

**CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH**

ORIGINAL APPLICATION NO.170/00267/2019

DATED THIS THE 13TH DAY OF FEBRUARY, 2020

HON'BLE DR.K.B.SURESH, MEMBER (J)

HON'BLE SHRI C.V. SANKAR, MEMBER (A)

J. Jayakumar,
S/o James, aged 65 years,
Retired as Scientific Officer,
National Institute of Miners' Health,
Marikuppam Post,
K.G.F 563 119,
Residing at D.No. 105/3,
Married Quarters,
Champion Reef's Post,
Kolar Gold Fields 563 117

....Applicant

(By Advocate Shri A.R. Holla)

Vs.

1. Union of India,
By Secretary,
Ministry of Mines,
No. A-320, 3rd Floor,
Shastri Bhavan,
Rajendra Prasad Road,
New Delhi 110 001

2. The Director,
Research & Development,
National Institute of Miners' Health,
JNARDDC Campus,
Opp: Wadi Police Station,
Amravati Road,
Wadi, Nagpur 440 023

.....Respondents

(By Shri Sayed S. Kazi, Counsel for Respondent No. 1 and
Shri S. Prakash Shetty, Counsel for Respondent No.2)

O R D E R (ORAL)
(HON'BLE DR. K.B. SURESH, MEMBER (J)

Heard. The matter is covered by the decision of the Hon'ble High Court of Karnataka in Writ Petition No. 43718/2001 dated 29.05.2008, which we quote:

“ORDER”

In this writ petition the petitioners have prayed for a writ in the nature of certiorari to quash the advertisement dated 24.09.2001, inviting the applications from eligible candidates to certain posts in the Central Laboratory situated Nagpur, for a writ of mandamus directing the respondents to absorb services of the petitioners w.e.f. 11.5.1989 and for a writ of mandamus restraining the respondents to shift the institute or its Central Laboratory from Kolar Gold Fields to Nagpur.

2. 3rd respondent (hereinafter referred to as 'BGML') is a company engaged in gold mining activity at Kolar Gold Fields (for short 'KGF'). BGML had several departments and one such department was the Research and Development (for short 'R&D Department'). This R&D Department consisted of research in rock mechanics, seismology, material testing and dust investigation. The Government of India with an object that results of activities of R&D Department of BGML are made available to several other mines situated in the country proposed to establish two institutes called National Institute of Rock Mechanics and National Institute of Miners Health. Accordingly the President of India accorded sanction for establishment of the institutes and consequently the same was registered under the Karnataka Societies Registration Act, 1964. As per the bye-laws of the institute, its management vest with the governing body. The governing body has the power to create and abolish posts and make recruitment. Further it is the governing body which is required to carryout the object of the institution. As per the bye-laws of the institute, its office is located at Kolar Gold Fields. The governing body of the institute in its meeting held on 20.9.1995 resolved to absorb the petitioners from the BGML to the institute. In this connection, the BGML addressed a letter to the 1st petitioner on 22.3.1999 to exercise his option for absorption in the institute. So also the institute by its letter dated 20.3.1999 intimated the petitioners to exercise the option for absorption in the institute on or before 24.3.1999. Accordingly, the petitioners exercised their option for absorption in the institute. Despite the option exercised by the petitioners the respondent institute failed to absorb them. Hence this writ petition.

3. When the matter stood at that stage, the respondent institute proposed to shift the institute from KGF to Nagpur and issued the impugned advertisement dated 10.10.2001 inviting the applications from eligible candidates to fill the vacant posts at Nagpur including the posts held by the petitioners. Petitioners being aggrieved by the shifting of institute and the impugned advertisement are before this court.

