



IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE THE CHIEF JUSTICE MR. NITIN JAMDAR

&

THE HONOURABLE MR. JUSTICE BASANT BALAJI

MONDAY, THE 25TH DAY OF AUGUST 2025 / 3RD BHADRA, 1947

WP(C) NO. 45335 OF 2024

PETITIONER/S:

NAVAS A., AGED 43 YEARS,
S/O. ASANARU PILLA, NAVAS MANZIL,
AP VII/171(NEW), PAICHIRA, PALLIPPURAM P.O.,
THIRUVANANTHAPURAM, PIN - 695316.

BY ADV. SRI. AKHIL SUSEENDRAN

RESPONDENTS:

- 1 STATE OF KERALA,
REPRESENTED BY CHIEF SECRETARY,
NORTH SANDWICH BLOCK, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM DISTRICT, PIN - 695001.
- 2 FINANCE DEPARTMENT,
GOVERNMENT OF KERALA REPRESENTED BY ADDL. CHIEF
SECRETARY, MAIN BLOCK, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM, PIN - 695001.
- 3 PLANNING AND ECONOMIC AFFAIRS DEPARTMENT,
GOVERNMENT OF KERALA REPRESENTED BY ITS PRINCIPAL
SECRETARY, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM, PIN - 695001.
- 4 KERALA DEVELOPMENT AND INNOVATION STRATEGIC COUNCIL
REPRESENTED BY ITS EXECUTIVE VICE CHAIR PERSON,
INDIA HEIGHTS, GOVT. WOMEN'S COLLEGE ROAD,
VAZHUTHACAUD, THIRUVANANTHAPURAM., PIN - 695014.



5 DR. T. M. THOMAS ISSAC,
FLAT NO.1C, QUEENS WAY POINT, KOWDIAR - PATTOM ROAD,
THIRUVANANTHAPURAM, KERALA - 695 003.

[ADDL.R5 IS IMPEADED AS PER ORDER DATED 10/04/2025
IN WP(C) NO.45335/2024.]

BY ADVOCATE GENERAL SRI. K. GOPALAKRISHNA KURUP,
BY ADV. SRI. N. MANOJ KUMAR, STATE ATTORNEY
BY ADV. SRI. V. MANU, SPECIAL GOVERNMENT PLEADER.

BY MS. ANJALI MENON, AMICUS CURIAE

R5 BY ADVS. SRI. N. REGHURAJ (SR.)
SRI. VIVEK MENON
SRI. NANDAGOPAL S. KURUP
SRI. RANCE R.
SRI. S.M.RAJEEVAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
25.08.2025, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:



JUDGMENT

Dated this the 25th day of August, 2025.

Nitin Jamdar, C. J.

This writ petition, purportedly instituted in public interest, seeks to challenge the Government Order dated 12 December 2024 appointing Respondent No. 5 as Advisor to the *Vijnana Keralam* Project.

2. The Knowledge Economy Mission was initiated in the State of Kerala as a model to make the scheme more popular and effective, with the co-operation of local self-government institutions and the general public. A decision was taken on 7 September 2024 for the preparation of an action plan to make the activities of the Kerala Knowledge Economy Mission (KKEM) more popular and effective. In the said meeting, the project undertaken by the Kerala Development and Innovation Strategic Council (K-DISC), Pathanamthitta, was found to be effective and it was decided to expand the activities of KKEM across the State under the name “Vijnana Keralam”. For co-ordination of the activities of *Vijnana Keralam*, the Government decided to appoint Respondent No. 5 as an Advisor, who has experience and expertise in this field. Respondent No. 5 agreed to render his services free of charge, and he was allowed a certain amount towards fuel and expenses. Accordingly, Exhibit-P1 Government Order was passed on 12 December 2024 appointing Respondent No. 5 as an Advisor to the *Vijnana Keralam* Project. He was permitted to use his own vehicle and was given ₹70,000/- per month to cover the expenses of travelling, including that of



the driver, and Respondent No. 5 agreed to render his services, except for the reimbursement of his expenses, free of charge.

