



KERALA STATE ELECTRICITY BOARD Ltd

(Incorporated under the Companies Act, 1956)

Registered Office: Vydyuthi Bhavanam, Pattom,

Thiruvananthapuram – 695 004

CIN: U40100KL2011SGC027424

Website: www.kseb.in

ABSTRACT

Disciplinary action initiated against Sri. P R Mohanakumar (Emp code 1043060 & PPO No 41344) - Conviction in criminal case - Judgement dated 19.11.2022 of Enquiry Commissioner & Special Judge, Thrissur - Orders issued.

Corporate Office (HRM)

BO (FTD)No.441/2023(EBVS10(1)/8/2009)

Thiruvananthapuram, Dated: 07.10.2023

Read: 1. Judgement dated 19.11.2022 of Enquiry Commissioner & Special Judge, Thrissur.

2. Note No EBVS 10(1).08.2009 dated 02.03.2023 of the Chief Engineer(HRM) .

3. Legal Opinion No LASIII/2842/2023 dated 24.05.2023 of Senior Law Officer.

4. Note No SEC-ES-ST6/2023/112(3) dated 14.06.2023 of Secretary (Administration).

5. Note No. EBVS. 10 (1)/8/2009 dated 12.09.2023 of the Chief Engineer(HRM) submitted before the Full Time Directors (Agenda No 6-10/2023).

ORDER

Sri. P.R.Mohankumar, (EC.1043060), while working as Sub Engineer in Electrical Section, Cherpu demanded and accepted illegal gratification of Rs 3000/- for issuing the clearance certificate to a proposed lathe workshop, set up by Sri.Pauly C Antony at Perumbillissery which resulted in his arrest under section 7 of prevention of Corruption Act, 1988 and was produced before the Hon'ble Court of Enquiry Commissioner and Special Judge, Thrissur and remanded to judicial custody for 15 days with effect from 26.12.2008 and sent to Sub Jail, Thrissur.

Based on the arrest, he was placed under suspension with immediate effect. He had undergone departmental disciplinary proceedings for the above. Memo of Charges dated 08.05.2009 was issued to him by Executive Engineer, Electrical Division, Irinjalakuda. Later he was re-instated into service and posted at Transmission Circle, Kannur on 13.07.2011 pending the disciplinary as well as criminal proceedings. As per G.O. (P) 65/92/Vig dated 12.05.1992, when a vigilance enquiry/investigation is ongoing against a Government Servant, no parallel departmental enquiry was permissible on the same allegation. Accordingly as directed from the office of Chief Engineer(HRM), further disciplinary proceedings against him had been kept in abeyance until the completion of the Vigilance case. Subsequently Sri P R Mohanakumar had retired from KSEBL service on 31.05.2015.

The Deputy Chief Engineer (HRM-II) vide order dated 26.11.2015 has sanctioned the provisional pension @ Rs.4100/- + D.R per month (minimum) w.e.f 01.06.2015 to Sri P R Mohankumar (PPO NO.41334) pending the disciplinary as well as the criminal proceedings All

other pension benefits such as Commutation and Gratuity were withheld.

As per letter dated 30.01.2023, the Executive Engineer, Electrical Division, Irinjalakuda reported that Sri P R Mohanakumar, Sub Engineer (Rtd) was sentenced to one year imprisonment and a fine of Rs.25,000/- by vigilance court Thrissur judgement dated 19.11.2022 read as 1st above.

Accordingly, the Judgment dated 19.11.2022 was forwarded to Secretary (Administration) as per note read as 2nd above for taking necessary action. But the Secretary (Administration), as per note read as 4th above, returned the file and informed that as per legal opinion the disciplinary proceedings initiated against Sri Mohankumar P R while he was in service can be continued and concluded by the Board as per Ruling No.2 Rule 3 KSR Part III in the light of the conviction order against him. Also Secretary (Admn) has directed to entrust CE(HRM) to take necessary steps for the finalization of the disciplinary proceedings as per Ruling No.2 Rule 3 KSR Part III and to submit the report before the Board for taking a final decision regarding the withdrawal/withholding of pension.

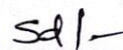
Rule 2 Part III KSR, do not apply in this case as Rule 2 says that Future good conduct shall be an implied condition of every grant of a pension as in this case at hand not the future conduct but the past conduct while in service is the cause for conviction. What applies here is Rule 3 of KSR, Part III as disciplinary proceedings has been pending since his suspension subsequent to his remand in custody on 26.12.2008. As per Rule 3 KSR Part III, Ruling 2 mandates to give a show-cause notice specifying the action proposed to be taken under this rule and on conviction in a criminal case only a major penalty of removal/dismissal/reduction of pension can be imposed and to issue such a show-cause notice which will result in either withdrawal of pension, partial or full requires sanction of the Board.

The matter was placed before the Full Time Directors as per note read as 5th above for a decision.

Having considered the matter in detail, the Full Time Directors through circulation have resolved to entrust the Chief Engineer (HRM) to conduct a personal hearing and finalise the disciplinary proceedings by reducing the pension to the minimum as per rules.

Orders are issued accordingly.

**By Order of the
Full Time Directors**



LEKHA G

Company Secretary

To:

The Chief Engineer (HRM).

Copy to: The Chief Engineer (IT,CR&CAPS)/ Financial Advisor/ LA&DEO/ Chief Internal Auditor/ Company Secretary
The TA to the Chairman & Managing Director / Director (Generation-Civil) / Director (Distribution, Safety, SCM & IT) / Director (Transmission, SO & Planning)/ Director (Generation - Electrical, REES, SOURA, Sports & Welfare)
The PA to the Director (Finance & HRM)
The Sr.CA to the Secretary (Administration)
The RCAO/ RAO
Stock File.

Forwarded / By Order



Senior Superintendent

