



KERALA STATE ELECTRICITY BOARD LIMITED

(Incorporated under the Indian Companies Act, 1956)

CIN : U40100KL2011SGC027424

Vydyuthi Bhavanam, Pattom, Thiruvananthapuram, Kerala – 695004.

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ABSTRACT

Establishment - Temporary conversion of 162 vacancies of Assistant Engineer (Ele) in the 20% ITI quota to 40% direct recruitment quota and reporting to the KPSC – Revocation of the decision of the Full Time Directors to report 92 anticipated vacancies in the cadre of Assistant Engineer (Ele) during the calendar year 2020 - Sanctioned – Orders issued.

Corporate Office (Human Resource Management)

BO (FTD)No.959/2019 (EB 1 (a)/AE (Ele.)/40% /2019) dated TVPM 26.12.2019.

Read 1. GO (MS)No.4/2014/PD dated 13.02.2014.

2. Circular No. Advice-C.3/101/2019/PARD dated 20.09.2019 of the Personnel and Administrative Reforms Department, Government of Kerala.
3. Note No. Estt.II/433/2019 dated 19.11.2019 of the Secretary (Administration), KSEBL.
4. Note No.EB1 (a)/AE(Ele)/40%/2019 dated 26.12.2019 of the Chief Engineer (HRM).(Agenda No 74/12/19)

ORDER

Appointment/promotion to the cadre of Assistant Engineer (Ele) in KSEBL is done in the ratio 4:1:3:2. This ratio is applied on the total cadre strength. 40% of the total cadre strength is earmarked for appointment of candidates recruited from open market by K.P.S.C. 10% of the cadre strength is set apart for appointment of in-service candidates possessing graduation in the relevant discipline of Engineering and working in various categories below the cadre of Assistant Engineer (Ele) and recruited by the K.P.S.C. 30% and 20% of the cadre strength are set apart for promotion of Sub Engineers having Diploma qualification and I.T.I qualification respectively. The four quotas are considered watertight compartments and once a person get appointment/ promotion to the cadre through any one of the quotas he/she cannot stake claims for the same cadre through the rest of the quotas. The sanctioned strength of Assistant Engineer (Ele) in KSEBL is 2340 and after accounting for the other appointments like Special Recruitment for Scheduled Caste/Scheduled Tribe, Sports Recruitment and Compassionate Appointment etc, the Cadre strength of Assistant Engineer (Ele) in KSEBL is 2295.

The Cadre strength in the 40% direct recruitment quota is 918. As per GO read as 1st above, 161 places of Assistant Engineer (Ele) had been temporarily upgraded to Assistant Executive Engineer (Ele). Of the places so upgraded, 107 places were from 40% quota, 38 places from 10% in service quota and 16 places from 30% Diploma quota. Subsequent to the restoration of 11 places from the 107 upgraded places the operative cadre strength of Assistant Engineer (Ele) in the 40% quota is 822. At present 800 persons are working in this quota leaving behind 22 vacancies, which have already been reported to the KPSC. In the mean time 3 Assistant Engineers (Ele) have submitted their resignation from KSEBL and the process of accepting the same is underway. Also 2 Assistant Engineers (Ele) have requested LWA which would result in as many vacuum in the working strength. That means right now only 5 vacancies (3 Resignation + 2 LWA) are available for reporting to the KPSC. Moreover the Hon'ble High Court of Kerala vide order dated 20.12.2019 in IA .1/2019 in WPC No. 3143/2017 filed by persons figured in the existing Ranked List for appointment in 40% quota has ordered to report 40 vacancies provisionally before 28.12.2019 with a direction to the KPSC not to make advice against these 40 vacancies without getting orders from the Court. Sanction of the Board was sought by the Chief Engineer (HRM) to comply with the order of the Hon'ble High Court.

The cadre strength in the 10% by-transfer recruitment quota is 230. After accounting for the 38 upgraded places as mentioned in Para 2 and subsequent restoration of 26 places back to the cadre of Assistant Engineer (Ele), the operative cadre strength in 10% quota is 218. At present 213 persons are working in this quota leaving behind 5 vacancies out of which 3 vacancies have already been reported to the KPSC. The remaining 2 vacancies on account of retirement are left to be reported to the KPSC for which the sanction was sought for by the Chief Engineer (HRM). At present there is a Ranked List published by the KPSC for the by-transfer appointment to the 10% in- Service quota of Assistant Engineer (Ele). Eighty two appointments have so far been made from this Ranked List. The Hon'ble Division Bench of the High Court of Kerala in the order dated 20.12.2019 in IA No. 3/2019 in WA 143/2019, filed against the judgment dated 19.12.2018 in WPC No 37101/2016, by a group of candidates figured in this ranked list, has passed an interim order that “*having regard to the facts and circumstances of the case , we make it clear that the expiry of the Ranked List , referred to above, in respect of the parties in this Appeal, would be subject to the final decision of this Appeal*”.

The cadre strength in 30% Diploma quota is 688. After accounting for the 16 up-graded places as mentioned in Para 2, the operative cadre strength in this quota is 672 and the vacancy numbers to 154. In spite of the existence of such a considerable number of vacancies the same cannot be filled up due to WA No 2788/2015, filed by KSEBL against the judgment dated 5.1.2015 in WPC 7964/2012, pending before the

Hon'ble High Court of Kerala. This Writ petition was filed by a group of Diplomat Sub Engineers seeking a direction to apply the ratio for promotion on arising vacancy instead of cadre strength as provides for in the relevant Board Orders which have been issued in line with note 3 of Rule 5 of KS & SSR. The fallout of this litigation is that the promotion to the vacancies of Diploma Quota & ITI quota has been held up since 2014. Dearth of Assistant Engineers (Ele) arising out of this situation has badly affected the smooth functioning of KSEBL and its negative impact is felt across various streams like Generation, Transmission & Distribution of KSEBL. The Board have partially tide over this embarrassing situation by resorting to temporary promotion as per Rule 31 (a) of KS & SSR. From the combined seniority list of Sub Engineers (Ele) 154 senior most Sub Engineers (Ele) who are having diploma qualification have been temporarily promoted. Right now by virtue of this temporary promotion there is no effective vacuum in this quota.

The cadre strength in the 20% ITI quota is 459. At present there are 249 vacancies in this quota. Due to the pendency in the WA 2788/2015 mentioned above promotion to these 249 vacancies are also held up.

The Full Time Directors in its meeting held on 13.11.2019, vide Agenda No. 38/11/19 had identified 92 vacancies being anticipated in the 40% quota in the calendar year 2020 and decided to report the same to the KPSC . Present Ranked List published by the KPSC for the appointment in the cadre of Assistant Engineer (Ele) in 40% direct recruitment quota in KSEBL is expiring on 29.12.2019. So far 203 persons only were appointed from the existing list. The Kerala Public Service Commission normally takes 4 to 5 years to publish a new Ranked List after a notification is called for the appointment in the cadre of Assistant Engineer (Ele). More over 70 vacancies of Assistant Engineer (Ele) in 40% quota are expected any time soon on account of the promotion to the cadre of Assistant Executive Engineer (Ele). Taking together, 162 vacancies (92+70) are expected in the calendar year 2020. Since these vacancies are anticipated in the calendar 2020, this cannot be filled from the Ranked List which would expire on 29.12.2019 and the candidates eagerly waiting will not get any benefit out of it.

As the promotions to the vacancies in the ITI Quota got entangled in litigation, and also the inordinate delay being experienced in recruiting candidates in the 162 vacancies mentioned above, KSEBL would be in an embarrassing situation due to the severe shortage of Assistant Engineer (Ele) and the same will not augur well for the efficient functioning of the KSEBL. Moreover the candidates figured in the existing Ranked List are desperately running from pillar to post to be appointed. Various representations routed through the Government are being received to appoint more candidates from the KPSC List. The Chief Engineer (HRM), as per note, read as 4th,

made a suggestion to explore the possibility of temporarily carving out a portion of the existing vacancies in the ITI quota, to be specific 162 in number, to be reported to the KPSC so that candidates from the present Ranked List can be advised and subsequently given appointment as and when vacancy arises. Vacancies carved out from the ITI quota can be restored from the future vacancies that will arise in 40% quota and thereby the vacancy position in the ITI quota can be maintained unaltered. In case all the legal hurdles for promotion to Assistant Engineer (Ele) under 20% ITI quota are cleared prior to fully or partly restoring the above 162 converted vacancies, all the available and arising vacancies in 40% to the extent utilized for appointment may be earmarked first for effecting promotion under 20% quota for ITI holder. The candidates advised by the KPSC may be given appointment only after restoring all the above 162 temporarily converted vacancies from 20% ITI quota.

The matter was placed before the Full Time Directors of the Board. The meeting of the Full Time Directors held on 26.12.2019 discussed the matter threadbare and resolved to accord sanction for the following

1. The Chief Engineer (HRM) shall report 162 vacancies in the cadre of Assistant Engineer (Ele) for appointment of candidates in the 40% direct recruitment quota by temporarily converting as many numbers from the existing vacancies in the ITI quota.
2. The Full Time Directors' decision on 13.11.2019 to report 92 anticipated vacancies in the cadre of Assistant Engineer (Ele) in 40% direct recruitment quota during the calendar year 2020 to the KPSC is hereby revoked in the light of the decision to report 162 vacancies to the KPSC.
3. In case, all the legal hurdles for promotion to Assistant Engineer (Ele) under 20% ITI quota are cleared prior to fully or partly restoring the above 162 converted vacancies, the Chief Engineer (HRM) shall ensure that, all the available and arising vacancies in 40% quota to the extent utilized for appointment shall be utilized first for effecting promotion under 20% quota for ITI holders and the candidates advised by the KPSC shall be given appointment only after restoring all the above 162 temporarily converted vacancies from 20% ITI quota.

4. The Secretary (Administration), KSEBL shall make a prayer before the Hon'ble High Court for a direction to the KPSC to issue advice against the 40 vacancies directed to be reported in the interim order dated 20.12.2019 in IA.No .1/2019 in WPC No. 3143/2017 since the same is subsumed in the vacancies proposed to be reported as mentioned in decision (1).
5. The Chief Engineer (HRM) shall report to the KPSC five fresh vacancies (3 resignations + 2 LWA) arose in 40% quota and 2 fresh vacancies in 10% quota on account of retirement.

Orders are issued accordingly

By order of the Full Time Directors

Sd/-

LEKHA G

Company Secretary – In charge

To

The Secretary (Administration). KSEBL
The Chief Engineer (HRM)

Copy To:

The Legal Advisor & Disciplinary Enquiry Officer, KSEBL
The Chief Vigilance Officer, KSEBL
The FA/CIA, KSEBL
The Chief Personnel Officer, KSEBL
The Chief Public Relations Officer, KSEBL
The TA to Chairman and Managing Director, KSEBL
The TA to the Director (SCM & Gen-Ele), KSEBL
The TA to the Director (Trans., SO, CP & Safety), KSEBL
The TA to the Director (Generation - Civil), KSEBL
The TA to the Director (Distribution, IT & HRM), KSEBL
The PA to the Director (Finance), KSEBL
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