

KERALA STATE ELECTRICITY BOARD LIMITED

(Incorporated under the Indian Companies Act, 1956)

Registered Office: Vidyuthi Bhavanam, Pattom, Thiruvananthapuram -695 004

Tel: 0471-2514492, 251 4455
e - mail: pokseb@gmail.com



Personnel Department,
Vidyuthi Bhavanam, Pattom,
Thiruvananthapuram-695004

=====
No. PS I(b)/Restructuring of KSEB/4059/2009

Date:01.08.2014

From

The Secretary

To

The General Secretary

All Trade Unions & Associations of Officers

Sir,

Sub: Copy of Tripartite Agreement – Forwarding of – Regarding.

Ref: PSI(b)/Restructuring of KSEB/4059/2009 dated 17.05.2014.

Copy of the Tripartite Agreement is forwarded herewith.

Yours faithfully

Secretary (Administration)

Acc: Copy of Tripartite Agreement.

- Copy to:
1. TA to Chairman & Managing Director
 2. PA to Director (Finance)
 3. TA to Director (D&GE)
 4. TA to Director (T & SO)
 5. TA to Director (GC)
 6. CA to the Secretary (Administration).



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TRIPARTITE AGREEMENT AMONG GOVERNMENT OF KERALA,
KERALA STATE ELECTRICITY BOARD LIMITED AND KERALA STATE
ELECTRICITY BOARD EMPLOYEES'
UNIONS AND ASSOCIATIONS

[See SCHEDULE 'C' read with Clause 6(8) of the Kerala Electricity Second
Transfer Scheme (Re-vesting), 2013]

THIS TRIPARTITE AGREEMENT entered into on this the ...FIRST.....day
of ...AUGUST..... 2014 (month and year) among Government of Kerala
represented by Sri. M.Sivasankar, Secretary to Government, Power Department
(hereinafter called the "State Government") of the FIRST PART; and

January	January



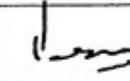
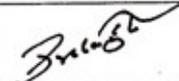
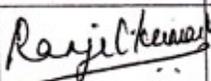
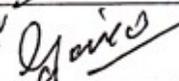
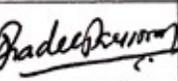
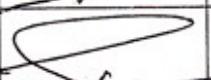
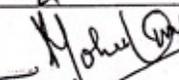
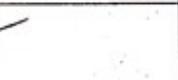
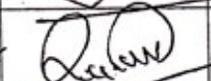
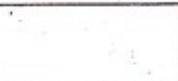
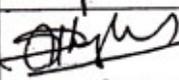
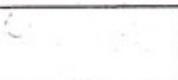
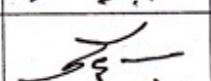
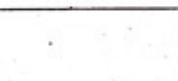
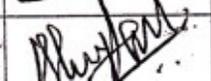
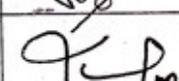
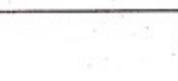
Kerala State Electricity Board Limited (Corporate Identity Number U40100KL2011SGC027424), a company incorporated under the Companies Act, 1956 having its Registered Office at Vidyuthi Bhavanam, Pattom, Thiruvananthapuram - 695 004 represented by Sri. M.Sivasankar, Chairman & Managing Director (hereinafter called "KSEB Ltd") of the SECOND PART; and

The Unions and Associations representing workmen and officers of the erstwhile Kerala State Electricity Board (hereinafter called "Union") represented by their authorized office bearers who have given their signature below of the THIRD PART.

WHEREAS the Government of Kerala as per GO (Ms) No. 37/2008/PD, dated 25.09.2008 notified the Kerala Electricity First Transfer Scheme, 2008 for the purpose of vesting of functions, properties, interests, rights, obligations and liabilities of KSEB to State Government on the terms agreed to by KSEB and State Government.

AND WHEREAS the Government of Kerala has notified as per GO (P) No. 46/2013/PD (SRO. No. 871/2013) dated 31st October 2013, the Kerala Electricity Second Transfer Scheme (Re-vesting), 2013 for re-vesting the functions, properties, interests, rights, obligations and liabilities of Board/KSEB from State Government to Kerala State Electricity Board Limited and also for the transfer of personnel of the erstwhile Board/KSEB to Kerala State Electricity Board Limited and for determining the terms and conditions on which such transfers and re-vesting shall be made.

AND WHEREAS the State Government, the KSEB Ltd. and the employees and officers of the Board/KSEB are desirous of entering into an agreement to ensure the service conditions consequent to the re-vesting as envisaged under the Electricity Act, 2003 with a view to facilitate smooth implementation of the re-vesting scheme.

