



**KERALA STATE ELECTRICITY BOARD LTD.**

(Incorporated under the Indian Companies Act, 1956)

Reg. Office: Vydyuthi Bhavanam, Pattom, Thiruvananthapuram,  
Kerala – 695004, Kerala.

CIN : U40100KL2011SGC027424

Phone No.+91 0471 2514456, 2514575,2514504

Fax:0471 2554039 e-mail: [secretary@kseb.in](mailto:secretary@kseb.in)

**Abstract**

Compliance of the Judgment dated 04.11.2022 of the Hon'ble High Court in WP(C) No.3216/2013 filed by Sri. K J Joseph, Senior Superintendent (Rtd.) – orders issued.

**Corporate Office (Human Resource Management)**

**B.O. (FTD)No.423/2023 (EB8/Gr.1/WP(C) No.3216/13/2023) dated, TvpM 15.09.2023**

- Read: 1. Long Term Settlement B.O No.PSI/1533/89(22) dated 24.04.1990  
2. The Judgment dated 16.03.2007of the Hon'ble High Court of Kerala in WP(C) No.6517/2004 filed by Sri. James Mathew.  
3. The Judgment dated 04.11.2022 of the Hon'ble High Court in WP(C) No.3216/2013 filed by Sri. K J Joseph, Senior Superintendent (Rtd.).  
4. Note No. EB8/GR.1/WP(C) No.3216/2013/2023 dated 19.06.2023 of the Chief Engineer (HRM) submitted to the Full Time Directors (Agenda 21/08/23).

**ORDER**

Sri. K J Joseph, Senior Superintendent (Rtd.) filed WP(C) No.3216/2013 with a prayer to integrate him notionally in the category of Senior Superintendent with effect from 01.04.1990 as done in the case of Sri. V K Kuttappan pursuant to the direction issued by the Hon'ble Court in Ext. P3 judgment, and promoted him notionally as Assistant Accounts officer and Accounts Officer with effect from the date on which his junior in the category of Senior Superintendent was promoted to the said posts and disburse him all consequential monetary benefits. The Hon'ble High Court of Kerala in its judgment dated 04.11.2022 directed KSEBL to consider the representation of the petitioner and pass appropriate orders after considering Ext. P3 to P5 judgments, as also the orders issued in respect of the identically situated persons.

In O.P. No14367/1992-I (Ext.P3), the Hon'ble High Court of Kerala directed the Board to consider the petitioners (i.e., Sri. V K Kuttappan and Sri. M J Lenin) case with reference to their higher pay they are drawing and the number of years of service they have put in and equate them with appropriate post in the ministerial cadre consistent with their pay, prospects of promotion and length of service put in as Assistant Store Keeper.

In Ext. P5, i.e., O.P No.4915/2003, the Hon'ble High Court of Kerala directed the Board to work out and disburse the benefit of the petitioners i.e., Sri. V K Kuttappan and

Sri. M J Lenin in the post of Junior Superintendent and Senior Assistant respectively in accordance with the directions contained in Ext.P3 judgment and revise their pay and retirement benefits accordingly.

Sri. K J Joseph (DoB: 12.10.1946) entered Board Service on 25.08.1971 as L D Clerk. Thereafter, he was posted as Assistant Store Keeper on 01.01.1973 and promoted as Storekeeper Grade II on 27.12.1979 FN. On completion of 10 years in the post of Storekeeper Grade II he was granted 1<sup>st</sup> Time Bound Higher Grade on 27.12.1989. Sri. K J Joseph, while working as Store Keeper -II (H.G) with the scale of pay Rs.1430-2840 was integrated to the post of Junior Superintendent (scale of pay Rs.1360-2740) w.e.f. 01.04.1990. He was promoted to the post of Senior Superintendent on 09.09.1996. The incumbent retired from service on 31.10.2001 on superannuation.

As per Article VII A (2) of Long Term Settlement B.O No.PSI/1533/89(22) dated 24.04.1990 " it was decided that the existing Assistant Store Keeper, Storekeeper II and Store Keeper I respectively in the revised scale of pay Rs. 1025-2040, 1250-2540 and 1430-2840, will be integrated with the existing categories of Senior Assistant, Junior Superintendent and Senior Superintendent respectively, in the revised scale of pay Rs.1140-2340, 1360-2740 and the scale of pay of Senior Superintendent (to be fixed) with effect from 01.04.1990. While effecting integration the benefit of rule 28A Part I KSR will be allowed to the concerned persons while fixing their pay in the higher scale applicable to Senior Assistant, Junior Superintendent, Senior Superintendent, as the case may be."