4. Heard arguments on both the side and perused the entire writ papers.

5. It is not in dispute that the governing body of the institute in its meeting held on 20.9.1995 resolved to absorb the identified personnel from BGML to the institute as found Annexure C to the writ petition. In this resolution, it is specifically stated the names of the petitioners who are the personnel of BGML to be absorbed by the institute. Further it is not in dispute that the BGML in its communication dated 22.3.1999 to the 1st petitioner directed him to exercise his option for absorption in the institute. So also the institute by its communication dated 20.3.1999 directed the petitioner to exercise his option if he is so willing on or before 24.3.1999. Petitioners contend that they have exercised their option for absorption in the institute. In support of this contention, the petitioners have produced Annexure-Q dated 23.3.1999 which is a part of the 16th governing body proceedings of the institute. This document specifies that the petitioners have exercised their option for absorption in the institute. The respondent institute in reply to the rejoinder filed by the petitioners admitted the option exercised by the petitioners as found at Annexure-Q to the writ petition. But the respondent institute contends that the petitioners are taken on deputation from BGML. On the other hand, the correspondence between the respondent institute and BGML and the petitioners clearly establishes that the petitioners have exercised their option for absorption in the respondent institute. Therefore there is no justification on the part of the respondent institute in not absorbing the services of the petitioners. In identical circumstances a division bench of this court in W.A. No. 11471/1998 disposed on 22.9.2000 in respect of other employee by name K.K. Gopichandra in the respondent institute directed absorption and to pay the monetary benefits and the same had become final. Therefore, the petitioners are entitled for absorption and all consequential benefits.

6. Mining has been one of the oldest and most hazardous occupation known to mankind. The mining activity in the Kolar Gold Fields dates back to the year 1880. It is estimated that there are at least 42 mineral being mined in the country as of now. The increase in extensive mineral exploration and mining activity resulted in health hazards like respiratory diseases, skin diseases, diseases due to noise, vibration, poor illumination, parasitic infestation etc. Particularly the problem of

respirable dust and occupational dust diseases of lung – the pneumoconioses – poses a major threat. In order to prevent these health hazards and to ensure health of workers and environmental safety, the BGML created a department called R&D Department way back in the year 1940. The research carried out by this R and D Department of BGML covered occupational, radiological, pathological and dust control aspects of pneumoconioses. In the year 1978 the International Labour Organisation Experts' Mission recommended the good work done by the BGML and their rich experience and expertise of over 50 long years could provide an active and strong base for the development of industry-based research and training institute capable of extending country-wide services in the mining sector. On this subject the following committees confirmed the recommendation of International Labour Organisation. (i) Posh Consultant Report (ii) Jackobsen report (iii) Sub Committee report (iv) Task Force Committee report (v) Johri's Committee report. Further these committees recommended the establishment of National Institute at KGF as it is the most suitable and ideal location. The Secretary, Ministry of Steel and Mines Department, Government of India held a meeting on 28.7.1998 to set up National Institute of Miners' Health at KGF. In this meeting the representatives of Department of Mines, Indian Council of Medical Research, Indian Bureau of Mines, Mineral Exploration Corporation Limited, Bharath Aluminium Company Ltd, National Aluminium Company Ltd, Hindustan Copper Ltd, Hindustan Zinc Ltd and Bharath Gold Mines Ltd participated. After elaborate discussions this meeting resolved that technically it was advantageous to locate the National Institute at KGF as research work carried out by BGML covered occupational, radiological, pathological and dust control aspects, where the records had been maintained over a long period.

7. The United Nations Development Programme Project Appraisal Committee in its meeting held on 28.8.1990 resolved that even if the mines were phased out, the institution at KGF would not suffer in any case. The institution has nothing to do with the fate of Kolar Gold Fields even deep mines are phased out. In terms of location, KGF has good infrastructure, long tradition of research work, nearer to major cities like Bangalore and Chennai etc. In the proposal submitted to the Government of India, it is stated as under:

"Besides, Kolar Gold Fields, apart from its own gold mining activities being very close to iron mines in the south and bauxite and some copper deposits also having been found in the neighbouring areas was considered best-suited for locating such an institute. Further, KGF being situated very close to Bangalore it was also best-suited in view of the existing library facilities and that the Indian Institute of Science at Bangalore would service the

purpose of interaction between/amongst the experts. In view of this, in principle, it has been decided by Government of India to establish an Institute of Miners' Health at KGF, with occupational health co-ordinating cells designated in the various public sector organisations of the non-ferrous sector under the Department of Mines and possibly, the iron-ore and even in the coal sector later."

