



KERALA STATE ELECTRICITY BOARD LTD

(Incorporated under the Companies Act, 1956)

Registered Office : Vydyuthi Bhavanam, Pattom

Thiruvananthapuram, Kerala - 04,

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Abstract

Disciplinary action against Sri. Agimon P.T, (Employee code: 1058311), former Sub Engineer, Electrical Section, Chithirapuram - Review petition -disposed - Order issued.

CORPORATE OFFICE VIGILANCE WING

B.O(DB)No.193/2024(Vig/B7/100-600/2016)/1143 Dtd,Tvm: 29/04/24

- Read:-
1. Order No.Vig.B7/100-600/2016/4123 dated 30.10.2021 of Chairman & Managing Director
 2. Representation submitted by Sri. Agimon P.T before the Board of Directors, KSEBL on 01.11.2023.
 3. Personal Hearing conducted by Chairman & Managing Director on 03.01.2024.
 4. Note No.Vig.B7/100-600/2016 dated 03.02.2024 of the Chairman & Managing Director
 5. Proceedings of the 76th meeting of the Board of Directors held on 13.03.2024 vide Agenda No.17-3/2024.

ORDER

The Special Squad appointed by the Deputy Chief Engineer, Electrical Circle Thodupuzha detected serious irregularities in the premises of 13 consumers under Electrical Section, Chithirapuram while conducting a field inspection on 9.06.2016 and found a financial loss of Rs.7,70,000/-in the preliminary assessment. Based on the above inspection report, the Executive Engineer, Electrical Division Adimaly suspended Sri. Agimon P.T Sub Engineer in charge of Assistant Engineer Electrical Section, Chithirapuram on 12.07.2016.

Findings of RAO, Thodupuzha, inspection reports of Executive Engineer, Adimaly, Meter reading registers, Meter change register, connection Effect Register and ORUMA/ORUMA System Data of Electrical Section, Chithirapuram, were arrayed as documents relied for framing charges against the accused.

Disciplinary action was initiated against Sri. Agimon P.T former Sub Engineer in charge of Assistant Engineer, E/S Chithirapuram by the Deputy Chief Engineer, Electrical Circle,

Thodupuzha, by issuing memo of charges on 09.11.2016, It was alleged that;

1. The accused had served bills to commercial and industrial consumers without taking actual readings and entered the artificial reading to create bills and that caused heavy revenue loss to KSEB Ltd.
2. The accused had adjusted the connected Load to 99999 watts of 112 KW of the consumer number 19497 for keeping in LT and entered in the system, which is against the Regulation 11(1,2,3) of Kerala Electricity Supply Code 2014 and this is a dereliction of duty and causing huge financial loss to KSEBL.
3. