 28 Years, D/o Venugopal K P,
Plliyalil House, Vadakkangara, Mankada, Malappuram, - 679324
- 16) Ayyoob Swadique K K, Aged 26 Years, S/o Muhammed Kutty,
Kavungal, Keleppurath, Malappuram, - 676551
- 17) Chaithra K V, Aged 29 Years, D/o Velayudhan,
Kottarakoth, Puthupadi, Kozhikode, - 673586
- 18) Dhilshad, Aged 29 Years, S/o Koyamu,
Chakkarathodi House, Irringallur PO, Thirurangadi, Malppuram, - 676304
- 19) Farsana P V, Aged 28 Years, D/o Ahammed P V,
Plliyalil Vazhayil, Kammchappadi, Vettallur PO, Malappuram, - 676507
- 20) Jayadev P S, Aged 28 Years, S/o Somasekharan Nair,
Parambanal, Thazhe Puthukkulam, Lakkattoor P O,
Pambady, Kottayam, - 686502
- 21) Jithesh P C, Aged 27 Years, S/o Chamiyar P,
Pallikkad(H), Paruvasserry, Vadakkencherry-1, Palakkad, - 678686
- 22) Vinu V S, Aged 26 Years, D/o V M. Sajeewan,
Vailikkada House, Mothirakkanny P O, Chalakkudy, Thrissur, - 680724
- 23) Mohammed Sharafudheen T, Aged 25 years S/o Moideen,
Thandayath, Mankadapallippuram, Malappuram, - 679324
- 24) Saranya K, Aged 27 Years, D/o Arumughan K,
Kammukkil House, Ramapuram PO, Malappuram, - 679321
- 25) Sarath M, Aged 24 Years, S/o Sivanandan M,
Melatt House, Makkada PO, Kakkodi Via Kozhikode, - 673611
- 26) Sarath M S, Aged 23 Years, S/o Madhu S,
M S Bhavan, Gandhismarakom, Perunguzhi P O, Thiruvananthapuram, - 695305
- 27) Shibil Umar, aged 27 years, S/o Umar Abdulla,
Andoorathodi House, Angadippuram, Malappuram, - 679321
- 28) Srijin Jith A S, Aged 26 Years, S/o Ajith Kumar,
Sreevishakhham, Kalluvettankuzhi, Venganoor P O, Trivandrum, - 695523
- 29) Sreelakshmi H, Aged 27, W/o Prasobh K,
'Sreeprabha', Nallur, Feroke, Kozhikode, - 673631
- 30) Swathy Nair M S, Aged 25 Years, D/o Sasidharan Nair M,
Sanjeevani, Durga Nagar, Poomalliyoorkonam,
Peroorkada P.O, Thiruvananthapuram, - 695005



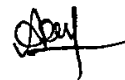

3

- 31) Vishnuprasad M, Aged 26 Years S/o Radhakrishnan,
Thundathil House, Avinissery P O, Ollur, Thrissur,- 680306
- 32) Soumya O, Aged 34 Years, D/o Somasundharan,
Orkottil House, Angadippuram P O, Malappuram,- 679321
- 33) Oshin Venugopal, Aged 27 D/o Venugopal P.S,
Pulikkal House, Nattika Beach PO, Thrissur, -680566
- 34) Raji C R, Aged 35 Years, W/o Abhilash P S,
Pallathery House, Mattathoorkunnu P O, Moolamkudam,
Kodakara, Thrissur, - 680684
- 35) Beema S, Aged 28 Years, D/o Shihabudheen,
Vilayil Veedu, Mylapure, Umayanalloor P O Kollam, - 691589
- 36) Prasanth, Aged 28, S/o Narayanan,
Kanakuzhiyil, Kalamppoor, Piravom, Ernakulam, - 686664
- 37) Shahir S, Aged 27 Years, S/o Shajahan K,
Rose Villa, Decentmukku, Maruthikkunnu P O, Thiruvananthapuram,- 675603
- 38) Fasaludheen A, Aged 28 Years, S/o Moosa A,
Bright House, Cherukavu, Pulikkal, Malappuram, - 673637
- 39) Muhammed Hafis IP, Aged 29 Years, S/o Mohammed Basheer IP,
Illathapparambil House, Niramaruthur P O, Tirur, Malappuram,- 676109
- 40) Mohammed Fazil P, Aged 24 Years, S/o Moideen P,
Peringodan House, Perumannur P O , Valanchery, Malappuram, - 686693
- 41) Thasni K M, Aged 27 Years, D/o Musthapha K B,
Kodapanakkunnath House, VIP Street, Nhanghattiri P O,
Pattambi Via ,Palakkad, - 679303
- 42) Unais KP, Aged 24 Years, S/o Saidalavi KP,
Kizhakkeparambil House, Vellila, Vellila P O,
Mankada Via, Malappuram, - 679324
- 43) Arun K R, Aged 25 Years, S/o K P Ravi,
Kurunnakudy House, Vaikkara PO, Vaikkara, Ernakulam, - 683549
- 44) Sakkeer Hussain, Aged 37 Years, S/o Saidalavi,
Kuttiamikadavath House, Paravanna P O, Tirur, Malappuram, - 676502
- 45) Manu K Chacko, Aged 36 Years S/o Chacko,
Kavanamalil 11, Malamury, Rayamangalam, Ernakulam, - 683545



A

- 46) Murshida E C, Aged 25 Years, W/o Muhammed Niyas A,
Akkala House, Karuvambram P O, Manjeri, Malappuram, - 676123.
- 47) Dilrupa K M, Aged 31 Years, D/o Rahamathulla,
Rahmath Manzil, Poovanchira, Randathani, Malappuram, - 676510
- 48) Akbarshah M , Aged 26 Years , S/o Masood P,
TC 63/3304, Kunjuvedu, Poonthura P O, Thiruvananthapuram, - 695026
- 49) Akhiyamol M B , Aged 25 Years, D/o Bhanu Priyan M S,
Mukulath House, Kaniyambetta P O, Koodothummal, Wayanad, - 673121
- 50) Karthika Ramesh K V, Aged 25 Years, D/o Ramesan K,
Kavinisseri, Korom, Chalakode PO, Payyanur, Kannur, - 670307
- 51) Aparna Vijayan, Aged 26 Years, D/o Vijayan A G,
Assarithara(H) , Kottarakkundu P O, Cherukara, Wayanad, - 670731
- 52) Arya Viswan, Aged 30 Years, D/o A K Viswambaran,
Arangatty (H), Vellanchira P O, Thrissur, - 680697
- 53) Ashique C S, Aged 28 Years, S/o Savaruddeen A,
Chungathuparambil House, Valiyaparambu, Mala, Thrissur, - 680732
- 54) Athira T, Aged 28 Years, W/o Baiju C,
Cheriyil House, Kappumugham, Thazhekod West Post,
Perinthalmanna Via, Malappuram, - 679341
- 55) Basil P Alias, Aged 27 Years, S/o Alias P M,
Palakunnel(H), Kadackanad, P O, Kolenchery, Ernakulam, - 682311
- 56) Bissy Varghese, Aged 30 Years, W/o Arun Joy Joseph,
Elenjikuzhiyil(H), Kunnackal P O, Valakom, Ernakulam - 682316
- 57) Dilna Francis, Aged 27 Years, W/o Babin James,
Vayalunkal House, Ezhukumvayal P O, Udumbanchola, Idukki, - 685553
- 58) Geethu Mohan, Aged 27 Years, D/o Mohanan P B,
Parakkulam House, Kuzhikkattussery, Annallur P O, Thrissur, - 680731
- 59) Hashmi Manoharan, Aged 24years, D/o T M Manoharan,
Thekkoot House, Chathedathuparambu, Kodungallur, Thrissur, - 680664
- 60) Jamsheer K M, Aged 27 Years, S/o Muhammed Shukkur,
Kunnummal House, Thachangode Post, Chungathara, Malappuram, - 679334
- 61) Jibin Jose, Aged 26 Years, S/o Jose M L,
Mechery(H), K.Kunnu P O, Pindani, Meloor, Chalakudy, Thrissur, - 680311


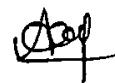



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- 62) Agil R, Aged 25 Years, S/o Ravindràn C,
Sreesailam House, Parayankolumbu, Karippode Po, Palakkad, - 678503
- 63) Akhila Kuttappan, Aged 28 Years, D/o Kuttappan V A,
Vadakkeveetil House, Kadukutty P O, Chalakudy, Thrissur, - 680309
- 64) Ammu A S, Aged 24 Years, D/o P N Sasikumar,
Anjanam, Panappetty, Poruvazhy P O, Kollam, - 690520
- 65) Nubaila P H, Aged 28 Years, D/o P M Hameed,
Ponakudy(H), Cheruvattoor P O, Kothamangalam, Ernakulam, - 686691
- 66) Pournami Suradh, Aged 27 Years, D/o M R Radhamony,
Pranavam, Vallicode P O, Kaippattoor, Pathanamthitta, - 689648
- 67) Ruksana K C, Aged 28 Years, D/o K C Muhammed Musliyar,
Koraliyadan House Pattikkad P O, Perinthalmanna, Malappuram, - 679325
- 68) Shahina M, Aged 26 Years, W/o Firoz P K,
Poozhithara(H), Puthanangadi P O, Malappuram, - 679321
- 69) Shanu S, Aged 30 Years, S/o Shajikumar,
Keezhethattil Veedu, Muthana P O, Palayamkunnu, Trivandrum, - 695146
- 70) A S Saranya, Aged 29 Years, D/o Kumaran Chetty,
Kottamurattu, Veliyambam Post, Nadavayal, Wayanad, - 673579
- 71) Sravyaja Valsakumar, Aged 24 Years, D/o Anitha Valsakumar,
Valsapuram (H), Kolagappara P O, Sulthan Bathery, Wayanad - 673591
- 72) Sunu Mol R, Aged 33 Years, D/o Rajan V,
Krishna Nivas, Kaikuthuparambu, Nurani P O, Palakkad, - 678004
- 73) Amritha T A, Aged 29 Years, D/o Asokan T M,
Themanal House, Mapranam, Madayikonam, Thrissur, - 680712
- 74) Anagha Sai Pramod, Aged 26 years, D/o K Pramod,
Saidhan(H), Koleri P O, Kenchira Via, Wayanad, - 673596
- 75) Anjaly K R, Aged 28 Years, D/o Beena Ramesh,
Kamattathil House, Kalletumkara P O, Parambiroad, Thrissur, - 680683
- 76) Nithin D, Aged 27 Years, S/o Devarajan J,
Apsara, Alummoodu, Karingannoor P O, Kollam, - 691516
- 77) Aswanth T S, Aged 26 Years, S/o Sudhakaran,
Anjali Nivas, Kottakkal, Vadakara, Kozhikode, - 673521
- 78) Ashwin Roy Johnson, Aged 26 Years, S/o Johnson M J,
Manakkil House, Maniyancode, Kalpetta, Wayanad, - 673122




- b
- 79) Chinchu P C, Aged 27 Years, D/o Chandran P P,
Puthuparambil(H), Valapad Beach P O, Thrissur, - 680567
- 80) Christy Jose, Aged 28 Years, W/o Anstine Wilson,
Moolaparambil House, Vendore, Alagappanagar, Thrissur - 680302
- 81) Divya Balakrishnan, Aged 27 Years, D/o Balakrishnan M S,
Machingal House, Kariyattukara, Eithuruth P O, Thrissur, - 680611
- 82) Fathimath Sabira P K, Aged 29 Years, D/o Abdu P,
Paruthikkuth House, Thachinganadam P O, Pattikkad Via, Malappuram, - 679325
- 83) Ganga V, Aged 26 Years, D/o P A Velayudhan,
TC-75/950, Thoppuvilakom Veedu, Pallimudukku,
Pettah P O, Thrivananthapuram, - 695024
- 84) Geethu K N, Aged 32 Years, D/o K U Nakulan,
Kuruppassery (H), Kundaliyoor P O, Thrissur, - 680616
- 85) Govind A, Aged 25 Years, S/o V Ambilikumar,
Sreevalsam, Parakunnu P O, Navaikulam, Thruvananthapuram, - 695603
- 86) Hithesh Sai M B, Aged 27 Years, S/o Brahmanandan Nair,
Harishree, No 186, Alattukavu Nagar, Kavanadu P O, Kollam, - 691003
- 87) Janusha Ravi, Aged 27 Years, D/o C V Ravi,
Chetiyanadan (H), Mattathurkkunnu P O, Vasupuram, Kodakara, Thrissur, - 680684
- 88) Jasiya Nasrin, Aged 26 Years, D/o P M Musammil,
Padinjare Veettil(H), Madavana P O, Kodungallur, Thrissur, - 680666
- 89) Jasna N A, Aged 24 Years, D/o Abdul Kader,
Naduparambil House, Eriyad P O, Kodungallur, Thrissur, - 680666
- 90) Jismariya M F, Aged 27 Years, W/o Mijo K Jose,
Kizhakkoodan House, Elinjipara P O, Chalakudy, Thrissur, - 680721
- 91) Aquil M Usman, Aged 28, S/o M K Usman,
Marathuparambil(H), Wadakkanchery P O, Thrissur, - 680582
- 92) Logi N Boby, Aged 30 Years, S/o Boby N Abraham,
Nedumpurath, Makkiyad P O, Kanjirangad, Wayanad, - 670731
- 93) Mushthaque K, Aged 24 Years, S/o Musthafa K,
Alungal(H), Kuniyil, Kizhumparamba P O, Malappuram-673639
- 94) Rubeena T, Aged 23 Years, D/o Moidu T,
Thottoli House, Tharuvana P O, Aruwal, Wayanad, - 670645

7

95) Rahila K, Aged 29 Years, D/o Abdurahiman L,
Thayatheel House, Cheruputhoor, Monam P O, Malappuram- 673642

96) Fathima Sherin O K, Aged 27 Years, W/o Shihabudheen,
Cheruvappully(H), Perinthattiri P O, Malappuram, - 676507

97) Anjitha K V, Aged 25 Years, D/o Velayudhan,
Kulathuvayal(H), Nathamkuni P O, Meppadi, Wayanad, - 673577

98) Lithesh T M, Aged 30 Years, S/o T K Manilal, Thayyil House,
Pullur P O, Irinjalakuda, Thrissur, - 680683

99) Jithin A Saikrishna, Aged 28 Years, S/o M. K Ambi Achary,
Ambalathinkal, Thirumarady PO Ernakulam, - 686662

100) Juel Savio Mendez, Aged 26 Years, S/o Justin Mendez,
Kallachanmurry, Panditkaruppan Road, Cheranelloor, Kochi – 682034

All the process and notices to the applicant may be served on her counsels Sri. S.Muhammed Haneef, M.H Asif Ali, Aravind T Ramesh, T Sailesh Kumar & Shaima Vahab, Advocates, S.R.M Road, Ernakulam, Kochi-18, Ph No. 8089056893

2]. Particulars of the respondents:

1). State of Kerala,
Represented by Secretary to Government,
Department of Public Works, Secretariat, Thiruvananthapuram -695 001

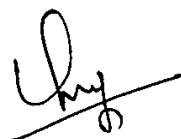
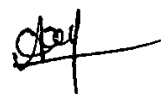
2). Chief Engineer (Administration),
Office of the Chief Engineer,
Department of Public Works Thiruvananthapuram – 695033

3). Additional Chief Secretary to Government,
Personal & Administrative Reforms Department,
Secretariat, Thiruvananthapuram -695 001

**MEMORANDUM OF ORIGINAL APPLICATION FILED UNDER SEC. 19
OF THE ADMINISTRATIVE TRIBUNAL'S ACT, 1985**

3]. Particulars of the order against which application is made:

The Original Application filed seeking early consideration of Annexure A7 representation submitted before the 1st respondent. No orders are challenged in the above O.A.

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4]. Jurisdiction of the Tribunal:

The applicants declare that the subject matter of the case against which she wants redressal is within the jurisdiction of this Hon'ble Tribunal.

5]. Limitation:

The applicant further declares that the application is within the limitation prescribed in Sec. 21 of the Administrative Tribunals Act, 1985.

6]. Facts of the case:

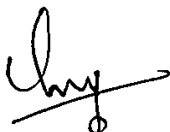
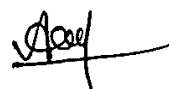
1. Applicants are citizens of India and residing in the State of Kerala. Applicants are aggrieved by non-consideration of their dissent/ suggestions/ opinions by the 1st respondent in the proposed amendment to the Kerala Engineering Subordinate Service Rules, 1958 [herein after referred to as the Special Rules] whereby sub-rule (ii) of Rule 2.5 is intended to be substituted.

2. It is submitted that, applicants are fully qualified for appointment by direct recruitment to the post of Third Grade Overseer in the Public Works Department [PWD] as well as in the Irrigation Department of the State as per the Special Rules. Consequently, when applications were invited by the Kerala Public Services Commission (KPSC) for the post of III Grade Overseer in the PWD/ Irrigation Departments vide notification in Category No. 247/18 published on 29.12.2018, applicants applied for the same. A true copy of the notification Category No. 247/18 published on 29.12.2018 by the Kerala Public Services Commission is produced herewith and marked as Annexure A1. Consequent to Annexure A1, written test has been conducted and publishing of rank list is awaited.

3. It is submitted that, Rule 2(5) of the Special Rules provides as follows:

"2. Appointment- Appointment to the several categories shall be made as follows:-

<i>(5) Third Grade Overseer (including Tracers/ Laboratory Assistants)</i>	<p><i>(i) Direct Recruitment</i></p> <p><i>(ii) Promotion from Category 7 [blue printers] and in their absence by transfer from attenders from the Department</i></p>
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	<p><i>Note:- A ratio of 3:1 will be maintained between the two methods mentioned above."</i></p>
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The post of blue printers has been abolished by the government and that there are no qualified attenders in the PWD department for appointment by transfer as provided in Rule 2(5)(ii). Hence the entire vacancies were reported to the KPSC to be filled up by direct recruitment. Aggrieved by the same, various office attendants of the department approached the respondents 1 & 2 seeking amendment to Rule 2(5)(ii) of the Special Rules so as to include them for by transfer appointment to the post of III Grade Overseer. Since their representations were dismissed by the 2nd respondent and further the appeal/ representation before the 1st respondent was not considered, they approached the Hon'ble Kerala Administrative Tribunal vide OA[E] No. 2406/2017 and OA No. 30/2019. The Hon'ble Tribunal by its orders dt. 26.10.2017 and 04.02.2019 in OA[E] No. 2406/2017 and OA No. 30/2019 respectively, directed the 1st respondent to consider the representation of the applicant(s) therein seeking amendment to the Special Rules so as to include them in the ambit of consideration for by transfer appointment to the post of III Grade Overseer. True copies of the orders of the Hon'ble Kerala Administrative Tribunal dt. 26.10.2017 and 04.02.2019 in OA[E] No. 2406/2017 and OA No. 30/2019 are produced herewith and marked as **Exhibits P2&P3** respectively.

4. It is submitted that, consequent to Exts P2 & P3 the 2nd respondent vide communication bearing No. E.A2/7197/18 dt. 05.09.2019 submitted proposal for amending the Special Rules whereby sub-rule (ii) of Rule 2.5 is intended to be substituted to provide appointment to the post of Third Grade Overseer by transfer from lower category of officers including Office Attenders below the scale of pay of Third Grade Overseer. A true copy of the communication bearing No. E.A2/7197/18 dt. 05.09.2019 submitted by the 2nd respondent before the 1st respondent is produced herewith and marked as **Annexure A4**.

5. It is submitted that, consequent to Annexure A4, the 1st respondent issued the Draft Notification proposing amendment to the Special Rules. A true copy of the draft notification proposing amendment to the Kerala Engineering Subordinate Service Rules, 1958 is produced herewith and marked as **Annexure A5**. Annexure A5 proposes




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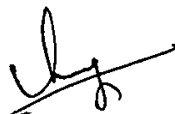
removal of category 7 in Rule 1 and further for substitution of Rule 2.5 to provide appointment to the post of Third Grade Overseer by transfer from lower category of officers including Office Attenders below the scale of pay of Third Grade Overseer. Further Note 1 & Note 2 is also intended to be inserted whereby it is provided that in the absence of qualified hands for by transfer appointment, direct recruitment to be resorted to and further that ratio of 3:1 is to be followed for direct recruitment and by transfer appointment respectively.

6. It is submitted that, the 1st respondent vide communication bearing No. PWD-B3/276/2019-PWD dt. 07.12.2020 informed the 2nd respondent that, a meeting has been scheduled on 23.12.2020 to discuss regarding Annexure A5 draft notification with the representatives of the concerned Service Unions of the State and directed the 2nd respondent to inform the Union regarding the meeting. A true copy of the communication bearing No. PWD- B3/276/2019-PWD dt. 07.12.2020 issued by the 1st respondent to the 2nd respondent is produced herewith and marked as Annexure A6. Consequently, a virtual meeting vide Google Meet application took place and suggestions of the Service Unions have been garnered.

7. It is submitted that, having come to know regarding Annexure A5 and the meeting held on 23.12.2020, the applicants submitted a detailed representation dt. 22.01.2021 pointing out their dissent/ suggestions/ opinions in the matter. A true copy of the representation dt. 22.01.2021 submitted before the 1st respondent is produced herewith and marked as Annexure A7. Annexure A7 has been forwarded to the Hon'ble Chief Minister of Kerala, Hon'ble Minister for Public Works, respondents 2 & 3 and to the Law Secretary of the State as well. Annexure A7 is yet to be considered. The same is per se illegal and unsustainable in law.

8. It is submitted that, grievance raised by the applicants in Annexure A7 is as follows [relevant portion of Annexure A7] :

"It is submitted that we are candidates in the Select List to the post of Grade III Overseer with the Department. We are much concerned with the fact that, unlike in the amendments made to the Kerala Excise and Prohibition Subordinate Service Special Rules, in the year 2017, which had a "notwithstanding clause" holding that it will not affect the existing notification, no such protection is seen to be provided in the case at hand. Since the amendment is intended to be brought into effect subsequent to notification for direct recruitment for the entire vacancies of Grade III Overseer in the PWD Department



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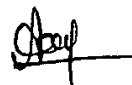
and selection process have been culminated, it is much necessary that the amendment will not affect the present notification and the rank list to be published and that the amendment if at any rate is brought into force, the same may be made applicable only subsequent to the expiry of the rank list to be published.

Further, the present draft notification, if implemented would bring in lower category of officers to technical post, affecting the efficiency of department to a great extent. Still further, in none of the Government Departments, promotion to more than 10% of vacancies is available for Office Attendants and other lower categories of officers. The present attempt to bring 25% of the vacancies within the ambit of by transfer appointment to a technical cadre is highly excess and illegal.

It is also brought to your notice that, the Explanatory Note to the draft notification provides that the general purport of the amendment is that, last grade employees of the department submitted several representations seeking to amend Rule 2.5 and further that Blue Printer posts have been deleted and therefore the Government decided to amend Rule 2.5. It is submitted that, the said objective of the intended amendment is arbitrary and thence violates Article 14 of the Constitution of India. No objective for the larger benefit of the public or effectiveness of the department can be seen from the intended amendment. Mere representations from a particular category of employees will not in any way justify an amendment to Rules. Further no detailed study has been conducted prior to issuance of the draft notification and the same is very much necessary since Office Attendants are two stages below Grade III Overseer."

9. It is submitted that, dissent is essential in a democracy. If a country has to grow in a holistic manner where not only the economic rights but also the civil rights of the citizen are to be protected, dissent and disagreement have to be permitted, and in fact, should be encouraged. Further, the right to dissent is one of the most important rights guaranteed by the Constitution of India by virtue of Article 19(1)(a). The framers of our Constitution recognised the importance of safeguarding this right since the free flow of opinions and ideas is essential to sustain the collective life of the citizenry. Further, an informed citizenry is a pre-condition for meaningful governance in the political sense. Therefore, Annexure A7 requires to be considered by the 1st respondent before finalising on Annexure A5 draft notification.

10. It is further submitted that, Annexure A5 draft notification is issued based on the representations submitted by office attendants working in the Department and based on Exts P2 & P3 order of the Hon'ble Tribunal. Further, Annexure A5 has been discussed with the Service Unions in the department in the meeting held on 23.12.2020. Applicants who are aspirants to the posts of III Grade Overseer in the department are directly affected if Annexure A5 is confirmed and implemented. Hence it is only appropriate

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that, Annexure A7 representation submitted by the applicants be considered before taking a final decision on Annexure A5.

11. Since no action is seen taken on Annexure A7 representation submitted by the applicants Applicants approached the Hon'ble High Court of Kerala vide WP(C) No. 3623/2021 which was dismissed by judgment dt. 17.02.2021 on the ground that the writ petition is not maintainable in view of Section 19 of the Administrative Tribunal's Act, without prejudice to the rights of the applicants to approach this Hon'ble Tribunal. In the circumstance, the applicants are left with no other remedy than to approach this Hon'ble Tribunal with this application on the following among other grounds;

7]. Grounds for reliefs:

- A. Having come to know regarding Annexure A5 and the meeting held on 23.12.2020, the applicants submitted Annexure A7 representation pointing out their dissent/ suggestions/ opinions in the matter. Annexure A7 has been forwarded to the Hon'ble Chief Minister of Kerala, Hon'ble Minister for Public Works, respondents 2 & 3 and to the Law Secretary of the State as well. Annexure A7 is yet to be considered. The same is per se illegal and unsustainable in law.
- B. Dissent is essential in a democracy. If a country has to grow in a holistic manner where not only the economic rights but also the civil rights of the citizen are to be protected, dissent and disagreement have to be permitted, and in fact, should be encouraged. Further, the right to dissent is one of the most important rights guaranteed by the Constitution of India by virtue of Article 19(1)(a). The framers of our Constitution recognised the importance of safeguarding this right since the free flow of opinions and ideas is essential to sustain the collective life of the citizenry. Further, an informed citizenry is a pre-condition for meaningful governance in the political sense. Therefore, Annexure A7 requires to be considered by the 1st respondent before finalising on Annexure A5 draft notification.
- C. Annexure A5 draft notification is issued based on the representations submitted by office attendants working in the Department and based on Exts P2 & P3 order of the Hon'ble Tribunal. Further, Annexure A5 has been discussed with the Service



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Unions in the department in the meeting held on 23.12.2020. Applicants are who are aspirants to the posts of III Grade Overseer in the department are directly affected if Annexure A5 is confirmed and implemented. Hence it is only appropriate that, Annexure A7 representation submitted by the applicants be considered before finalising on Annexure A5.

8]. **Details of the remedies exhausted:**

The applicants declare that they have no statutory remedies available than to approach this Hon'ble Court.

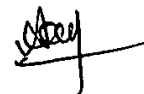
9]. **Matters not previously filed or pending with any other court:**

The applicants further declare that they had approached the Hon'ble High Court of Kerala vide WP(C) No. 3623/2021 which was dismissed by judgment dt. 17.02.2021 on the ground that the writ petition is not maintainable in view of Section 19 of the Administrative Tribunal's Act, without prejudice to the rights of the applicants to approach this Hon'ble Tribunal. The applicants further undertake that, no other matter with regard to the subject matter issue is filed or pending before any other Court.

10]. **Relief [s] sought:**

In view of the facts mentioned in Para [6] above, the applicant prays for the following relief [s]:-

- i. To direct the the 1st respondent to consider Annexure A7 representation submitted by the applicants after affording an opportunity of hearing to the applicants or their authorized representative, before taking a final decision on implementing Annexure A5 proposal for amendment to the Kerala Engineering Subordinate Service Rules, 1958.
- ii. Issue such other appropriate writ, order or direction as this Hon'ble Court deems fit and proper in the facts and circumstances of the case.



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11]. Interim order, if any prayed for:

Pending final decision on the application, the applicant seeks issue of the following interim order;

May pleased to direct the 1st respondent not to take a final decision on implementing Annexure A5 proposal for amendment to the Kerala Engineering Subordinate Service Rules, 1958, pending disposal of the Original Application.

12]. In the event of application being send by registered post:

Through Registry

13]. Particulars of the application fee:

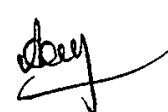
Court fee of Rs.50/- is paid.

14]. List of enclosures:

1. Annexure A1 to A7
2. Vakalath

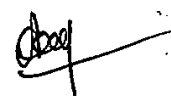
VERIFICATION

We, 1) Sajid A K, Aged 36 Years, S/o Abdul Hameed, Areekadan House, Eranhimangad P O, Malappuram - 679329, 2) As Had K C, Aged 24 Years, S/o Abdul Khadar, Karappancheri(H), Karulai P. O, Malappuram - 679330, 3) Ajmal E B, Aged 25 Years, S/o Basheer A M, Ettukattil House, Edathala P O, Aluva, Ernakulam - 683563, 4) Anand Bose N, Aged 29 Years, S/o N D Bose, Nambonthara House, Cherai P O, Ernakulam - 683514, 5) Kavya A J, Aged 28 Years, D/o Janardanan A K, Alakkal House, Edamuttam PO, Thrissur - 680568, 6)



15

Leeshma Mumthaj, Aged 31 Years, W/o Shanavas K P, Palari House, Mooppanad, Meppadi, Wayanad - 673577, 7) Krishnendu P M, Aged 27 Years, D/o Mohanan P A, Puthenpurakkal, Nedunganam, Karumathra P O, Thrissur - 680123, 8) Leema Rose C V, Aged 25 Years, D/o Varghese C O, Chittilappilly, Parappur P O, Thrissur - 680552, 9) Nasreen K S, Aged 26 Years, D/o Sulaiman, Karipamkulam House, Pazhuvil P O, Thrissur - 680564 10) Neethu K, Aged 30 Years, W/o Neeraj P R, Panambilly House, Kottanellur P.O, Vellagallur Via, Thrissur - 680662 11) Niji P V, Aged 31 Years, D/o Vijayan P N, Pareshappil House, Varandarappilly P O, Thrissur- 680303, 12) Nivedya T M, Aged 25 Years, D/o Muraleedharan T B, Thekkoot House, Vallachira PO, Thrissur, - 616651, 13) Reshma T R, Aged 27 Years, D/o Ramesh T A, Thayyil House, North Thorave, Pudukad P O, Thrissur, - 680301, 14) Shabeeba K T, Aged 25 Years, D/o Moossa K, Kanakkarthodi House, Vadakkangara PO, Makada Via, Malappuram, - 679324, 15) Anju K P, Aged 28 Years, D/o Venugopal K P, Plliyalil House, Vadakkangara, Mankada, Malappuram, - 679324, 16) Ayyoob Swadique K K, Aged 26 Years, S/o Muhammed Kutty, Kavungal, Keleppurath, Malappuram, - 676551, 17) Chaithra K V, Aged 29 Years, D/o Velayudhan, Kottarakoth, Puthupadi, Kozhikode, - 673586, 18) Dhilshad, Aged 29 Years, S/o Koyamu, Chakkarathodi House, Irringallur P.O, Thirurangadi, Malppuram, - 676304, 19) Farsana P V, Aged 28 Years, D/o Ahammed P V, Plliyalil Vazhayil, Karinchappadi, Vettallur PO, Malappuram, - 676507, 20) Jayadev P S, Aged 28 Years, S/o Somasekharan Nair, Parambanal, Thazhe Puthukkulam, Lakkattoor P O, Pambady, Kottayam, - 686502, 21) Jithesh P C, Aged 27 Years, S/o Chamiyar P, Pallikkad(H), Paruvasserry, Vadakkencherry-1, Palakkad, - 678686, 22) Vinu V S, Aged 26 Years, D/o V M Sajeewan, Vailikkada House, Mothirakkanny P O, Chalakkudy, Thrissur, - 680724, 23) Mohammed Sharafudheen T, Aged 25 years S/o Moideen, Thandayath, Mankadapallippuram, Malappuram, - 679324, 24) Saranya K, Aged 27 Years, D/o Arumughan K, Kammukkil House, Ramapuram PO, Malappuram, - 679321, 25) Sarath M, Aged 24 Years, S/o Sivanandan M, Melatt House, Makkada PO, Kakkodi Via Kozhikode, -673611, 26) Sarath M S, Aged 23 Years, S/o Madhu S, M S Bhavan, Gandhismarakom, Perunguzhi P O, Thiruvananthapuram, - 695305, 27) Shibil Umar, aged 27 years, S/o Umar Abdulla, Andoorathodi House, Angadippuram, Malappuram, - 679321, 28)

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Srijin Jith A S, Aged 26 Years, S/o Ajith Kumar, Sreevishakhham, Kalluvettankuzhi, Venganoor P O, Trivandrum, - 695523, 29) Sreelakshmi H, Aged 27, W/o Prasobh K, 'Sreeprabha', Nallur, Feroke, Kozhikode, - 673631, 30) Swathy Nair M S, Aged 25 Years, D/o Sasidharan Nair M, Sanjeevani, Durga Nagar, Poomalliyoorkonam, Peroorkada P.O, Thiruvananthapuram,- 695005, 31) Vishnuprasad M, Aged 26 Years S/o Radhakrishnan, Thundathil House, Avinissery P O, Ollur, Thrissur,- 680306, 32) Soumya O, Aged 34 Years, D\o Somasundharan, Orkottil House, Angadippuram P O, Malappuram- 679321, 33) Oshin Venugopal, Aged 27 D/o Venugopal P.S, Pulikkal House, Nattika Beach PO,Thrissur, -680566, 34) Raji C R, Aged 35 Years, W\o Abhilash P S, Pallathery House, Mattathoorkunnu P O, Moolamkudam, Kodakara, Thrissur, - 680684, 35) Beema S, Aged 28 Years, D/o Shihabudheen, Vilayil Veedu, Mylapure, Umayanalloor P O Kollam, - 691589, 36) Prasanth, Aged 28, S/o Narayanan, Kanakuzhiyil, Kalampoor, Piravom, Ernakulam, - 686664, 37) Shahir S, Aged 27 Years, S/o Shajahan K, Rose Villa, Decentmukku, Maruthikkunnu P O, Thiruvananthapuram,- 675603, 38) Fasaludheen A, Aged 28 Years, S/o Moosa A, Bright House, Cherukavu, Pulikkal, Malappuram, - 673637, 39) Muhammed Hafis IP, Aged 29 Years, S/o Mohammed Basheer IP, Illathapparambil House, Nirammaruthur P O,Tirur, Malappuram,- 676109, 40) Mohammed Fazil P, Aged 24 Years, S/o Moideen P, Peringodan House, Perumannur P O , Valanchery, Malappuram, - 686693, 41) Thasni K M, Aged 27 Years, D\o Musthapha K B, Kodapanakkunnath House, VIP Street, Nhanghattiri P O, Pattambi Via ,Palakkad, - 679303, 42) Unais KP, Aged 24 Years, S/o Saidalavi KP, Kizhakkeparambil House, Vellila,Vellila P O, Mankada Via, Malappuram, - 679324, 43) Arun K R, Aged 25 Years, S/o K P Ravi, Kurunnakudy House, Vaikkara PO, Vaikkara, Ernakulam, - 683549, 44) Sakkeer Hussain, Aged 37 Years, S/o Saidalavi, Kuttiamikadavath House, Paravanna P O, Tirur, Malappuram, - 676502,45) Manu K Chacko, Aged 36 Years S/o Chacko, Kavanamalil 11, Malamury, Rayamangalam, Ernakulam, - 683545, 46) Murshida E C, Aged 25 Years, W\o Muhammed Niyas A, Akkala House, Karuvambram P O, Manjeri, Malappuram, - 676123, 47) Dirupa K M, Aged 31 Years, D/o Rahamathulla, Rahmath Manzil, Poovanchira, Randathani, Malappuram, - 676510, 48) Akbarshah M , Aged 26 Years , S/o Masood P, TC 63/3304, Kunjuveedu, Poonthura P O,



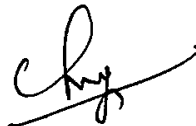

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Thiruvananthapuram, - 695026, 49) Akhiyamol M B , Aged 25 Years, D/o Bhanu Priyan M S, Mukulath House, Kaniyambetta P O, Koodothummal, Wayanad, - 673121, 50) Karthika Ramesh K V, Aged 25 Years, D/o Ramesan K, Kavinniseri, Korom, Chalakode PO, Payyanur, Kannur, - 670307, 51) Aparna Vijayan, Aged 26 Years, D/o Vijayan A G, Assarithara(H) , Kottarakkunnu P O, Cherukara, Wayanad, - 670731, 52) Arya Viswan, Aged 30 Years, D/o A K Viswambaran, Arangatty (H), Vellanchira P O, Thrissur, - 680697, 53) Ashique C S, Aged 28 Years, S/o Savaruddeen A, Chungathuparambil House, Valiyaparambu, Mala, Thrissur, - 680732, 54) Athira T, Aged 28 Years, W/o Baiju C, Cheriyl House, Kappumugham, Thazhekod West Post, Perinthalmanna Via, Malappuram, - 679341, 55) Basil P Alias, Aged 27 Years, S/o Alias P M, Palakunnel(H), Kadackanad, P O, Kolenchery, Ernakulam, - 682311, 56) Bissy Varghese, Aged 30 Years, W/o Arun Joy Joseph, Elenjikuzhiyil(H), Kunnackal P O, Valakom, Ernakulam - 682316, 57) Dilna Francis, Aged 27 Years, W/o Babin James, Vayalunkal House, Ezhukumvayal P O, Udumbanchola, Idukki, - 685553, 58) Geethu Mohan, Aged 27 Years, D/o Mohanan P B, Parakkulam House, Kuzhikkattussery, Annallur P O, Thrissur, - 680731, 59) Hashmi Manoharan, Aged 24years, D/o T M Manoharan, Thekkoot House, Chathedathuparambu, Kodungallur, Thrissur, - 680664, 60) Jamsheer K M, Aged 27 Years, S/o Muhammed Shukkur, Kunnummal House, Thachangode Post, Chungathara, Malappuram, - 679334, 61) Jibin Jose, Aged 26 Years, S/o Jose M L, Mechery(H), K.Kunnu P O, Pindani, Meloor, Chalakudy, Thrissur, - 680311, 62) Agil R, Aged 25 Years, S/o Ravindran C, Sreesailam House, Parayankolumbu, Karippode Po, Palakkad, - 678503, 63) Akhila Kuttappan, Aged 28 Years, D/o Kuttappan V A, Vadakkeveetil House, Kadukutty P O, Chalakudy, Thrissur, - 680309, 64) Ammu A S, Aged 24 Years, D/o P N Sasikumar, Anjanam, Panappetty, Poruvazhy P O, Kollam, - 690520, 65) Nubaila P H, Aged 28 Years, D/o P M Hameed, Ponakudy(H), Cheruvattoor P O, Kothamangalam, Ernakulam, - 686691, 66) Pournami Suradh, Aged 27 Years, D/o M R Radhamony, Pranavam, Vallicode P O, Kaipattoor, Pathanamthitta , - 689648, 67) Ruksana K C, Aged 28 Years, D/o K C Muhammed Musliyar, Koraliyadan House Pattikkad P O, Perinthalmanna, Malappuram, - 679325, 68) Shahina M, Aged 26 Years, W/o Firoz P K,




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Poozhithara(H), Puthanangadi P O, Malappuram, - 679321, 69) Shanu S, Aged 30 Years, S/o Shajikumar, Keezhethattil Veedu, Muthana P O, Palayamkunnu, Trivandrum, - 695146, 70) A S Saranya, Aged 29 Years, D/o Kumaran Chetty, Kottamurattu, Veliyambam Post, Nadavayal, Wayanad, - 673579, 71) Sravyaja Valsakumar, Aged 24 Years, D/o Anitha Valsakumar, Valsapuram (H), Kolagappara P O, Sulthan Bathery, Wayanad - 673591, 72) Sunu Mol R, Aged 33 Years, D/o Rajan V, Krishna Nivas, Kaikuthuparambu, Nurani P O, Palakkad, - 678004, 73) Amritha T A, Aged 29 Years, D/o Asokan T M, Themanal House, Mapranam, Madayikonam, Thrissur, - 680712, 74) Anagha Sai Pramod, Aged 26 years, D/o K Pramod, Saidhan(H), Koleri P O, Kenchira Via, Wayanad, - 673596, 75) Anjaly K R, Aged 28 Years, D/o Beena Ramesh, Kamattathil House, Kalletumkara P O, Parambiroad, Thrissur, - 680683, 76) Nithin D, Aged 27 Years, S/o Devarajan J, Apsara, Alummoodu, Karingannoor P O, Kollam, - 691516, 77) Aswanth T S, Aged 26 Years, S/o Sudhakaran, Anjali Nivas, Kottakkal, Vadakara, Kozhikode, - 673521, 78) Ashwin Roy Johnson, Aged 26 Years, S/o Johnson M J, Manakkil House, Maniyancode, Kalpetta, Wayanad, - 673122, 79) Chinchu P C, Aged 27 Years, D/o Chandran P P, Puthuparambil(H), Valapad Beach P O, Thrissur, - 680567, 80) Christy Jose, Aged 28 Years, W/o Anstine Wilson, Moolaparambil House, Vendore, Alagappanagar, Thrissur - 680302, 81) Divya Balakrishnan, Aged 27 Years, D/o Balakrishnan M S, Machingal House, Kariyattukara, Elthuruth P O, Thrissur, - 680611, 82) Fathimath Sabira P K, Aged 29 Years, D/o Abdu P, Paruthikkuth House, Thachinganadam P O, Pattikkad Via, Malappuram, - 679325, 83) Ganga V, Aged 26 Years, D/o P A Velayudhan, TC-75/950, Thoppuvilakom Veedu, Pallimudukku, Pettah P O, Thrivananthapuram, - 695024, 84) Geethu K N, Aged 32 Years, D/o K U Nakulan, Kuruppassery (H), Kundaliyoor P O, Thrissur, - 680616, 85) Govind A, Aged 25 Years, S/o V Ambilikumar, Sreevalsam, Parakunnu P O, Navaikulam, Thruvananthapuram, - 695603, 86) Hithesh Sai M B, Aged 27 Years, S/o Brahmanandan Nair, Harishree, No 186, Alattukavu Nagar, Kavanadu P O, Kollam, - 691003, 87) Janusha Ravi, Aged 27 Years, D/o C V Ravi, Chetiyadan (H), Mattathurkkunnu P O, Vasupuram, Kodakara, Thrissur, - 680684, 88) Jasiya Nasrin, Aged 26 Years, D/o P M Musammil, Padinjare Veettil(H), Madavana P O, Kodungallur, Thrissur, - 680666,




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89) Jasna N A, Aged 24 Years, D/o Abdul Kader, Naduparambil House, Eriyad P O, Kodungallur, Thrissur, - 680666, 90) Jismariya M F, Aged 27 Years, W/o Mijo K Jose, Kizhakkoodan House, Elinjipara P O, Chalakudy, Thrissur, - 680721, 91) Aquil M Usman, Aged 28, S/o M K Usman, Marathuparambil(H), Wadakkanchery P O, Thrissur, - 680582, 92) Logi N Bobby, Aged 30 Years, S/o Bobby N Abraham, Nedumpurath, Makkiyad P O, Kanjirangad, Wayanad, - 670731, 93) Mushthaque K, Aged 24 Years, S/o Musthafa K, Alungal(H), Kuniyil, Kizhumparamba P O, Malappuram-673639, 94) Rubeena T, Aged 23 Years, D/o Moidu T, Thottoli House, Tharuvana P O, Aruwal, Wayanad, - 670645, 95) Rahila K, Aged 29 Years, D/o Abdurahiman L, Thayatheel House, Cheruputhoor, Monam P O, Malappuram-673642, 96) Fathima Sherin O K, Aged 27 Years, W/o Shihabudheen, Cheruvappully(H), Perinthattiri P O, Malappuram, - 676507, 97) Anjitha K V, Aged 25 Years, D/o Velayudhan, Kulathuvayal(H), Nathamkuni P O, Meppadi, Wayanad, - 673577, 98) Lithesh T M, Aged 30 Years, S/o T K Manilal, Thayyil House, Pullur P O, Irinjalakuda, Thrissur, - 680683, 99) Jithin A Saikrishna, Aged 28 Years, S/o M. K Ambi Achary, Ambalathinkal, Thirumarady PO Ernakulam, - 686662, 100) Juel Savio Mendez, Aged 26 Years, S/o Justin Mendez, Kallachanmurry, Panditkaruppan Road, Cheranelloor, Kochi - 682034, do hereby verify that the contents of Para No. 1 to 5 are true to our personal knowledge and Para Nos 6 and 8 to 14 are true to my personal knowledge and Para No. 7 is believed to be true on legal advise and that we have not suppressed any material fact.

Dated this the 17th day of February, 2021

Counsel for Applicants

Signature of the Applicants

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- | | | | |
|-------------------------|------------------------|-----------------------------|------------------------------|
| 1) Sajid A K | <u>Sajid</u> | 17) Chaitanya K V | <u>Chaitanya</u> |
| 2) As Had K C | <u>As Had</u> | 18) Dhilshad | <u>Dhilshad</u> |
| 3) Ajmal E B | <u>Ajmal</u> | 19) Farsana P V | <u>Farsana</u> |
| 4) Anand Bose N | <u>Anand</u> | 20) Jayadev P S | <u>Jayadev</u> |
| 5) Kavya A J | <u>Kavya</u> | 21) Jithesh P C | <u>Jithesh</u> |
| 6) Leeshma Mumthaj | <u>Leeshma</u> | 22) Vinu V S | <u>Vinu</u> |
| 7) Krishnendu P M | <u>Krishnendu</u> | 23) Mohammed Sharafudheen T | <u>Mohammed Sharafudheen</u> |
| 8) Leema Rose C V | <u>Leema Rose</u> | 24) Saranya K | <u>Saranya</u> |
| 9) Nasreen K S | <u>Nasreen</u> | 25) Sarath M | <u>Sarath</u> |
| 10) Neethu K | <u>Neethu</u> | 26) Sarath M S | <u>Sarath</u> |
| 11) Niji P V | <u>Niji</u> | 27) Shibil Umar | <u>Shibil</u> |
| 12) Nivedya T M | <u>Nivedya</u> | 28) Srijin Jith A S | <u>Srijin</u> |
| 13) Reshma T R | <u>Reshma</u> | 29) Sreelakshmi H | <u>Sreelakshmi</u> |
| 14) Shabeeba K T | <u>Shabeeba</u> | 30) Swathy Nair M S | <u>Swathy</u> |
| 15) Anju K P | <u>Anju</u> | 31) Vishnuprasad M | <u>Vishnuprasad</u> |
| 16) Ayyoob Swadique K K | <u>Ayyoob Swadique</u> | 32) Soumya O | <u>Soumya</u> |
| | | 33) Oshin Venugopal | <u>Oshin</u> |
| | | 34) Raji C R | <u>Raji</u> |

- 35) Beema.s. Beema
- 36) Prasanth Prasanth
- 37) Shahir S Shahir
- 38) Fasaludheen A Fasal
- 39) Muhammed Hafis IP Muham
- 40) Mohammed Fazil P Mohammed
- 41) Thasni K M Thasni
- 42) Unais KP Unais
- 43) Arun K R Arun
- 44) Sakkeer Hussain Sakkeer
- 45) Manu K Chacko Manu
- 46) Murshida E C Murshida
- 47) Dilrupa K M Dilrupa
- 48) Akbarshah M Akbarshah
- 49) Akhiyamol M B Akhiyamol
- 50) Karthika Ramesh K V Karthika
- 51) Aparna Vijayan Aparna
- 52) Arya Viswan Arya
- 21 53) Ashiq Ashiq
- 54) Arya Viswan Arya
- 55) Basil P Alias Basil
- 56) Bissy Varghese Bissy
- 57) Dilna Francis Dilna
- 58) Geethu Mohan Geethu
- 59) Hashmi Manoharan Hashmi
- 60) Jamsheer K M Jamsheer
- 61) Jibin Jose Jibin
- 62) Agil R Agil
- 63) Akhila Kuttappan Akhila
- 64) Ammu A S Ammu
- 65) Nubaila P H Nubaila
- 66) Pournami Suradh Pournami
- 67) Ruksana K C Ruksana
- 68) Shahina M Shahina
- 69) Shanu S Shanu
- 70) A S Saranya A S Saranya
- 71) Sravya Valsakumar Sravya

- 72) Sunu Mol. R. Sunu Mol. 22
- 73) Amritha T A Amritha 90) Jismasiya . M.F. Jismasiya
- 74) Anagha Sai Pramod Anagha 91) Aquil M Usman Aquil
- 75) Anjaly K R Anjaly 92) Logi N Bobby Logi N Bobby
- 76) Nithin D Nithin 93) Mushthaque K Mushthaque
- 77) Aswanth T S Aswanth 94) Rubeena T Rubeena
- 78) Ashwin Roy Johnson Ashwin 95) Rahila K Rahila
- 79) Chinchu P C Chinchu 96) Fathima Sherin O K, Fathima
- 80) Christy Jose Christy 97) Anjitha K V, Anjitha
- 81) Divya Balakrishnan Divya 98) Lithesh T.M, Lithesh
- 82) Fathimath Sabira P K Fathimath 99) Jithin A Saikrishna, Jithin
- 83) Ganga V Ganga 100) Juel Savio Mendez Juel
- 84) Geethu K N Geethu
- 85) Govind A Govind
- 86) Hithesh Sai M B Hithesh
- 87) Janusha Ravi Janusha
- 88) Jasiya Nasrin Jasiya
- 89) Jasna . N.A. Jasna

Wday
counsel for the applicants

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Extraordinary Gazette Date : 29.12.2018

Last Date : 30.01.2019

Category No : 247/2018

KERALA PUBLIC SERVICE COMMISSION**NOTIFICATION**

Applications are invited online only from qualified candidates for appointment in the undermentioned post in Kerala Government Service. Before applying for the post candidates should register as per One Time Registration through the official website of Kerala Public Service Commission.

1. Department	:	Public Works/Irrigation
2. Name of Post	:	III Grade Overseer /Tracer
3. Scale of pay	:	₹ 19000-43600
4. Number of vacancies	of:	Anticipated

The list of selected candidates published by the Commission in response to this notification shall remain in force for a minimum period of one year provided that the said list will continue to be in force till the publication of a new list after the expiry of the minimum period of one year or till the expiry of three years whichever is earlier. Candidates will be advised from the said list against the vacancies reported to the Commission in writing during the period of currency of the list.

Note : 3% of the vacancies for the post shall be reserved for differently abled candidates with Locomotor disability / Cerebral palsy, Low vision, Hearing impairment in Public Works Department only as per G.O.(P) 30/2013/SJD dated 04.04.2013.

5. Method of appointment	of -	Direct Recruitment
6. Age limit	-	18-36, only candidates born between 02/01/1982 and 01/01/2000 (both dates included) are eligible to apply for the post with usual age relaxation to Scheduled Castes, Scheduled Tribes and Other Backward Communities. [For other conditions regarding the age relaxation please see para 2 of the General Conditions]
7. Qualifications :		

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(1) Pass in SSLC examination or its equivalent qualification

and

(2) Must possess any one of the qualifications mentioned below:

- a) Lower Grade Drawing Group Certificate KGTE or equivalent
- b) Second Grade Certificate secured by Draftsman (Civil) Trainees under T.T Scheme, College of Engineering or under Industrial Training Centre conducted by the Ministry of Labour , Government of India ,after a course of 18 months.
- c) Building Drawing and Estimating (Higher or Lower) KGTE or equivalent and any two of the other Civil Engineering subjects under KGTE or equivalent
- d) Diploma in Civil Engineering (2 years course) of the Women's Polytechnics of the State.
- e) Diploma in Agricultural and Rural Engineering given by the Rural Institute ,Thavanur.
- f) Vocational Higher Secondary Course Certificate in Draftsmanship and Quantity Surveying
- g) Vocational Higher Secondary Course Certificate in Building Technology

Note I :- Rule 10 (a) (ii) of Part II of KS & SSR is applicable .

Note II :- Applications of candidates who have claimed qualifications equivalent to those prescribed in the Gazette notification for the post will be considered equivalent only if they produce Government order to prove equivalency at the time of verification.

Note III :- If there is a difference in original Caste/Community claimed in the application and that entered in SSLC book ,the candidate shall produce a gazette notification in this regard, along with Non-Creamy layer Certificate/Community Certificate at the time of certificate verification.

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8. Mode of submitting Applications:-

- a. Candidates must register as per ONE TIME REGISTRATION with the official Website of Kerala Public Service Commission www.keralapsc.gov.in before applying for the post. Candidates who have registered can apply by logging on to their profile using their User-ID and password. Candidates must click on the Apply Now button of the respective posts in the Notification Link to apply for the post. The Photograph uploaded should be taken after 31.12.2010. Name of the candidate and the date of taking photograph should be printed legibly at the bottom portion. The photograph once uploaded meeting all requirements shall be valid for 10 years from the date of uploading. There is no change in other instructions regarding the uploading of photographs. No application fee is required. Candidates shall take a printout of the application by clicking the link Registration Card in their profile. Candidates are responsible for the correctness of the personal information and secrecy of password. Before the final submission of the application on the profile candidates must ensure correctness of the information on their profile. They must quote the User-ID for further communication with the Commission. Application once submitted is received as provisional and the details cannot be deleted or altered after submission. The application will be summarily rejected if noncompliance with the notification is found in due course of processing. Documents to prove qualification, age, Community etc. have to be produced as and when called for.
- b. If Written/ OMR/Online Test is conducted as part of this selection candidates shall submit a confirmation for writing the examination through their One Time Registration profiles. Such candidates alone can generate and download the Admission Tickets in the last 15 days till the date of Test. The applications of candidates who do not submit confirmation within the stipulated period will be rejected summarily. The periods regarding the submission of confirmation and the availability of Admission Tickets will be published in the Examination Calendar itself. Information in this regard will be given to the candidates in their respective profiles and in the mobile phone number registered in it.
- c. Candidates who have AADHAAR card should add AADHAAR Card as I.D Proof in their profile.

9. Last date for receipt of applications: **30.01.2019** Wednesday upto 12.00 midnight.
10. Address to which applications are to be sent : www.keralapsc.gov.in
(For details including Photo, ID Card etc. refer to the General Conditions given in Part II of the Gazette Notification.)

SAJU GEORGE
SECRETARY
KERALA PUBLIC SERVICE COMMISSION

This is the true copy of documents referred
marked as ~~EXHIBIT~~ ANNEXURE A1
in the above case.

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ADVOCATE

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IN THE KERALA ADMINISTRATIVE TRIBUNAL AT
THIRUVANANTHAPURAM
(CAMP SITTING, ERNAKULAM)
Present:

The Hon'ble Mr. Benny Gervacis, Member

Dated this the 26th of October 2017

OA[EKM]-2406/2017

Applicant(s):

Dileepkumar. M. D, aged 32 years, S/o. A. V. Divakaran., Office Attendant, PWD Buildings Section, Ranni Section, Pathanamthitta Building Division, Pathanamthitta, Residing at Melethil House, Mandiram.P.O, Ranni, Pathanamthitta, Kerala -689672
Mobile - 9847416404

By Advs. KALEESWARAM RAJ & VARUN C VIJAY

Respondent(s):

- 1) State of Kerala, represented by Secretary to Government, Department of Public Works, Secretariat, Thiruvananthapuram -695 001, Kerala -0
- 2) Chief Engineer, Office of the Chief Engineer, PWD Administration, Thiruvananthapuram - 695033, Kerala -0
- 3) The Deputy Chief Engineer, Office of the Deputy Chief Engineer, PWD, Administration, Thiruvananthapuram - 695033, Kerala -0

Sri. Shyam Prasanth T. S. - Government Pleader for Respondents

This having been finally heard on 26th of October 2017, the Tribunal on the same day passed the following:

Shyam

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Page 2/5

~~28~~

Ann. A2(2)

BENNY GERVAZIS, MEMBER

=====

OA[EKM]. NO. 2406 OF 2017

=====

DATED THIS THE 26TH DAY OF OCTOBER 2017

ORDER

The applicant herein is an Office Attendant in the Public Works Department. The applicant has preferred this Original Application aggrieved by the non consideration of the proposals for amendment of the Special Rules by including the category of Office Attendant in the feeder category for by transfer appointment to the post of 3rd Grade Overseer. It is stated that as the rules now stand, only Blue Printers are eligible for by transfer appointment and in their absence, Attenders in the Department are eligible for by transfer appointment. It is stated that the category of Attenders are not available in the Department and the Office Attendants are, therefore, eligible to be considered for by transfer appointment substituting the category of Attenders.

2. Learned counsel for the applicant submits that proposals to this effect have been forwarded by the second respondent and they are pending before the first respondent, the last of the proposal being Annexure A14. Learned counsel for the applicant seeks for a direction to the first respondent to consider and pass appropriate orders on the proposals forwarded by the second respondent.

In view of the limited relief sought for, the Original Application is disposed of



28 Ann. A2 (37)

directing the first respondent to consider and pass appropriate orders on the proposals forwarded by the second respondent as expeditiously as possible.

Page 3/5

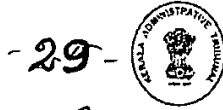
BENNY GERVACIS, MEMBER

APPLICANT'S ANNEXURES:

- Annexure A1- True copy of the letter No. EB5/25691/14 dated 1.7.2015.
- Annexure A2- True copy of the letter No. 17585/B1/15 dated 28.7.2015 issued by the 1st respondent.
- Annexure A3- True copy of the letter No. EB5/25891/15 dated 16.9.2015.
- Annexure A4- True copy of the letter No.17585/B1//15 dated 11.12.2015.
- Annexure A5- True copy of the letter No. EB5/25691/16 dated 6.2.2016 submitted by the 2nd respondent before the 1st respondent.
- Annexure A6- True copy of the letter No. 3979/B3//16 dated 27.6.2016.
- Annexure A7- True copy of the letter No. EB5/12736/16 dated 27.7.2016 issued by the 2nd respondent.
- Annexure A8- True copy of the letter No. EB5/12736/16 dated 19.8.2016 issued by the 2nd respondent.
- Annexure A9- True copy of the letter No. EB5/12277/16 dated 26.8.2016 submitted by the 2nd respondent.
- Annexure A10- True copy of the letter No. B3/295/16 dated 9.1.2017.
- Annexure A11- True copy of the letter No. EB5/12277/16 dated 9.2.2017.
- Annexure A12- True copy of the letter No. B3/295/16 dated 10.4.2017.
- Annexure A13- True copy of the letter No. B3/295/16 dated 15.5.2017.
- Annexure A14- True copy of the relevant part of the proposal submitted before the Government.

*This is the true copy of documents
marked as EXHIBIT referred
ANNEXURE
in the above case.*

A2 *Obey*
ADVOCATE



Ann. B3

~~IS/A3~~

IN THE KERALA ADMINISTRATIVE TRIBUNAL AT
THIRUVANANTHAPURAM

Present:

The Hon'ble Mr. Justice T.R. Ramachandran Nair, Chairman

&

The Hon'ble Mr. V. Somasundaran, Member

Dated this the 4th of February 2019

OA-30/2019Applicant(s):

- 1) Pramod Kumar C U, aged 39 years, S/o Unnikrishnan Nair K., Office Attendant, P W D Building Section, Changanacherry, Kottayam-686552, Residing at Chammamkottu House, Malakunnam P O, Changanacherry, Kottayam, Kerala -686552
Mobile - 8547520264
- 2) Ramadas K, aged 38 years, S/o Sankarankutty Panicker, .., Office Attendant, P W D Roads Section, Mannarkad Section, Palakkad-678582, Residing at Kurikkad House, Cheraya P O, Kongad, Palakkad-678631, Kerala -0
- 3) Dileep Kumar M D, aged 33 years, S/o Divakaran A V, .., Office Attendant, P W D, Buildings Section, Ranni, Pathanamthitta-689672, Residing at Melethil House, Mandiram P O, Ranni, Pathanamthitta-689672, Kerala -0
- 4) Pravin Kumar: P, aged 40 years, S/o Krishnaunni K, .., Office Attendant, Office of the Assistant Executive Engineer, P W D Electrical Sub Division, Palakkad-678001, Residing at Prabhu Dev Cottage, Arangam Road, Thathamangalam, Palakkad-678102, Kerala -0

By Advs. DR SATHEESAN K P (SR) & JAYAN.D

Respondent(s):

- 1) State of Kerala, represented by the Secretary to Government, Public Works Department, Government Secretariat, Thiruvananthapuram-695001, Kerala -0
- 2) The Chief Engineer, P W D, Administration Public Office, Thiruvananthapuram-695033, Kerala -0

GOVERNMENT PLEADER [SAJI S L]

This Original Application having been finally heard on 4th of February 2019, the Tribunal on the same day passed the following:

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Ann-A3 C2)

T.R. RAMACHANDRAN NAIR, CHAIRMAN

AND

V. SOMASUNDARAN, MEMBER

=====

OA. NO. 30 OF 2019

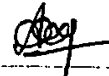
=====

DATED THIS THE 4TH DAY OF FEBRUARY 2019

ORDER

V.Somasundaran, Member

The applicants are Office Attendants in the Public Works Department. They all have passed SSLC and have some higher qualifications as well. As per the Special Rules of Kerala Engineering Subordinate Service Rules, 3rd Grade Overseers can be appointed by transfer from among attenders and by direct recruitment in a ratio of 1:3. The qualifications for by transfer appointments are SSLC and a Certificate



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Ann A3 (3)

Page 4/6

in Engineering. As per G.O.(P).No.9/93/P & ARD dated 15-1-1993, last grade servants who have passed SSLC and have put in a minimum service of three years need not pass the Attenders' Test conducted by the PSC for getting the by transfer appointment. A representation filed by the applicants before the 2nd respondent has been rejected as per Annexure-A5 order. The applicants have submitted Annexure-A6 appeal before the 1st respondent for redressal of their grievances. Learned counsel for the applicants prays that a direction may be given to the 1st respondent to take a decision on Annexure-A6 appeal within a time frame.

The Original Application is disposed of with a direction to the 1st respondent to take a decision on Annexure-A6 appeal, within three months, after giving the applicants an opportunity of hearing.

Sd/-T.R.Ramachandran Nair, Chairman

Sd/-V.Somasundaran, Member

arn

//true copy//

Deputy Registrar(Judicial)

APPENDIX

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Ann: A3 (4)

OA-30/2019APPLICANT'S ANNEXURES:

- Annexure A1- True copy of the special rules published as per G.O(MS)No.1390 dated 20.11.1958.
- Annexure A2- True copy of the Government order G.O(P) No.249/73/PD dated 14.9.1973.
- Annexure A3- True copy of the Government order G.O(P) No.9/93/P & ARD dated 15.1.1993.
- Annexure A4- True copy of the order dated 4.9.18 in OA No.1649/18.
- Annexure A5- True copy of the order No.EB5/23404/18 dated 19.11.18 issued by the 2nd respondent.
- Annexure A6- True copy of the memorandum of appeal filed by the applicants before the first respondent dated 14.1.19.
- Annexure A7- True copy of the postal receipt dated 14.1.19.

This is the true copy of documents
marked as ~~EXHIBIT~~ referred
ANNEXURE A3
in the above case.

Sloopy
ADVOCATE.

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Ann. B4 150

നം. ഇ.എ2/7197/2018

ചീഫ് എഞ്ചിനീയറുടെ കാര്യാലയം
പൊതുമരാമത്ത് ഭരണ വിഭാഗം
തിരുവനന്തപുരം
തീയതി : 05/09/2019

പ്രേഷിതൻ

ചീഫ് എഞ്ചിനീയർ

സവീകർത്താവ്

പ്രിൻസിപ്പൽ സെക്രട്ടറി
പൊതുമരാമത്ത് (ബി) വകുപ്പ്
തിരുവനന്തപുരം

സർ,

വിഷയം: പൊ.മ.വ -ജീവനക്കാരും- സ്പെഷ്യൽ റൂൾ ഭേദഗതി സംബന്ധിച്ച്

- സൂചന: 1. OA (Ekm) No.2406/2017 filed by Sri.Dileepkumar.M.D, Office Attendant
- 2. Govt. Lr.No.PWD-B3/426/2017 dated 19/05/2018
- 3. G.O.(Rt.)No.825/2019/PWD dated 05/07/2019

സൂചനയിലേയ്ക്ക് സർക്കാരിന്റെ ശ്രദ്ധ സാദരം ക്ഷണിക്കുന്നു.

പൊതുമരാമത്ത് വകുപ്പിൽ മൂന്നാംഗ്രേഡ് ഓവർസിയർ തസ്തികയിലേക്ക് അറ്റൻഡൻ്റ്മാർക്ക് പകരം ഓഫീസ് അറ്റൻഡൻ്റ്മാർക്ക് ബൈട്രാൻസ്ഫർ നിയമനം നൽകുന്നത് സംബന്ധിച്ച് പരിശോധിച്ച് തീരുമാനമെടുക്കാൻ സൂചന (1) പ്രകാരം ബഹു.കേരള അഡ്മിനിസ്ട്രേറ്റീവ് ട്രിബ്യൂണലിന്റെ വിധിയുണ്ടായിരുന്നു. ശ്രീ.ദിലീപ്കുമാർ.എം.ഡി, ഓഫീസ് അറ്റൻഡൻ്റ് ഫയൽ ചെയ്ത പ്രസ്തുത കേസിന്റെ വിധി പാലിക്കുന്നതിന്റെ ഭാഗമായി വകുപ്പിലെ സർവ്വീസ് സംഘടനകളുമായി ചർച്ച നടത്തി സ്പെഷ്യൽ റൂൾ ഭേദഗതി ശുപാർശ സമർപ്പിക്കുവാൻ സൂചന (2) പ്രകാരം സർക്കാർ നിർദ്ദേശം ലഭിച്ചിരുന്നു.

ശ്രീ.പ്രമോദ്കുമാർ.സി.യു -വും മറ്റുള്ളവരും ബഹു.കേരള അഡ്മിനിസ്ട്രേറ്റീവ് ട്രിബ്യൂണലിൽ ഫയൽ ചെയ്ത OA No.30/2019 കേസിൽ 04/02/2019 -ൽ പുറപ്പെടുവിച്ച അന്തിമ ഉത്തരവ് പാലിക്കുന്നതിന്റെ ഭാഗമായി സൂചന (3) പ്രകാരം ഉത്തരവ് പുറപ്പെടുവിക്കുകയും ഓഫീസ് അറ്റൻഡൻ്റ്മാരുടെ ബൈട്രാൻസ്ഫർ നിയമനവുമായി ബന്ധപ്പെട്ട നിലവിലെ

[Handwritten Signature]

34

Onn A4 (2)

സ്പെഷ്യൽ റൂളിന്റെ ചട്ടം 25(ii) പ്രകാരം വകുപ്പിനകത്തുനിന്നും തദ്ദേശ സ്വയംഭരണസംരംഭനം നിയമിക്കുകയുണ്ടാകാൻ പാടില്ലെന്നും

ഏകദേശം തസ്തികയിൽ തോടി പട്ടണത്തിൽ സഹായക റവന്യൂ ഓഫീസർ (സിവിൽ) തസ്തികയ്ക്ക് നിയമിക്കുകയുണ്ടാകാൻ പാടില്ലെന്നും സഹായക റവന്യൂ ഓഫീസർ (സിവിൽ) തസ്തികയ്ക്ക് നിയമിക്കുകയുണ്ടാകാൻ പാടില്ലെന്നും സഹായക റവന്യൂ ഓഫീസർ (സിവിൽ) തസ്തികയ്ക്ക് നിയമിക്കുകയുണ്ടാകാൻ പാടില്ലെന്നും

പൊതുമാതൃകയിൽ വകുപ്പിലെ നിവഹിതപ്പെട്ട സ്പെഷ്യൽ റൂൾ പ്രകാരം വകുപ്പിനകത്തുനിന്നും 21/03/2019 തീയതിയിൽ സർവ്വീസ് സംരംഭനം നിയമിക്കാൻ പാടില്ലെന്നും ഹിന്ദി ഭാഷയിൽ പാലയം നിയമിക്കുകയുണ്ടാകാൻ പാടില്ലെന്നും സഹായക റവന്യൂ ഓഫീസർ (സിവിൽ) തസ്തികയ്ക്ക് നിയമിക്കുകയുണ്ടാകാൻ പാടില്ലെന്നും സഹായക റവന്യൂ ഓഫീസർ (സിവിൽ) തസ്തികയ്ക്ക് നിയമിക്കുകയുണ്ടാകാൻ പാടില്ലെന്നും സഹായക റവന്യൂ ഓഫീസർ (സിവിൽ) തസ്തികയ്ക്ക് നിയമിക്കുകയുണ്ടാകാൻ പാടില്ലെന്നും

മേൽ സാഹചര്യത്തിൽ സ്പെഷ്യൽ റൂൾ പ്രകാരം നിയമിക്കാൻ പാടില്ലെന്നും

വിശ്വസ്യതയോടെ,
ഹിന്ദി ഭാഷയിൽ നിയമിക്കുകയുണ്ടാകാൻ പാടില്ലെന്നും

സഹായക റവന്യൂ ഓഫീസർ

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Ann AH C3

The Kerala Engineering Subordinate Service (Civil) - Qualifications and Method of appointments - Special rules modification proposal - Submitting -reg.

(G.O.(Ms), 1393/Public Department (Service-D) dated 20/11/1958)

1. Categories - Existing Rules

Category 7 - Blue Printers

Modifications proposed

Category 7 - Deleted Blue Printer post abolished as per G.O.(Ms)No 7 2019/PWD dated 15/03/2019;

3-83
3-83
2021
7-03

2. Method of appointment - Existing Rules

S - Third Grade Overseers (including tracers)

Promotion from category 7 (blue printers) and in their absence by transfer from Attendants in the department.

Modifications proposed

S - Third Grade Overseers

By transfer from all lower category of officers including Office Attendants below the pay scale of Third Grade Overseers in the department

in the absence of qualified hands for appointment by transfer by direct recruitment.

for Chief Engineer

THE
OFFICE
BY
AH *deep*
PROVOCATE

36

Am. A5

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GOVERNMENT OF KERALA

Public Works (B) Department

NOTIFICATION

G.O.(P)No. /2019/PWD Dated, Thiruvananthapuram, th November
2019

S.R.O.No.----/2019.- In exercise of the powers conferred by sub-section (1) of section 2 of the Kerala Public Services Act, 1968 (Act 19 of 1968) read with Section 3 thereof, the Government of Kerala hereby make following rules further to amend the Kerala Engineering Subordinate Service Rules issued in notification G.O.(MS)1390 dated the 7th November, 1958 namely:

Rules

1. *Short title and commencement.*-(1) These rules may be called the Special Rules for the Kerala Engineering Subordinate Service (Amendment) Rules 2019.

2. It shall come into force at once.

2. *Amendment to the Rules.* - In the special rules for the Kerala Engineering Subordinate Service, in Rule 1, category 7, Blue Printer shall be removed.

The sub rule (ii) of Rule 2.5 shall be substituted as

(ii) By transfer from all lower category of officers including Office Attendants below the pay scale of Third Grade Overseers in the department.



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Ann A5(2)

The Note under Rule 2.5 shall be deleted and following Note 1 and Note 2 inserted as

Note 1: In the absence of qualified hands for appointment by transfer, by direct recruitment.

Note 2: A ratio of 3:1 will be maintained between the two methods mentioned above.

By order of the Governor,

Principal Secretary to Government.

Explanatory Note

(This does not form part of the notification, but is intended to indicate its general purport.)

The Last Grade Employees in Public Works Department have submitted several representations before Government for amending the Rule 2.5 of Existing Special Rules as the category of attenders are not existing in the department and the post of category 7, ie; Blue Printers deleted as per GO(Ms)No.07/2019/PWD, dated 15.03.2019. Therefore Government have decided to remove Category 7 and to amend Rule 2.5 of Kerala Engineering Subordinate Service Rules issued under notification G.O. (MS)1390 dated the 7th November, 1958.

The notification is intended to achieve the above object.

This is the true copy of document,
marked as EXHIBIT referred
ANNEXURE A5
to the above case.

ADVOCATE

File No. PWD-B3/276/2019-PWD

Ann. A6

34 - 38

EA 96

വളരെ അടിയന്തിരം

ഭരണഭാഷ: മലയാളം



കേരള സർക്കാർ

പൊതുരാമത്ത്(ബി) വകുപ്പ്
07/12/2020, തിരുവനന്തപുരം

നം.പൊ.മ.വ.ബി/3/276/2019-പൊ.മ.വ

പ്രേഷകൻ,

സെക്രട്ടറി

സീകർത്താവ്

സെക്രട്ടറി, നിയമ വകുപ്പ്

സെക്രട്ടറി, ഉദ്യോഗസ്ഥ ഭരണ പരിഷ്കാര വകുപ്പ്

ചീഫ് എൻജിനീയർ(ഭരണം), പൊതുരാമത്ത് വകുപ്പ്, തിരുവനന്തപുരം

സാരം

വിഷയം: പൊ.മ.വ. ജീവനക്കാർക്കും മൂന്നാം തരം ഓവർസിയർ (സിവിൽ) തസ്തികയിലേക്ക് താല്പരർ പട്ടിപ്പട്ടിയിൽ വരുന്ന എല്ലാ വിഭാഗം ജീവനക്കാർക്കും നിയമനം നൽകുന്നത്. സ്പെഷ്യൽ റൂൾ ഭേദഗതി ശുപാർശ അംഗീകൃത സർവ്വീസ് സംഘടനാ പ്രതിനിധികളായ ഉള്ള ചർച്ച സംബന്ധിച്ച്.

സ്ഥാനം: താങ്കളുടെ 05.09.2019 തീയതിയിലെ ഇഎ2/197/2019 നമ്പർ കത്ത്.

മേൽ വിഷയത്തിലേക്കും സ്ഥാനയിലേക്കും താങ്കളുടെ ശ്രദ്ധ ക്ഷണിക്കുന്നു. വകുപ്പിലെ താല്പര വിഭാഗം ജീവനക്കാർക്ക് മൂന്നാം തരം ഓവർസിയർ (സിവിൽ) തസ്തികയിലേക്ക് നിയമനം നൽകുന്നതിനായി ബന്ധപ്പെട്ട സ്പെഷ്യൽ റൂൾ ഭേദഗതി ചെയ്യുന്നതിന് ഭരണ വിഭാഗം, ചീഫ് എൻജിനീയർ സമർപ്പിച്ച ശുപാർശയുടെ അടിസ്ഥാനത്തിൽ തയ്യാറാക്കിയ കരട് ഭേദഗതി നിർദ്ദേശം ഇത്തോടൊപ്പം ഉള്ളടക്കം ചെയ്യുന്നു. ആയത് സംബന്ധിച്ച വകുപ്പിലെ അംഗീകൃത സർവ്വീസ് സംഘടനാ പ്രതിനിധികളുമായി 23.12.2020 ന് 3:00 തണിക്കർ ശ്യാംശ്യാ മിറ്റിംഗ് മുഖേന ചർച്ച നടത്തുന്നതിന് പൊതുരാമത്ത് സെക്രട്ടറി തിരുമാനിച്ചിട്ടുണ്ട്. ആയതിനാൽ വകുപ്പിലെ അംഗീകൃത സർവ്വീസ് സംഘടനാ പ്രതിനിധികളെ ചർച്ചയുടെ തീയതിയും സമയവും അറിയിക്കേണ്ടതും കരട് നിർദ്ദേശം അവർക്ക് ലഭ്യമാക്കേണ്ടതുമാണ്. ശ്രീശ്രീ മിറ്റിംഗ് പിന്നീട് അറിയിക്കുന്നതാണ്.

EA 2
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9/12

വിശ്വസ്യതയോടെ,
കെ.എസ്.ബിനു
ജോയിന്റ് സെക്രട്ടറി
സെക്രട്ടറിയുമേണ്ടി

അംഗീകാരത്തോടെ

[Signature]
സെക്ഷൻ ഓഫീസർ,
വകുപ്പ്, പൊതുരാമത്ത് വകുപ്പ് സെക്രട്ടറിയുടെ പി.ആർ.ഒ.

This is the true copy of document referred
ANNEXURE A6
in the above case.
ADVOCATE

- 39 -

To,
The Secretary,
Public Works Department,
Secretariat P.O., Thiruvananthapuram

~~15/11/21~~
Ann. A7

Sir,

**Sub: - Proposed amendment to the Kerala Engineering Subordinate Service Rules, 1958 -
Objections to the same -Reg;**

It is brought to your kind notice that, a draft notification has been prepared seeking to amend the Kerala Engineering Subordinate Service Rules, 1958 [herein after referred to as the Rules] whereby sub-rule (ii) of Rule 2.5 is intended to be substituted to provide appointment to the post of Third Grade Overseer by transfer from lower category of officers including Office Attenders below the scale of pay of Third Grade Overseer. Further Note 1 & Note 2 is also intended to be inserted whereby it is provided that in the absence of qualified hands for by transfer appointment, direct recruitment to be resorted to and further that ratio of 3:1 is to be followed for direct recruitment and by transfer appointment respectively. The Sub Rule (ii) of Rule 2.5 of the Rules as it stands now is as follows: -

"Promotion from Category 7 [Blue printers] and in their absence by transfer from attenders from the Department."

Since the post of Blue printers have been abolished/ deleted by the Government vide G.O(Ms) No. 07/2019/PWD dt. 15.03.19 and that there are no qualified attenders in the department for by transfer to the post of III Grade Overseer, the entire vacancies were notified for direct recruitment.

It is submitted that we are candidates in the Select List to the post of Grade III Overseer with the Department. We are much concerned with the fact that, unlike in the amendments made to the Kerala Excise and Prohibition Subordinate Service Special Rules, in the year 2017, which had a "notwithstanding clause" holding that it will not affect the existing notification, no such protection is seen to be provided in the case at hand. Since the amendment is intended to be brought into effect subsequent to notification for direct recruitment for the entire vacancies of Grade III Overseer in the PWD Department and selection process have been culminated, it is much necessary that the amendment will not affect the present notification and the rank list to be

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Ann. A7 (2)

published and that the amendment if at any rate is brought into force, the same may be made applicable only subsequent to the expiry of the rank list to be published.

Further, the present draft notification, if implemented would bring in lower category of officers to technical post, affecting the efficiency of department to a great extent. Still further, in none of the Government Departments, promotion to more than 10% of vacancies is available for Office Attendants and other lower categories of officers. The present attempt to bring 25% of the vacancies within the ambit of by transfer appointment to a technical cadre is highly excess and illegal and it will merely effect the large number of technically qualified candidates who were dreaming about to secure a government job in technical department.

It is also brought to your notice that, the Explanatory Note to the draft notification provides that the general purport of the amendment is that, last grade employees of the department submitted several representations seeking to amend Rule 2.5 and further that Blue Printer posts have been deleted and therefore the Government decided to amend Rule 2.5. It is submitted that, the said objective of the intended amendment is arbitrary and thence violates Article 14 of the Constitution of India. No objective for the larger benefit of the public or effectiveness of the department can be seen from the intended amendment. Mere representations from a particular category of employees will not in any way justify an amendment to Rules. Further no detailed study has been conducted prior to issuance of the draft notification and the same is very much necessary since Office Attendants are two stages below Grade III Overseer.

In the above circumstances, the Hon'ble authorities may kindly re-consider the present proposal to bring Office Attendants and other lower categories of officers into the feeder category of Overseer Grade III. The persons in the existing Select List like the Petitioners herein may also be given an opportunity to present our grievances before finalizing the proposed Amendment. Steps in this regard may kindly be taken at the earliest.

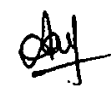
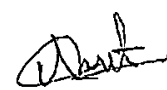
22-01-2021

Sincerely,

1) Sajid A K, aged 36 years, S/o Abdul Hameed, Areekadan
House, Malappuram(dt), Eranhimangad P O, Kerala- 679329



2) As Had K C, aged 24 years, S/o Abdul Khadar,
Karappancheri(H), Karulai P O, Malappuram, Kerala- 679330



A1 ~~37~~ Ann A7 (3)

3) Ajmal E B, aged 25 years, S/o Basheer A M, Ettukattil House,
Edathala P O, Aluva, Ernakulam, kerala- 683563

Ajmal

4) Anand Bose N, aged 29 years, S/o N D Bose, Nambonthara
House, Cherai P O, Ernakulam, kerala- 683514

Anand

5) Kavya A J, aged 28 years, D/o Janardanan A K, Alakkal house,
Edamuttam PO, Thrissur, Kerala- 680568

Kavya

6) Leeshma Mumthaj, aged 31 years, W/o Shanavas K.P, Palari
House, Mooppanad, Meppadi, Wayanad, Kerala- 673577

Leeshma

7) Krishnendu P M, aged 27 years, D/o mohanan P A, Puthenpurakkal,
Nedunganam, Karumathra P O, Thrissur, Kerala- 680123

Krishnendu

8) Leema Rose C V, aged 25 years, D/o Varghese C O,
Chittilappilly, Parappur P O, Thrissur, Kerala- 680552

Leema Rose

9) Nasreen K S, aged 26 years, D/o sulaiman, karipamkulam house,
Pazhuvil P O, Thrissur, Kerala- 680564

Nasreen

10) Neethu K, aged 30 years, W/o Neeraj P R, Panambilly house,
Kottanellur P O, Vellagallur Via, Thrissur, Kerala- 680662

Neethu

Neeraj

H2 ~~38~~ Ann. A7E4D

11) Niji P V, aged 31 years, D/o vijayan p n, pareshappil house,

Pareshappil House, Varandarappilly P O, kerala- 680303



12) Nivedya T M, aged 25 years, D/o Muraleedharan T B,

Thekkoot house ,Vallachira PO, Thrissur, kerala- 616651



13) Reshma T R, aged 27 years, D/o Ramesh T A Thayyil house,

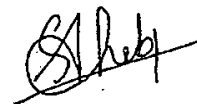
North Thorave, Pudukad P O, Thrissur, Kerala- 680301



14) Shabeeba K T, aged 25 years, D/o Moossa K, kanakkarthodi

House Vadakkangara PO, makada via, Malappuram,

Kerala- 679324



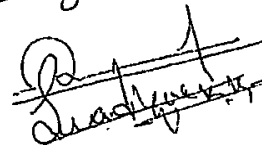
15) Anju K P, aged 28 years, D/o Venugopal K P, Plliyalil house,

Vadakkangara, Mnkada, Malappuram, Kerala- 679324



16) Ayyoob Swadique K K, aged 26 years, S/o Muhammed kutty,

Kavungal, Keleppurath, Malappuram, Kerala- 676551



17) Chaithra K V, aged 29 years, D/o velayudhan kottarakoth,

Puthuppadi, Kozhikode, Kerala- 673586



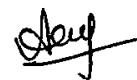
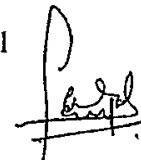
18) Dhilshad, aged 29 years, S/o Koyamu, Chakkarathodi house,

Iringallur P O, Thirurangadi, Malppuram, Kerala- 676304



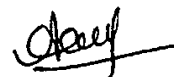
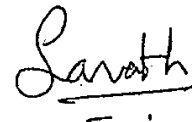
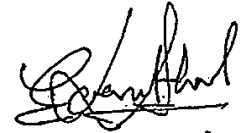
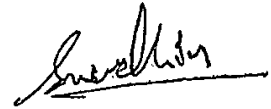
19) Farsana P V, aged 28 years, D/o Ahammed pv, Plliyalil vazhayil

karinchappadi, vettallur PO, Malappuram, kerala- 676507



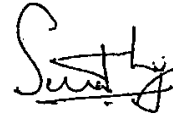
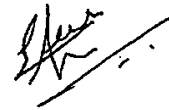
A3 ~~39~~ Ann A7 (5)

- 20) Jayadev P S, aged 28 years, S/o Somasekharan Nair,
Parambanal, Thazhe Puthukkulam, Lakkattoor P O, Pambady,
Kottayam, kerala- 686502
- 21) Jithesh P C, aged 27 years, S/o Chamiyar P, Pallikkad(H),
Paruvasserry Vadakkencherry-1, Palakkad, Kerala- 678686
- 22) Vinu V S, aged 26 years, D/o V M Sajeevan, Vailikkada
House, Mothirakkanny P O, Chalakkudy, Thrissur,
Kerala- 680724
- 23) Mohammed Sharafudheen T, aged 25years S/o Moideen,
Thandayath, Mankadapallipuram, Malappuram,
Kerala- 679324
- 24) Saranya K, aged 27 years, D/o Arumughan k, kammukkil
House, Ramapuram PO, Malappuram, Kerala- 679321
- 25) Sarath M, aged 24 years, S/o Sivanandan M, Melatt house,
Makkada PO, Kakkodi via Kozhikode, Kerala-673611
- 26) Sarath M S, aged 23, S/o Madhu S, M S Bhavan,
Gandhismarakom, Perunguzhi P O, Thiruvananthapuram,
kerala- 695305



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- 27) Shibil Umar, S/o Umar abdulla Andoorathodi house,
Angadippuram, Malappuram, Kerala- 679321
- 28) Srijin jith A S, aged 26 years, S/o Ajith kumar, Sreevishakham,
Kalluvettankuzhi, Venganoor P O, Trivandrum, Kerala- 695523
- 29) Sreelakshmi H, aged 27, W/o Prasobh K, Sreeprabha, Nallur,
Feroke Kozhikode, Kerala- 673631
- 30) Swathy Nair M S, aged 25 years, D/o Sasidharan Nair M,
Sanjeevani, Durga nagar, Poomalliyoorkonam, Peroorkada p.o,
Thiruvananthapuram, kerala- 695005
- 31) Vishnuprasad M, aged 26 years S/o Radhakrishnan, Thundathil
House, Avinissery P O, Ollur, Thrissur, kerala- 680306
- 32) Soumya O, aged 34 years, D/o Somasundharan, Orkottil house,
Angadippuram P O, Malappuram, Kerala- 679321
- 33) Oshin Venugopal, aged 27 D/o Venugopal P.S. Pulikkal house,
Nattika Beach PO, Thrissur, Kerala-680566
- 34) Raji C R, aged 35 years, W/o Abhilash P S, Pallathery House,
Mattathoorkunnu P O, Moolamkudam, Kodakara, Thrissur,
Kerala- 680684

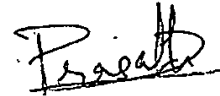


45 Annal (7)

35) Beema S, aged 28 years, D/o Shihabudheen, Vilayil veedu,
Mylapure, Umayanalloor P O Kollam, Kerala- 691589




36) Prasanth, aged 28, S/o Narayanan, Kanakuzhiyil, Kalampoor,
Piravom, Ernakulam, Kerala- 686664



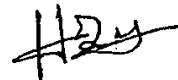
37) Shahir S, aged 27 years, S/o Shajahan K, Rose villa,
Decentmukku, Maruthikkunnu PO, Thiruvananthapuram,
kerala- 675603



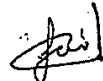
38) Fasaludheen A, aged 28 years, S/o Moosa A, Bright house
Cherukavu Pulikkal, Malappuram, Kerala- 673637



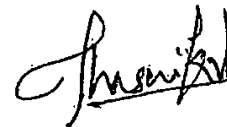
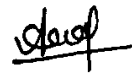
39) Muhammed Hafis IP, aged 29 years, S/o Mohammed Basheer
IP, Illathapparambil house, Nirmaruthur P O, Tirur,
Malappuram, Kerala- 676109



40) Mohammed Fazil P, aged 24 years, S/o Moideen p, Peringodan
House, Perumannur P O , Valanchery, Malappuram,
Kerala- 686693



41) Thasni K M, aged 27 years, D/o Musthapha K B,
Kodapanakkunnath House, VIP street, Nhanghattiri P O,
Pattambi via ,Palakkad, Kerala- 679303

AG Am A7 (8)

42) Unais kp, aged 24 years, S/o Saidalavi kp, kizhakkparambil

House, Vellila, Vellila P O, Mankada via, Malappuram,

kerala- 679324

Unais

43) Arun K R, aged 25 years, S/o K P Ravi, Kurunnakudy house,

Vaikkara P O, Vaikkara, Ernakulam, kerala- 683549

Arun

44) Sakkeer Hussain, aged 37 years, S/o Saidalavi,

Kuttiamikadavath house, Paravanna P O, Tirur, Malappuram,

kerala- 676502

Sakkeer

45) Manu K Chacko, aged 36 years S/o Chacko, kavanamalil 11,

Malamury, Rayamangalam, Ernakulam, Kerala- 683545

Manu

46) Murshida E C, aged 25 years, W/o Muhammed Niyas A,

Akkala house, karuvambram P O, Manjeri, Malpperam,

Kerala- 676123.