8. On the basis of these reports and recommendations, the President of India accorded sanction for setting up of National institute of Miners' Health at KGF. Thereafter the National Institute was formed and the same was registered under the Karnataka Societies Registration Act, 1960. As per clause-2 of the registered bye-laws it is specified that the registered office of the society shall be situated in the State of Karnataka. Consequent to establishment of this National Institute, the BGML allocated 22 acres of land, two huge buildings, man power, equipments, data collected by them and other infrastructural facilities at the disposal of the institution. Already sufficient money has been spent of the development of the institute. As per Annexure-N the statement produced by the petitioners specifies that between February 1990 and January 2001, the institute has catered service to 41 clients earning an income of Rs. 17,34,142/. Further there were number of projects on hand when the writ petition filed in the year 2001. The governing body of the respondent institute want to shift the institution from KGF to Nagpur. The 2nd respondent in the statement of objections contend that there are several administrative disadvantages if the institution is continued in KGF and on the other hand its location in Nagpur is more suited since all infrastructure is available and further more mines are situated in the vicinity. This contention of the respondents is not based on any report or data. Further no material is placed before the court in support of this contention by the respondents. Therefore the proposed action of the respondents to shift the registered office of the institution from KGF to Nagpur is arbitrary and illegal and opposed to the registered bye-laws of the institute. However, the respondents are at liberty to start its branch or branches in any other place or places convenient to them.

For the reasons stated above, the following:

ORDER

- i) *Writ petition is partly allowed.*
- ii) *Respondents are hereby directed to absorb the services of petitioners w.e.f. 11.5.1989 and to extend all consequential service benefits.*
- iii) *Respondents are hereby prohibited from shifting the registered office of the institute from KFG to Nagpur. Ordered accordingly."*

2. It was challenged by the respondents in Writ Appeal No. 1314/2008 dated 26.02.2009, which we quote:

"JUDGMENT"

The appellants have called into question the order made by the learned single Judge in Writ Petition No. 43718/2001.

2. *We have heard the learned Counsel for parties.*

3. *The National Institute of Miners Health was established under a scheme envisaged by the United Nations Development Programme Project Appraisal Committee and it is located at Kolar Gold Fields, where mining activities were going on for decades. The primary object of the institute was to carry on research activities, which included investigation and effects of mine dust on human beings and research on silicosis and all other occupational health diseases connected with miners. The institute was also carrying research work in the field of rock mechanics seismology and material testing.*

4. *In the proposal submitted to the Government of India, to establish the institute at K.G.F., it is stated as under:-*

"Besides, Kolar Gold Fields, apart from its own gold mining activities being very close to iron mines in the south and bauxite and some copper deposits also having been found in the neighbouring areas was considered best-suited for locating such an institute. Further, KGF being situated very close to Bangalore it was also best-suited in view of the existing library facilities and that the Indian Institute of Science at Bangalore would service the purpose of interaction between/amongst the experts. In view of this, in principle, it has been decided by Government of India to establish an Institute of Miners' Health at KGF, with occupational health co-ordinating cells designated in the various public sector organisations of the non-ferrous sector under the Department of Mines and possibly, the iron-ore and even in the coal sector later."

The said institution was registered under the Karnataka Co-operative Societies Registration Act. In terms of Annexures –'C' & 'E', some of the respondents herein were appointed in the said institute.

On 24.09.2001, a decision was taken by the institute for shifting the institute from Kolar Gold fields to Nagpur. The said decision of shifting the institute was questioned in the writ petition. The learned single Judge on detailed examination of the material on record has held that bye-laws of the institute do not permit for shifting of the institute from Kolar Gold Fields to Nagpur. However, the institute can

open branches at different places. The learned single Judge has issued writ of mandamus, directing the respondents therein to absorb the services of petitioners therein w.e.f. 11.05.1989 and extend all consequential service benefits and prohibited the respondents therein (appellants herein) from shifting the registered office of the institute from KGF to Nagpur.

6. On re-examination of entire material on record and object and purpose for which the institute is established at K.G.F and absence of bye-laws to shift the institute from Kolar Gold Fields to Nagpur, we do not find any reasons to interfere with the impugned order. Accordingly, the appeal is dismissed.”

3. Apparently there were proceedings under contempt and following which Annexure-A4 order was issued and presented before the contempt court and obtained recusal from the contempt proceedings. We quote from Annexure-A4 order:

“Ref.No.NIMH/PER/2009-10/1097

February 16, 2010

*Shri J. Jayakumar
S/o Shri James
Married Quarters
H. No. 105/3
Champion Reef Post
Kolar Gold Fields 563 117*

Sub: Absorption of Shri J. Jayakumar, Jr. Scientific Assistant of BGML in National Institute of Miners' Health

Dear Sir,

In pursuance to the order of Hon'ble High Court of Karnataka, Bangalore dated 29th May 2008 in WP No. 43718/2001, modified vide order no. Misc. W. 6046/2009 dated 19th August 2009, the Institute is pleased to absorb you on following terms and conditions;

1. You are being **absorbed** in National Institute of Miners' Health w.e.f. 21st February 1990 in the post of **Scientific Assistant** in the scale of Rs. 1400-40-1800-50-2300+CDA in IVth CPC.
2. You are promoted to the post of **Senior Scientific Assistant** in the scale of pay Rs. 5500-75-9000+CDA in Vth CPC w.e.f. 01st March 2000 in accordance with the Modified Assured Career Progression Scheme (MACPS) operated from 01st September 2008.