In the light of the Long Term Settlement B.O No.PSI/1533/89(22) dated 24.04.1990, Chief Engineer (Electricity) General issued an Order No. EB/ Gradation /5/90 dated 26.03.1991 of Chief Engineer (Elec.GL), KSEB, TVPM, in which Sri. V K Kuttappan and Sri. K J Joseph was integrated to the cadre of Junior Superintendent. Later Board decided to abolish the intermediary post of Junior Superintendent and upgraded the post of Junior Superintendent to that of Senior Superintendent with effect from 01.04.1990. As per Circular No. Pay Fixn.I/95 dated 29.01.1996 Clause III those Store Keepers whose pay were regulated based on B.O.No.2134/94 (LA.VI 868/91) dated 01.12.1994 and B.O. No.1025/93 (LA.VI 868/91) dated 23.05.1995 are eligible for the revised grade promotion. The incumbent had availed three Time Bound Grade Promotions periodically. He retired from service on superannuation as Senior Superintendent.

Sri. K J Joseph benefited three cadre/grade promotions within his entire service in the Kerala State Electricity Board. As such he is not eligible for further promotions as requested in view of Article VIII of the Long Term Settlement B.O No.PSI/1533/89(22) dated 24.04.1990

Since the Hon'ble High Court of Kerala ordered to consider the similarly situated persons, the office of Chief Engineer (HRM) examined the matter in detail. The claims of Sri. K J Joseph is more similar to Sri. James Mathew than Sri. V K Kuttappan. The WP(C) No.6517/2004 filed by Sri. James Mathew, Assistant Accounts Officer (Rtd.) the Hon'ble High Court disposed the Writ Petition on 16.03.2007 with a direction to KSEB to consider the matter afresh in the light of the above judgment in O.P. No.13314/2003 with notice to the petitioner and take appropriate action within the time limit. The Secretary, KSEB as per Order No. LA(S) IV/3144/2004 dated 13.03.2008 declined his claims by arguing that he had

availed more than two grade/cadre promotions between 08.01.1973 and 08.01.1998 and disposed accordingly.

Sri. V K Kuttappan was promoted as Store Keeper Grade II on 11.04.1973 and he was granted Time Bound Higher Grade promotion with effect from 10.04.1983. On the other hand Sri. K J Joseph was promoted as Store Keeper Grade II only on 27.12.1979 and granted Time Bound Higher Grade promotion on 27.12.1989. Hence it is evidenced that Sri. K J Joseph is much junior than Sri. V K Kuttappan; thereby inferring that their pay cannot be compared as such. Taking in to account of these facts, Ext.P3 and P5 cannot be directly applied in the case of Sri. K J Joseph.

The matter was placed before the Full Time Directors as per note read as 4<sup>th</sup> above.

Having considered the matter in detail, the Full Time Directors in its meeting held on 11.08.2023 resolved to decline the request of Sri. K J Joseph since he had already availed three Time Bound Grade/ Cadre Promotions in his service and his claim lacks merit.

This order is issued in compliance of the Judgment dated 04.11.2022 in WP(C) No.3216/2013.

Orders are issued accordingly.

**By Order of the Full Time Directors,  
Sd/-  
Lekha G  
Company Secretary**

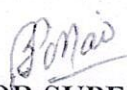
To

Sri. K J Joseph,  
S/o. K J Varghese,  
Kachappallil House, Thonnippara Road,  
Ponkunnam P O, Kottayam – 686 506.

Copy to:

1. The Chief Engineer (HRM), KSEBL.
2. The Chief Personnel Officer, KSEBL.
3. TA to the Chairman and Managing director/Directors (Distribution, SC, IT, REES, SOURA), (Transmission, SO,P,S& Generation- Electrical), (Generation- Civil).
4. PA to the Director (Finance &HRM).
5. The Legal Advisor and Disciplinary Enquiry Officer, KSEBL.
6. The Sr.CA to the Secretary (Administration), KSEBL/Company Secretary.
7. Stock File.

**FORWARDED/ BY ORDER**

  
**SENIOR SUPERINTENDENT**