



KERALA STATE ELECTRICITY BOARD LTD.

(Incorporated under the Indian Companies Act, 1956)

CIN : U40100KL2011SGC027424

Office of the Chief Engineer (Human Resources Management),
Vydyuthi Bhavanam, Pattom, Thiruvananthapuram, Kerala-695004.

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PROCEEDINGS OF THE CHIEF ENGINEER (HRM), K.S.E.B LTD,

Sub: Estt- Compliance of judgment dated 06.03.2023 in WA No.814/2018, 896/2018 and WP(C)
No.24280/2022 of the Hon'ble High Court of Kerala -Orders issued.

No.EB2/SE(E)/WA No.814/2018,896/2018 & WP (C) No.24280/2022

Dated, Thiruvananthapuram, 04-05-2023.

- Read:-
1. Board Order No.EC.IV-1703/71 dated 1.11.1971
 2. Judgment dated 06.03.2023 WA No.814/2018, WA No896/2018 & WPC No.24280 /2022 of the Hon'ble Division Bench of High Court of Kerala.
 3. Letter No.REIII(1)1459/14 dated 03.02.2018 of the Regional Officer, KPSC, Ernakulam.
 4. Letter No.REIII(1)1459/14 dated 08.10.2018 of the Regional Officer, KPSC, Ernakulam.
 5. Letter No.REIII(1)1459/14 dated 24.10.2018 of the Regional Officer, KPSC, Ernakulam.
 6. Letter No.REIII(1)1459/14 dated 12.11.2018 of the Regional Officer, KPSC, Ernakulam.
 7. Letter No.REIII(1)1459/14 dated 20.12.2018 of the Regional Officer, KPSC, Ernakulam.
 8. Letter No.REIII(1)1459/14 dated 14.01.2019 of the Regional Officer, KPSC, Ernakulam
 9. Note No.HRM EB(Law)/WA 814 of 2018/2023-24 dated 25.04.2023.

ORDER

The Sub Engineers (Electrical) advised by KPSC under 30% quota vide advice letters read (3) to (8) were appointed provisionally subject to the condition that the declaration of probation, regularization and seniority in the cadre of Sub Engineer (Ele) is subject to the final verdict in WA 814/2018 , WA 896/ 2018, WP(C) 24056 /2018 and other connected cases before the Hon'ble High Court of Kerala.

The Hon'ble High Court of Kerala in its judgment dated.06.03.2023 in WA No.814/2018, WA No896/2018 & WPC No.24280 /2022 read (2) dismissed the Writ Appeals and Writ petition and directed the KSEBL to act in accordance with law and redress the grievance of the petitioners .

Hence, there is no legal impediment in declaring the probation of the Sub Engineers (Ele) advised vide letters read as (3) to (8) above.

Moreover, the Honourable High court of Kerala in its judgment dated 05.01.2015 in WP (C) No.7964/2012 declared that prescribing the qualification and method of appointment to the post of Assistant Engineer (Electrical) formerly Junior Engineer (Electrical) in the service of the Kerala State Electricity Board to the effect that the ratio provided as per provision in the note attached to the Board Order No. RL1.28309/72 dated 16.08.1973 will be maintained on the total cadre strength, is applicable only between direct recruits and promotees and the same is not intended to be and cannot be applied between diploma holders and certificate holders while effecting promotion;

As the judgment was against quota rules followed by the Board in the case of Assistant Engineer(Ele.) and having long term ramifications regarding existing quota rules applicable to other categories as well, Board filed an Appeal Petition No 2788/2015. Subsequently, 137 Sub Engineers advised by KPSC as per advice letter read (8) under 30% diploma quota were given appointment subject to a condition that declaration of their promotion will be subject to the final verdict in WA 2788/2015. On examination of their case in the light of the judgment read 2nd above, it is seen that there is no legal impediment in declaring their probation also.


Hence, it is hereby ordered to declare the probation of all Sub Engineers (Ele) who were advised as per letters read (3) to (8) and appointed in KSEB Limited subject to the satisfactory completion of all other conditions stipulated in their Appointment Memo.

This order is issued in compliance with the judgement dtd 06.03.2023 in WA No.814/2018, WA No.896/2018 & WP (C) No.24280/2022.

Orders are issued accordingly.

To

All ARU Heads


CHIEF ENGINEER(HRM)
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Copy to:-

1. The Secretary (Admin.),KSEBL.
2. The Legal Liaison Officer, Office of the Standing Counsel for KSEBL.
3. PA to Director(Finance & HRM).
4. The Senior Law Officer, Office of the LA&DEO.
5. The Senior Superintendent, Gradation Section (Office).
6. Stock File.