3. *On completion of further ten years of service, you will be eligible for the promotion to the post of **Scientific Officer** in the Pay Band-2 i.e. Rs. 9300-34800 with a Grade Pay Rs. 5400 under VIth CPC in accordance with the Modified Assured Career Progression Scheme operated from 1st September 2008 w.e.f. 1st March 2010.*
4. *The consequential financial benefits accrued to your following absorption and further promotion will be paid to you within a reasonable time and on availability of funds.*
5. *The service without a break in R&D unit of BGML are accepted by the Institute and will count as qualifying service under relevant rules.*
6. *Your Leave Account, Provident Fund and Gratuity and other service benefits which are still held in BGML would be transferred to the Institute.*
7. *Presently you will be posted at registered office of National Institute of Miners' Health at Kolar Gold Fields, Karnataka. However, you are liable to serve anywhere in India or abroad.*
8. *Your services will be governed by rules and regulation of National Institute of Miners' Health.*

You are served this letter in duplicate and required to return one signed copy of the letter as a mark of acceptance within 10 days from the date of receipt of this letter.

Thanking you.

Yours faithfully,
For National Institute of Miners' Health
 Sd/-
Dr. P.K. Sishodiya
 Director

Without prejudice to my rights I accept this offer letter. Kindly arrange to release the financial benefits at the earliest.

Sd/-
 (J. Jayakumar)

Dt: 24.02.2010

Place: Marikuppam"

4. Along with it Annexure-A6 was also issued by the respondents, which we quote:

“National Institute of Miners’ Health

Ref: NIMH/Pay fixation (promotion)/2009-10/1246 31st Day of March, 2010

Office Order

Sub: Details of Pay Fixation, Grade Pay in respect of the Employees on Promotion and implementation thereof (Provisional)

With reference to the regularization and promotion of the following employees, the fixation of pay, grade pay and date of increment will be provisionally implemented as per the details given below:

SI No	Name & Designation	Reference	Pay Band	Pay Fixation with Grade Pay
1	Shri B B Mandal, Asst Director	NIMH/PER/2009-10/1204 dated 18 th March 2010	PB-3 Rs. 15600-39100	Rs.23350+7600 w.e.f. 01.10.2009
2	Shri G S Ravindra, Asst Director	NIMH/PER/2009-10/1245 dated 31 st March 2010	PB-3 Rs. 15600-39100	Rs.25200+7600 w.e.f. 01.03.2010 + two successive increments on old basic pay w.e.f. 01.07.2010 (One increment for promotion and another one for annual increment)
3	Dr S V Dhatrak Sr. Research Officer	NIMH/PER/2009-10/1205 dated 18 th March 2010	PB-3 Rs. 15600-39100	Rs.19120+6600 w.e.f. 01.03.2010 + two successive increments on old basic pay w.e.f. 01.07.2010 (One increment for promotion and another one for annual increment)
4	Shri Debasis Chatterjee, Research Officer	NIMH/PER/2009-10/1206 dated 18 th March 2010	PB-3 Rs. 15600-39100	Rs.18240+6600 w.e.f. 01.05.2010 + two successive increments on old basic pay w.e.f. 01.07.2010 (One increment for promotion and another one for annual increment)
5	Shri Jayakumar J Scientific Officer	NIMH/PER/2009-10/1244 dated 31 st March 2010	PB-2 Rs. 9300-34800	Rs.13900+5400 w.e.f. 01.03.2010 + two successive

