



ഊർജ്ജം കേരളം വികസനം

**KSEBL**  
കേരളത്തിന്റെ ഊർജ്ജം.

## KERALA STATE ELECTRICITY BOARD LIMITED

(Incorporated under the Companies Act, 1956)

**Registered Office: Vydyuthi Bhavanam, Pattom  
Thiruvananthapuram - 695 004**

**CIN: U40100KL2011SGC027424**

Website: [www.kseb.in](http://www.kseb.in) Email: [pokseb@gmail.com](mailto:pokseb@gmail.com)

**Phone No.: 0471-2514472 & 0471-2514455 Fax: 0471-2514472**

### **ABSTRACT**

Referendum conducted in Kerala State Electricity Board Limited (KSEBL) on 28.04.2022 - Certificate of Recognition granted to Kerala State Electricity Board Workers Association (CITU) (Reg. No. 54/1971) - Protection from the Online General Transfer of the Workmen of KSEBL to be extended to the nominees of Recognized trade union of KSEBL viz. KSEB Workers Association (CITU) – Orders issued.

### **CORPORATE OFFICE (PERSONNEL)**

Office Order (CMD) No. 744/2023 [PS1 (A)/KSEBL/Referendum/2022] Dated, TVPM: 27 - 05 - 2023.

- Read:-
1. Proceedings No. LCO/2225/2022-IR (5) dated: 24-03-2022 of the Trade Union Registrar (Labour Commissioner), by which appointed the Returning Officer for conducting Referendum in KSEBL.
  2. Notification No. LCO/2225/2022/IR (5), in respect of the Referendum 2022 of KSEBL, issued by the Returning Officer & Additional Labour Commissioner (I.R.), Thiruvananthapuram, on 04-04-2022.
  3. Record of Election published by the Returning Officer & Additional Labour Commissioner (IR) as per Rule 31 specifying the number of votes secured by each Trade Unions contested in the Referendum 2022 of KSEBL.
  4. Proceedings No. LCO/2225/2022-IR (5), dated 25-06-2022 of the Labour Commissioner, by which finalized the disputes raised by certain contestant Trade Unions, in connection with the Referendum 2022 of KSEBL, conducted on 28-04-2022.
  5. BO (FTD) No. 83/2023 [PS1 (A)/OLGT-2023/Guidelines for Workmen] Dated, TVPM: 27-02-2023.
  6. Note No. PS 1 (A)/KSEBL/Referendum/2022, dated: 04-04-2023 of the Chief Personnel Officer, submitted to the Chairman & Managing Director of KSEBL.

### **ORDER**

As per the Proceedings read as 1<sup>st</sup> above, issued by the Registrar of Trade Unions (Labour Commissioner), State of Kerala; Returning Officer was appointed for conducting the Referendum in KSEBL. Subsequent to the above, based on the Notification read as 2<sup>nd</sup> above, issued by the Returning Officer & Additional Labour Commissioner (IR); Referendum was conducted in KSEBL on

28.04.2022 and results were declared on 30.04.2022, as per the Record of Election (published in line with Rule 31), read as 3<sup>rd</sup> above. Number of votes secured by the Trade unions contested in the Referendum 2022 of KSEBL, is tabulated hereunder.

Sl. No.	Name of the Trade Unions contested in the Referendum 2022 of KSEBL	No. of Votes	
		%	Total
1	Kerala State Electricity Board Workers Association (CITU) (Reg. No. 54/1971)	53.42	13634
2	Kerala Electricity Workers Federation (AITUC) (Reg. No. 01-444/1975)	14.93	3810
3	United Democratic Electricity Employees Front (Reg. No. 01-01/2003)	14.87	3796
4	Kerala Vydyuthi Mazdoor Sangh (BMS) (Reg. No. 07-32/1991)	8.21	2096
5	Kerala State Electricity Workers Union ( Reg. No. 43/1956)	5.61	1432
6	Kerala Electricity Executive Staff Organization (KEESO) (Reg. No. 03-05-2010)	2.47	630
7	Electricity Employees Federation (Reg. No. 01-35/2016)	0.60	15
<b>Total number of votes polled, in the Referendum</b>			<b>25413</b>

Kerala State Electricity Board Workers Association (CITU), having Reg. No. 54/1971, secured 53.42 % of the total votes polled, whereas no other contestant Trade Unions could acquire the minimum percentage of votes required for recognition, viz., 15% of the total votes polled in the Referendum 2022 of KSEBL.