Immanuel					
Janaki					
Haris					
Edmond					
Sibykutty					
					
					

NOW, THEREFORE, in consideration of the promises and mutual conditions set forth herein, it is agreed by and among the parties as follows:

(1) In so far as this Tripartite Agreement is concerned:

- (i) **"Board"** means Kerala State Electricity Board constituted under Section 5 of the erstwhile Electricity (Supply) Act, 1948 (54 of 1948), of which all functions, properties, all interests, assets, liabilities and personnel were vested in the State Government in the name of "Kerala State Electricity Board" after the notification of transfer scheme dated 25.09.2008;
- (ii) **"Kerala State Electricity Board (KSEB)"** means the undertakings of the Board vested in Government of Kerala through notification vide S.R.O. No. 990/2008 dated 25/09/2008 by which State Government is administering the functions of the Board by appointing the Special Officer and a Managing Committee till the date of re-vesting of the functions, properties, interests, rights, liabilities, proceedings and personnel to the transferee in accordance with the Electricity Act, 2003 and the Kerala Electricity Second Transfer Scheme(Re-vesting), 2013;
- (iii) **"Kerala State Electricity Board Ltd."** means the Company incorporated under Companies Act, 1956 (1 of 1956) wholly owned by the Government of Kerala, in which the Government will re-vest the functions, properties, interests, rights, liabilities, proceedings and personnel in accordance with Sub-section (2) of Section 131 & Section 133 of Electricity Act, 2003 and the Kerala Electricity Second Transfer Scheme (Re-vesting), 2013;
- (iv) **"Master Trust"** means the Trust to be constituted to manage the funds and to disburse terminal benefits, pension etc. and ensure interest of the existing pensioners and the personnel transferred to the Kerala State Electricity Board Ltd. as on the date of re-vesting as regards payment of Terminal Benefits as defined in the Kerala Electricity Second Transfer Scheme (Re-vesting), 2013.

Insambel					
Insambel					
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(2) The State Government and the KSEB Ltd. hereby guarantee that:-

- (a) There will be no retrenchment of employees for any reason and their status/services will be protected.
- (b) All the existing permanent employees including Part Time Contingent Employees will be absorbed to KSEB Ltd.
- (c) The terms and conditions of services of the existing employees such as promotions, transfers, wages, compensations, leave, allowances etc. upon transfer to KSEB Ltd. shall continue to be regulated by existing regulations/service rules in vogue and is guaranteed to continue as indicated hereunder.
- (d) With regard to wage/pay revision, the present system of periodic bipartite negotiations and agreements shall continue.
- (e) The State Government and KSEB Ltd. shall take all steps to assure the payment of pension including dearness relief and other terminal benefits of the existing employees and pensioners as on the date of re-vesting, in the same pattern as on today including periodical revisions as applicable. To ensure this the Government has allowed the KSEB Ltd. to retain the electricity duty for a limited initial period and the Government is open to review this retention based on the adequacy of the corpus fund thus created.
- (f) All the existing welfare measures for the existing employees as on the date of re-vesting, like the scheme for compassionate appointment, medical reimbursement, family pension, commutation of pension, voluntary retirement, invalid pension etc. shall be continued.
- (g) All benefits of the services rendered by the existing employees in Board/KSEB as on the date of re-vesting shall be protected and be given full effect.
- (h) The period of service of the existing employees under the Board/KSEB and under KSEB Ltd. shall be treated as continuous service for the purposes of the service benefits and terminal benefits payable to the personnel.

January	11/01/2010	Srinivas	10/1/10		
January	Ranjith Kumar	10/1/10	Pradeep Kumar		
January		H. S. Srinivas			
January	10/1/10	10/1/10			
January	10/1/10	10/1/10			
January	10/1/10	10/1/10			

- (i) All the existing welfare benefits to the retired employees shall continue. All obligations in respect of payment of pension and other retirement benefits including provident fund, welfare fund, superannuation pension, encashment of leave and gratuity to the employees who have retired and who are going to be retired from the service of the Board/KSEB as on the date of re-vesting shall be the liability of the KSEB Ltd. and in respect of all statutory and other schemes relating to the employees existing on the date of re-vesting, KSEB Ltd shall stand substituted for the Board/KSEB to all intents and purposes.
- (j) The employees of KSEB Ltd. will be paid gratuity as per the Payment of Gratuity Act, 1972.
- (k) Liabilities in respect of gratuity and superannuation benefits *shall be discharged* by 'Master Trust' to be constituted under the Indian Trust Act, 1882. To meet this liability, the KSEB Ltd. will issue bonds to the Master Trust to the extent of the unfunded liability of ₹ 7584 Crores as on 30.09.2011. Kerala State Electricity Board Ltd. will issue two series of bonds to the Master Trust.
- ◆ 20 year bond with a coupon rate of 10 % p.a. for ₹ 5021 Crores.
 - ◆ 10 year bond with a coupon rate of 9% p.a. for ₹ 2039 Crores.

