

# **KERALA STATE ELECTRICITY BOARD LIMITED**

**(Incorporated under the Indian Companies Act, 1956)**

**Registered Office : Vydyuthi Bhavanam, Pattom,  
Thiruvananthapuram – 695 004.**

## **ABSTRACT**

Revision of pension and other related benefits to the Pensioners of Kerala State Electricity Board Limited – Government Guarantee – Extending the benefits to the pensioners transferred from the erstwhile Electricity Department – Cancellation of Board Orders dated 29.07.2011, 18.12.2012 & 18.02.2013 - Orders issued

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## **CORPORATE OFFICE (PERSONNEL)**

B.O. (DB) No. 2090/2014 (PS I/Pension Revision/2011) Thiruvananthapuram,  
Dated 02 .08.2014

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- Read:-
1. Order No. EL.I-4670/57/PW dated 03.04.1957 of the Government of Kerala.
  2. Judgment dated 23.06.2011 of Hon'ble High Court of Kerala in WA No. 131/2011
  3. B.O. (CM) No. 1889/2011 (LAS. IV/13538/2006) dated 29.07.2011.
  4. B.O. (FM) No. 2455/2012 (PSI/Pension Revision/2011) dated Thiruvananthapuram 18.12.2012.
  5. B.O (FB) No. 379/2013 (PSI/Pension Revision/2011) TVPM, dated 18.02.2013.
  6. Note No. LAS. IV/20142/2011 dated 07.04.2014 of the Legal Adviser & Disciplinary Enquiry Officer.
  7. Proceedings of the Meeting of the Board of Directors held on 29.05.2014.

## **ORDER**

Consequent on the formation of KSE Board, the personnel working in the erstwhile Electricity Department was transferred to the Board. During the process the Government of Kerala had given certain guarantee vide Order read as 1<sup>st</sup> paper above to the personnel so transferred.

In WP(C) No. 20865/2006 filed by one Sri. E.N.Narayana Pillai and another before the Hon'ble High Court of Kerala seeking the benefits of interim relief with effect from 01.02.1997 and revision of pension with effect from 01.03.1997 as applicable to the State Government Pensioners, the Single Bench of the Hon'ble High Court ordered that the 1<sup>st</sup> petitioner who has been transferred to the Board from the erstwhile Electricity Department is eligible to receive the benefits by virtue of the said Government Order. The Writ Appeal 131/2001 filed by the KSEB against the Single Bench verdict was dismissed by the Division Bench vide judgment dated 23.06.2011 read 2<sup>nd</sup> above. On moving of contempt of court proceedings and orders in contempt petition Board was forced to comply with the judgment vide Board Order read as 3<sup>rd</sup> paper above.

Based on the above, the KSEB Pensioners' Association demanded to extend the said benefits to the remaining pensioners who have been transferred to the Board from the erstwhile Electricity Department.

The Chairman, KSE Board had ordered to place the matter in the Full Time Members Meeting and in the said meeting it was decided to extend the benefits to the surviving 52 pensioners as identified by the Chief Engineer (HRM) who have been transferred to the Board from the erstwhile Electricity Department and a Board Order read as 3<sup>rd</sup> paper above was issued. Subsequently the Board in its meeting held on 29.01.2013 decided to ratify the decision of the Full Time Members and a Board Order ratifying the B.O dated 18.12.2012 was issued accordingly.

The Legal Adviser and Disciplinary Enquiry Officer of the Board, as per Note read as 6<sup>th</sup> above, has intimated that on a careful scrutiny it is found that the pensioners mentioned above are not eligible for the benefits as specified in the Board Orders dated 18.12.2012 & 18.02.2013. The Chairman & Managing Director has ordered to place the matter before the Board of Directors.

Having considered the matter in detail the Board of Directors in its meeting held on 29.05.2014 decided the following.

- 1) To cancel the Board Orders No. B.O. (FM) No.2455/2012 (PSI/Pension Revision/2011) dated 18.12.2012 and B.O. (FB) No. 379/2013 (PSI/Pension Revision/2011) dated 18.02.2013.
- 2) To take steps to stop effecting payment to Sri. E.N. Narayana Pillai and 52 others pursuant to the Board Orders B.O. (CM) No. 1889/2011 (LAS. IV/13538/2006), dated 29.07.2011, B.O. (FM) No. 2455/2012 (PSI/Pension Revision/2011), dated 18.12.2012 and B.O. (FB) No. 379/2013 (PSI/Pension Revision/2011) dated 18.02.2013 and legal advice shall be obtained to ensure that withdrawal of the benefit extended to Sri. E.N. Narayana Pillai does not lead to contempt of court proceedings and the Chairman & Managing Director has been authorized to take further action on the basis of such legal advice.
- 3) To take legal remedy for effecting recovery of amount if any, paid already, in the light of the Board Orders B.O.(CM) No.1889/2011 (LAS.IV/13538/ 2006), dated 29.07.2011, B.O. (FM) No. 2455/2012 (PSI/Pension Revision/2011), dated 18.12.2012 and B.O. (FB) No. 379/2013 (PSI/Pension Revision/2011), dated 18.02.2013.
- 4) The Secretary (Administration) is authorized to examine and report the circumstances that led to taking the decision for effecting payment to Sri. E.N. Narayana Pillai.

Orders are issued accordingly.

By Order of the Full Time Directors  
Sd/-  
M. Shahul Hameed  
Secretary (Administration)

Copy to:

All Chief Engineers/All Deputy Chief Engineers/All Executive Engineers  
The Financial Adviser/The Chief Internal Auditor.  
The Legal Adviser & Disciplinary Enquiry Officer/  
The Chief Vigilance Officer/The Deputy Chief Engineer (IT)  
The Deputy Secretary (Administration)/Chief Public Relations Officer  
The TA to Chairman & Managing Director  
The TA to Director (D & GE)/Director (T & SO)/Director (GC)  
The PA to Director (Finance)/CA to Secretary (Administration)  
The F C Superintendent/Record Section/Library/Stock File.