Subsequently, Kerala Electricity Workers Federation (AITUC) as well as the United Democratic Electricity Employees Front, which could have secured votes only at 14.93% and 14.87% respectively, raised certain disputes before the Registrar of Trade Unions (Labour Commissioner), claiming that KSEBL is a 'Class of Industry' as per Section 5 (4) of the Kerala Recognition of Trade Unions Act 2010, since 3 different Strategic Business Units viz., Generation, Transmission & Distribution are functioning under the firm and the Company itself is a major shareholder of 4 various Industrial Establishments and hence, they are eligible for recognition, on securing not less than 10% of the total votes polled in the Referendum 2022 of KSEBL.

After having conducted a hearing in connection with the above, the Registrar of Trade Unions (Labour Commissioner) had pointed out as per the Proceedings read as 4<sup>th</sup> above that KSEBL has not been notified as a Class of Industry, as per Section 2 (a) of the Kerala Recognition of Trade Unions Act 2010 and it was clearly specified in the Minutes of the Meeting held on the date of issuance of the Notification of the Referendum 2022 of KSEBL i.e., on 04-04-2022, involving the representatives of all contestant Trade Unions functioning in KSEBL that the minimum percentage of votes required for getting recognition through Referendum will be 15% of the total votes polled and as no disputes were raised in this regard, either during the time of the said Meeting or well before approving the Minutes thereon, the disputes raised so will not be sustained. Based on the above, it was concluded that in accordance with the provisions of Kerala Recognition of Trade Unions Act 2010, KSEBL is an 'Industrial Establishment'. Therefore, the Result of the Referendum conducted in KSEBL, during 28<sup>th</sup>

April 2022 was being approved by the Registrar of Trade Unions (Labour Commissioner), as per the Proceedings read as 4<sup>th</sup> above; by rejecting all pleas for treating KSEBL as a 'Class of Industry'.

Accordingly, the Registrar of Trade Unions (Labour Commissioner) had issued 'Certificate for Recognition' in Form D on behalf of Kerala State Electricity Board Workers Association (CITU) (Reg. No. 54/ 1971), as it was recognized as the 'Sole Bargaining Agent' in KSEBL. Subsequent to the above, 'Certificate of Recognition' in Form F had been issued to Kerala State Electricity Board Workers Association (CITU), by KSEBL.

In the meantime, in connection with the Online General Transfer 2022 of the Workmen of KSEBL, the Kerala State Electricity Board Workers Association (CITU), being the one and only Trade Union, among the seven Trade Unions contested in the Referendum 2022 of KSEBL, which could have secured of and above the required minimum percentage (15%) of votes for getting recognition (exactly, secured 53.42% of the total votes polled in the Referendum), submitted the List of their representatives (80 Numbers) to whom 'protection on behalf of the Recognized Trade Union' has to be extended, on 27-06-2022, as the said disputes raised by Kerala Electricity Workers Federation (AITUC) and United Democratic Electricity Employees Front were pending disposal for enquiry and allied proceedings. A Letter of Interest had also been submitted on behalf of the Kerala State Electricity Board Workers Association (CITU), stating that even though the whole protection (100 Numbers) on behalf of the Recognized Trade Unions are entitled to Kerala State Electricity Board Workers Association (CITU); it is decided to avail the protection thereon, for their 80 representatives only and desires to take necessary action by KSEBL, to provide the balance 20 Numbers of protection to the representatives of National Trade Unions, functioning in KSEBL.