The State Government will fund ₹3186 Crores (Three Thousand One Hundred and Eighty Six Crores) over a period of next 10 years to the Kerala State Electricity Board Limited on annual basis for meeting the unfunded terminal liabilities.

Another ₹ 524 Crores will be funded by the Government through budgetary provision over next ten years in equal installments as per GO (Ms.) No. 43/2011/PD dated 03.11.2011.

State Government also agrees that the electricity duty collected by KSEB for the period from 01.04.2008 to 31.03.2012 will be retained in the Kerala State Electricity Board Ltd. as its contribution for funding the terminal liability.

Insamby	Ilam	Subin	PAF		
Insamby	Ranjithkumar	Subin	Pradeepkumar		
Hendel		Mohamed			
Shankar	Subin	Subin			
Silvath	Subin	Subin			

- (s) All the existing workload norms will be continued and changes from time to time will be finalized through mutually negotiated settlements.
 - (t) All the appointments now being done through the Kerala Public Service Commission in accordance with the provisions of the Kerala Public Service Commission (Additional Functions) Act, 1963 will continue as such and amendments in this respect, if necessary, will be notified by the Government.
 - (u) The State Government shall ensure that KSEB Ltd. fulfills all its commitments as agreed upon above and Government will issue necessary orders to this effect.
- (3) This Tripartite agreement shall be read in conjunction with the Kerala Electricity Second Transfer Scheme (Re-vesting), 2013.

IN WITNESS WHEREOF, the Parties hereto have caused this Tripartite Agreement to be executed by their duly authorized representatives on the day, month and year first hereinabove written.

Jmsankar

Signed by Sri.M.Sivasankar,
Secretary, Power Department
Government of Kerala
Thiruvananthapuram.
For and on behalf of the Government of Kerala
(Of the FIRST PART)

Jmsankar

Signed by Sri.M.Sivasankar
Chairman & Managing Director
For and on behalf of
Kerala State Electricity Board Ltd
Vydyuthi Bhavanam, Pattom
Thiruvananthapuram - 4 (Of the SECOND PART)

Witness

1. *S*
M. Shabul Hameed
SECRETARY (ADMINISTRATION)
KERALA STATE ELECTRICITY BOARD LTD

2. *[Signature]*

K. VIKRAMAN NAIR
DIRECTOR
(Transmission & System Operation)
Kerala State Electricity Board Ltd.
Vydyuthi Bhavanam, Pattom
Thiruvananthapuram - 695 004

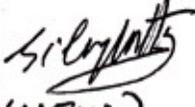
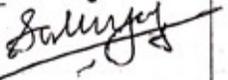
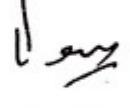
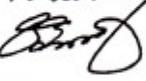
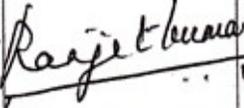
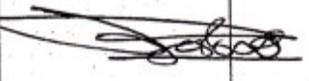
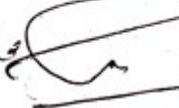
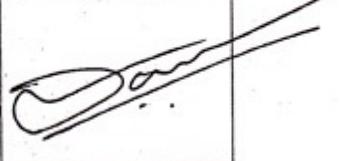
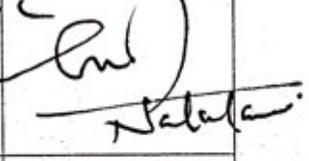
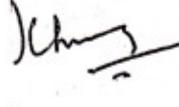
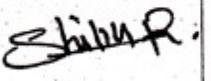
Witness

1. *[Signature]*
S.Venugopal
DIRECTOR (FINANCE)
KERALA STATE ELECTRICITY BOARD LTD

2. *[Signature]*

അൽഫോൻസ് ആർ ജെ
ഫിനാൻസ് ഓഫീസർ

<i>Jmsankar</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>		
<i>Jmsankar</i>	<i>Ranjithkumar</i>	<i>[Signature]</i>	<i>[Signature]</i>		
<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>		
<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>		
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<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>	<i>[Signature]</i>		