				<i>increments on old basic pay w.e.f. 01.07.2010 (One increment for promotion and another one for annual increment)</i>
6	<i>Shri Umesh L Dhumne, Sr. Scientific Assistant</i>	<i>NIMH/PER/2009- 10/1207 dated 18th March 2010</i>	<i>PB-2 Rs. 9300- 34800</i>	<i>Rs.12060+4600 w.e.f. 01.05.2010 + two successive increments on old basic pay w.e.f. 01.07.2010 (One increment for promotion and another one for annual increment)</i>
7	<i>Shri Sachin Narwadiya, Sr. Scientific Assistant</i>	<i>NIMH/PER/2009- 10/1208 dated 18th March 2010</i>	<i>PB-2 Rs. 9300- 34800</i>	<i>Rs.10460+4200 w.e.f. 01.09.2009</i>
8	<i>Shri Ramachandran K, Senior Upper Division Clerk</i>	<i>NIMH/PER/2009- 10/1209 dated 18th March 2010</i>	<i>PB-1 Rs. 5200- 20200</i>	<i>Rs.8580+2800 w.e.f. 01.06.2009 + two successive increments on old basic pay w.e.f. 01.07.2010 (One increment for promotion and another one for annual increment)</i>

Accounts Section will take necessary action for the payment of the said officers and staff members

*Sd/-
Dr. P.K. Sishodiya
Director"*

5. The applicant had produced Item No. 1 of the Governing Body meeting dated 03.11.2010, which we quote:

"Item no. 1

32nd Governing Body Meeting
Dated 3rd November, 2010

6.0 *Ratification of absorption of two employees following the order of Hon'ble High Court of Karnataka*

The Director NIMH gave the brief background of the court case and direction by Hon'ble High Court of Karnataka regarding absorption of two employees of BGML on deputation to NIMH.

The Governing body ratified absorption of Shri G.S. Ravindra in the pay scale Rs. 2200-75-2800-100-4000+CDA in 4th CPC with the designation of Research officer (Hygiene) w.e.f. 21.02.1990 and his promotion to "Sr. Research Officer" in the pay scale Rs. 10,000-325-15,200 in 5th CPC with effect from 01.03.2000 and to "Assistant Director" in the Pay Band-3 Rs. 15,600-39,000 with grade pay of Rs. 7600 in 6th CPC with effect from 01.03.2010.

Similarly the Governing body also ratified absorption of Shri J. Jayakumar in the pay scale Rs. 1400-40-1800-50-2300+CDA in 4th CPC with the designation of Scientific asst w.e.f. 21.02.1990 and his promotion to "Sr. Scientific Asst" in the pay scale 5,000-75-9000 in 5th CPC with effect from 01.03.2000 and as "Scientific Officer" in the Pay Band-2 ie Rs. 9,300-34,800 with grade pay of Rs. 5400 in 6th CPC with effect from 01.03.2010."

6. The learned counsel refers to paragraph no. 3 of it. It appears that all these decisions have been taken with an open mind and with application of mind.

7. Thereafter it seems that some whistleblower or alleged whistleblower filed a complaint that by misleading the Ministry of Mines two persons have obtained benefits to which they are not eligible. We quote from Annexure-A8:

*"Government of India
Ministry of Mines,

No. 24/03/2015-Vig

New Delhi, the 2nd June, 2016

To

*The Director,
National Institute of Miners Health,
JNARDDC Complex,
Opp. Wadi Police Station
Nagpur 440 023*

Subject:- Whistleblower Complaint under PIDPI-Regarding large scale looting of government money by misleading the Ministry of Mines by officials of National Institute of Miners' Health, Nagpur.

Sir,

I am directed to refer to your letter No. NIMH/Min Corres-Vig/2015-16/1386 dated 21.12.2015 on the above subject and to say that the fact finding report dated 11.12.2015 of Dr. Sarang Dhatrak, Vigilance Officer, NIMH, Nagpur forwarded by Director (NIMH) to the Ministry of Mines on the above issue has been examined in the Ministry of Mines in consultation with DOPT and it has been observed that action taken by the then Director, NIMH Dr. PK Sishodiya was against the principle of Modified Assured Career Progression Scheme (MACP). The following undue favour was given by the then Director NIMH Dr. P.K. Sishodiya.

(i) Though there were no specific order by the court regarding specific post to be given to both the employees, after absorbing them initially as Scientific Assistant, both of them were absorbed in NIMH in higher post.

(ii) As per provisions of earlier ACP Scheme, financial up-gadations would be granted till 31.08.2008. In the year 2000 the financial up-gradation was to be given after every 12 years of service as per then existing Assured Career Progression Scheme (ACPS). Hence, both Shri G.S. Ravindra and Shri J. Jayakumar should have got their first financial up-gradation in the year 2002 as per ACPS and second financial up-gradation in the year 2012 as per MACPS.