3. In the petition consisting of seven paragraphs, the main ground urged by the Petitioner is that Exhibit-P1 Government Order dated 12 December 2024 is issued by the Department of Planning, Finance (Development and Innovation), though there is no such department under the Government of Kerala. Therefore, Exhibit-P1 Government Order, which entails financial implications, is void. A cursory reference is also made in a single line to the effect that Exhibit-P1 order was issued by a person holding the rank of *Ex officio* Secretary, who had no authority to issue it without the approval of the Government.

4. Before proceeding, the Courts have to carefully examine the credentials of the petitioner invoking the Public Interest Litigation (PIL) jurisdiction, since a public interest litigant occupies a position of trust, and the Court has to ensure that he is worthy of such trust. In the Petition, the Petitioner only stated that he is a public activist espousing a public cause with no other particulars about himself. The Hon'ble Supreme Court has emphasised the above position in a series of decisions, namely, in the cases of *Ashok Kumar Pandey v. State of West Bengal*¹, *Dattaraj Nathuji Thaware v. State of Maharashtra and Others*², *State of Uttaranchal v. Balwant Singh Chaufa*³, *Rajiv Ranjan Singh 'Lalan' (VIII) and Another v. Union of India*

1 (2004) 3 SCC 349

2 (2005) 1 SCC 590

3 (2010) 3 SCC 402



*and Others*⁴, *Kalyaneshwari v. Union of India and Others*⁵, etc. Keeping this legal principle in mind, we called upon the Petitioner to file an additional affidavit.

5. The Petitioner has filed an additional affidavit giving particulars about himself, wherein it is stated that he is a driver and an RTI activist. The learned State Attorney, however, questioned the credentials of the Petitioner. By way of a memo, it was contended that the Petitioner had studied only up to the X Standard and was earlier engaged in tailoring work. Since 2012, he had worked for some time as a driver in Riyadh, Saudi Arabia. It was sought to be alleged that the Petitioner is involved in the accumulation of income through illegal means by filing complaints and Public Interest Litigations against prominent persons and important establishments before various Government Departments and the Courts, and subsequently compromising the same after receiving pecuniary benefits. Some of the incidents alleged were placed on record. It was sought to be alleged that the Petitioner was accused in a case registered at the Cantonment Police Station for having threatened the former Minister for Food and Civil Supplies in his office on 23 November 2015, stating that he possessed evidence against the Minister, and later demanding an amicable settlement. It was alleged that the Petitioner was also accused in cases registered at the Mangalapuram Police Station and the Kadinamkulam Police Station, in which the witnesses later turned hostile. It was further

4 (2006) 6 SCC 613

5 (2011) 3 SCC 287



stated that the Petitioner lodged frivolous complaints with various Government Departments against a school when construction of a building commenced, and demanded ₹25,00,000/- for withdrawal of the complaint. It was also alleged that he lodged complaints when a person attempted to start a new petrol pump and demanded money for their withdrawal. Based on the information stated in the memo, the learned State Attorney contended that the Petitioner is in the habit of exploiting people and situations for unlawful pecuniary gain, and that many persons are compelled to offer him money to withdraw the complaints filed against them. The Petitioner controverted these allegations and asserted his *bona fides*.

6. The question is not whether the Petitioner is guilty of the alleged offences, but whether he is worthy of being treated as a public interest litigant. Having seen the material in totality, we have doubts about the *bona fides* of this Petitioner, yet we did not want to close the matter without an enquiry. We recorded that even if there is a semblance of doubt, the Court would appoint an *Amicus Curiae* to assist in forming an independent view on the subject matter. Accordingly, by order dated 20 March 2025, we appointed learned Advocate Ms. Anjali Menon as *Amicus Curiae*.

7. The learned *Amicus Curiae* submitted a detailed note of argument. However, as stated above, the petition was extremely sketchy and poorly drafted, without even impleading Respondent No. 5 whose appointment the Petitioner sought to cancel. After perusing the note filed by the learned *Amicus Curiae*, Respondent No. 5 was added as a party-respondent and



notices were issued. Thereafter, the added Respondent and the State Government filed their counter affidavits.

8. The learned *Amicus Curiae* contended that the appointment of Respondent No. 5 was to a non-existent department as there is no Department of Planning and Economic Affairs (Development and Innovation). The learned Advocate General, however, pointed out that this contention is based on an incorrect factual premise and on an erroneous English translation. The learned Advocate General placed before us the Rules of Business along with the correct English translation of Exhibit-P1 Government Order. It was submitted that the relevant department is the Department of Planning and Economic Affairs under which the K-DISC functions as a sub-department. In the English translation of Exhibit-P1 Government Order placed on record, the department is described as the “Planning Finance (Development and Innovation) Department”. This, according to the learned Advocate General, was due to a typographical error in the translation. He further pointed out that the activities of KKEM are being implemented by the K-DISC, which functions under the Planning and Economic Affairs Department, and therefore, Exhibit-P1 was issued by the said department. It was contended that even if there is a typographical error, so long as the correct department exists and, under the Rules of Business, the subject falls within its domain, Exhibit-P1 issued by the State Government cannot be nullified on that ground alone. The learned Advocate General pointed out that the current set of activities undertaken by the Planning and Economic Affairs (Development and Innovation) Wing



are related to the areas of work in this distribution, which are functions assigned to the Department of Planning and Economic Affairs as per Rules of Business, namely:

- (a) Integration of physical, economic, social and environmental planning,
- (b) Multilevel planning, State, District, Block and Local Levels,
- (c) Manpower and Employment Planning,
- (d) Assistance to Research Centres in Planning and Economic Development,
- (e) Design and incorporation of State-of-art methods and processes into the planning and its implementation.
- (f) Kerala Development and Innovation Strategic Council (K-DISC)

It was submitted that K-DISC was originally constituted as the Kerala State Innovation Council as per Government Order dated 8 July 2013 under the Planning and Economic Affairs Department. In 2018, the Government has restructured the Kerala State Innovation Council as Kerala Development and Innovation Strategic Council (K-DISC) under the Planning and Economic Affairs Department, integrating its innovation component with cutting edge development initiatives. The Wing [Planning and Economic Affairs (Development and Innovation)] has been formed with the approval of the Council of Ministers only for administrative convenience. The learned Advocate General submitted that the Government has the power and authority to do so in exercise of its plenary power under Article 162 of the Constitution of India.



9. We have examined the Rules of Business. Under the Rules of Business of the Government of Kerala, Section I of Part I deals with the allocation and disposal of business. Rule 4 under Section I provides that the business of the Government shall be transacted in the Departments specified in the First Schedule. The First Schedule under Rule 4 of Section I lists several Departments, and for the present case, the relevant Department is at Serial No. 32 – the Planning and Economic Affairs Department. The Schedule further specifies the distribution of business amongst various Departments. Insofar as the Planning and Economic Affairs Department is concerned, its functions are divided into three parts, namely, Planning, Economic Affairs, and Public Enterprises. The K-DISC forms part of the Planning and Economic Affairs Department. The activities of the Kerala Knowledge Economy Mission (KKEM) have been implemented by the K-DISC since 2021, with the objective of providing employment to educated job seekers in Kerala. The Project Implementation Programme document of KKEM was approved by the Government by order dated 26 November 2021. Therefore, as long as the power vests in the State Government under Article 162 of the Constitution of India and as per the Rules of Business, no fault can be found.

10. The second ground raised by the learned *Amicus Curiae* is based on the one-line statement in the petition that Exhibit-P1 Government Order was issued by a person holding the rank of “*Ex officio* Secretary” who had no power to issue the order. It was stated in the note of the learned *Amicus Curiae* that Exhibit-P1 order was issued by a signatory who had no authority



to issue Government Orders and was working in the K-DISC, which is only a society registered under the Travancore – Cochin Literary, Scientific and Charitable Societies Registration Act, 1955, and the validity of appointment of the signatory to the order was sought to be questioned.