Murshida

47) Dilrupa K M, aged 31 years, D/o Rahamathulla, Rahmath

Manzil, Poovanchira, Randathani, Malappuram,

kerala- 676510

Dilrupa

48) Akbarshah M , aged 26 years , S/o Masood P, TC 63/3304,

Kunjuvedu, Poonthura P O, Thiruvananthapuram,

Kerala- 695026

AkbarshahAkbar

47 Ann.A7 (9)

49) Akhiyamol M B , aged 25 years, D/o Bhanu Priyan M S,

Mukulath House, Kaniyambetta P O, Koodothummal,

Wayanad, Kerala- 673121

Akhiya

50) karthika Ramesh K V, aged 25 years, D/o Ramesan K

Kavinisseri, Korom, Chalakode PO, Payyanur, Kannur,

Kerala- 670307

Karthika

51) Aparna Vijayan, aged 26 years, D/o Vijayan A G,

Assarithara(H) , Kottarakkundu P O, Cherukara, Wayanad,

Kerala- 670731

Aparna

52) Arya Viswan, aged 30 years, D/o A K Viswambaran,

Arangatty (H), Vellanchira P O, Thrissur, Kerala- 680697

Arya

53) Ashique C S, aged 28 years, S/o Savaruddeen A

Chungathuparambil house, Valiyaparambu, Mala, Thrissur,

Kerala- 680732

Ashique

54) Athira T, aged 28 years, W/o Baiju C, Cheriyl house,

Kappumugham, Thazhekod west post, Perinthalmanna Via,

Malappuram, Kerala- 679341

Athira

55) Basil P Alias, aged 27 years, S/o Alias P M, Palakunnel(H),

Kadackanad P O, Kolenchery, Ernakulam, Kerala- 682311

Basil

56) Bissy Varghese, aged 30 years, W/o Arun Joy Joseph,

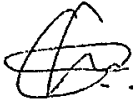

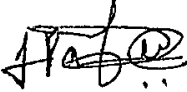

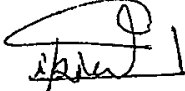

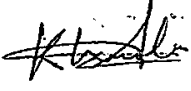
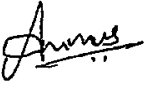

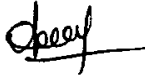
Elenjikuzhiyil(H), Kunnackal P O, Valakom, Ernakulam,

Kerala- 682316



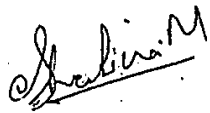
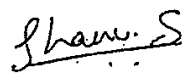
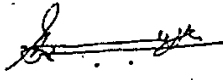

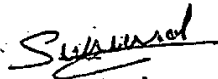

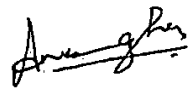

Bissy

Asaf

48 Don A 7 (10)

- 57) Dilna Francis, aged 27 years, W/o Babin James, Vayalunkal
House, Ezhukumvayal P O, Udumbanchola, Idukki,
Kerala- 685553 
- 58) Geethu Mohan, aged 27 years, D/o Mohanan P B, Parakkulam
House, Kuzhikkattussery, Annallur P O, Thrissur,
Kerala- 680731 
- 59) Hashmi Manoharan, aged 24 years, D/o T M Manoharan,
Thekkoot House, Chathedathuparambu, Kodungallur, Thrissur,
Kerala- 680664 
- 60) Jamsheer K M, aged 27 years, S/o Muhammed Shukkur,
Kunnummal House, Thachangode Post, Chungathara,
Malappuram, Kerala- 679334 
- 61) Jibin Jose, aged 26 years, S/o Jose M L, Mechery(H), K.Kunnu
P O, Pindani, Meloor, Chalakudy, Thrissur, Kerala- 680311 
- 62) Agil R, aged 25 years, S/o Ravindran C, Sreesailam house,
Parayankolumbu, Karippode po, Palakkad, kerala- 678503 
- 63) Akhila kuttappan, aged 28 years, D/o Kuttappan V A,
Vadakkeveetil house, Kadukutty P O, Chalakudy, Thrissur,
Kerala- 680309 
- 64) Ammu A S, aged 24 years, D/o P N Sasikumar, Anjanam,
Panappetty, Poruvazhy P O, Kollam, Kerala- 690520 
- 65) Nubaila P H, aged 28 years, D/o P M Hameed, Ponakudy(H),
Cheruvattoor P O, Kothamangalam, Ernakulam,
Kerala- 686691 
- 

49 Ann A7 (11)

- 66) Pournami Suradh, aged 27 years, D/o M R Radhamony,
Pranavam, Vallicode P O, Kaipattoor, Pathanamthitta ,
Kerala- 689648 
- 67) Ruksana K C, aged 28 years, D/o K C Muhammed Musliyar,
Koraliyadan House Pattikkad P O, Perinthalmanna,
Malappuram, Kerala-679325 
- 68) Shahina M, aged 26 years, W/o Firoz P K, Poozhithara(H),
Puthanangadi P O, Malappuram- 679321 
- 69) Shanu S, aged 30 years ,S/o Shajikumar, Keezhethattil Veedu,
Muthana P O, Palayamkunnu, Trivandrum- 695146 
- 70) A S Saranya, aged 29 years, D/o Kumaran Chetty,
Kottamurattu, Veliyambam Post, Nadavayal, Wayanad,
Kerala- 673579 
- 71) Sravyaja Valsakumar, aged 24 years, D/o Anitha Valsakumar,
Valsapuram (H), Kolagappara P O, Sulthan Bathery, Wayanad,
Kerala- 673591 
- 72) Sunu Mol R, aged 33 years, D/o Rajan V, Krishna Nivas,
Kaikuthuparambu, Nurani P O, Palakkad, Kerala- 678004 
- 73) Amritha T A, aged 29 years, D/o Asokan T M, Themanal
House, Mapranam, Madayikonam, Thrissur, Kerala- 680712 
- 74) Anagha Sai Pramod, aged 26 years, D/o K Pramod, Saidhan(H),
Koleri P O, Kenchira Via, Wayanad, Kerala- 673596 
- 75) Anjaly K R, aged 28 years, D/o Beena Ramesh, Kamattathil
House, Kallitumkara P O, Parambiroad, Thrissur,
Kerala- 680683 



50 - ~~11~~ Ann. A7 (12)

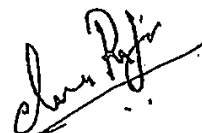
76) Nithin D, aged 27 years, S/o Devarajan J, Apsara, Alummoodu,
Karingannoor P O, Kollam, Kerala- 691516



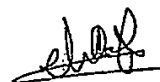
77) Aswanth T S, aged 26 years, S/o Sudhakaran, Anjali Nivas,
Kottakkal, Vadakara, Kozhikode, Kerala- 673521



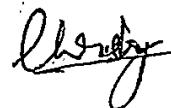
78) Ashwin Roy Johnson, aged 26 years, S/o Johnson M J,
Manakkil House, Maniyancode, Kalpetta, Wayanad,
Kerala- 673122



79) Chinchu P C, aged 27 years, D/o Chandran P P,
Puthuparambil(H), Valapad Beach P O, Thrissur,
Kerala- 680567



80) Christy Jose, aged 28 years, W/o Anstine Wilson,
Moolaparambil House, Vendore, Alagappanagar, Thrissur,
Kerala- 680302



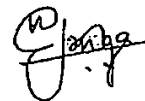
81) Divya Balakrishnan, aged 27 years, D/o Balakrishnan M S,
Machingal House, Kariyattukara, Elthuruth P O, Thrissur,
Kerala- 680611



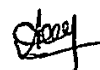
82) Fathimath Sabira P K, aged-29 years, D/o Abdu P, Paruthikkuth
House, Thachinganadam P O, Pattikkad Via, Malappuram,
Kerala- 679325



83) Ganga V, aged 26 years, D/o P A Velayudhan, 75/950,
Thoppuvilakom Veedu, Pallimudukku, Pettah P O,
Thrivananthapuram, Kerala- 695024



84) Geethu K N, aged 32 years, D/o K U Nakulan,
Kuruppassery (H), Kundaliyoor P O, Thrissur, Kerala- 680616





51 ~~17~~ Ano A7 (13)

85) Govind A, aged 25 years, S/o V Ambilikumar, Sreevalsam,

Parakunnu P O, Navaikulam, Thruvananthapuram,

Kerala- 695603



86) Hithesh Sai M B, aged 27 years, S/o Brahmanandan Nair,

Harishree No 186, Alattukavu Nagar, Kavanadu P O, Kollam,

Kerala- 691003



87) Janusha Ravi, aged 27 years, D/o C V Ravi, Chetiyadan (H),

Mattathurkkunnu P O, Vasupuram, Kodakara, Thrissur,

Kerala- 680684



88) Jasiya Nasrin, aged 26 years, D/o P M Musammil, Padinjare

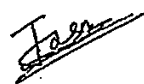
Veetil(H), Madavana P O, Kodungallur, Thrissur,

Kerala- 680666



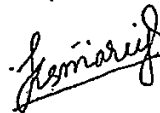
89) Jasna N A, aged 24 years, D/o Abdul Kader, Naduparambil

House, Eriyad P O, Kodungallur, Thrissur, Kerala- 680666



90) Jismariya M F, aged 27 years, W/o Mijo K Jose, Kizhakkoodan

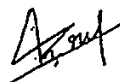
House, Elinjipara P O, Chalakudy, Thrissur, Kerala- 680721



91) Aquil M Usman, aged 28, S/o M K Usman,

Marathuparambil(H) Wadakkanchery P O, Thrissur,

Kerala- 680582



92) Logi N Bobby, Aged 30 years, S/o Bobby N Abraham,

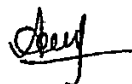
Nedumpurath, Makkiyad P O, Kanjirangad, Wayanad,

Kerala- 670731



93) Mushthaque K, aged 24 years, S/o Musthafa K, Alungal(H),

Kuniyil, Kizhumparamba P O, Malappuram, Kerala-673639



52. ~~5~~ Ann A7 (14)

94) Rubeena T, aged 23 years, D/o Moidu T, Thottoli house,
Tharuvana P O, Aruwal , Wayanad, Kerala- 670645



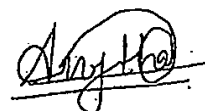
95) Rahila K, aged 29 years, D/o Abdurahiman L, Thayatheel
House, Cheruputhoor, Monam P O, Malappuram- 673642



96) Fathima Sherin O K, aged 27 years, W/o Shihabudheen,
Cheruvappully(H), Perinthattiri P O, Malappuram,
Kerala- 676507



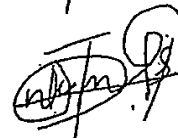
97) Anjitha K V, aged 25 years, D/o Velayudhan, Kulathuvayal(H),
Nathamkuni P O, Meppadi, Wayanad, Kerala- 673577



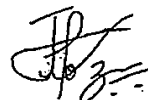
98) Lithesh T M, aged 30 years, S/o T K Manilal, Thayyil House,
Pullur P O, Irinjalakuda, Thhrissur, Kerala- 680683



99) Jithin A Saikrishna, aged 28 years, S/o M. K Ambi Achary,
Ambalathinkal, Thirumarady PO Ernakulam, Kerala- 686662



100) Juel savio mendez, aged 26 years, S/o Justin mendez,
Kallachanmurry, Panditkaruppan Road, Cheranelloor,
kochi -34, Kerala- 682034



This is the true copy of document
marked as ~~EXHIBIT~~ referred
ANNEXURE A7
in the above case.


ADVOCATE

53

IN THE KERALA ADMINISTRATIVE TRIBUNAL,
THIRUVANANTHAPURAM[ADDL BENCH AT ERNAKULAM]

M.A.[EKM] No.of 2021

In

O.A [EKM] No. of 2021

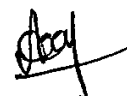
Sajid A K & othersApplicants

Vs

State of Kerala & others.....Respondents

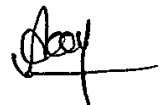
1]. Particulars of the applicants/applicants :

- 1) Sajid A K, Aged 36 Years, S/o Abdul Hameed,
Areekadan House, Eranhimangad P O, Malappuram - 679329
- 2) As Had K C, Aged 24 Years, S/o Abdul Khadar,
Karappancheri(H), Karulai P. O, Malappuram - 679330
- 3) Ajmal E B, Aged 25 Years, S/o Basheer A M,
Ettukattil House, Edathala P O, Aluva, Ernakulam - 683563
- 4) Anand Bose N, Aged 29 Years, S/o N D Bose,
Nambonthara House, Cherai P O, Ernakulam - 683514
- 5) Kavya A J, Aged 28 Years, D/o Janardanan A K,
Alakkal House, Edamuttam PO, Thrissur - 680568
- 6) Leeshma Mumthaj, Aged 31 Years, W/o Shanavas K P,
Palari House, Mooppanad, Meppadi, Wayanad - 673577
- 7) Krishnendu P M, Aged 27 Years, D/o Mohanan P A,
Puthenpurakkal, Nedunganam, Karumathra P O, Thrissur - 680123
- 8) Leema Rose C V, Aged 25 Years, D/o Varghese C O,
Chittilappilly, Parappur P O, Thrissur - 680552
- 9) Nasreen K S, Aged 26 Years, D/o Sulaiman,
Kariampulam House, Pazhuvil P O, Thrissur - 680564
- 10) Neethu K, Aged 30 Years, W/o Neeraj P R,
Panambilly House, Kottanellur P.O, Vellagallur Via, Thrissur - 680662
- 11) Niji P V, Aged 31 Years, D/o Vijayan P N,
Pareshappil House, Varandarappilly P O, Thrissur- 680303



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- 12) Nivedya T M, Aged 25 Years, D/o Muraleedharan T B,
Thekkoot House, Vallachira PO, Thrissur, - 616651
- 13) Reshma T R, Aged 27 Years, D/o Ramesh T A,
Thayyil House, North Thorave, Pudukad P O, Thrissur, - 680301
- 14) Shabeeba K T, Aged 25 Years, D/o Moossa K,
Kanakkarthodi House, Vadakkangara PO, Makada Via, Malappuram, - 679324
- 15) Anju K P, Aged 28 Years, D/o Venugopal K P,
Pliyalil House, Vadakkangara, Mankada, Malappuram, - 679324
- 16) Ayyoob Swadique K K, Aged 26 Years, S/o Muhammed Kutty,
Kavungal, Keleppurath, Malappuram, - 676551
- 17) Chaithra K V, Aged 29 Years, D/o Velayudhan,
Kottarakoth, Puthupadi, Kozhikode, - 673586
- 18) Dhilshad, Aged 29 Years, S/o Koyamu,
Chakkarathodi House, Irringallur PO, Thirurangadi, Malppuram, - 676304
- 19) Farsana P V, Aged 28 Years; D/o Ahammed P V,
Pliyalil Vazhayil , Karinchappadi, Vettallur PO, Malappuram, - 676507
- 20) Jayadev P S, Aged 28 Years, S/o Somasekharan Nair,
Parambanal, Thazhe Puthukkulam, Lakkattoor P O,
Pambady, Kottayam, - 686502
- 21) Jithesh P C, Aged 27 Years, S/o Chamiyar P,
Pallikkad(H), Paruvasserry, Vadakkencherry-1, Palakkad, - 678686
- 22) Vinu V S, Aged 26 Years, D/o V M Sajeevan,
Vailikkada House, Mothirakkanny P O, Chalakudy, Thrissur, - 680724
- 23) Mohammed Sharafudheen T, Aged 25 years S/o Moideen,
Thandayath, Mankadapallipuram, Malappuram, - 679324
- 24) Saranya K, Aged 27 Years, D/o Arumughan K,
Kammukkil House, Ramapuram PO, Malappuram, - 679321
- 25) Sarath M, Aged 24 Years, S/o Sivanandan M,
Melatt House, Makkada PO, Kakkodi Via Kozhikode, -673611
- 26) Sarath M S, Aged 23 Years, S/o Madhu S,
M S Bhavan, Gandhismarakom, Perunguzhi P O, Thiruvananthapuram, - 695305
- 27) Shibil Umar, aged 27 years, S/o Umar Abdulla,
Andoorathodi House, Angadippuram, Malappuram, - 679321



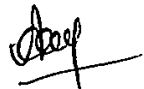
55

- 28) Srijin Jith A S, Aged 26 Years, S/o Ajith Kumar,
Sreevishakhham, Kalluvettankuzhi, Venganoor P O, Trivandrum, - 695523
- 29) Sreelakshmi H, Aged 27, W/o Prasobh K,
'Sreeprabha', Nallur, Feroke, Kozhikode, - 673631
- 30) Swathy Nair M S, Aged 25 Years, D/o Sasidharan Nair M,
Sanjeevani, Durga Nagar, Poomalliyoorkonam,
Peroorkada P.O, Thiruvananthapuram,- 695005
- 31) Vishnuprasad M, Aged 26 Years S/o Radhakrishnan,
Thundathil House, Avinissery P O, Ollur, Thrissur,- 680306
- 32) Soumya O, Aged 34 Years, D/o Somasundharan,
Orkottil House, Angadippuram P O, Malappuram,- 679321
- 33) Oshin Venugopal, Aged 27 D/o Venugopal P.S,
Pulikkal House, Nattika Beach PO, Thrissur, -680566
- 34) Raji C R, Aged 35 Years, W/o Abhilash P S,
Pallathery House, Mattathoorkunnu P O, Moolamkudam,
Kodakara, Thrissur, - 680684
- 35) Beema S, Aged 28 Years, D/o Shihabudheen,
Vilayil Veedu, Mylapure, Umayanalloor P O Kollam, - 691589
- 36) Prasanth, Aged 28, S/o Narayanan,
Kanakuzhiyil, Kalampoor, Piravom, Ernakulam, -686664
- 37) Shahir S, Aged 27 Years, S/o Shajahan K,
Rose Villa, Decentmukku, Maruthikkunnu P O, Thiruvananthapuram,- 675603
- 38) Fasaludheen A, Aged 28 Years, S/o Moosa A,
Bright House, Cherukavu, Pulikkal, Malappuram, - 673637
- 39) Muhammed Hafis IP, Aged 29 Years, S/o Mohammed Basheer IP,
Ilathapparambil House, Nirmaruthur P O, Tirur, Malappuram,- 676109
- 40) Mohammed Fazil P, Aged 24 Years, S/o Moideen P,
Peringodan House, Perumannur P O , Valanchery, Malappuram, - 686693
- 41) Thasni K M, Aged 27 Years, D/o Musthapha K B,
Kodapanakkunnath House, VIP Street, Nhanghattiri P O,
Pattambi Via, Palakkad, - 679303
- 42) Unais KP, Aged 24 Years, S/o Saidalavi KP,
Kizhakkeparambil House, Vellila, Vellila P O,
Mankada Via, Malappuram, - 679324



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- 43) Arun K R, Aged 25 Years, S/o K P Ravi,
Kurunnakudy House, Vaikkara PO, Vaikkara, Ernakulam, - 683549
- 44) Sakkeer Hussain, Aged 37 Years, S/o Saidalavi,
Kuttiamikadavath House, Paravanna P O, Tirur, Malappuram, - 676502
- 45) Manu K Chacko, Aged 36 Years S/o Chacko,
Kavanamalil 11, Malamury, Rayamangalam, Ernakulam, - 683545
- 46) Murshida E C, Aged 25 Years, W/o Muhammed Niyas A,
Akkala House, Karuvambram P O, Manjeri, Malappuram, - 676123.
- 47) Dilrupa K M, Aged 31 Years, D/o Rahamathulla,
Rahmath Manzil, Poovanchira, Randathani, Malappuram, - 676510
- 48) Akbarshah M , Aged 26 Years , S/o Masood P,
TC 63/3304, Kunjuvedu, Poonthura P O, Thiruvananthapuram, - 695026
- 49) Akhiyamol M B , Aged 25 Years, D/o Bhanu Priyan M S,
Mukulath House, Kaniyambetta P O, Koodoohummil, Wayanad, - 673121
- 50) Karthika Ramesh K V, Aged 25 Years, D/o Ramesan K,
Kavinisseri, Korom, Chalakode PO, Payyanur, Kannur, - 670307
- 51) Aparna Vijayan, Aged 26 Years, D/o Vijayan A G,
Assarithara(H) , Kottarakkundu P O, Cherukara, Wayanad, - 670731
- 52) Arya Viswan, Aged 30 Years, D/o A K Viswambaran,
Arangatty (H), Vellanchira P O, Thrissur, - 680697
- 53) Ashique C S, Aged 28 Years, S/o Savaruddeen A,
Chungathuparambil House, Valiyaparambu, Mala, Thrissur, - 680732
- 54) Athira T, Aged 28 Years, W/o Baiju C,
Cheriyil House, Kappumugham, Thazhkode West Post,
Perinthalmanna Via, Malappuram, - 679341
- 55) Basil P Alias, Aged 27 Years, S/o Alias P M,
Palakunnel(H), Kadackanad, P O, Kolenchery, Ernakulam, - 682311
- 56) Bissy Varghese, Aged 30 Years, W/o Arun Joy Joseph,
Elenjikuzhiyil(H), Kunnackal P O, Valakom, Ernakulam - 682316
- 57) Dilna Francis, Aged 27 Years, W/o Babin James,
Vayalunkal House, Ezhukumvayal P O, Udumbanchola, Idukki, - 685553
- 58) Geethu Mohan, Aged 27 Years, D/o Mohanan P B,
Parakkulam House, Kuzhikkattussery, Annallur P O, Thrissur, - 680731




57

- 59) Hashmi Manoharan, Aged 24years, D/o T M Manoharan,
Thekkoot House, Chathedathuparambu, Kodungallur, Thrissur, - 680664
- 60) Jamsheer K M, Aged 27 Years, S/o Muhammed Shukkur,
Kunnummal House, Thachangode Post, Chungathara, Malappuram, - 679334
- 61) Jibin Jose, Aged 26 Years, S/o Jose M L,
Mechery(H), K.Kunnu P O, Pindani, Meloor, Chalakudy, Thrissur, - 680311
- 62) Agil R, Aged 25 Years, S/o Ravindran C,
Sreesailam House, Parayankolumbu, Karippode Po, Palakkad, - 678503
- 63) Akhila Kuttappan, Aged 28 Years, D/o Kuttappan V A,
Vadakkeveetil House, Kadukutty P O, Chalakudy, Thrissur, - 680309
- 64) Ammu A S, Aged 24 Years, D/o P N Sasikumar,
Anjanam, Panappetty, Poruvazhy P O, Kollam, - 690520
- 65) Nubaila P H, Aged 28 Years, D/o P M Hameed,
Ponakudy(H), Cheruvattoor P O, Kothamangalam, Ernakulam, - 686691
- 66) Pournami Suradh, Aged 27 Years, D/o M R Radhamony,
Pranavam, Vallicode P O, Kaipattoor, Pathanamthitta, - 689648
- 67) Ruksana K C, Aged 28 Years, D/o K C Muhammed Musliyar,
Koraliyadan House Pattikkad P O, Perinthalmanna, Malappuram, - 679325
- 68) Shahina M, Aged 26 Years, W/o Firoz P K,
Poozhithara(H), Puthanangadi P O, Malappuram, - 679321
- 69) Shanu S, Aged 30 Years, S/o Shajikumar,
Keezhethattil Veedu, Muthana P O, Palayamkunnu, Trivandrum, - 695146
- 70) A S Saranya, Aged 29 Years, D/o Kumaran Chetty,
Kottamurattu, Veliyambam Post, Nadavayal, Wayanad, - 673579
- 71) Sravyaja Valsakumar, Aged 24 Years, D/o Anitha Valsakumar,
Valsapuram (H), Kolagappara P O, Sulthan Bathery, Wayanad - 673591
- 72) Sunu Mol R, Aged 33 Years, D/o Rajan V,
Krishna Nivas, Kaikuthuparambu, Nurani P O, Palakkad, - 678004
- 73) Amritha T A, Aged 29 Years, D/o Asokan T M,
Themanal House, Mapranam, Madayikonam, Thrissur, - 680712
- 74) Anagha Sai Pramod, Aged 26years, D/o K Pramod,
Saidhan(H), Koleri P O, Kenchira Via, Wayanad, - 673596



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- 75) Anjaly K R, Aged 28 Years, D/o Beena Ramesh,
Kamattathil House, Kallétumkara P O, Parambiroad, Thrissur, - 680683
- 76) Nithin D, Aged 27 Years, S/o Devarajan J,
Apsara, Alummoodu, Karingannoor P O, Kollam, - 691516
- 77) Aswanth T S, Aged 26 Years, S/o Sudhakaran,
Anjali Nivas, Kottakkal, Vadakara, Kozhikode, - 673521
- 78) Ashwin Roy Johnson, Aged 26 Years, S/o Johnson M J,
Manakkil House, Maniyancode, Kalpetta, Wayanad, - 673122
- 79) Chinchu P C, Aged 27 Years, D/o Chandran P P,
Puthuparambil(H), Valapad Beach P O, Thrissur, - 680567
- 80) Christy Jose, Aged 28 Years, W/o Anstine Wilson,
Moolaparambil House, Vendore, Alagappanagar, Thrissur - 680302
- 81) Divya Balakrishnan, Aged 27 Years, D/o Balakrishnan M S,
Machingal House, Kariyattukara, Elthuruth P O, Thrissur, - 680611
- 82) Fathimath Sabira P K, Aged 29 Years, D/o Abdu P,
Paruthikkuth House, Thachinganadam P O, Pattikkad Via, Malappuram, - 679325
- 83) Ganga V, Aged 26 Years, D/o P A Velayudhan,
TC-75/950, Thoppuvilakom Veedu, Pallimudukku,
Pettah P O, Thiruvananthapuram, - 695024
- 84) Geethu K N, Aged 32 Years, D/o K U Nakulan,
Kuruppassery (H), Kundaliyoor P O, Thrissur, - 680616
- 85) Govind A, Aged 25 Years, S/o V Ambilikumar,
Sreevalsam, Parakunnu P O, Navaikulam, Thruvananthapuram, - 695603
- 86) Hithesh Sai M B, Aged 27 Years, S/o Brahmanandan Nair,
Harishree, No 186, Alattukavu Nagar, Kavanadu P O, Kollam, - 691003
- 87) Janusha Ravi, Aged 27 Years, D/o C V Ravi,
Chetiyanadan (H), Mattathurkkunnu P O, Vasupuram, Kodakara, Thrissur, - 680684
- 88) Jasiya Nasrin, Aged 26 Years, D/o P M Musammil,
Padinjare Veettil(H), Madavana P O, Kodungallur, Thrissur, - 680666
- 89) Jasna N A, Aged 24 Years, D/o Abdul Kader,
Naduparambil House, Eriyad P O, Kodungallur, Thrissur, - 680666
- 90) Jismariya M F, Aged 27 Years, W/o Mijo K Jose,
Kizhakkoodan House, Elinjipara P O, Chalakudy, Thrissur, - 680721



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91) Aquil M Usman, Aged 28, S/o M K Usman,
Marathuparambil(H), Wadakkanchery P O, Thrissur, - 680582

92) Logi N Bobby, Aged 30 Years, S/o Bobby N Abraham,
Nedumpurath, Makkiyad P O, Kanjirangad, Wayanad, - 670731

93) Mushthaque K, Aged 24 Years, S/o Musthafa K,
Alungal(H), Kuniyil, Kizhumparamba P O, Malappuram-673639

94) Rubeena T, Aged 23 Years, D/o Moidu T,
Thottoli House, Tharuvana P O, Aruwal, Wayanad, - 670645

95) Rahila K, Aged 29 Years, D/o Abdurahiman L,
Thayatheel House, Cheruputhoor, Monam P O, Malappuram- 673642

96) Fathima Sherin O K, Aged 27 Years, W/o Shihabudheen,
Cheruvappully(H), Perinthattiri P O, Malappuram, - 676507

97) Anjitha K V, Aged 25 Years, D/o Velayudhan,
Kulathuvayal(H), Nathamkuni P O, Meppadi, Wayanad, - 673577

98) Lithesh T M, Aged 30 Years, S/o T K Manilal, Thayyil House,
Pullur P O, Irinjalakuda, Thrissur, - 680683

99) Jithin A Saikrishna, Aged 28 Years, S/o M. K Ambi Achary,
Ambalathinkal, Thirumarady PO Ernakulam, - 686662

100) Juel Savio Mendez, Aged 26 Years, S/o Justin Mendez,
Kallachanmurry, Panditkaruppan Road, Cheranelloor, Kochi - 682034

2]. Particulars of the respondents/ respondents:

1). State of Kerala,
Represented by Secretary to Government,
Department of Public Works, Secretariat, Thiruvananthapuram -695 001

2). Chief Engineer (Administration),
Office of the Chief Engineer,
Department of Public Works Thiruvananthapuram - 695033

3). Additional Chief Secretary to Government,
Personal & Administrative Reforms Department,
Secretariat, Thiruvananthapuram -695 001

All the process and notices to the applicants may be served on their counsels
Sri. S. Muhammed Haneef & Asif Ali M.H Advocates, 'Alifia', CC 2241/43, S.R.M



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Road, Ernakulam, Kochi-18, Mobile No. 8089056893 and those to the respondents may be served to their address shown below, or to their counsels, if any engaged.