(iii) By ignoring the principle of ACPS/MACPS, both the officers were not only given financial up-gradation but also designation/post up-gradation which is against the spirit and rules of ACPS and MACPS. It has been clearly mentioned that there will be only financial up-gradation, a Screening Committee has to be constituted to consider the grant of financial up-gradation. Dr. P.K. Sisodiya, the then Director did not constitute any such committee.

(iv) Dr. P.K. Sisodiya while giving second MACP to Shri J. Jaykumar in the year 2010 gave promotion from the grade pay of Rs. 4200 to grade pay of Rs. 5400 instead of next higher grade pay of Rs. 4600.

2. Since undue favour was given to both the employees, you are, therefore, requested to take remedial action i.e to revert both the employees namely Shri G.S. Ravindra and Shri J. Jayakumar of NIMH and make recovery of pay from them. Action taken in the matter may be intimated to this Ministry.

*Yours faithfully,
Sd/-*

(S.K. Mishra)
Deputy Secretary to the Government of India."

8. The terms and tenets of this was that instead of giving the ACP or MACP, as the case may be, promotional posts were extended to the applicant and another and thereby the government had suffered a loss. The Hon'ble High Court had earlier found that the respondent organization is independent to the effect that they could have taken such a decision if one wanted to promote him. Now Shri Prakash Shetty, learned counsel for Respondent No. 2, proposes that before granting such a promotion no DPC was held but instead Governing Body had taken a decision which was held to be wrong by a vigilance officer. Quite obviously, this will not lie for the simple reason that, if it is an ACP, it is on the basis of promotional hierarchy only and therefore there is no prejudice caused on the government. It is correct that if it is an MACP to be given to them it might have an effect as MACP canvasses only financial upgradation but then there are no pleadings to the effect that the benefit which would have accrued to them caused the MACP accrual except the last promotion given to the applicant.

9. In any case, this has been the result of judicial adjudication by the Karnataka High Court in the contempt jurisdiction and had passed the approval of the Court. Therefore, if there is anything wrong in it, it can only be taken to the Hon'ble Apex Court and not by any corollary methodology. Other than this small mistake, we hereby declare that everything is correct and proper and even if the benefit had to be excluded it can only be the last promotion given on 01.03.2010.

10. In any case, the matter is covered by the Whitewasher judgment of the Hon'ble Apex Court. This decision was taken consciously by the Government and after their retirement, after all these years, it cannot be recovered back from them.

11. OA is therefore allowed. Impugned orders are quashed. No order as to costs.

(C.V. SANKAR)
MEMBER (A)

(DR.K.B.SURESH)
MEMBER (J)

/ksk/

Annexures referred to by the applicant in OA No. 170/00267/2019

Annexure A1	Copy of the order dated 29.05.2008 in WP No. 43718/2001
Annexure A2	Copy of the order dated 26.02.2009 in W.A. No. 1314/2008
Annexure A3	Copy of the applicants' representation dated 21.04.2009
Annexure A4	Copy of the order dated 16.02.2010
Annexure A5	Copy of the OM dated 31.03.2010
Annexure A6	Copy of the order dated 31.03.2010
Annexure A7	Copy of the resolution of the Governing Body of NIMH dated 03.11.2010
Annexure A8	Copy of the letter dated 02.06.2016
Annexure A9	Copy of the order dated 14.06.2016
Annexure A10	Copy of the order in OA No. 782/2016
Annexure A11	Copy of the order in RA No. 15/2018

Annexures referred in reply statement of Respondent No. 1

Annexure R1	Copy of the minutes of the 30 th Governing Body meeting
Annexure R2	Copy of the complaint dated 06.08.2015
Annexure R3	Copy of the Supreme Court judgment in Chandi Prasad Uniyal v. Sate of Uttarakhand
Annexure R4	Copy of the judgment of the Tribunal in OA No. 782/2016
Annexure R5	Copy of the undertaking letter

Annexures referred in reply statement of Respondent No. 2

Annexure R1	Copy of the minutes of the 30 th Governing Body meeting
Annexure R2	Copy of the complaint dated 06.08.2015
Annexure R3	Copy of the Supreme Court judgment in Chandi Prasad Uniyal v. Sate of Uttarakhand
Annexure R4	Copy of the judgment of the Tribunal in OA No. 782/2016
Annexure R5	Copy of the undertaking letter

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