11. This argument is entirely beyond the scope of the present Public Interest Litigation. The said *Ex officio* Secretary has not even been made a party to the writ petition. If the Petitioner seeks to quash Exhibit-P1 Government Order on the ground that the signatory to the order had no authority because the signatory was wrongfully appointed, then, let alone challenging the appointment of the signatory, he has not even impleaded the signatory as a party respondent, nor filed any pleadings whatsoever.

12. The learned Advocate General submitted that the contention that the *Ex officio* Secretary has no authority for the appointment of Respondent No. 5 is absolutely without basis, however, considering that only Exhibit-P1 Government Order is under challenge, just to put a quietus to the proceedings and enable the work of the KKEM to commence, appropriate order can be issued by the State Government, without conceding any issue. During the hearing on 18 August 2025, the learned State Attorney placed on record, by way of a memo, the order issued by the Government through Special Secretary to the Planning and Economic Affairs Department, confirming that Exhibit-P1 Government Order be treated as an order passed by the State Government. Therefore, the argument that Exhibit-P1 order was issued by an officer without the authority of the Government does



not survive.

13. Apart from these legal issues, which are without merit, the primary question is what is the failure of public interest in this case. There is not even a whisper in the Petition that this Project is not in public interest or that Respondent No. 5 is not suitable or qualified to be an advisor.

14. As regards the project is concerned, the Kerala Knowledge Economy Mission is launched for providing employment to the educated youth of Kerala. The initiative aims to create employment opportunities for job seekers by generating local demand and facilitating employment at both local and international levels. A digital platform was established to connect skill providers, streamline employment systems, and implement mechanisms through local government and academic institutions to mobilize job seekers. First in Pathanamthitta district, *Vijnana Pathanamthitta*, a special programme at the district-level, was launched finding that there is a need to expand and systematize grassroots activities to provide employment. Considering its success, the Government decided to extend the programme across Kerala as the *Vijnana Keralam* project. This Project which aims to provide opportunities to job seekers, is in the public interest.

15. Coming to the appointment of Respondent No. 5 as an advisor for the project, Respondent No. 5 has volunteered his services and experience without remuneration, except for reimbursement of travel and out-of-pocket expenses. The learned Advocate General has clarified that the role of Respondent No. 5 is only that of an advisor and does not involve the



exercise of any administrative powers. As stated earlier, it is not even stated that Respondent No. 5 is not suitable or qualified to act as an Advisor to this Project. Respondent No. 5 has placed his credentials on record. He holds a Master's degree in Economics and a Doctorate. He was a Member of the Kerala Legislative Assembly from 2001 to 2021, and served as the Minister of Finance of the State of Kerala during the years 2006 – 2011 and 2016 – 2021. He was also a Member of the State Planning Board from 1996 to 2001. He served as Chairman of the Committee on Public Accounts, Kerala Legislative Assembly, during the periods 2004 – 2006 and 2011 – 2016. He was also the Member in charge of Decentralised Planning, with role in designing and implementing the People's Plan Campaign for Decentralised Planning. Respondent No. 5 was a Professor at the Centre for Development Studies, a research institute of repute. Respondent No. 5 authored books on various subjects, including economics, one of which won the Kerala Sahitya Akademi Award in 1989. Respondent No. 5 was also associated with *Vijnana Pathanamthitta*, a project intended to provide employment, and his contribution to the project was widely acknowledged. It is this distinct project that is now being launched as State-wide Project.

16. Thus, the State Government has engaged the services of an expert in the field with experience, as an Advisor, who has agreed to work on a voluntary basis with only his expenses reimbursed for a project that is in the public interest. The State Government was well within its powers to engage an Advisor. The Petition is entirely misconceived. The Petition is filed without impleading the necessary parties as respondents, is unsupported by



proper research, without reference to any statutory provisions, and has undertones of malice. It is unfortunate that Respondent No. 5 was compelled to be subjected to such a petition and to file an affidavit to reiterate his credentials.

