

KERALA STATE ELECTRICITY BOARD

Abstract

Date of retirement of Employees of KSE Board – Government Order – Implementation – Orders issued.

LAW SECTION

B.O. (MG) No.2448/2009 (LAS.1/7791/2009). Dated, Thiruvananthapuram, 22.09.2009.

- Read:-
- (1) G.O. (P) 154/2009 Fin. Dated 24.04.2009.
 - (2) G.O. (P) 158/2009 Fin. Dated 30.04.2009.
 - (3) B.O. (FB) No.1390/2009 (PS1/1830/2009) dated 26.05.2009.
 - (4) Judgment dated 10.08.2009 in WP (C) No.14502/09 and other connected cases.
 - (5) G.O. (Rt) No.239/2009 PD dated 18.09.2009.

ORDER

In the Government Order read as 1st above it was ordered that all Government Employees and Teachers who attain the age of 55 years during the course of the financial year would continue in service till the end of that financial year. As per the Government Order read as 2nd above, Government had extended the benefit of the Government Order dated 24.04.2009 to the employees of Public Sector Under Takings/Autonomous Bodies/Universities/Corporation/Boards etc. with the specific condition that in the case of the autonomous bodies the Government Order dated 24.04.2009 read as 1st paper above would apply subject to the decision by their governing bodies.

Accordingly, the Managing Committee of the KSE Board in the meeting held on 21.05.2009 had considered the matter of implementation of the Government Orders read as 1st and 2nd paper in the Board. Since the Board is undergoing restructuring process, KSE Board had decided vide Board Order read as 3rd above not to adopt the said Government Orders and to examine the matter afresh while settling the employee related issues. Meanwhile Government as per SRO. No.582/2009 amended Rule 60 (a) Part-1 KSR in tune with G.O. (P) No.154/2009 fin. dated 24.04.2009.

A number of WP (C)s were filed before the Hon'ble High Court of Kerala challenging the decision of the KSE Board. In the judgment read as 4th above, the Hon'ble High Court had ordered that the Government shall take a final decision taking into account the views of the Board, whether the employees of the KSE Board should be denied the benefit of the afore mentioned amendment to Rule 60 (a) of Part-I, KSR. In compliance of the said judgment, the Government as per Government Order read as 5th above, has ordered that the employees of Kerala State Electricity Board will stand exempted from the purview of the amendment to Rule 60 (a) Part-I, KSR issued as per SRO. No.582/2009.

The Board has examined the matter in detail. As the Government has taken a final decision in compliance of the judgment read as 4th paper above, Board reiterate that the amendment in Rule 60 (a) Part-I, KSR is not applicable to the employees of the KSE Board and hence the service of those who are continuing beyond the due date of retirement on superannuation shall stand terminated as per the Government Order read as fifth paper above.

By Order of the Board,
Sd/-
G. SREEKUMARAN,
SECRETARY.

To

The Chief Engineer (HRM), K.S.E. Board.
All Chief Engineers (Civil & Electrical).
All Deputy Chief Engineers (Civil & Electrical).
All Executive Engineers (Civil & Electrical).

Copy to:

The Legal Adviser and Disciplinary Enquiry Officer
The Chief Vigilance Officer.
The Financial Adviser/The Chief Internal Auditor.
The RAO & RCAO.
The Director (IT).
The Deputy Secretary (Admn.), Board Secretariat.
The Legal Liaison Officer, K.S.E. Board, Ernakulam.
The Personnel Officer/ Public Relations Officer, K.S.E. Board.
The TA to Chairman/Member (Gen.)/Member (Distn.)/Member (Trans.).
The PA to Member (Finance)/Secretary.
The Fair Copy Superintendent.
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Senior Superintendent.