



KERALA STATE ELECTRICITY BOARD Ltd

(Incorporated under the Companies Act, 1956)

Registered Office: Vydyuthi Bhavanam, Pattom,

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ABSTRACT

Charging of section 304 IPC- Offence against Smt. Swapna K., AE, Electrical Section, Peringottukurussi- Palakkad- Orders Issued.

CORPORATE OFFICE (SBU-D)

Office Order (DD&IT)No ./2023(DIRDIT-AE3/2023/5192)

Thiruvananthapuram, Dated: 28.07.2023

- Read: 1. Letter No. ECP/GB-2/General/2023-2024/736 of the Deputy Chief Engineer Electrical Circle Palakkad dated 06.07.2023
2. Letter No. ECP/GB-2/Accident/2023-2024/514 of the Deputy Chief Engineer Electrical Circle Palakkad dated 06.06.2023
3. Letter No. ECP/GB-2/General/2023-2024/352 of the Deputy Chief Engineer Electrical Circle Palakkad dated 12.06.2023
4. Report No. B2-7466/2022/EIP of the Electrical Inspector Palakkad dated 24.04.2023

ORDER

The Deputy Chief Engineer Electrical Circle Palakkad as per reference cited as 1st above has reported that Smt. Swapna K., Assistant Engineer, Electrical Section, Peringottukurussi was charge sheeted with Section 304 IPC (Culpable homicide not amounting to murder) which is cognizable and Non - bailable in connection with a fatal accident occurred on 01.08.2022 under Electrical Section, Parali. In the accident, a contract worker, namely Manikandan was electrocuted to death. The Electrical Inspector found that the accident occurred due to the fault current from 33 kV Parali - Maniyampara line discharged through the unauthorised cable TV guy wire tied in 33 kV post into the pole at the accident spot 11 posts away. Smt. Swapna was charge sheeted being the custodian and in charge of maintenance of 33 kV Maniyampara feeder. The 33 kV line was constructed by Transmission wing of KSEBL during 2006 and energised after obtaining sanction from Palakkad Electrical Inspectorate. Later during 2012-13 the -line was handed over to the Electrical Section Peringottukurussi. For none of the fault of Assistant Engineer, Electrical Section, Peringottukurussi and solely due to the negligence of the cable TV operator, Smt. Swapna was charged under section 304 of IPC which is a serious offence. Inflicting this type of serious offences against KSEBL officers for accidents in the normal course will definitely demoralise the officers.

Indian Penal Code section 304 deals with Punishment for culpable homicide not amounting to murder. It states that whoever commits culpable homicide not amounting to murder, shall be punished with imprisonment for life, or imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine, if the act by which the death is caused is done with the intention of causing death, or of causing such bodily injury as is likely to cause death; or with imprisonment of either description for a

term which may extend to ten years, or with fine, or with both, if the act is done with the knowledge that it is likely to cause death, but without any intention to cause death, or to cause such bodily injury as is likely to cause death.

The Deputy Chief Engineer Electrical Circle Palakkad, read as 3rd above, reported that urgent action for reviewing clause 15(5) 5(b) of page 7 of the report of the Electrical Inspectorate Palakkad has to be taken.

Some relevant observations of the Electrical Inspector as per reference cited 3rd above, are furnished below.

- Clause 15(5) of the report is about the conclusions of the Electrical Inspector regarding the person responsible for the accident and the violation of the rules. It is reported in that section about the situation that led to the accident. This involves the unauthorized cable installed on 33 kV Electric Post, flashing of Pin insulator that led to an Earth Fault at Maniyampara feeder, V-cross arm not earthed, Electricity was transmitted to the phase, neutral and street lights of an LT post that is approximately 300 m away through cable TV Guy wire made of GI.
- Clause 15(5) 5 (b) of the report is about not earthing the V-cross arm of the 33 kV electric post and therefore the supply was transferred through the Guy wire. This is violation of the Regulation 48(1)(i) and 48(1)(ii) of the Central Electricity Authority (Measures Relating to Safety & Electric Supply) Regulations 2010.

As per the report of Electrical inspector, Smt Swapna has been accused for the violation of the clause 48 (1)(i)(ii) of the CEA regulations 2010. Hence, Deputy Chief Engineer Electrical Circle Palakkad requested that a higher level interference may be solicited on the matter to protect the best interest of Officers who act in good faith during the course of their official duties. The Deputy Chief Engineer Electrical Circle Palakkad also recommended that the matter may be brought to the notice of the Board to protect Smt. Swapna K., Assistant Engineer, Electrical Section, Peringottukurussi from being prosecuted before law for none of her fault. Besides, the Deputy Chief Engineer Electrical Circle Palakkad also requested to constitute an expert third party committee comprising of the technical experts from the NSS Engineering College, NSS Nagar, Akathethara, Palakkad, Kerala 678008 to review the charges levilled by the Electrical Inspector, against Smt Swapna K. and to exonerate her from the charges mentioned above.

Having considered the request of the Deputy Chief Engineer Electrical Circle Palakkad and for finding out the causes of the accident for taking measures to prevent the occurrence of the same in future, sanction is hereby accorded for constituting an expert third party committee comprising of the technical experts from NSS Engineering College, NSS Nagar, Akathethara, Palakkad, Kerala 678008 to review the charges levied by the Electrical Inspector, against Smt Swapna K.

Orders are issued accordingly.

**By Order of the
Full Time Directors**

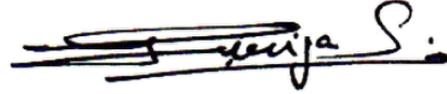
Sd/-
SURENDRA P
Director

To:

The Deputy Chief Engineer, Electrical Circle, Palakkad.

Copy to: The Chief Engineer, Distribution- North/The Chief Engineer (IT & CR) /Vigilance
Officer/Financial Adviser/Legal Advisor & Disciplinary Enquiry Officer/Chief
Internal Auditor/Company Secretary
The TA to (CMD/Director (G-C)/ Director (G-E)/ Director (T & SO, Planning &
Safety)/Director (D&SCM)/ Director (REES, Soura, NILAVU Project, Sports
&W)/Director (P & S, SCM)
The PA to Director (Finance, IT & HRM)
The RAO/ECA/RCAO/The Legal Liaison Officer,
The CA to Secretary (Admin)
Stock File.

Forwarded / By Order



Assistant Engineer