17. The Writ Petition is dismissed.

18. It is only because of the efforts put in by the learned *Amicus Curiae*, which we appreciate, that we refrain from imposing exemplary costs on the Petitioner.

19. Pending interlocutory applications, if any, stand closed.

Sd/-
NITIN JAMDAR,
CHIEF JUSTICE

Sd/-
BASANT BALAJI,
JUDGE

krj/-

APPENDIX OF WP(C) 45335/2024PETITIONER'S EXHIBITS:-

- EXHIBIT P1 TTHE TRUE COPY OF THE G.O(ORD)
NO.118/2024/PLG&EA (DVPMT & INNOVATION) DATED
12.12.2024 ISSUED BY PLANNING AND ECONOMIC
AFFAIRS (DEVELOPMENT AND INNOVATION) DEPARTMENT
WITH ENGLISH TRANSLATION.
- EXHIBIT P2 THE TRUE COPY OF THE REPRESENTATION DATED
15.12.2024 PREFERRED TO THE 1ST RESPONDENT.
- EXHIBIT P3 THE TRUE COPY OF THE RTI APPLICATION TO STATE
PUBLIC INFORMATION OFFICE, OFFICE OF THE CHIEF
SECRETARY, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM DATED 30.12.2024 BY THE
PETITIONER WITH ENGLISH TRANSLATION.
- EXHIBIT P4 THE TRUE COPY OF THE REPLY OF STATE PUBLIC
INFORMATION OFFICER & SECTION OFFICER DATED 30.
01.2025 TO EXT P3 WITH ENGLISH TRANSLATION.
- EXHIBIT P14 THE TRUE COPY OF THE ORDER IN CRL.MP NO.87/2017
OF THE COURT OF THE ENQUIRY COMMISSIONER AND
SPECIAL JUDGE, THIRUVANANTHAPURAM DATED
20.10.2017.
- EXHIBIT P15 THE TRUE COPY OF THE ORDER IN CRL.MP
NO.1248/2016 OF THE COURT OF THE ENQUIRY
COMMISSIONER AND SPECIAL JUDGE,
THIRUVANANTHAPURAM DATED 28.10.2017.
- EXHIBIT P16 THE TRUE COPY OF THE ORDER IN CRL.MP NO.886/2016
OF THE COURT OF THE ENQUIRY COMMISSIONER AND
SPECIAL JUDGE, THIRUVANANTHAPURAM DATED
30.10.2017.
- EXHIBIT P5 THE TRUE COPY OF THE MEDICAL RECORD ISSUED BY
THE ANANTHAPURI HOSPITAL DATED 16.12.2024.
- EXHIBIT P6 THE TRUE COPY OF THE ORDER IN CRL.MP
NO.1174/2016 OF THE COURT OF THE ENQUIRY
COMMISSIONER AND SPECIAL JUDGE,



THIRUVANANTHAPURAM DATED 11.09.2017.