Based on the direction of the Chairman & Managing Director of KSEBL thereon that action may be taken as per Standing Instructions, after conducting a discussion with all trade unions; a discussion was held in this regard, but no consensus were arrived at. Later, on 19-07-2022, another List of 20 representatives had been submitted by Kerala State Electricity Board Workers Association (CITU); along with a covering letter, in which aforesaid contentions were reiterated. In line with the aforesaid documents, whole protection on behalf of the Recognized Trade Unions i.e., 100 Numbers were being provided in connection with the Online General Transfer 2022 of the Workmen of KSEBL.

Similarly, in connection with the Online General Transfer 2023 of the Workmen of KSEBL, a list of 100 representatives was submitted on behalf of the Recognized Trade Union of KSEBL, VIZ., Kerala State Electricity Board Workers Association (CITU). Based on the same, proceedings in connection with aforesaid protection could have been completed, well before inviting applications for the Online General Transfer 2023 of the Workmen of KSEBL, as insisted vide the Board Order read as 5<sup>th</sup> above.

As per Section VII (a) of the existing Guidelines for Online General Transfer of the Workmen of KSEBL, read as 5<sup>th</sup> above: Protection from the transfer will be given to the recognized General Trade Unions at one percent of the workmen employed in the entire establishment of the Kerala State Electricity Board Limited, subject to a maximum of 100. The membership of the Unions will be verified

from time to time in a referendum as prescribed for the purpose. The list of Representatives of the Recognized Trade Unions, to whom protection is required should be submitted to the Chief Personnel Officer, every year, well before the date of inviting applications for the ensuing Online General Transfer of the Workmen of KSEBL and the List of Workmen, to whom protection is provided in this regard, shall be published prior to the invitation of application for the ensuing Online General Transfer. The list of protected workmen declared by the Chief Personnel Officer, every year, will remain in force for a period of one year or till the next Annual General Body Meeting of the recognized General Trade Union or till the next referendum, whichever is earlier. The recognized General Trade Union can withdraw the names of any of their members from the list of protected workmen at any time by giving due intimation in writing to the Chief Personnel Officer, but they will have no right for substitution. As soon as the Chief Personnel Officer declares and notifies the list of protected workmen for any year, the previous year's list of protected workmen will cease to exist.

As per the Note read as 6<sup>th</sup> above, aforesaid matters were brought to notice of the Chairman & Managing Director of KSEBL and it was ordered to continue all processes in connection with the granting up of Protection from General Transfer on behalf of the Recognized Trade Unions of KSEBL, as being done for last so many years and on the basis of the Guidelines framed thereon, for the Online General Transfer of the Workmen of KSEBL, from time to time.

By Order of the Chairman & Managing Director

Sd/-

**SABITHA. S.**

**SECRETARY (ADMINISTRATION)**

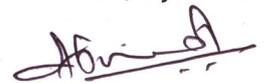
To

- (1) The Chief Personnel Officer, Personnel Department, KSEBL, Vydyuthi Bhavanam, Thiruvananthapuram.
- (2) The General Secretary, Kerala State Electricity Board Workers Association (CITU), [Reg. No.54/71], B.T.R. Memorial, Mele Thampanoor, Thiruvananthapuram – 1.

Copy to:

All Chief Engineers/ The Financial Adviser/ The Chief Internal Auditor/  
The Company Secretary/ The Legal Adviser & Disciplinary Enquiry Officer/  
The Chief Vigilance Officer/ All Deputy Chief Engineers/ The Chief Public Relations Officer/  
TA to Chairman & Managing Director of KSEBL/ TA to Director [Generation (Civil)]/  
TA to Director [Distribution, SCM, Information Technology, REES, SOURA, NILAAVU Project,  
Sports & Welfare]/ TA to Director [Transmission, System Operation, Planning, Safety,  
Generation (Electrical) & (HRM)]/ PA to Director [Finance]/ All Executive Engineers/  
The Deputy Secretary (Administration)/ Sr.CA to Secretary (Administration)/  
The Fair Copy Superintendent/ Record Section/ Library/ Stock File.

Forwarded/ By Order:



Senior Superintendent