



**KSEB**  
കെ.എസ്.ഇ.ബി. ലിമിറ്റഡ്

## KERALA STATE ELECTRICITY BOARD LTD.

(Incorporated under the Indian Companies Act, 1956)

CIN : U40100KL2011SGC027424

Office of the Chief Engineer (HRM )

Vydyuthi Bhavanam, Pattom, Thiruvananthapuram, Kerala ñ 695004.

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### PROCEEDINGS OF THE CHIEF ENGINEER (HRM), K.S.E. BOARD LIMITED, THIRUVANANTHAPURAM

Sub:- Common Judgment dated 30.07.2015 in WA No.1094/2014 and Connected cases –  
Compliance of Judgments - Orders issued.

**No.EB2/SE (E)/WA1094/2014.**

**Dated, Thiruvananthapuram, 31.03.2017.**

- Read:-
- (1) B.O. No. AR III/36591/1978 dated 23.01.1981.
  - (2) Proceedings No.EB2/SE(Ele)/Ovr-Pro/10%/2011 dated 09.02.2011 of the Chief Engineer (HRM).
  - (3) Common judgment dated 30/7/2015 of the Hon'ble High Court of Kerala in W.A. No. 1004, 1094, 1100/2014 and W.A. No. 572/2015
  - (4) B.O. D(F) No. 781/2016 (LAS III/91/15-16) dated 5/3/2016.
  - (5) Proceedings No. EB2/SE(E)/WA 1094/2014/QJD/2016 dated 17/3/2016 of the Chief Engineer (HRM)
  - (6) Judgement dated 6/8/2016 of the Hon'ble High Court in Contempt of Court Case No. 748/2016 in WA No. 1094/2014
  - (7) Interim order dated 31/8/2016 of the Hon'ble High Court in WP(C) No. 13308/2016
  - (8) Order dated 7/9/2016 in WA No. 1794/2016
  - (9) Letter No. LAS III/91/2015-16 dated 25/11/2016 of the LA&DEO, KSEB Ltd.
  - (10) Direction of the Chairman & Managing Director, KSEB Ltd. contained in the Note No. EB2/SE (E)/Reversion/2016 dated 25/11/2016.
  - (11) Judgment dated 01.02.2017 of the Hon,ble High Court of Kerala in WPC No.13308/2016.

#### ORDER

WP (C) Numbers 29243/2011, 29144/2012, 29182/2012, 29509/2012, 30122/2012 and 3228/2013 were filed before the Hon'ble High Court of Kerala by the ITI Certificate holders (regular) challenging the promotion effected as per order dated 09.02.2011 read as 1<sup>st</sup> paper wherein Overseer(Electrical) has been promoted to the post of Sub Engineer(Electrical) under 10% quota. The Hon'ble High Court in the common judgment dated 22.05.2014 disposed these writ petitions with certain direction to the KSEB Ltd to take a decision regarding qualification of Overseer for promotion to the cadre of Sub Engineer. The Hon'ble High Court has also observed that the promotion already made would be subject to the decision of KSEB Ltd and the interim orders continue till a final decision is taken in the matter regarding the qualification. Challenging this judgment, WA No 1094/2014 and connected cases were filed before the Hon'ble High Court. The Hon'ble High Court had allowed the writ appeal and in the judgement dated 30/7/2015 the learned Single Judge quashed Ext P5 (Promotion order dated 9/2/2011) and Ext P10 (Proforma dated 14/11/2012 of the Chief Engineer (HRM)) orders. It was also made clear that the KSEB Ltd is entitled to effect promotion on the basis of a list prepared in terms of the qualifications prescribed as per Board Order dated 23.01.1981.

Against the judgment, dated 30.07.2015 in WA No.1094/2014, the respondents in the Writ Appeal filed SLP No.37325/2015 before the Hon'ble Supreme Court of India, which was dismissed as per order dated 28.09.2015. RP No.1180/2015 was also filed before the Hon'ble High Court of Kerala seeking review of the judgment dated 30.07.2015. The same was also dismissed as per judgment dated 28.01.2016, with the observation that if the review petitioners were aggrieved, they are entitled to approach the KSEB Ltd and further ordered that if any changes are to be made to the Board Order dated 23.01.1981, it is for the KSEB Ltd to take a decision.