- EXHIBIT P7 THE TRUE COPY OF THE ORDER IN CRL.MP NO.1045/2013 OF THE COURT OF THE ENQUIRY COMMISSIONER AND SPECIAL JUDGE, THIRUVANANTHAPURAM DATED 04.02.2015.
- EXHIBIT P8 THE TRUE COPY OF THE ORDER IN CRL.MP NO.142/2017 OF THE COURT OF THE ENQUIRY COMMISSIONER AND SPECIAL JUDGE, THIRUVANANTHAPURAM DATED 21.03.2017.
- EXHIBIT P9 THE TRUE COPY OF THE ORDER IN CRL.MP NO.923/2016 OF THE COURT OF THE ENQUIRY COMMISSIONER AND SPECIAL JUDGE, THIRUVANANTHAPURAM DATED 10.08.2017.
- EXHIBIT P10 THE TRUE COPY OF THE ORDER IN CRL.MP NO.920/2016 OF THE COURT OF THE ENQUIRY COMMISSIONER AND SPECIAL JUDGE, THIRUVANANTHAPURAM DATED 31.08.2017.
- EXHIBIT P11 THE TRUE COPY OF THE ORDER IN CRL.MP NO.365/2017 OF THE COURT OF THE ENQUIRY COMMISSIONER AND SPECIAL JUDGE, THIRUVANANTHAPURAM DATED 02.09.2017.
- EXHIBIT P12 THE TRUE COPY OF THE ORDER IN CRL.MP NO.254/2017 OF THE COURT OF THE ENQUIRY COMMISSIONER AND SPECIAL JUDGE, THIRUVANANTHAPURAM DATED 02.09.2017.
- EXHIBIT P13 THE TRUE COPY OF THE ORDER IN CRL.MP NO.336/2017 OF THE COURT OF THE ENQUIRY COMMISSIONER AND SPECIAL JUDGE, THIRUVANANTHAPURAM DATED 02.09.2017.
- EXHIBIT P17 THE TRUE COPY OF THE COURSE COMPLETION CERTIFICATE ISSUED BY THE MADURAI KAMARAJ UNIVERSITY DATED 09/02/2023.
- EXHIBIT P18 THE TRUE COPY OF THE STATEMENT OF MARKS ISSUED DATED 11/08/2023 BY THE MADURAI KAMARAJ UNIVERSITY.



DOCUMENTS OF THE AMICUS CURIAE:-

- ANNEXURE I A TRUE COPY OF THE G.O.(MS) NO.8/P AND EA CO-OP DATED 24.02.2021.
- ANNEXURE II A TRUE COPY OF THE G.O.(RT) NO.11/2021/PLG AND EA(DVPMT AND INNOVATION) DATED 26.11.2021.
- ANNEXURE III A TRUE COPY OF THE PROCEEDINGS OF THE LEGISLATIVE ASSEMBLY REGARDING QUESTION NO.2177 DATED 12.12.2022 ALONG WITH ITS ENGLISH TRANSLATION.
- ANNEXURE IV A TRUE COPY OF THE BYE LAWS OF THE K-DISC.

RESPONDENTS' EXHIBITS:-

- EXHIBIT R1(A) A TRUE COPY OF G.O.(RT) NO. 4338/2025/FINANCE DATED 14.05.2025.
- EXHIBIT R1(B) A TRUE PHOTOCOPY OF THE G.O.(P) NO.26/2017/PLG DATED 30.12.2017.
- EXHIBIT R1(C) A TRUE PHOTOCOPY OF THE G.O.(MS) NO. 8/2021/P AND EA DATED 24.02.2021.
- EXHIBIT R1(D) A TRUE PHOTOCOPY OF THE RULES OF BUSINESS OF THE GOVERNMENT OF KERALA (2ND AMENDMENT) RULES, 2025 (S.R.O NO. 671/2025 PUBLISHED AS PER G.O.(MS) NO.84/2025/GAD DATED 13.06.2025).
- EXHIBIT R4(A) TRUE COPY OF THE RULES OF BUSINESS OF THE GOVERNMENT OF KERALA AS AMENDED UP TO 07.06.2024.
- EXHIBIT R4(B) TRUE COPY OF G O(P) NO.26/2017 DATED 30/12/2017.
- EXHIBIT R4(C) TRUE COPY OF G.O.(MS) NO. 8/2021 DATED 24.02.2021 ALONG WITH ANNEXURES I AND II.

WP(C). 45335/2024

-:17:-



2025:KER:64427

**EXHIBIT R4(D) TRUE COPY OF THE RULES OF BUSINESS OF THE
GOVERNMENT OF KERALA (2ND AMENDMENT) RULES, 2025
(S.R.O NO. 671/2025 PUBLISHED AS PER G.O.(MS)
NO.84/2025/GAD DATED 13.06.2025) .**

//TRUE COPY//

P.A. TO C.J.