



GOVERNMENT OF KERALA

Abstract

Power Department - Central Electricity Authority (Measures relating to Safety & Electric Supply) Regulations, 2010 - One time extension for acquiring qualification - Granted - Orders issued.

POWER (A) DEPARTMENT

G.O.(Ms)No.4/2022/POWER Dated,Thiruvananthapuram, 21-04-2022

Read 1 G.O.(P) No.1/2019/PD Dated 13-2-2019.

2 Judgment of the Honourable High Court of Kerala dated 14.07.2020 in Writ Appeal No.223/2020 and connected cases.

3 Judgment of the Honourable Supreme Court dated 18.02.2022 in SLP No.in CA. 1498 - 1500/22.

4 Letter No.EB(Law)/CEA Regulations 2010/2021-22 Dated 18.03.2022 from the Chairman and Managing Director, KSEB Ltd.

ORDER

Regulations 6 and 7 of the CEA Safety Regulations, 2010 prescribed certain qualifications for Engineers, Supervisors and Technicians in Thermal and Hydro Power Plants and Transmission and Distribution System. State Government in exercise of its power under Regulation 116 of CEA Safety Regulations, 2010 issued Order read as 1st paper above providing exemption to employees of KSEB Ltd. from the implementation of qualification prescribed in Regulation 6 and 7 of the CEA Safety Regulations, 2010. It was also directed that future appointment in KSEB Ltd. will be made as per qualifications prescribed in the CEA Safety Regulations, 2010.

The Above Government Order was challenged in the Court of Law. As per judgement read as 2nd paper above it was held that the Government Order granting exemption from Regulation 6 and 7 to all Officers and Employees from the date of the Order (13.02.2019) was bad in law and the Order was set aside to that extent. It was further held that in respect of Employees/Officers who entered service after 31.10.2013, it would be open to the Government to grant one time extension of time to acquire necessary qualification, if the Government, on consideration of the situation in KSEB Ltd., feels that such extension is required to be granted. The above judgement of Hon'ble High Court was upheld by the Supreme Court as per judgement read as 3rd paper above.

As per the letter read as 4th paper above, the Chairman & Managing Director, KSEB Ltd. has requested Government for granting one time extension to the employees recruited after 31.10.2013 till the date of issuance of Government Order dated 13.2.2019, in compliance with the aforementioned judgements. Approval has also been sought for granting provisional promotion to deserving employees appointed during the intervening period on the basis of the one time

relaxation.

Government after having examined the matter in detail and in exercise of powers conferred by Rule 116 of the said Regulations, are pleased to grant a one time extension of time to acquire necessary qualification for employees who were appointed in the service of KSEBL after 31.10.2013, but before 13.02.2019 for a period of 5 years from the date of the order of provisional promotion to acquire the prescribed qualification of ITI / equivalent and a period of 7 years from the date of the order of provisional promotion to acquire the prescribed qualification of Diploma / equivalent subject to the condition that in the event of their failure to acquire the qualification within the extended period of time, they would be reverted to the post from which they were promoted. KSEB Ltd. shall explore the possibility of giving internal training to the employees in confirmation with the standards set in CEA Safety Regulations, 2010.

(By order of the Governor)
RAJESH KUMAR SINHA
PRINCIPAL SECRETARY

To:

The Chairman & Managing Director, Kerala State Electricity Board Limited,
Thiruvananthapuram.

The Secretary, Kerala State Electricity Regulatory Commission,
Thiruvananthapuram.

The Principal Accountant General (Audit) Kerala, Thiruvananthapuram

The Accountant General (A&E) Kerala, Thiruvananthapuram.

Information and Public Relations(Web and New Media) Department.

Stock file/Office copy.

Forwarded /By order



Section Officer