The KSEB Ltd examined the matter in detail and decided to comply the common judgment dated 30/7/2015 of the Hon'ble High Court as per order dated 05.03.2016. Accordingly, the promotion order dated 09.02.2011 was quashed and steps were taken to invite proforma for promotion to the cadre of Sub Engineer (Ele) from Overseer (Ele) on the basis of Board Order dated 23.01.1981 to fill up the vacancies aroused consequent to the cancellation of the challenged promotion order dated 09.02.2011, as per proceedings dated 17/3/2016 of the Chief Engineer (HRM). Against this proceedings, Writ Petition No.13308/2016 has been filed before the Hon'ble High Court of Kerala by the employees whose promotions were quashed as per order dated 17.03.2016. Subsequently, Sri Shajahan E, Overseer had filed a contempt of court case in WA 1091/2014 against the non-compliance of the judgment dated 30.07.2015 in WA No.1094/2014. Another Writ Petition No 15129/2016 has also filed by Sri Symenson Patric Bivera and three other ITI holders (Regular) with a prayer to effect promotion before 30.04.2016.

The contempt of court case no 748/2016 in WA 1094/2014 has been disposed by the Hon'ble High Court of Kerala by its judgment dated 06.08.2016 with a direction to finalize the seniority list based on the Board Order dated 23.01.1981, and effect promotion subject to the orders passed by judgment in writ petition no 13308/2016. In the Interim Order dated 31.08.2016 in WPC No 13308/2016 the Hon'ble High Court of Kerala, has vacated the stay on the reversion of the petitioners effected as per proceedings dated 17.03.2016. The Hon'ble High Court in judgment dated 07.09.2016 in WA No1794/2016 stayed the reversion of the petitioners till the end of November and ordered to take a decision in the matter before the end of November 2016.

The Hon'ble High Court of Kerala in its judgment dated 01.02.2017 read as 11<sup>th</sup> paper, disposed the writ petition with a finding that the Court do not find any reason to interfere with the orders passed by the KSEBL in reverting the Sub Engineers.

In compliance of the judgments dated 30/07/2015 in WA No. 1004, 1094, 1100/2014 and WA No. 572/2015 and order dated 07/09/2016 in WA No. 1794/2016 of the Hon'ble High Court of Kerala, qualified Overseers (Ele.) as per Board Order dated 23/1/1981 and as per the seniority list prepared in terms of the proforma called for are promoted and posted as Sub Engineer (Ele.)(List appended as Annexure) against the vacancies aroused due to the quashing of promotion order dated 9/2/2011 of the Chief Engineer (HRM).

**Sd/-**  
**CHIEF ENGINEER (HRM)**

Encl: As above.

Copy to: 1. The Secretary (Administration), KSE Board Ltd., Trivandrum.  
2. The T.A. to the Chairman & Managing Director, KSE Board Ltd., Trivandrum

3. The T.A. to the Director (Dist., Safety & Gen-Ele.), KSE Board Ltd., Trivandrum
4. The T.A. to the Director (Trans. & System Operation), KSE Board Ltd., Trivandrum
5. The T.A. to the Director (Generation-Civil & HRM), KSE Board Ltd., Trivandrum
6. The T.A. to the Director (CP & SCM), KSE Board Ltd., Trivandrum
7. The P.A. to the Director (Finance), KSE Board Ltd., Trivandrum
8. The Legal Advisor & Disciplinary Enquiry Officer, KSE Board Ltd., Trivandrum
9. The Chief Vigilance Officer, KSE Board Ltd., Trivandrum
10. The FA / CIA, KSE Board Ltd., Trivandrum
11. The Regional Personnel Officer, KSE Board Ltd., Trivandrum
12. The Director of Public Relations, KSE Board Ltd., Trivandrum
13. All Chief Engineers concerned
14. All Deputy Chief Engineers concerned
15. All Executive Engineers concerned
16. The Senior Supdt., Gradation / Estt. / Bill Sections
17. Notice Board
18. Stock file.