MISCELLANEOUS APPLICATION FILED UNDER RULE 4[4][a] OF THE
KERALA ADMINISTRATIVE TRIBUNAL [PROCEDURE] RULES, 2010 FOR
PERMISSION TO JOIN THE APPLICANTS TOGETHER AND TO FILE
SINGLE APPLICATION

1]. The grievance raised in the above original application is common to all the applicants. Hence all the applicants are joining together to file the original application seeking direction to the 1st respondent to consider Annexure A7 representation preferred by them before taking a final decision on Annexure A5 proposed amendment to the the Kerala Engineering Subordinate Service Rules, 1958 and other allied reliefs to get their grievances redressed.

2]. Hence the applicants have common interest in the matter and the cause of action and the reliefs sought for are identical with no distinction whatsoever either on facts or in law.

Relief

In the circumstances and having regard to the cause of action and the nature of reliefs prayed for, it is only just and necessary that this Hon'ble Tribunal may be pleased permit the applicants to join together and file single application and it is prayed accordingly.

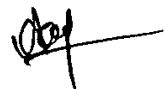
VERIFICATION

We, 1) Sajid A K, Aged 36 Years, S/o Abdul Hameed, Areekadan House, Eranhimangad P O, Malappuram - 679329, 2) As Had K C, Aged 24 Years, S/o Abdul Khadar, Karappancheri(H), Karulai P. O, Malappuram - 679330, 3)Ajmal E B, Aged 25 Years, S/o Basheer A M, Ettukattil House, Edathala P O, Aluva, Ernakulam - 683563, 4) Anand Bose N, Aged 29 Years, S/o N D Bose, Nambonthara House, Cherai P O, Ernakulam - 683514, 5) Kavya A J, Aged 28 Years, D/o Janardanan A K, Alakkal House, Edamuttam PO, Thrissur - 680568, 6) Leeshma Mumthaj, Aged 31 Years, W/o Shanavas K P, Palari House, Mooppanad,



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Meppadi, Wayanad - 673577, 7) Krishnendu P M, Aged 27 Years, D/o Mohanan P A, Puthenpurakkal, Nedunganam, Karumathra P O, Thrissur - 680123, 8) Leema Rose C V, Aged 25 Years, D/o Varghese C O, Chittilappilly, Parappur P O, Thrissur - 680552, 9) Nasreen K S, Aged 26 Years, D/o Sulaiman, Karipamkulam House, Pazhuvil P O, Thrissur - 680564 10) Neethu K, Aged 30 Years, W/o Neeraj P R, Panambilly House, Kottanellur P.O, Vellagallur Via, Thrissur - 680662 11) Niji P V, Aged 31 Years, D/o Vijayan P N, Pareshappil House, Varandarappilly P O, Thrissur- 680303, 12) Nivedya T M, Aged 25 Years, D/o Muraleedharan T B, Thekkoot House, Vallachira PO, Thrissur, - 616651, 13) Reshma T R, Aged 27 Years, D/o Ramesh T A, Thayyil House, North Thorave, Pudukad P O, Thrissur, - 680301, 14) Shabeeba K T, Aged 25 Years, D/o Moossa K, Kanakkarthodi House, Vadakkangara PO, Makada Via, Malappuram, - 679324, 15) Anju K P, Aged 28 Years, D/o Venugopal K P, Pliyalil House, Vadakkangara, Mankada, Malappuram, - 679324, 16) Ayyoob Swadique K K, Aged 26 Years, S/o Muhammed Kutty, Kavungal, Keleppurath, Malappuram, - 676551, 17) Chaithra K V, Aged 29 Years, D/o Velayudhan, Kottarakoth, Puthupadi, Kozhikode, - 673586, 18) Dhilshad, Aged 29 Years, S/o Koyamu, Chakkarathodi House, Irringallur P.O, Thirurangadi, Malppuram, - 676304, 19) Farsana P V, Aged 28 Years, D/o Ahammed P V, Pliyalil Vazhayil, Karinchappadi, Vettallur PO, Malappuram, - 676507, 20) Jayadev P S, Aged 28 Years, S/o Somasekharan Nair, Parambanal, Thazhe Puthukkulam, Lakkattoor P O, Pambady, Kottayam, - 686502, 21) Jithesh P C, Aged 27 Years, S/o Chamiyar P, Pallikkad(H), Paruvasserry, Vadakkencherry-1, Palakkad, - 678686, 22) Vinu V S, Aged 26 Years, D/o V M Sajeevan, Vailikkada House, Mothirakkanny P O, Chalakkudy, Thrissur, - 680724, 23) Mohammed Sharafudheen T, Aged 25 years S/o Moideen, Thandayath, Mankadapallippuram, Malappuram, - 679324, 24) Saranya K, Aged 27 Years, D/o Arumughan K, Kammukkil House, Ramapuram PO, Malappuram, - 679321, 25) Sarath M, Aged 24 Years, S/o Sivanandan M, Melatt House, Makkada PO, Kakkodi Via Kozhikode, -673611, 26) Sarath M S, Aged 23 Years, S/o Madhu S, M S Bhavan, Gandhisarakom, Perunguzhi P O, Thiruvananthapuram, - 695305, 27) Shibil Umar, aged 27 years, S/o Umar Abdulla, Andoorathodi House, Angadippuram, Malappuram, - 679321, 28) Srijin Jith A S, Aged 26 Years, S/o Ajith Kumar, Sreevishakhham, Kalluvettankuzhi,



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Venganoor P O, Trivandrum, - 695523, 29) Sreelakshmi H, Aged 27, W/o Prasobh K, 'Sreeprabha', Nallur, Feroke, Kozhikode, - 673631, 30) Swathy Nair M S, Aged 25 Years, D/o Sasidharan Nair M, Sanjeevani, Durga Nagar, Poomalliyorkonam, Peroorkada P.O, Thiruvananthapuram,- 695005, 31) Vishnuprasad M, Aged 26 Years S/o Radhakrishnan, Thundathil House, Avinissery P O, Ollur, Thrissur,- 680306, 32) Soumya O, Aged 34 Years, D/o Somasundharan, Orkottil House, Angadippuram P O, Malappuram- 679321, 33) Oshin Venugopal, Aged 27 D/o Venugopal P.S, Pulikkal House, Nattika Beach PO, Thrissur, -680566, 34) Raji C R, Aged 35 Years, W/o Abhilash P S, Pallathery House, Mattathoorkunnu P O, Moolamkudam, Kodakara, Thrissur, - 680684, 35) Beema S, Aged 28 Years, D/o Shihabudheen, Vilayil Veedu, Mylapure, Umayanalloor P O Kollam, - 691589, 36) Prasanth, Aged 28, S/o Narayanan, Kanakuzhiyil, Kalampoor, Piravom, Ernakulam, - 686664, 37) Shahir S, Aged 27 Years, S/o Shajahan K, Rose Villa, Decentmukku, Maruthikkunnu P O, Thiruvananthapuram,- 675603, 38) Fasaludheen A, Aged 28 Years, S/o Moosa A, Bright House, Cherukavu, Pulikkal, Malappuram, - 673637, 39) Muhammed Hafis IP, Aged 29 Years, S/o Mohammed Basheer IP, Illathapparambil House, Nirmaruthur P O, Tirur, Malappuram,- 676109, 40) Mohammed Fazil P, Aged 24 Years, S/o Moideen P, Peringodan House, Perumannur P O , Valanchery, Malappuram, - 686693, 41) Thasni K M, Aged 27 Years, D/o Musthapha K B, Kodapanakkunnath House, VIP Street, Nhanghattiri P O, Pattambi Via ,Palakkad, - 679303, 42) Unais KP, Aged 24 Years, S/o Saidalavi KP, Kizhakkeparambil House, Vellila, Vellila P O, Mankada Via, Malappuram, - 679324, 43) Arun K R, Aged 25 Years, S/o K P Ravi, Kurunnakudy House, Vaikkara PO, Vaikkara, Ernakulam, - 683549, 44) Sakkeer Hussain, Aged 37 Years, S/o Saidalavi, Kuttiamikadavath House, Paravanna P O, Tirur, Malappuram, - 676502, 45) Manu K Chacko, Aged 36 Years S/o Chacko, Kavanamalil 11, Malamury, Rayamangalam, Ernakulam, - 683545, 46) Murshida E C, Aged 25 Years, W/o Muhammed Niyas A, Akkala House, Karuvambram P O, Manjeri, Malappuram, - 676123, 47) Dilrupa K M, Aged 31 Years, D/o Rahamathulla, Rahmath Manzil, Poovanchira, Randathani, Malappuram, - 676510, 48) Akbarshah M , Aged 26 Years , S/o Masood P, TC 63/3304, Kunjuvedu, Poonthura P O, Thiruvananthapuram, - 695026, 49) Akhiyamol M B , Aged 25 Years, D/o Bhanu



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Priyan M S, Mukulath House, Kaniyambetta P O, Koodothummal, Wayanad, - 673121, 50) Karthika Ramesh K V, Aged 25 Years, D/o Ramesan K, Kavinisseri, Korom, Chalakode PO, Payyanur, Kannur, - 670307, 51) Aparna Vijayan, Aged 26 Years, D/o Vijayan A G, Assarithara(H) , Kottarakunnu P O, Cherukara, Wayanad, - 670731, 52) Arya Viswan, Aged 30 Years, D/o A K Viswambaran, Arangatty (H), Vellanchira P O, Thrissur, - 680697, 53) Ashique C S, Aged 28 Years, S/o Savaruddeen A, Chungathuparambil House, Valiyaparambu, Mala, Thrissur, - 680732, 54) Athira T, Aged 28 Years, W/o Baiju C, Cheriyl House, Kappumugham, Thazhekod West Post, Perinthalmanna Via, Malappuram, - 679341, 55) Basil P Alias, Aged 27 Years, S/o Alias P M, Palakunnel(H), Kadackanad, P O, Kolenchery, Ernakulam, - 682311, 56) Bissy Varghese, Aged 30 Years, W/o Arun Joy Joseph, Elenjikuzhiyil(H), Kunnackal P O, Valakom, Ernakulam - 682316, 57) Dilna Francis, Aged 27 Years, W/o Babin James, Vayalunkal House, Ezhukunivayal P O, Udumbanchola, Idukki, - 685553, 58) Geethu Mohan, Aged 27 Years, D/o Mohanan P B, Parakkulam House, Kuzhikkattussery, Annallur P O, Thrissur, - 680731, 59) Hashmi Manoharan, Aged 24years, D/o T M Manoharan, Thekkoot House, Chathedathuparambu, Kodungallur, Thrissur, - 680664, 60) Jamsheer K M, Aged 27 Years, S/o Muhammed Shukkur, Kunnummal House, Thachangode Post, Chungathara, Malappuram, - 679334, 61) Jibin Jose, Aged 26 Years, S/o Jose M L, Mechery(H), K.Kunnu P O, Pindani, Meloor, Chalakudy, Thrissur, - 680311, 62) Agil R, Aged 25 Years, S/o Ravindran C, Sreesailam House, Parayankolumbu, Karippode Po, Palakkad, - 678503, 63) Akhila Kuttappan, Aged 28 Years, D/o Kuttappan V A, Vadakkeveetil House, Kadukutty P O, Chalakudy, Thrissur, - 680309, 64) Ammu A S, Aged 24 Years, D/o P N Sasikumar, Anjanam, Panappetty, Poruvazhy P O, Kollam, - 690520, 65) Nubaila P H, Aged 28 Years, D/o P M Hameed, Ponakudy(H), Cheruvattoor P O, Kothamangalam, Ernakulam, - 686691, 66) Pournami Suradh, Aged 27 Years, D/o M R Radhamony, Pranavam, Vallicode P O, Kaippattoor, Pathanamthitta , - 689648, 67) Ruksana K C, Aged 28 Years, D/o K C Muhammed Musliyar, Koraliyadan House Pattikkad P O, Perinthalmanna, Malappuram, - 679325, 68) Shahina M, Aged 26 Years, W/o Firoz P K, Poozhithara(H), Puthanangadi P O, Malappuram, - 679321, 69) Shanu S, Aged 30



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Years, S/o Shajikumar, Keezhethattil Veedu, Muthana P O, Palayamkunnu, Trivandrum, - 695146, 70) A S Saranya, Aged 29 Years, D/o Kumaran Chetty, Kottamurattu, Veliyambam Post, Nadavayal, Wayanad, - 673579, 71) Sravyaja Valsakumar, Aged 24 Years, D/o Anitha Valsakumar, Valsapuram (H), Kolagappara P O, Sulthan Bathery, Wayanad - 673591, 72) Sunu Mol R, Aged 33 Years, D/o Rajan V, Krishna Nivas, Kaikuthuparambu, Nurani P O, Palakkad, - 678004, 73) Amritha T A, Aged 29 Years, D/o Asokan T M, Themanal House, Mapranam, Madayikonam, Thrissur, - 680712, 74) Anagha Sai Pramod, Aged 26 years, D/o K Pramod, Saidhan(H), Koleri P O, Kenchira Via, Wayanad, - 673596, 75) Anjaly K R, Aged 28 Years, D/o Beena Ramesh, Kamattathil House, Kalletumkara P O, Parambiroad, Thrissur, - 680683, 76) Nithin D, Aged 27 Years, S/o Devarajan J, Apsara, Alummoodu, Karingannoor P O, Kollam, - 691516, 77) Aswanth T S, Aged 26 Years, S/o Sudhakaran, Anjali Nivas, Kottakkal, Vadakara, Kozhikode, - 673521, 78) Ashwin Roy Johnson, Aged 26 Years, S/o Johnson M J, Manakkil House, Maniyancode, Kalpetta, Wayanad, - 673122, 79) Chinchu P C, Aged 27 Years, D/o Chandran P P, Puthuparambil(H), Valapad Beach P O, Thrissur, - 680567, 80) Christy Jose, Aged 28 Years, W/o Anstine Wilson, Moolaparambil House, Vendore, Alagappanagar, Thrissur - 680302, 81) Divya Balakrishnan, Aged 27 Years, D/o Balakrishnan M S, Machingal House, Kariyattukara, Elthuruth P O, Thrissur, - 680611, 82) Fathimath Sabira P K, Aged 29 Years, D/o Abdu P, Paruthikkuth House, Thachinganadam P O, Pattikkad Via, Malappuram, - 679325, 83) Ganga V, Aged 26 Years, D/o P A Velayudhan, TC-75/950, Thoppuvilakom Veedu, Pallimudukku, Pettah P O, Thrivananthapuram, - 695024, 84) Geethu K N, Aged 32 Years, D/o K U Nakulan, Kuruppassery (H), Kundaliyoor P O, Thrissur, - 680616, 85) Govind A, Aged 25 Years, S/o V Ambilikumar, Sreevalsam, Parakunnu P O, Navaikulam, Thruvananthapuram, - 695603, 86) Hithesh Sai M B, Aged 27 Years, S/o Brahmanandan Nair, Harishree, No 186, Alattukavu Nagar, Kavanadu P O, Kollam, - 691003, 87) Janusha Ravi, Aged 27 Years, D/o C V Ravi, Chetiyadan (H), Mattathurkkunnu P O, Vasupuram, Kodakara, Thrissur, - 680684, 88) Jasiya Nasrin, Aged 26 Years, D/o P M Musammil, Padinjare Veettil(H), Madavana P O, Kodungallur, Thrissur, - 680666, 89) Jasna N A, Aged 24 Years, D/o Abdul Kader, Naduparambil House, Eriyad P

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O, Kodungallur, Thrissur, - 680666, 90) Jismariya M F, Aged 27 Years, W/o Mijo K Jose, Kizhakkoodan House, Elinjipara P O, Chalakudy, Thrissur, - 680721, 91) Aquil M Usman, Aged 28, S/o M K Usman, Marathuparambil(H), Wadakkanchery P O, Thrissur, - 680582, 92) Logi N Boby, Aged 30 Years, S/o Boby N Abraham, Nedumpurath, Makkiyad P O, Kanjirangad, Wayanad, - 670731, 93) Mushthaque K, Aged 24 Years, S/o Musthafa K, Alungal(H), Kuniyil, Kizhumparamba P O, Malappuram-673639, 94) Rubeena T, Aged 23 Years, D/o Moidu T, Thottoli House, Tharuvana P O, Aruwal , Wayanad, - 670645, 95) Rahila K, Aged 29 Years, D/o Abdurahiman L, Thayatheel House, Cheruputhoor, Monam P O, Malappuram- 673642, 96) Fathima Sherin O K, Aged 27 Years, W/o Shihabudheen, Cheruvappully(H), Perinthattiri P O, Malappuram, - 676507, 97) Anjitha K V, Aged 25 Years, D/o Velayudhan, Kulathuvayal(H), Nathamkuni P O, Meppadi, Wayanad, - 673577, 98) Lithesh T M, Aged 30 Years, S/o T K Manilal, Thayyil House, Pullur P O, Irinjalakuda, Thhrissur, - 680683, 99) Jithin A Saikrishna, Aged 28 Years, S/o M. K Ambi Achary, Ambalathinkal, Thirumarady PO Ernakulam, - 686662, 100) Juel Savio Mendez, Aged 26 Years, S/o Justin Mendez, Kallachanmurry, Panditkaruppan Road, Cheranelloor, Kochi - 682034, do hereby verify that the contents of the above Paragraphs are true to our personal knowledge and that we have not suppressed any material facts.

Dated this the 17th day of February, 2021



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- | | | | |
|--------------------|-------------------|-----------------------------|------------------------------|
| 1) Sajid A K | <u>Sajid</u> | 16) Ayyoob Swadique K K | <u>Ayyoob</u> |
| 2) As Had K C | <u>As Had</u> | 17) Chaithra K V | <u>Chaithra</u> |
| 3) Ajmal E B | <u>Ajmal</u> | 18) Dhillshad | <u>Dhillshad</u> |
| 4) Anand Bose N | <u>Anand</u> | 19) Farsana P V | <u>Farsana</u> |
| 5) Kavya A J | <u>Kavya</u> | 20) Jayadev P S | <u>Jayadev</u> |
| 6) Leeshma Mumthaj | <u>Leeshma</u> | 21) Jithesh P C | <u>Jithesh</u> |
| 7) Krishnendu P M | <u>Krishnendu</u> | 22) Vinu V S | <u>Vinu</u> |
| 8) Leema Rose C V | <u>Leema Rose</u> | 23) Mohammed Sharafudheen T | <u>Mohammed Sharafudheen</u> |
| 9) Nasreen K S | <u>Nasreen</u> | 24) Saranya K | <u>Saranya</u> |
| 10) Neethu K | <u>Neethu</u> | 25) Sarath M | <u>Sarath</u> |
| 11) Niji P V | <u>Niji</u> | 26) Sarath M S | <u>Sarath</u> |
| 12) Nivedya T M | <u>Nivedya</u> | 27) Shibil Umar | <u>Shibil</u> |
| 13) Reshma T R | <u>Reshma</u> | 28) Srijin Jith A S | <u>Srijin</u> |
| 14) Shabeebà K T | <u>Shabeebà</u> | 29) Sreelakshmi H | <u>Sreelakshmi</u> |
| 15) Anju K P | <u>Anju</u> | | <u>Anju</u> |

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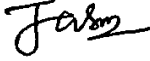
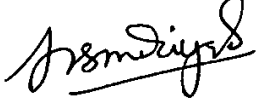


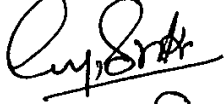
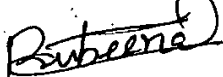
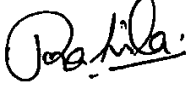

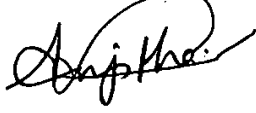



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|-----------------------|-----------------------|-------------------------|------------------|
| 30) Swathy Nair M S | <u>Swathy</u> | 45) Manu K Chacko | <u>Manu</u> |
| 31) Vishnuprasad M | <u>Vishnuprasad</u> | 46) Murshida E C | <u>Murshida</u> |
| 32) Soumya O | <u>Soumya</u> | 47) Dilrupa K M | <u>Dilrupa</u> |
| 33) Oshin Venugopal | <u>Oshin</u> | 48) Akbarshah M | <u>Akbarshah</u> |
| 34) Raji C R | <u>Raji</u> | 49) Akhiyamol M B | <u>Akhiyamol</u> |
| 35) Beema S | <u>Beema</u> | 50) Karthika Ramesh K V | <u>Karthika</u> |
| 36) Prasanth | <u>Prasanth</u> | 51) Aparna Vijayan | <u>Aparna</u> |
| 37) Shahir S | <u>Shahir</u> | 52) Arya Viswan | <u>Arya</u> |
| 38) Fasaludheen A | <u>Fasaludheen</u> | 53) Ashique C S | <u>Ashique</u> |
| 39) Muhammed Hafis IP | <u>Muhammed Hafis</u> | 54) Athira T | <u>Athira</u> |
| 40) Mohammed Fazil P | <u>Mohammed Fazil</u> | 55) Basil P Alias | <u>Basil</u> |
| 41) Thasni K M | <u>Thasni</u> | 56) Bissy Varghese, | <u>Bissy</u> |
| 42) Unais KP | <u>Unais</u> | 57) Dilna Francis | <u>Dilna</u> |
| 43) Arun K R | <u>Arun</u> | 58) Geethu Mohan | <u>Geethu</u> |
| 44) Sakkeer Hussain | <u>Sakkeer</u> | | |

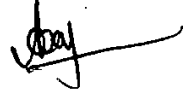
Sakkeer

68

- 59) Hashmi Manoharan Hashmi
- 60) Jamsheer K M J
- 61) Jibin Jose Jibin Jose
- 62) Agil R Agil
- 63) Akhila Kuttappan Akhila
- 64) Ammu A S Ammu
- 65) Nubaila P H Nubaila
- 66) Pournami Suradh Pournami
- 67) Ruksana K C Ruksana
- 68) Shahina M Shahina
- 69) Shanu S Shanu
- 70) A S Saranya Saranya
- 71) Sravyaja Valsakumar Sravya
- 72) Sunu Mol R Sunu
- 73) Amritha T A Amritha
- 74) Anagha Sai Pramod Anagha
- 75) Anjaly K R Anjaly
- 76) Nithin D Nithin
- 77) Aswanth T S Aswanth
- 78) Ashwin Roy Johnson Ashwin
- 79) Chinchu P C Chinchu
- 80) Christy Jose Christy
- 81) Divya Balakrishnan Divya
- 82) Fathimath Sabira P K Sabira
- 83) Ganga V Ganga
- 84) Geethu K N Geethu
- 85) Govind A Govind
- 86) Hithesh Sai M B Hithesh
- 87) Janusha Ravi Janusha

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- 88) Jasiya Nasrin 
- 89) Jasna N A 
- 90) Jismariya M F 
- 91) Aquil M Usman 
- 92) Logi N Boby 
- 93) Mushthaque K 
- 94) Rubeena T 
- 95) Rahila K 
- 96) Fathima Sherin O K, 
- 97) Anjitha K V, 
- 98) Lithesh T M, 
- 99) Jithin A Saikrishna, 
- 100) Juel Savio Mendez. 



Asif Ali M.H
Counsel for the applicant

Regd. RL 602339977 IN
13/4/2021

From

Anand Bose IN
Nambouthara (b)
Chevai P.O
Ernakulam - 683514
Ph: 8921198521

To

The secretary
Public works Department
Secretariat P.O, Thiruvananthapuram



Sub: Kerala Administrative Tribunal order regards
the proceedings initiated for the Kerala
Engineering subordinates service Rules, 1958
in Public works Department.

Attachment: Kerala Administrative Tribunal Order
Sl. No.

As per Kerala Administrative Tribunal order,
before taking decision on by transfer from all
lower category of officers including office attendants
below the pay scale of Third grade overseer in
the PWD department please afford a hearing
to the applicants as on the ground that it will
affect our rights.