Sl. No.	Name of Signatory Name of the Union/Association Registration Number For and on behalf of the Unions representing workmen and officers (Of the THIRD PART)	Signature	Witness (Name and Address)	Signature of witness
1	KSEB Workers' Association (CITU) - Reg No 54/71 K.O. Habesh. President		Ajith Kumar. V.S. Asst. Secretary KSEB Workers' Association (CITU)	
2	V. Lekshmaam. General Secretary. KSEB Workers' Association (CITU) Reg. No. 54/71.		Suma Sekhari.S State office Asst KSEB workers - Association (CITU)	
3	C Reg: no- 01-14/87 Siby Kully Francis General Secretary (INTUC) Kerala Electricity Employees Confederation		Pratheepkumar.S Secretary Kerala State Employees Confederation	
4	Gopa Kumar. V Treasurer Kerala Electrician Employees Confederation (INTUC)		R. VIRAJ P. K. Working Committee Member KSEELINTUC	
5	SURESH KUMAR M.G. General Secretary KSEB Officers Association		Sathyarajan Working President KSEB Officers Association	
6	B. PRADEEP President KSEB Officers Association		K. Sathyanand President 	
7	RANJIT KUMAR. V GENERAL SECRETARY KSEB ENGINEERS' (Reg 94/89) ASSOCIATION		RAJESH. DS SECRETARY (HQ) KSEBEA.	
8	E. Mohammed Sheeef President KSEB Engineers' Association (Reg. No. 94/89)		SANTHOSH. E Org Secretary (Gouvt) KSEB EA.	
9	R. Chandrachudamnikis General Secretary Kerala Power Societies Federation (Reg 1644/97)		Nakulam Treasurer KPBOF	
10	K. S. Sumil Secretary Kerala Power Societies Federation 1644/97		Shibu. R. Organizing Secy KPBOF	

11	<p>മുഖ്യ ഓഫീസർമാർ കേരള വൈദ്യുത പരിഷ്കരണ കമ്മീഷൻ കോളാബാദ് ഓഫീസ്</p>		<p>മുഖ്യ ഓഫീസർമാർ കേരള വൈദ്യുത പരിഷ്കരണ കമ്മീഷൻ കോളാബാദ് ഓഫീസ്</p>	
12	<p>BRIJL. M.V. Secretary, KEEC Reg No. 01-14/87</p>	<p>(INTUC) </p>	<p>ജി. ശങ്കർ-റാജ് സെക്രട്ടറി നവ കോളാബാദ് TUM</p>	
13	<p>പി. രാജ്. പ്രസിഡൻ്റ് കേ. വൈ. പരിഷ്കരണ കമ്മീഷൻ കോളാബാദ് ഓഫീസ് (INTUC) Reg: no: 01-14/87</p>		<p>Shahul Haneed. K Reg No: 01-14/87</p>	
14	<p>എ. സാനിദ് റ്റോൾ (ബി. ടി. ടി.) കേ. വൈ. പരിഷ്കരണ കമ്മീഷൻ കോളാബാദ് ഓഫീസ് (INTUC) Reg: 01-14/87</p>		<p>Nolen Joe. O. Sd-Asst - EB Section o/o the CE Chem</p>	
15	<p>Mohan Kumar K Vice President CBEA</p>		<p>Ratheed. K P. CA of the Director (Gen. Civil)</p>	
16	<p>A. RAMESH Gen-Secretary CBEA</p>		<p>SHANKAR AEE(C) o/o Director (Gen) Trivandrum</p>	
17	<p>M. SHAJAHAN. Gen: Secretary KSEBEO (STU)</p>		<p>Narayanan Sampathini PS SA o/o the CMD</p>	
18	<p>VARGHESE ISAAC President KSEB PGEA</p>		<p>SUPRIYA S Exe. Engineer o/o CE (CC-S) V.B, Tum</p>	
19	<p>DAVIDSON, C. GEN SECRETARY KSEB PGEA</p>		<p>Vijayar Kumar S Exe. Engr (Civil Div) o/o Dir (Tech. Gen)</p>	
20	<p>REVIVARMAN. G Gen. Secretary KSEB Officers Congress</p>		<p>Sankar Kumar. K.P. Treasurer KSEB OC</p>	
21	<p>Pradeep Kumar M. Vice President KSEB Officers Congress</p>		<p>Pradeep Kumar M. Secretary o/o the PRE</p>	