



GOVERNMENT OF KERALA

No. 9205/C1/2013/PD

POWER (C) DEPARTMENT
Thiruvananthapuram,

Dated 17/10/2014.

From,

Secretary to Government.

To,

Sri. Sibykutty Francis,

General Secretary,

Kerala Electricity Employees' Confederation INTUC.

(Through the Secretary (Administration),
KSEB Ltd., Thiruvananthapuram)

Sir,

Sub:- Power Department- Appointments in KSEB Ltd. through KPSC- Request for
correction of provision in Govt. Order- Reg.

Ref:- 1. G.O. (Ms.) No.26/2014/PD dated 14-08-2014.

2. Your representation dated 07-10-2014 submitted to the Chairman
& Managing Director, KSEB Ltd.

29/10/14
SECRETARY (ADMINISTRATION)
KERALA STATE ELECTRICITY BOARD LTD.

I am directed to invite your attention to the references cited and to
inform you as follows:-

consequent on the issuance of the Transfer Scheme (Re-vesting) corporatizing KSEB, the
Kerala Public Service Commission (Additional Functions)Act,1963, which deals with the
recruitment in the erstwhile KSEB has become inoperative as the same is no more applicable to
KSEB Ltd.

The Kerala State Electricity Board Limited is a ' Government Company' as defined under
Section 2(b) of the Kerala Public Service Commission (Additional Functions as Respects Certain
Corporations and Companies) Act,1970 (Act 19 of 1970) and hence Kerala Public Service
Commission (Consultation by Corporations and Companies) Rules,1971, made under the Act has to
be amended so that the same would be applicable to the Company also.

It was under the above circumstances, G.O. , cited was issued ordering that the Kerala State

Electricity Board Limited shall also be included in the Kerala Public Service Commission (Consultation by Corporations and Companies) Rules,1971, so that this Company can seek the advice of the Kerala Public Service Commission on the matters relating to the methods of recruitment of its employees and that separate orders will be issued accordingly by amending the aforesaid Rules.

Except for the change in the statute applicable, there is no significant difference between the provision in the G.O and the Tripartite Agreement. The action in having made the Rules,1971 , applicable to KSEB Ltd. does not constitute any violation of clause (t) of the Tripartite Agreement, as the appointments will be continued to be made through KPSC. It has also been proposed to adopt the existing special rules in toto for the new company.

Further, sub-clause (7) of Clause 2 of the Kerala Electricity Second Transfer (Amendment) Scheme (Re-vesting), 2014, provides that “ personnel recruitment and selection will be made through Kerala Public Service Commission as was done immediately before the date of the transfer”. Here there is no mention to the statute.

In view of the position stated above, your request to correct the aforesaid G.O. making the KPSC (Additional Functions) Act, 1963 applicable to KSEB Ltd. cannot be considered.

Yours faithfully,

Sd/-

REMA P. NAIR

Under Secretary,

For Secretary to Government.

Approved for Issue,



Section Officer.

Thiruvananthapuram

07.10.2014

To

The Chairman & Managing Director
Kerala State Electricity Board Limited
Vaidyuthi Bhavan, Pattom
Thiruvananthapuram

Sir,

Sub: RR Action in KSEB Ltd legality Reg.

Ref:

The arrears of Revenue due to KSEB from consumer were effected through Revenue Recovery. This was enforced by law as per section 71 of Revenue Recovery act 1968. Revenue Recovery Act is mainly for the collection of arrears on land Revenue. KSE board was also included in the purview of revenue Recovery Act along with other 65 departments and hence the arrears of KSE Board could have realized through RR Act.

Now KSE Board is not existing and the new entity "Kerala State Electricity Board Limited" has no legal power to effect Revenue recovery to recover arrears. KSEB Ltd is not included in the list supplemented according to the Act. The Revenue recovery effecting in KSEB Ltd could be challenged by the consumers in the court of Law. Hence necessary steps may be taken to include Kerala State Electricity Board Ltd in the said list, so that the Revenue Recovery effecting by KSEB Ltd would become enforceable by law.

Yours faithfully



General Secretary