Place - chevai

Date - 13-04-2021

Yours Faithfully

Anand
ANAND BOSE

IN THE KERALA ADMINISTRATIVE TRIBUNAL AT
THIRUVANANTHAPURAM
(ADDITIONAL BENCH, ERNAKULAM)

Present:

The Hon'ble Mr. Benny Gervacis, Acting Chairman
&
The Hon'ble Mr. Rajesh Dewan, Member

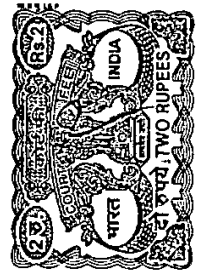
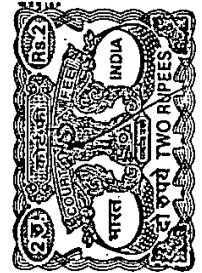
Dated this the 23rd of March 2021

QA[EKM]-400/2021



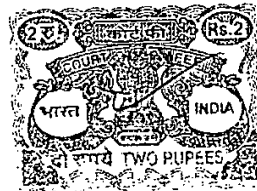
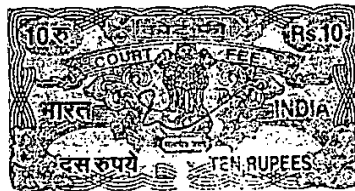
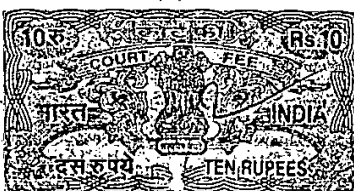
Applicant(s):

- 1) Sajid A.K., ..., Aged 36 years , S/o Abdul Hammed , Areekadan House , Eranhimangad P.O , Malappuram - 679329, Kerala.
- 2) As Had K C, Aged 24 Years, S/o Abdul Khadar, Karappancheri(H), Karulai P. O, Malappuram 679330.,., Kerala
- 3) Ajmal E B, Aged 25 Years, S/o Basheer A M, Ettukattil House, Edathala P O, Aluva, Ernakulam 683563.,., Kerala
- 4) Anand Bose N, Aged 29 Years, S/o N D Bose, Nambonthara House, Cherai P O, Ernakulam 683514.,., Kerala
- 5) Kavya A J, Aged 28 Years, D/o Janardanan A K, Alakkal House, Edamuttam PO, Thrissur 680568.,., Kerala
- 6) .., Leeshma Mumthaj, Aged 31 Years, W/o Shanavas K P, Palari House, Mooppanad, Meppadi, Wayanad 673577, Kerala
- 7) Krishnendu P M, Aged 27 Years, D/o Mohanan P A, Puthenpurakkal, Nedunganam, Karumathra P O, Thrissur 680123.,., Kerala
- 8) Leema Rose C V, Aged 25 Years, D/o Varghese C O, Chittilappilly, Parappur P O, Thrissur 680552.,., Kerala
- 9) Nasreen K S, Aged 26 Years, D/o Sulaiman, Karipamkulam House, Pazhuvil P O, Thrissur 680564.,., Kerala
- 10) Neethu K, Aged 30 Years, W/o Neeraj P R, Panambilly House, Kottanellur P.O, Vellagallur Via, Thrissur 680662.,., Kerala
- 11) Niji P V, Aged 31 Years, D/o Vijayan P N, Pareshappil House, Varandarappilly P O, Thrissur 680303.,., Kerala

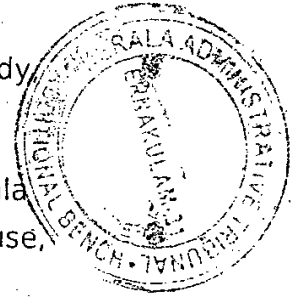


RVICES: National Informatics Centre(NIC), Kerala

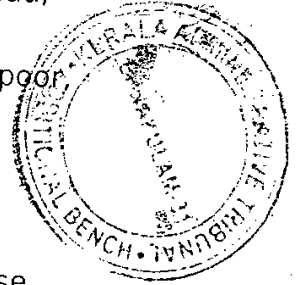
1/13



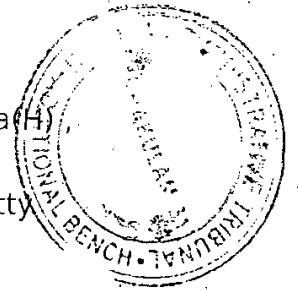
- 12) Nivedya T M, Aged 25 Years, D/o Muraleedharan T B, Thekkoot House, Vallachira PO, Thrissur, 616651,,,,Kerala
- 13) Reshma T R, Aged 27 Years, D/o Ramesh T A, Thayyil House, North Thorave, Pudukad P O, Thrissur, 680301,,,,Kerala
- 14) Shabeeba K T, Aged 25 Years, D/o Moossa K, Kanakkarthodi House, Vadakkangara PO, Makada Via, Malappuram, 679324,,,,Kerala
- 15) Anju K P, Aged 28 Years, D/o Venugopal K P, Plliyalil House, Vadakkangara, Mankada, Malappuram, 679324,,,,Kerala
- 16) Ayyoob Swadique K K, Aged 26 Years, S/o Muhammed Kutty, Kavungal, Keleppurath, Malappuram, 676551,,,,Kerala
- 17) Chaithra K V, Aged 29 Years, D/o Velayudhan, Kottarakoth, Puthupadi, Kozhikode, 673586,,,,Kerala
- 18) Dhilshad, Aged 29 Years, S/o Koyamu, Chakkarathodi House, Iringallur PO, Thirurangadi, Malppuram, 676304,,,,Kerala
- 19) Farsana P V, Aged 28 Years, D/o Ahammed P V, Plliyalil Vazhayil, Karinchappadi, Vettallur PO, Malappuram, 676507,,,,Kerala
- 20) Jayadev P S, Aged 28 Years, S/o Somasekharan Nair, Parambanal, Thazhe Puthukkulam, Lakkattoor P O, Pambady Kottayam, 686502,,,,Kerala
- 21) Jithesh P C, Aged 27 Years, S/o Chamiyar P, Pallikkad(H), Paruvasserry, Vadakkencherry-1, Palakkad, 678686,,,,Kerala
- 22) Vinu V S, Aged 26 Years, D/o V M Sajeevan, Vailikkada House, Mothirakkanny P O, Chalakkudy, Thrissur, 680724,,,,Kerala
- 23) Mohammed Sharafudheen T, Aged 25 years S/o Moideen, Thandayath, Mankadapallipuram, Malappuram, 679324,,,,Kerala
- 24) Saranya K, Aged 27 Years, D/o Arumughan K, Kammukkil House, Ramapuram PO, Malappuram, 679321,,,,Kerala
- 25) Sarath M, Aged 24 Years, S/o Sivanandan M, Melatt House, Makkada PO, Kakkodi Via Kozhikode, 673611,,,,Kerala
- 26) Sarath M S, Aged 23 Years, S/o Madhu S, M S Bhavan, Gandhisarakom, Perunguzhi P O, Thiruvananthapuram, 695305,,,,Kerala
- 27) Shibil Umar, aged 27 years, S/o Umar Abdulla, Andoorathodi House, Angadippuram, Malappuram, 679321,,,,Kerala
- 28) Srijin Jith A S, Aged 26 Years, S/o Ajith Kumar, Sreevishakham, Kalluvettankuzhi, Venganoor P O, Trivandrum, 695523,,,,Kerala
- 29) Sreelakshmi H, Aged 27, W/o Prasobh K, Sreeprabha Nallur, Feroke, Kozhikode, 673631,,,,Kerala



- 30) Swathy Nair M S, Aged 25 Years, D/o Sasidharan Nair M, Sanjeevani, Durga Nagar, Poomalliyoorkonam, Peroorkada P.O, Thiruvananthapuram, 695005.,.,.,Kerala
- 31) Vishnuprasad M, Aged 26 Years S/o Radhakrishnan, Thundathil House, Avinissery P O, Ollur, Thrissur, 680306.,.,.,Kerala
- 32) Soumya O, Aged 34 Years, Do Somasundharan, Orkottil House, Angadippuram P O, Malappuram, 679321.,.,.,Kerala
- 33) Oshin Venugopal, Aged 27 D/o Venugopal P.S, Pulikkal House, Nattika Beach PO,Thrissur, 680566.,.,.,Kerala
- 34) Raji C R, Aged 35 Years, Wo Abhilash P S, Pallathery House, Mattathoorkunnu P O, Moolamkudam, Kodakara, Thrissur, 680684.,.,.,Kerala
- 35) Beema S, Aged 28 Years, D/o Shihabudheen, Vilayil Veedu, Mylapure, Umayanalloor P O Kollam, 691589.,.,.,Kerala
- 36) Prasanth, Aged 28, S/o Narayanan, Kanakuzhiyil, Kalamppoor Piravom, Ernakulam, 686664.,.,.,Kerala
- 37) Shahir S, Aged 27 Years, S/o Shajahan K, Rose Villa, Decentmukku, Maruthikkunnu P O, Thiruvananthapuram,675603.,.,.,Kerala
- 38) Fasaludheen A, Aged 28 Years, S/o Moosa A, Bright House, Cherukavu, Pulikkal, Malappuram, 673637.,.,.,Kerala
- 39) Muhammed Hafis IP, Aged 29 Years, S/o Mohammed Basheer IP, Illathapparambil House, Nirammaruthur P O, Tirur, Malappuram, 676109.,.,.,Kerala
- 40) Mohammed Fazil P, Aged 24 Years, S/o Moideen P, Peringodan House, Perumannur P O , Valanchery, Malappuram, 686693.,.,.,Kerala
- 41) Thasni K M, Aged 27 Years, Do Musthapha K B, Kodapanakkunnath House, VIP Street, Nhanghattiri P O, Pattambi Via ,Palakkad, 679303.,.,.,Kerala
- 42) Unais KP, Aged 24 Years, S/o Saidalavi KP, Kizhakkeparambil House, Vellila,Vellila P O, Mankada Via, Malappuram, 679324.,.,.,Kerala
- 43) Arun K R, Aged 25 Years, S/o K P Ravi, Kurunnakudy House, Vaikkara PO, Vaikkara, Ernakulam, 683549 676502.,.,.,Kerala
- 44) Sakkeer Hussain, aged 37 years,S/o. Saidalavi, Kuttiamikadavath House,Paravanna PO,Tirur, Malappuram 676502.,.,.,Kerala



- 45) Manu K Chacko, Aged 36 Years S/o Chacko, Kavanamatil 11, Malamury, Rayamangalam, Ernakulam, 683545.,.,Kerala
- 46) Murshida E C, Aged 25 Years, Wo Muhammed Niyas A, Akkala House, Karuvambam P O, Manjeri, Malappuram, 676123.,.,Kerala
- 47) Dilrupa K M, Aged 31 Years, D/o Rahamathulla, Rahmath Manzil, Poovanchira, Randathani, Malappuram, 676510.,.,Kerala
- 48) Akbarshah M , Aged 26 Years , S/o Masood P, TC 63/3304, Kunjuveedu, Poonthura P O, Thiruvananthapuram, 695026.,.,Kerala
- 49) Akhiyamol M B , Aged 25 Years, D/o Bhanu Priyan M S, Mukulath House, Kaniyambetta P O, Koodothummal, Wayanad, 673121.,.,Kerala
- 50) Karthika Ramesh K V, Aged 25 Years, D/o Ramesan K, Kavinisseri, Korom, Chalakode PO, Payyanur, Kannur, 670307.,.,Kerala
- 51) Aparna Vijayan, Aged 26 Years, D/o Vijayan A G, Assarithara (H) Kottarakkundu P O, Cherukara, Wayanad, 670731.,.,Kerala
- 52) Arya Viswan, Aged 30 Years, D/o A K Viswambaran, Arangatty (H), Vellanchira P O, Thrissur, 680697.,.,Kerala
- 53) Ashique C S, Aged 28 Years, S/o Savaruddeen A, Chungathuparambil House, Valiyaparambu, Mala, Thrissur, 680732.,.,Kerala
- 54) Athira T, Aged 28 Years, W/o Baiju C, Cheriyl House, Kappumugham, Thazhekod West Post, Perinthalmanna Via, Malappuram, 679341.,.,Kerala
- 55) Basil P Alias, Aged 27 Years, S/o Alias P M, Palakunnel(H), Kadackanad, P O, Kolenchery, Ernakulam, 682311.,.,Kerala
- 56) Bissy Varghese, Aged 30 Years, W/o Arun Joy Joseph, Elenjikuzhiyil(H), Kunnackal P O, Valakom, Ernakulam 682316.,.,Kerala
- 57) Dilna Francis, Aged 27 Years, W/o Babin James, Vayalunkal House, Ezhukumvayal P O, Udumbanchola, Idukki, 685553.,.,Kerala
- 58) Geethu Mohan, Aged 27 Years, D/o Mohanan P B, Parakkulam House, Kuzhikkattussery, Annallur P O, Thrissur, 680731.,.,Kerala
- 59) Hashmi Manoharan, Aged 24years, D/o T M Manoharan, Thekkoot House, Chathedathuparambu, Kodungallur, Thrissur, 680664.,.,Kerala



- 60) Jamsheer K M, Aged 27 Years, S/o Muhammed Shukkur, Kunnummal House, Thachangode Post, Chungathara, Malappuram, 679334.,.,.,Kerala
- 61) Jibin Jose, Aged 26 Years, S/o Jose M L, Mechery(H), K.Kunnu P O, Pindani, Meloor, Chalakudy, Thrissur, 680311.,.,.,Kerala
- 62) Agil R, Aged 25 Years, S/o Ravindran C, Sreesailam House, Parayankolumbu, Karippode Po, Palakkad, 678503.,.,.,Kerala
- 63) Akhila Kuttappan, Aged 28 Years, D/o Kuttappan V A, Vadakkeveetil House, Kadukutty P O, Chalakudy, Thrissur, 680309.,.,.,Kerala
- 64) Ammu A S, Aged 24 Years, D/o P N Sasikumar, Anjanam, Panappetty, Poruvazhy P O, Kollam, 690520.,.,.,Kerala
- 65) Nubaila P H, Aged 28 Years, D/o P M Hameed, Ponakudy(H), Cheruvattoor P O, Kothamangalam, Ernakulam, 686691.,.,.,Kerala
- 66) Pournami Suradh, Aged 27 Years, D/o M R Radhamony, Pranavam, Vallicode P O, Kaipattoor, Pathanamthitta , 689648.,.,.,Kerala
- 67) Ruksana K C, Aged 28 Years, D/o K C Muhammed Musliyar, Koraliyadan House Pattikkad P O, Perinthalmanna, Malappuram, 679325.,.,.,Kerala
- 68) Shahina M, Aged 26 Years, W/o Firoz P K, Poozhithara(H), Puthanangadi P O, Malappuram, 679321.,.,.,Kerala
- 69) Shanu S, Aged 30 Years, S/o Shajikumar, Keezhethattil Veedu, Muthana P O, Palayamkunnu, Trivandrum, 695146.,.,.,Kerala
- 70) A S Saranya, Aged 29 Years, D/o Kumaran Chetty, Kottamurattu, Veliyambam Post, Nadavayal, Wayanad, 673579.,.,.,Kerala
- 71) Sravyaja Valsakumar, Aged 24 Years, D/o Anitha Valsakumar, Valsapuram (H), Kolagappara P O, Sulthan Bathery, Wayanad 673591.,.,.,Kerala
- 72) Sunu Mol R, Aged 33 Years, D/o Rajan V, Krishna Nivas, Kaikuthuparambu, Nurani P O, Palakkad, 678004.,.,.,Kerala
- 73) Amritha T A, Aged 29 Years, D/o Asokan T M, Themanal House, Mapranam, Madayikonam, Thrissur, 680712.,.,.,Kerala
- 74) Anagha Sai Pramod, Aged 26years, D/o K Pramod, Saidhan(H), Koleri P O, Kenchira Via, Wayanad, 673596.,.,.,Kerala
- 75) Anjaly K R, Aged 28 Years, D/o Beena Ramesh, Kamattathil House, Kalletumkara P O, Parambiroad, Thrissur, 680683.,.,.,Kerala
- 76) Nithin D, Aged 27 Years, S/o Devarajan J, Apsara, Alummoodu, Karingannoor P O, Kollam, 691516.,.,.,Kerala



- 77) Aswanth T S, Aged 26 Years, S/o Sudhakaran, Anjali Nivas,
Kottakkal, Vadakara, Kozhikode, 673521,,,,Kerala
- 78) Ashwin Roy Johnson, Aged 26 Years, S/o Johnson M J, Manakkil
House, Maniyancode, Kalpetta, Wayanad, 673122,,,,Kerala
- 79) Chinchu P C, Aged 27 Years, D/o Chandran P P,
Puthuparambil(H), Valapad Beach P O, Thrissur,
680567,,,,Kerala
- 80) Christy Jose, Aged 28 Years, W/o Anstine Wilson, Moolaparambil
House, Vendore, Alagappanagar, Thrissur 680302,,,,Kerala
- 81) Divya Balakrishnan, Aged 27 Years, D/o Balakrishnan M S,
Machingal House, Kariyattukara, Elthuruth P O, Thrissur,
680611,,,,Kerala
- 82) Fathimath Sabira P K, Aged 29 Years, D/o Abdu P, Paruthikkuth
House, Thachinganadam P O, Pattikkad Via, Malappuram,
679325,,,,Kerala
- 83) Ganga V, Aged 26 Years, D/o P A Velayudhan, TC-75/950,
Thoppuvilakom Veedu, Pallimudukku, Pettah P O,
Thrivananthapuram, 695024,,,,Kerala
- 84) Geethu K N, Aged 32 Years, D/o K U Nakulan, Kuruppassery (H),
Kundaliyoor P O, Thrissur, 680616,,,,Kerala
- 85) Govind A, Aged 25 Years, S/o V Ambilikumar, Sreevalsam,
Parakunnu P O, Navaikulam, Thruvananthapuram,
695603,,,,Kerala
- 86) Hithesh Sai M B, Aged 27 Years, S/o Brahmanandan Nair,
Harishree, No 186, Alattukavu Nagar, Kavanadu P O, Kollam,
691003,,,,Kerala
- 87) Janusha Ravi, Aged 27 Years, D/o C V Ravi, Chetiyadan (H),
Mattathurkkunnu P O, Vasupuram, Kodakara, Thrissur,
680684,,,,Kerala
- 88) Jasiya Nasrin, Aged 26 Years, D/o P M Musammil, Padinjare
Veettil(H), Madavana P O, Kodungallur, Thrissur,
680666,,,,Kerala
- 89) Jasna N A, Aged 24 Years, D/o Abdul Kader, Naduparambil
House, Eriyad P O, Kodungallur, Thrissur, 680666,,,,Kerala
- 90) Jismariya M F, Aged 27 Years, W/o Mijo K Jose, Kizhakkoodan
House, Elinjipara P O, Chalakudy, Thrissur, 680721,,,,Kerala
- 91) Aquil M Usman, Aged 28, S/o M K Usman, Marathuparambil(H),
Wadakkanchery P O, Thrissur, 680582,,,,Kerala



- 92) Logi N Bobby, Aged 30 Years, S/o Bobby N Abraham, Nedumpurath, Makkiyad P O, Kanjirangad, Wayanad, 670731.,.,Kerala
- 93) Mushthaque K, Aged 24 Years, S/o Musthafa K, Alungal(H), Kuniyil, Kizhumparamba P O, Malappuram 673639.,.,Kerala
- 94) Rubeena T, Aged 23 Years, D/o Moidu T, Thottoli House, Tharuvana P O, Aruwal , Wayanad, 670645.,.,Kerala
- 95) Rahila K, Aged 29 Years, D/o Abdurahiman L, Thayatheel House, Cheruputhoor, Monam P O, Malappuram 673642.,.,Kerala
- 96) Fathima Sherin O K, Aged 27 Years, W/o Shihabudheen, Cheruvappully(H), Perinthattiri P O, Malappuram, 676507.,.,Kerala
- 97) Anjitha K V, Aged 25 Years, D/o Velayudhan, Kulathuvayal(H), Nathamkuni P O, Meppadi, Wayanad, 673577.,.,Kerala
- 98) Lithesh T M, Aged 30 Years, S/o T K Manilal, Thayyil House, Pullur P O, Irinjalakuda, Thrissur, 680683.,.,Kerala
- 99) Jithin A Saikrishna, Aged 28 Years, S/o M. K Ambi Achary, Ambalathinkal, Thirumarady PO ~~Ernakulam~~, 686662, Kerala.
- 100) Juel Savio Mendez, Aged 26 Years, S/o Justin Mendez, Kallachanmurry, Panditkaruppan Road, Cheranelloor, Kochi 682034.,.,Kerala

By Advs. MUHAMMAD HANEEF S & ASIF ALI M H



Respondent(s):

- 1) State of Kerala Represented by Secretary to Government, Department of Public Works, Secretariat, Thiruvananthapuram - 695001,, Kerala
- 2) Chief Engineer (Administration), Office of the Chief Engineer, Department of Public Works Thiruvananthapuram 695033,, Kerala
- 3) Additional Chief Secretary to Government, Personal & Administrative Reforms Department, Secretariat, Thiruvananthapuram - 695001 ,, Kerala

Government Pleader for the respondents.

This Original Application having been finally heard on 23rd of March 2021, the Tribunal on the same day passed the following:

1



Benny Gervacis, Acting Chairman
&
Rajesh Dewan, Member

O.A.(EKM)No. 400 of 2021

Dated this, the 23rd day of March, 2021

ORDER

Benny Gervacis, Ag. Chairman

The applicants/candidates who applied for the post of Third Grade Overseer in the Public Works Department/Irrigation Department pursuant to Annexure-A1 notification issued by the Public Service Commission inviting applications for the post notified as Category No.247/2018 are before this Tribunal aggrieved by the proceedings initiated for amendment of the Kerala Engineering Subordinate Service Rules, 1958.

2. As per Rule 2(5) of the Special Rules, the appointment to Third Grade Overseer is by direct recruitment and promotion from Category 7 (blue printers) and in their absence by transfer from Attenders from the Department and a ratio of 3:1 is prescribed between the two methods. The

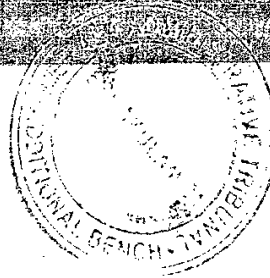
2



post of blue printers were abolished in the department and qualified Attenders are also not available. Hence, the entire vacancies were being filled up through the Public Service Commission. Aggrieved by this, Office Attendants in the departments moved the official respondent for amendment of the special rules to include them in the feeder category for by transfer appointment as Overseer Grade-III. On rejection of their representation, they moved this Tribunal and pursuant to the directions therein, proceedings were initiated to amend the special rules.

2.The second respondent has submitted Annexure-A4 proposal for amendment of the special rules substituting the existing method as by transfer from lower category of officers including Office Attenders below scale of pay of Third Grade Overseer. Pursuant thereto Annexure-A5 draft rules have been issued by the first respondent for removal of category 7 blue printers and further substituting Rule 2(5) providing by transfer appointment from lower category of officers including Office Attenders below the scale of pay of Third Grade

3



Overseers. It is the case of the applicant that on the above draft rules being finalized, the direct recruits would be prejudicially affected and their prospects for employment would be curtailed.

4. The first respondent, it is stated, has called for discussions with the service unions for finalization of the draft. The applicants in the meanwhile preferred Annexure-A7 representation before the first respondent ventilating their grievances and putting forth their objections to the proposed amendment. Learned counsel seeks a direction to the first respondent to consider and pass appropriate orders on Annexure-A7.

5. The learned counsel also refers to Annexure-A8 order in W.P.(C)No.3623/2021 wherein the Hon'ble High Court in a writ petition preferred by them found that the issue raised by the applicants related to recruitment to Government service and that the objections to the amendment proposed to the Special Rules was on the ground that it will affect their rights and therefore it would come within the jurisdiction

4



of this Tribunal. The writ petition was accordingly dismissed without prejudice to the rights of the applicants to move this Tribunal. Learned counsel therefore seeks a direction to the respondents to consider and pass appropriate orders on Annexure-A7 representation taking note of the observations in Annexure-A8 judgment.

The Original Application is disposed of directing the first respondent to consider and pass appropriate orders on Annexure-A7 representation in accordance with law and after affording a hearing/virtual hearing to the applicants or their authorized representative and other affected persons within a period of three months from the date of receipt of a certified copy of this order. All the contentions in the O.A. are left open.

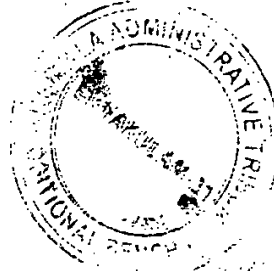
Sd/- Benny Gervasis (Ag. chairman)

Sd/- Rajesh Dewan (Member)

ks

APPENDIXOA[EKM]-400/2021APPLICANT'S ANNEXURES:

- Annexure A1- A true copy of the notification of Category No.247/18 published on 29.12.2018 by the Kerala Public Service Commission.
- Annexure A2- A true copy of the order of the Honourable Kerala Administrative Tribunal dt. 26.10.2017 in OA(E) No.2406/2017.
- Annexure A3- A true copy of the order of the Honourable Kerala Administrative Tribunal dt. 04.02.2019 in OA.No.30/2019.
- Annexure A4- A true copy of the communication bearing No.E.A2/7197/18 dt. 05.09.2019 submitted by the 2nd respondent before the 1st respondent.
- Annexure A5- A true copy of the draft notification proposing amendment to the Kerala Engineering Subordinate Service Rules, 1958.
- Annexure A6- A true copy of the communication bearing No.PWD-B3/276/2019-PWD dt. 07.12.2020 issued by the 1st respondent to the 2nd respondent .
- Annexure A7- A true copy of the representation dt. 22.01.2021 submitted before the 1st respondent..



Annexure A8 - A true copy of the judgment dt. 17.02.2021 in W.P.(C) No.3623/2021 on the file of the Honourable High Court of Kerala.

Annexure A9 - A true copy of the order dt. 21.03.2019 in O.A.No.632/2019 on the file of this Honourable Tribunal.

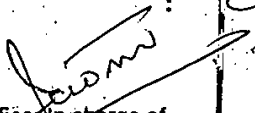
Annexure A10 - A true copy of the judgment dt. 08.08.2019 in O.P. (KAT) No.160/2019 on the file of the Honourable High Court of Kerala. [Annexures A8 to A10 are produced along with M.A(Ekm)593 of 2021].

Handwritten initials and marks.

certified that this a true and accurate copy of the document/order as in the case file (OA/RAT/CPMA/PT No. OA (E) 400 21 20...21) and faithfully copied with no modification. *ERMI*
Officer in charge of Copying Branch

Receipt No : 5123442/2021/OS-PWD

Kerala Administrative Tribunal Addl. Bench, EKM	:	OA (E) A00/2021
Serial no. of the copy application	:	510 /2021
Name of the applicant	ADV. :	MUHAMMAD HANEEF
Date of presentation of application	:	24. 03. 2021
No. of pages	:	13
Copying fee charged (urgent or ordinary)	:	₹ 26/-
Date of preparation of copy	:	31. 03. 2021
Date on which copy is ready	:	31. 03. 2021
Date notified for appearance to received copy	:	03. 04. 2021
Date of delivery.	:	03. 04. 2021


Officer in charge of
Enquiry Branch

O.A[EKM]-400/2021 കേസുമായി ബന്ധപ്പെട്ട hearing-ന...

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O.A[EKM]-400/2021 കേസുമായി ബന്ധപ്പെട്ട



Anand Bose <anandbose867@gmail.com>
to me

Sir,

O.A[EKM]-400/2021 കേസുമായി ബന്ധപ്പെട്ട 100 Appli-
കാർക്കുള്ള hearing നടത്തുന്നതിനായി അപ്രായോഗികമായതിനാൽ

- 1) Anand Bose N - 9747709054
- 2) C T Sharafudheen - 9847696031
- 3) Amal A V - 9847836828
- 4) Ajmal E B - 9995865722
- 5) Biji V I - 8281776646
- 6) Jisin Jose - 8156839216
- 7) Sajid A K - 9544484843
- 8) Arjun - 9744127556
- 9) As Had K C - 8086407071

Yours Faithfully

Anand Bose N

Meet

New meeting

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Reply

Forward

File No.PWD-B3/50/2021-PWD

**GOVERNMENT OF KERALA**

Public Works(B)Department

No.PWD-B3/50/2021-PWD

30/04/2021,Thiruvananthapuram

From

Secretary to Government

To

1. Sri.Sajid A. K
S/o Abdul Hameed
Areekaadan House, Eranhimangad PO
Malappuram -679329
2. Sri.Anand Bose.N
S/o N D Bose
Nambonthara House
Cherai PO, Ernakulam-683514

Sir,

Sub: PWD-Estt-OA EK M No.400/2021 filed by Sajid AK & others -Final Order dated 23.03.2021- Compliance- Hearing Notice serving -reg

- Ref: 1.Final order of the Hon'ble Kerala Administrative Tribunal dated 23.03.2021 in OA(EK)No.400/2021
2.Letter dated 13.04.2021 received from Sri.Anand Bose.N
3.E-mail dated 28.04.2021 received from Sri.Anand Bose N

I am to invite your attention to the references cited and inform you that as ordered in the final order referred 1st above, Smt.Anitha B.C, Deputy Secretary, Public Works Department will hear you in person through Google Meet on 03.05.2021 Monday at 2.30 PM. The Google Meet link will be informed you later. I am therefore to request you to make it convenient to attend the online hearing with relevant documents without fail. For more details contact 0471- 2518705 / 2518557.

Yours Faithfully,

JOY S**UNDER SECRETARY**

For Secretary to Government.

File No.PWD-B3/50/2021-PWD

Approved for Issue,

Section Officer.

Copy To: 1.Chief Engineer(Admn), Public Works Department, Thiruvananthapuram (you are directed to depute a competent officer for the online hearing with a detailed report without fail.)

2. Personnel & Administrative Reforms Department(That department is requested to authorise a competent officer to attend the online hearing as ACS(P&ARD) is the 3rd respondent in the OA)

3. D.S



Office of the Advocate General, Kerala, Ernakulam

Phone (PABX): 0484-2393844, 0484-2395050, 0484-2395052
 FAX: 0484-2394674 e-mail: advocategeneralkerala@gmail.com

R3 - WPC 3623/2021/2021009915



2021009915

Dated : 27-02-2021

From

The Advocate General,
Kerala

To

1. ADDITIONAL CHIEF SECRETARY
PERSONNEL & ADMINISTRATIVE REFORMS DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM 695 001
2. SECRETARY
PUBLIC WORKS DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM 695 001



Sir,

Sub:- WPC 3623/2021 filed by SAJID A.K. and other(s) - Dismissed by Hon'ble HIGH COURT OF KERALA on 17-02-2021
 - WPC and Judgement Forwarding of - Reg.

Kind attention is invited to the above. I am directed to inform Government/you that the above case was dismissed by the Hon'ble HIGH COURT OF KERALA on 17-02-2021. A copy of the judgement is enclosed for information and necessary action.

Yours faithfully,
Sd/-

RINIMOL RAPHY (353765)
Deputy Secretary - IV
Phone : 04842564919
For ADVOCATE GENERAL

Enclosure :-

WPC AND JUDGEMENT

Copy to:-

CHIEF ENGINEER
PWD, THIRUVANANTHAPURAM.

Approved for issue

Section Officer

IN THE HIGH COURT OF KERALA AT ERNAKULAM



PRESENT

THE HONOURABLE MRS. JUSTICE ANU SIVARAMAN

WEDNESDAY, THE 17TH DAY OF FEBRUARY 2021 / 28TH MAGHA, 1942

WP(C).No.3623 OF 2021(C)PETITIONER/S:

- 1 SAJID A.K.
AGED 36 YEARS
S/O.ABDUL HAMEED, AREEKADAN HOUSE, ERANHIMANGAD P.O.,
MALAPPURAM - 679 329
- 2 AS HAD K.C.
AGED 24 YEARS
S/O.ABDUL KHADAR, KARAPPANCHERI (H), KARULAI P.O.,
MALAPPURAM - 679 330
- 3 AJMAL E.B.
AGED 25 YEARS
S/O.BASHEER A.M., ETTUKATTIL HOUSE, EDATHALA P.O.,
ALUVA, ERNAKULAM - 683 563.
- 4 ANAND BOSE N.
AGED 29 YEARS
S/O.N.D.BOSE, NAMBONTHARA HOUSE, CHERAI P.O.,
ERNAKULAM - 683 514
- 5 KAVYA A.J.
AGED 28 YEARS
D/O.JANARDHANAN A.K., ALAKKAL HOUSE, EDAMUTTAM P.O.,
THRISSUR - 680 568.
- 6 LEESHMA MUMTHAJ
AGED 31 YEARS
W/O.SHANAVAS K.P., PALARI HOUSE, MOOPPANAD, MEPPADI,
WAYANAD - 673 577.
- 7 KRISHNENDU P.M.
AGED 27 YEARS
D/O.MOHANAN P.A., PUTHENPURAKKAL, NEDUNGANAM,
KARUMATHRA P.O., THRISSUR - 680 123.
- 8 LOEEMA ROSE C.V.
AGED 25 YEARS
D/O.VARGHESE C.O., CHITILAPPILLY, PARAPPUR P.O.,
THRISSUR - 680 552.
- 9 NASREEN K.S.

WP(C).No.3623 OF 2021



2

- AGED 26 YEARS
D/O.SULAIMAN, KARIPAMKULAM HOUSE, PAZHUVIL P.O.,
THRISSUR - 680 564.
- 10 NEETHU K.
AGED 30 YEARS
W/O.NEERAJ P.R., PANAMBILLY HOUSE, KOTTANELLUR
P.O., VELLAGALLUR VIA., THRISSUR - 680 662.
- 11 NIJI P.V.
AGED 31 YEARS
D/O.VIJAYAN P.N., PARESHAPPIL HOUSE, VARNDARAPPILLY
P.O., THRISSUR - 680 303.
- 12 NIVEDYA T.M.
AGED 25 YEARS
D/O.MURALEEDHARAN T.B., THEKKOOT HOUSE, VALLACHIRA
P.O., THRISSUR - 680 651.
- 13 RESHMA T.R.
AGED 27 YEARS
D/O.RAMESH T.A., THAYYIL HOUSE, NORTH THORAVE,
PUDUKKAD P.O., THRISSUR - 680 301.
- 14 SHABEEBA K.T.
AGED 25 YEARS
D/O.MOOSSA K., KANAKKARTHODI HOUSE, VADAKKANGARA
P.O., MANKADA VIA., MALAPPURAM - 679 324.
- 15 ANJU K.P. CERTIFIED COPY
AGED 28 YEARS
D/O.VENUGOPAL K.P., PILIYALIL HOUSE, VADAKKANGARA,
MANKADA, MALAPPURAM - 679 324.
- 16 AYYOOB SWADIQUE K.K.
AGED 26 YEARS
S/O.MUHAMMED KUTTY, KAVUNGAL, KELEPPURATH,
MALAPPURAM - 676 551.
- 17 CHAITHRA K.V.
AGED 29 YEARS
D/O.VELAYUDHAN, KOTTARAKOTH, PUTHUPPADI, KOZHIKODE
- 673 586.
- 18 DHILSHAD
AGED 29 YEARS
S/O.KOYAMU, CHAKKARATHODI HOUSE, IRRINGALLUR P.O.,

WP(C).No.3623 OF 2021



3

THIRURANGADI, MALAPPURAM - 676 304.

- 19 FARSANA P.V.
AGED 28 YEARS
D/O.AHAMMED P.V., PILIYALIL VAZHAYIL,
KARINCHAPPADI, VETTALLUR P.O., MALAPPURAM - 676
507.
- 20 JAYADEV P.S.
AGED 28 YEARS
S/O.SAMASEKHARAN NAIR, PARAMBANAL, THAZHE
PUTHUKKULAM, LAKKATTCOR P.O., PAMBADY, KOTTAYAM -
686 502.
- 21 JITHESH P.C.
AGED 27 YEARS
S/O.CHAMIYAR P. PALLIKKAD (H), PARUVASSERY,
VADAKKENCHERRY - 1, PALAKKAD - 678 686.
- 22 VINU V.S.
AGED 26 YEARS
D/O.V.M.SAJEEVAN, VALLIKKADA HOUSE, MOTHIRAKKANNY
P.O., CHALAKKUDY, THRISSUR - 680 724.
- 23 MOHAMMD SHARAFUDEEN T.
AGED 25 YEARS
S/O.MOIDEEN, THANDAYATH, MANKADAPALLIPURAM,
MALAPPURAM - 679 324.
- 24 SARANYA K. CERTIFIED COPY
AGED 27 YEARS
D/O.ARUMUGHAN K., KAMMUKKIL HOUSE, RAMAPURAM P.O.,
MALAPPURAM - 679 321.
- 25 SARATH M.
AGED 24 YEARS
S/O.SIVANANDAN M., MELATT HOUSE, MAKKADA P.O.,
KAKKODI VIA, KOZHIKODE - 673 611.
- 26 SARATH M.S.
AGED 23 YEARS
S/O.MADHU S., M.S.BHAVAN, GANDHISMARAKOM,
PERUNGUZHI P.O., THIRUVANANTHAPURAM - 695 305.
- 27 SHIBIL UMAR
AGED 27 YEARS
S/O.UMAR ABDULLA, ANDORRATHODI HOUSE, ANGADIPPURAM,

WP(C).No.3623 OF 2021



4

MALAPPURAM - 679 321.

- 28 SRIJIN JITH A.S.
AGED 26 YEARS
S/O.AJITH KUMAR, SREEVISHAKHAM, KALLUETTANKUZH, VENGANOR P.O., TRIVANDRUM - 695 523.
- 29 SREELAKSHMI H.
AGED 27 YEARS
W/O.PRASOBH K., SREEPRABHA, NALLUR, FEROKE, KOZHIKODE - 673 631.
- 30 SWATHY NAIR M.
AGED 25 YEARS
D/O.SASTHARAN NAIR M., SANJEEVANI, DURGA NAGAR, POOMALLIYOORKONAM, PEROORKADA P.O., THIRUVANANTHAPURAM - 695 005
- 31 VISHUNPRASAD M.
AGED 26 YEARS
S/O.RADHAKRISHNAN THUNDATHIL HOUSE, AVINISSERY P.O., OLLUR, THRISSUR - 680 306.
- 32 SOUMYA O.
AGED 34 YEARS
D/O.SOMASUNDHARAN, ORKOTTIL HOUSE, ANGADIPPURAM P.O., MALAPPURAM - 679 321.
- 33 OSHIN VENUGOPAL
AGED 27 YEARS
D/O.VENUGOPAL P.S., PULIKKAL HOUSE, NATTIKA BEACH P.O., THRISSUR - 680 566.
- 34 RAJI C.R.
AGED 35 YEARS
W/O.ABHILASH P.S., PALLATHERY HOUSE, MATTATHOORKUNNU P.O., MOOLAMKUDAM, KODAKARA, THRISSUR - 680 684.
- 35 BEEMA S.
AGED 28 YEARS
D/O.SHIHABUDHEEN, VILAYIL VEEDU, MYLAPURE, Umayanalloor P.O., KOLLAM - 691 589.
- 36 PRASANTH
AGED 28 YEARS
S/O.NARAYANAN, KANAKUZHYYIL, KALAMPOOR, PIRAVOM,

WP(C).No.3623 OF 2021



5

ERNAKULAM - 686 664.

- 37 SHAHIR S.
AGED 27 YEARS
S/O.SHAJAHAN K., ROSE VILLA, DECENTMUKKU,
MARUTHIKUNNU P.O., THIRUVANANTHAPURAM - 675 603.
- 38 FASALUDHEEN A.
AGED 28 YEARS
S/O.MOOSA A., BRIGHT HOUSE, CHERUKAVU, PULIKKAL,
MALAPPURAM - 673 637.
- 39 MUHAMMED HAFIS
AGED 29 YEARS
S/O.MOHAMMED BASHEER IP, ILLATHPPARAMBIL HOUSE,
NIRAMARUTHUR P.O., TIRUR, MALAPPURAM - 676 109.
- 40 MOHAMMED FAZIL P.
AGED 24 YEARS
S/O.MOIDEEN P., PERINGODAN HOUSE, PERUMANNUR P.O.,
VALANCHERY, MALAPPURAM - 686 693.
- 41 THASNI K.M.
AGED 27 YEARS
D/O.MUSTHAPHA K.B. KODAPANAKUNNATH HOUSE, VIP
STREET, NHANGHATTIRI P.O., PATTAMBI VIA, PALAKKAD -
679303.
- 42 UNAIS K.P.
AGED 24 YEARS
S/O.SAIDALAVI K.P., KIZHAKKEPARAMBIL HOUSE,
VELLILA, VELLILA P.O., MANKADA VIA., MALAPPURAM -
679 324.
- 43 ARUN K.R.
AGED 25 YEARS
S/O.K.P.RAVI, KURUNNAKUDY HOUSE, VAIKKARA P.O.,
VAIKKARA, ERNAKULAM - 683 549.
- 44 SAKKEER HUSSAIN
AGED 37 YEARS
S/O.SAIDALAVI, KUTTIAMIKADAVTH HOUSE, PARAVANNA
P.O., TIRUR, MALAPPURAM - 676 502.
- 45 MANU K.CHACKO
AGED 36 YEARS
S/O.CHACKO, KAVANAMALIL 11, MALAMURY, RAYAMANGALAM,

HIGH COURT OF KERALA

CERTIFIED COPY

WP (C) .No.3623 OF 2021



6

ERNAKULAM - 683 545.

- 46 MURSHIDA E.C.
AGED 25 YEARS
W/O.MUHAMMED NIYAS A., AKKALA HOUSE, KARUVAMBRAM
P.O., MANJERI, MALAPPURAM - 676 123.
- 47 DILRUPA K.M.
AGED 31 YEARS
D/O.RAHAMATHULLA, RAHMATH MANZIL, POOVANCHIRA,
RANDATHANI, MALAPPURAM - 676 510.
- 48 AKBARSHAH M.
AGED 26 YEARS
S/O.MASOOD P., TC 63/3304, KUNJUVEEDU, POONTHURA
P.O., THIRUVANANTHAPURAM - 695 026.
- 49 AKHIYAMOL M.B.
AGED 25 YEARS
D/O.BHANU PRIYAN M.S., MUKULATH HOUSE, KANIYAMBETTA
P.O., KODOTHUMMAL, WAYANAD - 673 121.
- 50 KARTHIKA RAMESH K.V.
AGED 25 YEARS
D/O.RAMESAN K., KAVINISSERI, KOROM, CHALAKODE P.O.,
PAYYANUR, KANNUR - 670 307.
- 51 APARNA VIJAYAN
AGED 26 YEARS
D/O.VIJAYAN A.J.G., SASSARATHARA (H), KOTTARAKKUNNU
P.O., CHERUKARA, WAYANAD - 670 731.
- 52 ARYA VISWAN
AGED 30 YEARS
D/O.A.K.VISWAMBARAN, ARANGATTY (H), VELLANCHIRA
P.O., THRISSUR - 680 697.
- 53 ASHIQUE C.S.
AGED 28 YEARS
S/O.SAVARUDDEEN A., CHUNGATHUPARAMBIL HOUSE,
VALIYAPARAMBU, MALA, THRISSUR - 680 732.
- 54 ATHIRA T.
AGED 28 YEARS
W/O.BAIJU C., CHERIYIL HOUSE, KAPPUMUGHAM,
THAZHEKODE WEST POST, PERINTALMANNA VIA.,
MALAPPURAM - 679341.

WP(C).No.3623 OF 2021

7



- 55 BASIL P. ALIAS
AGED 27 YEARS
S/O. ALIAS P.M., PALAKUNNEL (H), KADACKANAD P.O.,
KOLENCHERY, ERNAKULAM - 682 311.
- 56 BISSY VARGHESE
AGED 30 YEARS
W/O. ARUN JOY JOSEPH, ELENJIKUZHIYIL (H), KUNNACKAL
P.O., VALAKOM, ERNAKULAM - 682 316.
- 57 DILNA FRANCIS
AGED 27 YEARS
W/O. BABIN JAMES, VAYALUNKAL HOUSE, EZHUKUMVAYAL
P.O., UDUMBANGHOLA, IDUKKI - 685 553.
- 58 GEETHU MOHAN
AGED 27 YEARS
D/O. MOHANAN P.B., PARAKKULAM HOUSE,
KUZHEKKATTUSSERY ANNALLUR P.O. THRISSUR - 680
731.
- 59 HASHMI MANOHARAN
AGED 24 YEARS
D/O. T.M. MANOHARAN, THEKKOOT HOUSE,
CHATHEDATHUPARAMBU, KODUNGALLUR, THRISSUR - 680
664.
- 60 JAMSHEER K.M.
AGED 27 YEARS
S/O. MUHAMMED SHUKKUR, KUNNUMMAL HOUSE, THACHANGODE
POST, CHUNGATHARA, MALAPPURAM - 679 334.
- 61 JIBIN JOSE
AGED 26 YEARS
S/O. JOSE M.L., MECHERY (H), K.KUNNU P.O., PINDANI,
MELOOR, CHALAKUDY, THRISSUR - 680 311.
- 62 AGIL R.
AGED 25 YEARS
S/O. RAVINDRAN C., SREESAILAM HOUSE, PARAYANKOLUMBU,
KARIPODE P.O., PALAKKAD - 678 503.
- 63 AKHILA KUTTAPPAN
AGED 28 YEARS
D/O. KUTTAPPAN V.A., VADAKKEVEETIL HOUSE, KADUKUTTY
P.O., CHALAKUDY, THRISSUR - 680 309.

WP(C).No.3623 OF 2021



8

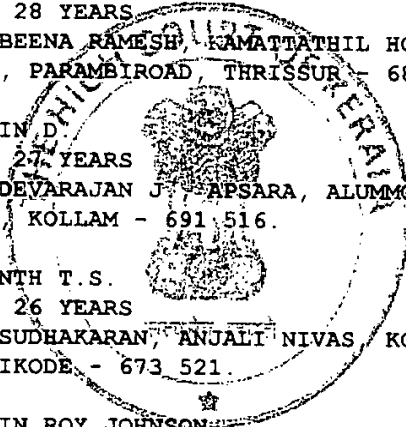
- 64 AMMU A.S.
AGED 24 YEARS
D/O.P.N.SASIKUMAR, ANJANAM, PANAPPETTY, PORUVAZHY
P.O., KOLLAM - 690 520.
- 65 NUBAILA P.H.
AGED 28 YEARS
D/O.P.M.HAMEED, PONAKUDY (H), CHERUVATTOOR P.O.,
KOTHAMANGALAM, ERNAKULAM - 686 691.
- 66 POURNAMI SURADH
AGED 27 YEARS
D/O.M.R.RADHAMONY, PRANAVAM, VALLICODE P.O.,
KAIPPATTOOR, PATHANAMTHITTA - 689 648.
- 67 RUKSANA K.C.
AGED 28 YEARS
D/O.K.C.MUHAMMED, MUSLIYAR, KORALIYADAN HOUSE,
PATTIKKAD P.O., PERINTHALMANNA, MALAPPURAM - 679
325.
- 68 SHAHINA M.
AGED 26 YEARS
W/O.FIROZ P.K., POOZHITHARA (H), PUTHANANGADI P.O.,
MALAPPURAM - 679-321.
- 69 SHANU S.
AGED 30 YEARS
S/O.SHAJIKUMAR, KEEZHETHATTIL VEEDU, MUTHANA P.O.,
PALAYAMKUNNU, TRIVANDRUM - 695 146.
- 70 A.S.SARANYA
AGED 29 YEARS
D/O.KUMARAN CHETTY, KOTTAMURATTU, VELIYAMBAM POST,
NADAVAYAL, WAYANAD - 673 579.
- 71 SRAVYAJA VALSAKUMAR
AGED 24 YEARS
D/O.ANITHA VALSAKUMAR, VALSAPURAM (H), KOLAGAPPARA
P.O., SULTHAN BATHERY, WAYANAD - 673 591.
- 72 SUNU MOL R.
AGED 33 YEARS
D/O.RAJAN V., KRISHNA NIVAS, KAIKUTHUPARAMBU,
NURANI P.O., PALAKKAD - 678 004.

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- 73 AMRITHA T.A.
AGED 29 YEARS
D/O.ASOKAN T.M., THEMANAL HOUSE, MAPRANAM,
MADAYIKONAM, THRISSUR - 680 712.
- 74 ANAGHA SAI PRAMOD
AGED 26 YEARS
D/O.K.PRAMOD, SAIDHAN (H), KOLERI P.O., KENCHIRA
VIA., WAYANAD - 673 596.
- 75 ANJALY K.R.
AGED 28 YEARS
D/O.BEENA RAMESH, KAMATTATHIL HOUSE, KALLETUMKARA
P.O., PARAMBIROAD, THRISSUR - 680 683.
- 76 NITHIN D.
AGED 27 YEARS
S/O.DEVARAJAN J., APSARA, ALUMMOODU, KARINGANNOOR
P.O., KOLLAM - 691 516.
- 77 ASWANTH T.S.
AGED 26 YEARS
S/O.SUDHAKARAN, ANJALI NIVAS, KOTTAKKAL, VADAKARA,
KOZHIKODE - 673 521.
- 78 ASHWIN ROY JOHNSON
AGED 26 YEARS
S/O.JOHNSON M.J., MANAKKIL HOUSE, MANIYANCODE,
WAYANAD - 673 122
- 79 CHINCHU P.C.
AGED 27 YEARS
D/O.CHANDRAN P.P, PUTHUPARAMBIL (H), VALAPAD BEACH
P.O., THRISSUR - 680 567.
- 80 CHRISTY JOSE
AGED 28 YEARS
W/O.ANSTINE WILSON, MOOLAPARAMBIL HOUSE, VENDORE,
ALAGAPPANAGAR, THRISSUR - 680 302.
- 81 DIVYA BALAKRISHNAN
AGED 27 YEARS
D/O.BALAKRISHNAN M.S., MACHINGAL HOUSE,
KARIYATTUKARA, ELTHURUTH P.O., THRISSUR - 680 611.
- 82 FATHIMATH SABIRA P.K.
AGED 29 YEARS


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D/O.ABDU P., PARUTHIKKUTH HOUSE, THACHINGANADAM
P.O., PATTIKKAD VIA., MALAPPURAM - 679 325.

- 83 GANGA V.
AGED 26 YEARS
D/O.P.A.VELAYUDHAN, TC 75/950, THOPPUVILAKOM VEEDU,
PALLIMUDUKKU, PETTAH P.O., THIRUVANANTHAPURAM - 695
024.
- 84 GEETHU K.N.
AGED 32 YEARS
D/O.K.U.NAKULAN KURUPPASSRY (H), KUNDALIYOOR P.O.,
THRISSUR - 680 616.
- 85 GOVIND
AGED 25 YEARS
S/O.V.AMBILIKUMAR SREEVALSAM, PARAKUNNU P.O.,
NAVAIKULAM, THIRUVANANTHAPURAM - 695 603.
- 86 HITHESH SAI M.B.
AGED 27 YEARS
S/O.BRAHMANANDAN NAIR, HARISHREE NO.186, ALATTUKAVU
NAGAR, KAVANADU P.O., KOLLAM - 691 003.
- 87 JANUSHA RAVI
AGED 27 YEARS
D/O.C.V.RAVI, CHETTYADAN (H), MATTATHURKKUNNU P.O.,
VASUPURAM, KODAKARA, THRISSUR - 680 684.
- 88 JASIYA NASRIN
AGED 26 YEARS
D/O.P.M.MUSAMMIL, PADINJARE VEETIL (H), MADAVANA
P.O., KODUNGALLUR, THRISSUR - 680 666.
- 89 JASNA N.A.
AGED 24 YEARS
D/O.ABDUL KADER, NADUPARAMBIL HOUSE, ERIYAD P.O.,
KODUNGALLUR, THRISSUR - 680 666.
- 90 JISMARIYA M.F.
AGED 27 YEARS
W/O.MIJO K.JOSE, KIZHAKKODAN HOUSE, ELINJIPARA
P.O., CHALAKUDY, THRISSUR - 680 721.
- 91 AQUIL M.USMAN
AGED 28 YEARS
S/O.M.K.USMAN, MARATHUPARAMBIL (H), WADAKKANCHERY

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P.O., THRISSUR - 680 582.

- 92 LOGI N.BOBY
AGED 30 YEARS
S/O.BOBY N.ABRAHAM, NEDUMPURATH, MAKKIYAD P.O.,
KANJIRANGAD, WAYANAD - 670 731.
- 93 MUSHTHAQUE K.
AGED 24 YEARS
S/O.MUSTHAF A.K.ALUNGAL (H), KUNIYIL, KIZHUMPARAMBA
P.O., MALAPPURAM - 673 639.
- 94 RUBEENA T.
AGED 23 YEARS
D/O.MOUDU T., THOTTOLI HOUSE, THARUVANA P.O.,
ARUWAL, WAYANAD - 670 645.
- 95 RAHILA K.
AGED 29 YEARS
D/O.ABDURAHIMAN L., THAYATHEEL HOUSE, CHERUPUTHOOR,
MONAM P.O., MALAPPURAM - 673 642.
- 96 FATHIMA SHERIN O.K.
AGED 27 YEARS
W/O.SHIHABUDHEEN, CHERUVAPPULLY (H), PERINTHATTIRI
P.O., MALAPPURAM - 676 507.
- 97 ANJITHA K.
AGED 25 YEARS
D/O.VELAYUDHAN, KULATHUVAYAL (H), NATHAMKUNI P.O.,
MEPPADI, WAYANAD - 673 577.
- 98 LITESH T.M.
AGED 30 YEARS
S/O.T.K.MANILAL, THAYYIL HOUSE, PULLUR P.O.,
IRINJALAKUDA, THRISSUR - 680 683.
- 99 JITHIN A.SAIKRISHNA
AGED 28 YEARS
S/O.M.K.AMBI ACHARY, AMBALATHINKAL, THIRUMARADY
P.O., ERNAKULAM - 686 662.
- 100 JUEL SAVIO MENDEZ
AGED 26 YEARS
S/O.JUSTIN MENDEZ, KALLACHANMURRY, PANDITKARUPPAN
ROAD, CHERANELLOOR, KOCHI - 682 034.

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BY ADVS.
SRI.M.H.ASIF ALI
SRI.S.MUHAMMED HANEEFF

RESPONDENT/S:

- 1 STATE OF KERALA
REPRESENTED BY SECRETARY TO GOVERNMENT, DEPARTMENT
OF PUBLIC WORKS, SECRETARIAT, THIRUVANANTHAPURAM -
695 001.
- 2 CHIEF ENGINEER (ADMINISTRATION)
OFFICE OF THE CHIEF ENGINEER, DEPARTMENT OF PUBLIC
WORKS, THIRUVANANTHAPURAM - 695 033.
- 3 ADDITIONAL CHIEF SECRETARY TO GOVERNMENT
PERSONAL AND ADMINISTRATIVE REFORMS DEPARTMENT,
SECRETARIAT, THIRUVANANTHAPURAM -695 001.

SR BINJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
17.02.2021, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

HIGH COURT OF KERALA

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JUDGMENT

Dated this the 17th day of February 2021

This writ petition is filed seeking the following relief:-

(i) Issue a Writ of Mandamus or any other appropriate writ, order or direction directing the 1st respondent to consider Ext.P7 representation submitted by the petitioner after affording an opportunity of hearing to the petitioners or their authorized representative, before taking a final decision on implementing Ext.P5 proposal for amendment to the Kerala Engineering Subordinate Service Rules, 1958.

2. Heard the learned counsel for the petitioners and the learned Government Pleader.

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3. With regard to the question of maintainability of this writ petition before this Court, the learned counsel for the petitioner submits that the issue is covered by an order of the KAT dated 21.03.2019 in O.A. No.632/2019. It is submitted that the said order had been subjected to an OP(KAT), where also the finding that the O.A. is not maintainable before the KAT had been approved.

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4. The learned counsel for the petitioner submits that the petitioner is only seeking a consideration of the objections raised to amendment of the Special Rules and therefore the issue is liable to be considered by this Court.

5. Having considered the contentions advanced and having perused the order of the Administrative Tribunal, I find that the facts in the said case was completely different. The contentions in O.A.No.632/2019 was that unless the Special Rules were amended, no direct recruitment would be permissible and therefore the petitioners who were not Government Servants or aspirants to Government posts at the relevant time without the amendment being carried out could not have maintained an O.A. before the KAT.

6. In the instant case, the petitioners are applicants for direct recruitment in terms of the Special Rules. They raise objections to the amendment proposed to the Special Rules on the ground that it will affect their rights. The issue in this case, is therefore, specifically with regard to recruitment to

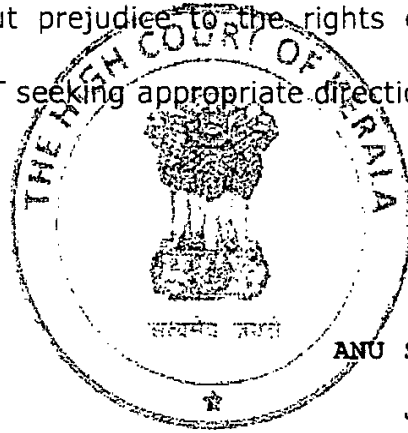
WP(C).No.3623 OF 2021



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Government Service and therefore would squarely come within the jurisdiction of the KAT as provided in Section 15 and Section 19 of the Administrative Tribunal's Act.

In the above view of the matter, the writ petition is dismissed without prejudice to the rights of the petitioner to approach the KAT seeking appropriate directions.



Sd/-

ANU SIVARAMAN

JUDGE

HIGH COURT OF KERALA

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ssa

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APPENDIX

PETITIONER'S/S EXHIBITS:

- | | |
|------------|---|
| EXHIBIT P1 | A TRUE COPY OF THE NOTIFICATION DATED 29/12/2018 IN CATEGORY NO.247/18 BY THE KERALA PUBLIC SERVICES COMMISSION. |
| EXHIBIT P2 | A TRUE COPY OF THE ORDER OF THE HON'BLE KERALA ADMINISTRATIVE TRIBUNAL DT. 26/10/2017 IN OA (E) NO.2406/2017. |
| EXHIBIT P3 | A TRUE COPY OF THE ORDER OF THE HON'BLE KERALA ADMINISTRATIVE TRIBUNAL DT. 04/02/2019 IN OA NO.30/2019. |
| EXHIBIT P4 | A TRUE COPY OF THE COMMUNICATION BEARING NO.E.A2/7197/18 DT. 05/09/2019 SUBMITTED BY THE 2ND RESPONDENT BEFORE THE PRINCIPAL SECRETARY PUBLIC WORKS (B) DEPT. TRIVANDRUM. |
| EXHIBIT P5 | A TRUE COPY OF THE DRAFT NOTIFICATION PROPOSING AMENDMENT TO THE KERALA ENGINEERING SUBORDINATE SERVICE RULES, 1958. |
| EXHIBIT P6 | A TRUE COPY OF THE COMMUNICATION BEARING NO.PWD-B3-276/2019-PWD DT. 07/12/2020 ISSUED BY THE 1ST RESPONDENT TO THE 2ND RESPONDENT. |
| EXHIBIT P7 | A TRUE COPY OF THE REPRESENTATION DT. 22/01/2021 SUBMITTED BEFORE THE 1ST RESPONDENT. |

Signature valid

Digitally signed by R SIVAPRASAD
Date: 2021.02.20 12:08:34 +05:30

Dismissed

3 copies R3

HIGH COURT OF KERALA
AT ERNAKULAM

Number and Year of the Case : WP(C) 3623/2021
Name Of Applicant : ADVOCATE GENERAL
KERALA
Number and Date of Application : A 4568/2021 , 20-02-2021
Date when the copy was delivered : 20-02-2021

Examiner

ONLINE COPY APPLICATION



Signature valid
Digitally signed by S R SIVAPRASAD
Date: 2021.02.20 12:09:28 +05:30

ഭരണഭാഷ മാതൃഭാഷ

നം. ഇഎ2/ 63412/2021

ചീഫ് എഞ്ചിനീയറുടെ കാര്യാലയം
പൊതുമരാമത്ത് വകുപ്പ് ഭരണ വിഭാഗം
തിരുവനന്തപുരം
തീയതി: 06.05.2021

പ്രേഷിതൻ
ചീഫ് എഞ്ചിനീയർ

സ്വീകർത്താവ്

സെക്രട്ടറി,
പൊതുമരാമത്ത് (ബി) വകുപ്പ്,
ഗവൺമെന്റ് സെക്രട്ടറിയേറ്റ്
തിരുവനന്തപുരം.

സർ,

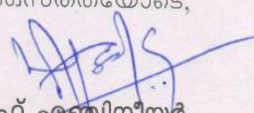
വിഷയം:- ഒ.എ. (ഇ.കെ.എം) 400/2021 - സാജിദ്. എ.കെ. & മറ്റുള്ളവർ

സൂചന :- 1) 30.04.2021 തീയതിയിലെ സർക്കാർ കത്ത് നം പൊ.മ.വ. ബി3/50/2021
2) 03.05.2021 തീയതിയിലെ ഗുഗിൾ മീറ്റ്

സൂചനയിലേക്ക് സർക്കാരിന്റെ ശ്രദ്ധ സാദരം ക്ഷണിക്കുന്നു. ഒ.എ.(ഇ.കെ.എം)400/2021-ൻമേൽ 03.05.2021 തീയതിയിലെ ഗുഗിൾ മീറ്റിംഗായി ബന്ധപ്പെട്ട റിപ്പോർട്ട് ചുവടെ കൊടുക്കുന്നു.