**Forwarded / By Order**

  
**Senior Superintendent**

**ANNEXURE**

Sl No	Name	Employee Code	Office	Office to which posted
1	ANTONY V A	1035039	Electrical Section, Ammadam	Transmission Circle, Kannur
2	SARAVANAN R	1039512	Electrical Section, Anakkara	Transmission Circle, Kannur
3	SANTHOSH K	1040375	Vazhathope Transformer Repair Unit	Transmission Circle, Kannur
4	SUNILKUMAR A	1042450	Electrical Section, Westhill	Transmission Circle, Kannur
5	KUNHIRAMAN K	1042023	Electrical Section, Periya Bazar	Transmission Circle, Kannur
6	SHAJAHAN E	1042056	Electrical Section, Chavara	Transmission Circle, Kannur
7	MATHEW ABRAHAM	1042752	110 KV S/s, Pambady	Electrical Division, Kasaragod
8	SURESHKUMAR S	1040884	Electrical Section, Karuppanthara	Electrical Division, Kasaragod
9	OMANAKUTTAN P K	1042753	Electrical Section, Thengana	Electrical Division, Kasaragod
10	JAYAN V R	1044835	Generation Sub Division, Vellathooval	Transmission Circle, Kannur
11	SIVAPRASAD K V	1042758	Electrical Section, Ponkunnam	Electrical Division, Kasaragod
12	ANILKUMAR M	1041592	Electrical Section, Tanur East	Transmission Circle, Kannur
13	MARKOSE C K	1042886	Electrical Section, Meenadom	Electrical Division, Kasaragod
14	HARIDAS K A	1042489	Electrical Section, Manarcadu	Electrical Division, Kasaragod
15	MURALEEDHARAN NAIR O S	1041439	66 KV S/s, Kottayam	Electrical Division, Kasaragod
16	ASHOKAN NAIR K R	1043628	TC Section, Manimala	Electrical Division, Kasaragod
17	WILFRED A	1042073	Electrical Section, Thangassery	Transmission Circle, Kannur
18	AJAYAKUMARAN NAIR K	1042041	Electrical Section, Edayar	Transmission Circle, Kannur
19	SURESH BABU T K	1043026	220 KV S/s, Pallom	Electrical Division, Kasaragod
20	XAVIER T D	1041804	Electrical Section, Kuravilangad	Electrical Division, Kasaragod
21	ABRAHAM VARUGHESE	1042705	Electrical Section, Pallom	Electrical Division, Kasaragod
22	SATHYAKUMAR W	1042173	Electrical Section, Kamukinkode	Transmission Circle, Kannur

23	MANIKUTTAN S	1043561	Electrical Section, Ettumanoor	Electrical Division, Kasaragod
24	DILEEP KUMAR P P	1042377	Electrical Section, Kuravilangad	Electrical Division, Kasaragod
25	RAJAPPAN PILLAI V C	1042535	Electrical Section, Vazhoor	Electrical Division, Kasaragod
26	KURIAKOSE K M	1042713	110 KV S/s, Kanjirappally	Electrical Division, Kasaragod
27	CHERIAN JOSEPH	1042881	Electrical Section, Meenadom	Transmission Circle, Kannur
28	VINOD KUMAR P S	1041394	Electrical Section, Palluruthy	Transmission Circle, Kannur
29	SASEENDRAN P G	1043055	Electrical Section, Kottackal	Transmission Circle, Kannur
30	AUGUSTINE A J	1042712	Electrical Section, Kootickal	Transmission Circle, Kannur
31	SALIM K G	1043054	Electrical Section, Nattakom	Transmission Circle, Kannur

Sd/-  
CHIEF ENGINEER (HRM)

Forwarded/By Order

Senior Superintendent