പൊതുമരാമത്ത് വകുപ്പിലെ ഓഫീസ് അറ്റൻഡന്റുമാരിൽ സിവിൽ കാളിഫെഡറാ യവർക്ക് മൂന്നാതരം ഓവർസീയർ തസ്തികയിലേക്ക് ബൈട്രാൻസ്ഫർ ലഭിക്കും വിധം 25% ഒഴിവുകൾ നീക്കി വച്ചുകൊണ്ട് നിലവിലെ സ്പെഷ്യൽ റൂൾ ഭേദഗതി ചെയ്യുവാനായി സർക്കാരിൽ സമർപ്പിച്ച ശിപാർശയാണ് പരാതിക്കാരുടെ കേസിനാധാരം. സ്പെഷ്യൽ റൂളിൽ പ്രസ്തുത രീതിയിൽ സർക്കാർ ഭേദഗതി വരുത്തുമ്പോൾ നിലവിലെ മൂന്നാതരം ഓവർസീ യർ (സിവിൽ) റാങ്ക് ലിസ്റ്റിൽ ഉൾപ്പെട്ട തങ്ങളുടെ അവസരങ്ങളിൽ കുറവ് വരുന്നു വെന്നും ആയതിനാൽ അവരുടെ റാങ്ക് ലിസ്റ്റിനെ ബാധിക്കാതെ പ്രശ്നം പരിഹരിക്കണമെന്നതാണ് പരാ തിക്കാരുടെ ആവശ്യം.

പൊതുമരാമത്ത് വകുപ്പിലെ നിലവിലെ സ്പെഷ്യൽ റൂളിൽ ഭേദഗതി വരുത്തുന്നതി നുള്ള ശിപാർശ സർക്കാരിനു സമർപ്പിച്ചിരുന്നു. സ്പെഷ്യൽ റൂളിൽ പ്രസ്തുത രീതിയിൽ സർക്കാർ ഭേദഗതി വരുത്തുന്നതിനു ശേഷം വരുന്ന പി.എസ്. സി നോട്ടിഫിക്കേഷനുകൾക്ക് മാത്രമേ സാധാരണ രീതിയിൽ ഭേദഗതി ബാധകമാകാറുള്ളൂ. പൊതുമരാമത്ത് വകുപ്പിൽ നിന്നും സർക്കാരിനു സമർപ്പിച്ച ശിപാർശ അതേപടി അംഗീകരിക്കാനോ, മാറ്റങ്ങൾ വരുത്തുന്ന തിനോ ഉള്ള അധികാരം സർക്കാരിനാണ്. പരാതിക്കാരുടെ വാദഗതിയിൽ അന്തിമ തീരു മാനമെടുക്കേണ്ടത് സർക്കാർ തലത്തിലാണ്.

വിശ്വസ്തതയോടെ,

ചീഫ് എഞ്ചിനീയർ

Note No. #1

Sri.Sajid A.K & others have filed OA (EKM) No.400/2021 before Hon'ble KAT , Ernakulam aggrieved by the action of Government to amend special rules in such a way that low paid employees in PWD can apply for the post of 3rd Grade Overseers. The statement of facts prepared by this department on the allegations in the OA may be seen in Drafts . The same may be recommended and forwarded to Law Department for vetting.

18/03/2021 2:50 PM

SURYASREE S
(ASO (B3) PWD)**Note No. #2**

18/03/2021 3:28 PM

DIPUKUMAR.S.L
(SO (B) PWD)**Note No. #3**

19/03/2021 10:46 AM

JOY S
(US (B) PWD)**Note No. #4**

22/03/2021 5:12 PM

ANITHA B C
(DS (B) PWD)

Note No. #5

27/03/2021 3:18 PM

K S BINDU
(JS (B) PWD)

Note No. #6

27/03/2021 5:39 PM

ANAND SINGH
(SECY (PWD))

Note No. #7

27/03/2021 9:30 PM

K S BINDU
(JS (B) PWD)

Note No. #8

29/03/2021 1:37 PM

ANITHA B C
(DS (B) PWD)

Note No. #9

29/03/2021 2:40 PM

JOY S
(US (B) PWD)

Note No. #10

30/03/2021 2:27 PM

SURYASREE S
(ASO (B3) PWD)

Note No. #11

30/03/2021 2:53 PM

BEENA S
(CRU.LAW)

Note No. #12

നമ്പർ: 6909/സ്യൂട്ട് II(3)/2021/നിയമം
No. PWD-B3/50/2021-PWD

നിയമ (സ്യൂട്ട് II) വകുപ്പ്
തീയതി: 31.03.2021

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31/03/2021 2:53 PM

ANJU C.S
(ALO (SUIT-II(3)) LAW)

Note No. #13

31/03/2021 3:16 PM

K.CHANDRA
(CRU.PWD)

Note No. #14

03/04/2021 12:34 PM

DIPUKUMAR.S.L
(SO (B) PWD)

Note No. #15

Notes above, the Law Department has given the following remarks on the draft statement of facts prepared in OA(EKM)No.400/2021 .

"ഭരണ വകുപ്പ് സൂക്ഷ്മ പരിശോധനയ്ക്കായി ലഭ്യമാക്കിയിരിക്കുന്ന കരട് വസ്തുത വിവരണ പത്രിക ഭേദഗതി വരുത്തിയ പ്രകാരം, ബഹുമാനപ്പെട്ട കേരള അഡ്വാനിസ്റ്റേറ്റീവ് ടിബ്യൂണൽ മുമ്പാകെ ശ്രീ.സാജിദ് എ. കെ ഫയൽ ചെയ്ത OA(EKM) 400/2021 നമ്പർ കേസിൽ ഒന്നാം എതിർകക്ഷിക്ക് വേണ്ടി എതിർ സത്യവാങ്മൂലം തയ്യാറാക്കുന്നതിനു പര്യാപ്തമാണ്. ആയത് അഡ്വക്കേറ്റ് ജനറലുമായി കൂടിയാലോചിച്ച് ഫയൽ ചെയ്യേണ്ടതാണ്. പ്രസ്തുത പത്രികയുടെ ഉള്ളടക്കത്തിന്റെ കൃത്യത ഭരണവകുപ്പ് പരിശോധിച്ച് അവ പൂർണ്ണമായും ശരിയാണെന്ന് ഉറപ്പുവരുത്തേണ്ടതും വസ്തുത വിവരണ പത്രികയിൽ തെളിവായി ഹാജരാക്കുന്ന രേഖകൾ Exhibit R1(1), R1(2),. . .എന്ന ക്രമത്തിൽ അടയാളപ്പെടുത്തി വസ്തുത വിവരണ പത്രികയോടൊപ്പം ഹാജരാക്കേണ്ടതുമാണ് എന്ന വിവരം ഭരണവകുപ്പിനെ അറിയിക്കുന്നു."

In the circumstances , the revised draft statement of facts may be submitted for approval so as to forward the same to AG,EKM.

09/04/2021 2:41 PM

SURYASREE S
(ASO (B3) PWD)

Note No. #16

09/04/2021 4:26 PM

DIPUKUMAR.S.L
(SO (B) PWD)

Note No. #17

14/04/2021 10:56 AM

JOY S
(US (B) PWD)

Note No. #18

It is ascertained that final orders specifying time limit for compliance has been forwarded from the court, in this case. Hence, the file is returned to the section for examining the same.

19/04/2021 3:44 PM

ANITHA B C
(DS (B) PWD)**Note No. #19**

Sri.Sajid A.K & others have filed OA (EKM) No.400/2021 before Hon'ble KAT , Ernakulam aggrieved by the action of Government to amend special rules in such a way that low paid employees in PWD can apply for the post of 3rd Grade Overseers.

Hon'ble KAT has now pronounced its final order in OA(Ekm)No.400/2021 which may be seen at pages [76-89 CF](#) . The Hon'ble KAT has disposed of the OA with a direction to the 1st Respondent Government to consider and pass appropriate orders on Annexure A7 representation (may be seen at pages [44 - 57 CF](#)) in accordance with law and after affording a hearing/virtual hearing to the applicants or their authorised representative and other affected persons within a period of three months from the date of receipt of a certified copy of the order. The time limit to comply the order is 15.07.2021.

In the circumstances , file may be submitted to authorise a competent officer to hear the applicants and other affected parties in the OA.

19/04/2021 5:03 PM

SURYASREE S
(ASO (B3) PWD)

Note No. #20

20/04/2021 10:49 AM

DIPUKUMAR.S.L
(SO (B) PWD)**Note No. #21**

Higher officer may be authorised.

20/04/2021 11:18 AM

JOY S
(US (B) PWD)**Note No. #22**

This file deals with the OA (EKM) No.400/2021 filed by Sri. Sajid. A. K., & others before Hon'ble KAT, Ernakulam aggrieved by the action of Government to amend the special rules in such a way that the low paid employees in PWD can apply for the post of 3rd Grade Overseers. The Hon'ble KAT has now pronounced its final order in OA(Ekm)No.400/2021(pages 76-89 CF) by disposing the OA,with a direction to the 1st Respondent, the Government to consider and pass appropriate orders on Annexure A7 representation (pages 44 - 57 CF) in accordance with law and after affording a hearing/virtual hearing to the applicants or their authorized representative and other affected persons within a period of three months from the date of receipt of a certified copy of the order. The time limit to comply the order is 15.07.2021. In the circumstances, the file may be submitted to authorize a competent

officer to hear the applicants and other affected parties in the OA.

21/04/2021 12:50 PM

ANITHA B C
(DS (B) PWD)

Note No. #23

Notes above may kindly be seen. Deputy Secretary may be authorised to hear the applicants and other affected parties in OA(EKM) 400/2021 for orders

21/04/2021 1:53 PM

K S BINDU
(JS (B) PWD)

Note No. #24

21/04/2021 4:07 PM

RAJESH KUMAR SINGH IAS
(ACS (PWD))

Note No. #25

21/04/2021 5:21 PM

K S BINDU
(JS (B) PWD)

Note No. #26

They may be asked whether they are willing for Google Meet, in view of the Corona pandemic, prevailing in the state. Collect the phone numbers of the officers for hearing, and submit.

26/04/2021 5:07 PM

ANITHA B C
(DS (B) PWD)

Note No. #27

27/04/2021 3:02 PM

JOY S
(US (B) PWD)**Note No. #28**

As ordered above contacted Sri. Anand Bose over phone and he replied that he will inform their opinion on google meet and details of their representative tomorrow by contacting either the section phone no. 0471-2518705 or official no. of DS (0471-2518557)

27/04/2021 3:27 PM

DIPUKUMAR.S.L
(SO (B) PWD)**Note No. #29**

Applicants നെ പ്രതിനിധീകരിച്ച് ഹിയറിംഗിനു പങ്കെടുക്കുന്ന 9 പേരുടെ വിവരങ്ങൾ ശ്രീ.ആനന്ദ് ബോസ് ഇ-മെയിൽ ചെയ്തിട്ടുണ്ട്. ഹിയറിംഗിനുള്ള തീയതിയും സമയവും തീരുമാനിക്കുന്നതിലേക്കായി ഫയൽ ഡെപ്യൂട്ടി സെക്രട്ടറിക്ക് സമർപ്പിക്കുന്നു.

28/04/2021 1:15 PM

SURYASREE S
(ASO (B3) PWD)**Note No. #30**

03.05.2021-ന് ഹിയറിംഗ് നടത്താവുന്നതാണ്. ബന്ധപ്പെട്ടവരെ അറിയിക്കുക. ഇ-മെയിൽ ചെയ്തിട്ടുള്ള വിവരങ്ങൾ കൂടി അപ്പോഡ് ചെയ്യുക

28/04/2021 3:51 PM

ANITHA B C
(DS (B) PWD)**Note No. #31**

ശ്രീ.ആനന്ദ് ബോസ് അയച്ച ഇ-മെയിലിന്റെ പകർപ്പ് ന.ഫ പുറം 90-ൽ കാണാവുന്നതാണ്. ഹിയറിംഗ് സമയം 03.05.2021 ഉച്ചക്ക് 2.30നാണ് എന്ന് ഡെപ്യൂട്ടി സെക്രട്ടറി ഫോൺ മുഖേന അറിയിച്ചിട്ടുണ്ട്.

ഹിയറിംഗ് നോട്ടീസിന്റേ കരട് അംഗീകാരത്തിനായി സമർപ്പിക്കുന്നു.

28/04/2021 5:00 PM

SURYASREE S
(ASO (B3) PWD)

Note No. #32

29/04/2021 1:20 PM

DIPUKUMAR.S.L
(SO (B) PWD)

Note No. #33

30/04/2021 10:48 AM

JOY S
(US (B) PWD)

Note No. #34

03.05.2021-ലെ ഹിയറിംഗിനുള്ള നോട്ടീസ് (പുറം 91) ബന്ധപ്പെട്ടവർക്ക് അയച്ചിട്ടുണ്ട്. ഫയൽ ഹിയറിംഗിലേക്കായി സമർപ്പിക്കുന്നു.

30/04/2021 11:57 AM

SURYASREE S
(ASO (B3) PWD)

Note No. #12

Attachment:6909.pdf

നമ്പർ: 6909/സ്യൂട്ട് II(3)/2021/നിയമം
No. PWD-B3/50/2021-PWD

നിയമ (സ്യൂട്ട് II) വകുപ്പ്
തീയതി: 31.03.2021

ഭരണ വകുപ്പ് സൂക്ഷ്മ പരിശോധനക്കായി ലഭ്യമാക്കിയിരിക്കുന്ന കരട് വസ്തു വിവരണ പത്രിക, ഭേദഗതികൾ വരുത്തിയ പ്രകാരം, ബഹുമാനപ്പെട്ട കേരള അഡ്മിനിസ്ട്രേറ്റീവ് ട്രൈബ്യൂണൽ മുമ്പാകെ ശ്രീ. സാജിദ് എ.കെ. ഫയൽ ചെയ്ത OA(EKM) 400/2021 നമ്പർ കേസിൽ ഒന്നാം എതിർ കക്ഷിയ്ക്കു വേണ്ടി എതിർ സത്യവാങ്മൂലം തയ്യാറാക്കുന്നതിന് പര്യാപ്തമാണ്. ആയത് അഡ്വക്കേറ്റ് ജനറലുമായി കൂടിയാലോചിച്ച് ഫയൽ ചെയ്യേണ്ടതാണ്. പ്രസ്തുത പത്രികയുടെ ഉള്ളടക്കത്തിന്റെ കൃത്യത ഭരണ വകുപ്പ് പരിശോധിച്ച് അവ പൂർണ്ണമായും ശരിയാണെന്ന് ഉറപ്പുവരുത്തേണ്ടതും, വസ്തു വിവരണ പത്രികയിൽ തെളിവായി ഹാജരാക്കുന്ന രേഖകൾ Exhibit R1(1), R1(2), ... എന്ന ക്രമത്തിൽ അടയാളപ്പെടുത്തി വസ്തു വിവരണ പത്രികയോടൊപ്പം ഹാജരാക്കേണ്ടതുമാണ് എന്ന വിവരം ഭരണ വകുപ്പിനെ അറിയിക്കുന്നു.



നിയമ വകുപ്പ് ജോയിന്റ് സെക്രട്ടറി
ഷിബു തോമസിനുവേണ്ടി.

Note No. #12

Attachment:6909.pdf

**STATEMENT OF FACTS FILED ON BEHALF OF FIRST
RESPONDENT IN OA(EKM)No.400/2021 FILED BY SAJID AK &
OTHERS BEFORE THE HON'BLE ADMINISTRATIVE
TRIBUNAL, ERNAKULAM.**

All the allegations and averments contained in the above Original Application (are not fully correct and hence ^{dt} denied) except those which are specifically admitted hereunder. *are denied.*

dt Para No.1 & 2:- No remarks

dt Para 3, 4, 5 & 6: - As per the Kerala Engineering Subordinate Service Special Rules G.O (Ms)1390 dated 20.11.1958, Rule 2.5 with regard to the appointment to the post of Third Grade Overseers says as below:

(i) *Direct Recruitment*

(ii) *Promotion from Category 7 (Blue Printer and in their absence by transfer from Attenders in the Department.)*

Note:- A ratio of 3:1 will be maintained between the two methods mentioned above.

In Public Works Department, the posts of attenders are not existed and the Blue printer posts have been abolished. Hence the low paid employees in PWD have no option for attaining promotion to the post of Third Grad overseers. Many office attendants in Public Works Department represented before Government to amend the special rules so as to facilitate them to apply for the post of 3rd Grade Overseers. Many original applications viz. OA(EKM)No.2406/2017 and OA No.30/2019 were filed before the Hon'ble Kerala Administrative Tribunal for the same reason and Tribunal ordered to consider the grievances of the petitioners and accordingly government have examined the matter in detail. Government is of the view that mere substitution of the word "attender" by "office attendant" would not suffice as those two posts are not one and the same. Therefore instead of narrowing down the promotion channel to Office Attendants alone Government considered amending the provision as "*Appointment by transfer from the members of Last Grade Service employed in this Department*"

2nd Respondent
(The Chief Engineer(Admn), Public Works Department) as per letter No.EA2/7197/18, dated 05.09.2019 submitted a proposal to amend Rule 2.5(ii) of GO(Ms)1390, dated 20.11.1958 so as to facilitate low paid employees below the pay scale of 3rd Grade Overseers to apply for the post of 3rd grade overseers.

Note No. #12

Attachment:6909.pdf

As per the Circular No. 11884/R1/07/P&ARD, dated 19.07.2010 the steps to be taken to amend the special rules are stated below:

i. The Administrative Department will prepare the draft Special Rules in consultation with or on receipt of proposal from the Head of Departments.

ii. The next step is to discuss the draft Special Rules with the representatives of the common service organisations, if any, in the department, at a meeting to which a representative of the Personnel & Administrative Reforms Department and Law Department will also be invited. The intimation regarding the discussion along with the draft rules should be sent to Personnel & Administrative Reforms Department and to Law Department and the representatives of the service organisations concerned fifteen days before the proposed discussion so as to enable them to come prepared.

iii. Thereafter the file should be sent to Personnel & Administrative Reforms Department for scrutiny of the draft notification.

iv. The draft Special Rules should then be placed before a committee consisting of the following:

- (1) The Secretary of the Administrative Department (Chairman & Convener).*
- (2) The Secretary, Personnel & Administrative Reforms Department or his representative.*
- (3) The Law Secretary or his representative.*
- (4) The Head of the Department.*

The Administrative Department should send a copy of the Draft Special Rules to the members of the committee at least fifteen days before the proposed meeting to provide sufficient time for scrutiny. The representative of the Personnel & Administrative Reforms Department will then offer the views of his/her department in the meeting itself.

v) Thereafter, the file should be sent to the Law Department for scrutiny of the Draft Special Rules .

vi. The Administrative Department should then refer the proposal to the Kerala Public Service Commission for advice. The draft of the letter forwarding the draft Notification to Kerala Public Service Commission shall be shown to Personnel & Administrative Reforms Department. After considering the advice of the Kerala Public Service Commission, the Administrative Department will finalise the draft Special Rules.

vii. The Administrative Department should then send the draft Special Rules

Note No. #12

Attachment:6909.pdf

to the concerned Subject Committee for consideration. After considering the recommendation, if any, of the Subject Committee, the Administrative Department will finalise the Special Rules. In case of special urgency like court directions having time limit etc., the alternative procedure of issuing the Special Rules and simultaneously transmitting a copy of the same to the Subject Committee can be followed.

viii. The finalised draft Special Rules should then be approved and issued as an S.R.O notification in the Gazette.

ix. It is not within the ambit of the above procedures to finalise matters which require separate decision and orders from Government, such as proposals in regard to creation of new category, grades, change in the status of the post, alternation of ratio / percentage of promotion / by transfer etc.

x. 200 copies of the SRO so issued shall be forwarded to the Secretary, Legislature Secretariat as soon as possible for being laid before the Legislative Assembly as required under Section 2(2) of Kerala Public Services Act, 1968.

When the proposal for amendment received, Government have only initiated action following the procedures as specified above. As part of this, a draft notification was prepared for the proposed amendment and the representatives of the approved service organizations in the department were invited for a discussion on the draft, on 23.12.2020 through Google Meet to gather their suggestions on the draft notification. Then the draft notification along with the file was sent to Personal and Administrative Reforms Department (P&ARD) for scrutiny of the draft notification.

dt **Para 7 to 11** - On receipt of the proposal from *2nd Respondent* (Chief Engineer(Admn), PWD), Government initiated steps for the amendment as envisaged in Circular No. 11884/R1/07/P&ARD dated 19.07.2010. Mere framing of a draft notification is not the final step and the grievance of the petitioners are therefore baseless. The main contentions of the *Applicants* petitioners in Annexure A7 representation is that

1. The amendment will affect the present notification and the rank list to be published and the amendment may be made applicable only subsequent to the expiry of the rank list to be published.

2. The present draft notification if implemented would bring in lower category of officers to technical post affecting the efficiency of the department.

3. The attempt to bring 25% of the vacancies within the ambit of by transfer

Note No. #12

Attachment:6909.pdf

appointment to a technical post is highly excess and illegal.

4. Mere representation from a particular category of employees will not in any way justify an amendment to rules and no detailed study was conducted prior to the issuance draft notification.

The draft amendment notification under consideration of government for scrutiny and hence it can be ascertained that the proposed amendment is only at its initial stage. The contentions of the ~~petitioners~~ ^{Applicants} are based on the apprehension that the draft notification ~~Annexure A7~~ prepared by Government is final. Government have to engage in serious discussions and scrutiny as part of above steps and before arriving at final decision, government will consider all aspects including that are represented by the ~~petitioners~~ ^{Applicants} in OA. Hence the contentions of the ~~petitioners~~ ^{Applicants} are premature in nature and liable to be dismissed.

GROUNDS

A, B and C - When the proposal for amendment received, 1st respondent has initiated steps as envisaged in Circular No. 11884/R1/07/P&ARD, dated 19.07.2010. A draft notification was prepared for the proposed amendment and the representatives of the approved service organizations in the department were invited for a discussion on the draft on 23.12.2020 through Google Meet to gather their suggestions on the draft notification. Then the draft notification along with the file was sent to P&ARD for scrutiny of the draft notification. The contentions of the ~~petitioners~~ ^{Applicants} are based on the apprehension that the draft notification, Annexure A~~7~~ ⁵, prepared by Government is final. Government have to engage in serious discussions and scrutiny as part of above steps and before arriving at final decision, government will consider all aspects including that are represented by the Applicants in OA.

↳ Hence the contentions of the ~~petitioners~~ ^{Applicants} are premature in nature.

In view of the above facts, the Original Application is devoid of merits and is liable to be dismissed.

**STATEMENT OF FACTS FILED ON BEHALF OF FIRST
RESPONDENT IN OA(EKM)No.400/2021 FILED BY SAJID AK &
OTHERS BEFORE THE HON'BLE ADMINISTRATIVE TRIBUNAL,
ERNAKULAM**

All the allegations and averments contained in the above Original Application except those which are specifically admitted hereunder are denied.

1 & 2: No remarks

3, 4, 5 & 6 : As per the Kerala Engineering Subordinate Service Special Rules G.O (Ms)1390 dated 20.11.1958, Rule 2.5 with regard to the appointment to the post of Third Grade Overseers says as below:

(i) Direct Recruitment

(ii) Promotion from Category 7 (Blue Printer and in their absence by transfer from Attenders in the Department.)

Note:- A ratio of 3:1 will be maintained between the two methods mentioned above.

In Public Works Department, the posts of attenders are not existed and the Blue printer posts have been abolished. Hence the low paid employees in PWD have no option for attaining promotion to the post of Third Grad overseers. Many office attendants in Public Works Department represented before Government to amend the special rules so as to facilitate them to apply for the post of 3rd Grade Overseers. Many original applications viz. OA(EKM)No.2406/2017 and OA No.30/2019 were filed before the Hon'ble Kerala Administrative Tribunal for the same reason and Tribunal ordered to consider the grievances of the petitioners and accordingly government have examined the matter in detail. Government is of the view that mere substitution of the word "attender" by "office attendant" would not suffice as those two posts are not one and the same. Therefore instead of narrowing down the promotion channel to Office Attendants alone Government considered amending the provision as "*Appointment by transfer from the members of Last Grade Service employed in this Department*"

The 2nd Respondent as per letter No.EA2/7197/18, dated 05.09.2019(Exhibit R1(1)) submitted a proposal to amend Rule 2.5(ii) of GO(Ms)1390, dated 20.11.1958 so as to facilitate low paid employees below

the pay scale of 3rd Grade Overseers to apply for the post of 3rd grade overseers.

As per the Circular No. 11884/R1/07/P&ARD, dated 19.07.2010 (Exhibit R1(2)) the steps to be taken to amend the special rules are stated below:

i. The Administrative Department will prepare the draft Special Rules in consultation with or on receipt of proposal from the Head of Departments.

ii. The next step is to discuss the draft Special Rules with the representatives of the common service organisations, if any, in the department, at a meeting to which a representative of the Personnel & Administrative Reforms Department and Law Department will also be invited. The intimation regarding the discussion along with the draft rules should be sent to Personnel & Administrative Reforms Department and to Law Department and the representatives of the service organisations concerned fifteen days before the proposed discussion so as to enable them to come prepared.

iii. Thereafter the file should be sent to Personnel & Administrative Reforms Department for scrutiny of the draft notification.

iv. The draft Special Rules should then be placed before a committee consisting of the following:

- (1) The Secretary of the Administrative Department (Chairman & Convener).*
- (2) The Secretary, Personnel & Administrative Reforms Department or his representative.*
- (3) The Law Secretary or his representative.*
- (4) The Head of the Department.*

The Administrative Department should send a copy of the Draft Special Rules to the members of the committee at least fifteen days before the proposed meeting to provide sufficient time for scrutiny. The representative of the Personnel & Administrative Reforms Department will then offer the views of his/her department in the meeting itself.

v) Thereafter, the file should be sent to the Law Department for scrutiny of the Draft Special Rules .

vi. The Administrative Department should then refer the proposal to the Kerala Public Service Commission for advice. The draft of the letter forwarding the draft Notification to Kerala Public Service Commission shall be shown to Personnel & Administrative Reforms Department. After

considering the advice of the Kerala Public Service Commission, the Administrative Department will finalise the draft Special Rules.

vii. The Administrative Department should then send the draft Special Rules to the concerned Subject Committee for consideration. After considering the recommendation, if any, of the Subject Committee, the Administrative Department will finalise the Special Rules. In case of special urgency like court directions having time limit etc., the alternative procedure of issuing the Special Rules and simultaneously transmitting a copy of the same to the Subject Committee can be followed.

viii. The finalised draft Special Rules should then be approved and issued as an S.R.O notification in the Gazette.

ix. It is not within the ambit of the above procedures to finalise matters which require separate decision and orders from Government, such as proposals in regard to creation of new category, grades, change in the status of the post, alternation of ratio / percentage of promotion / by transfer etc.

x. 200 copies of the SRO so issued shall be forwarded to the Secretary, Legislature Secretariat as soon as possible for being laid before the Legislative Assembly as required under Section 2(2) of Kerala Public Services Act, 1968.

When the proposal for amendment received, Government have only initiated action following the procedures as specified above. As part of this, a draft notification was prepared for the proposed amendment and the representatives of the approved service organizations in the department were invited for a discussion on the draft, on 23.12.2020 through Google Meet to gather their suggestions on the draft notification. Then the draft notification along with the file was sent to Personal and Administrative Reforms Department (P&ARD) for scrutiny of the draft notification.

7 to 11: On receipt of the proposal from 2nd Respondent, Government initiated steps for the amendment as envisaged in Circular No. 11884/R1/07/P&ARD dated 19.07.2010. Mere framing of a draft notification is not the final step and the grievance of the petitioners are therefore baseless. The main contentions of the Applicants in Annexure A7 representation is that

1. The amendment will affect the present notification and the rank list to be published and the amendment may be made applicable only subsequent to the expiry of the rank list to be published.

2.The present draft notification if implemented would bring in lower category of officers to technical post affecting the efficiency of the department.

3.The attempt to bring 25% of the vacancies within the ambit of by transfer appointment to a technical post is highly excess and illegal.

4.Mere representation from a particular category of employees will not in any way justify an amendment to rules and no detailed study was conducted prior to the issuance draft notification.

The draft amendment notification under consideration of government for scrutiny and hence it can be ascertained that the proposed amendment is only at its initial stage. The contentions of the Applicants are based on the apprehension that the draft notification Annexure A7 prepared by Government is final. Government have to engage in serious discussions and scrutiny as part of above steps and before arriving at final decision, government will consider all aspects including that are represented by the Applicants in Original Application. Hence the contentions of the Applicants are premature in nature and liable to be dismissed.

GROUNDS

A, B and C : When the proposal for amendment received, 1st respondent has initiated steps as envisaged in Circular No. 11884/R1/07/P&ARD, dated 19.07.2010(Exhibit R1(2)) . A draft notification was prepared for the proposed amendment and the representatives of the approved service organizations in the department were invited for a discussion on the draft on 23.12.2020 through Google Meet to gather their suggestions on the draft notification. Then the draft notification along with the file was sent to P&ARD for scrutiny of the draft notification.The contentions of the Applicants are based on the apprehension that the draft notification Annexure A5, prepared by Government is final. Government have to engage in serious discussions and scrutiny as part of above steps and before arriving at final decision, government will consider all aspects including that are represented by the Applicants in Original Application. Hence the contentions of the Applicants are premature in nature.

In view of the above facts, the Original Application is devoid of merits and is liable to be dismissed.

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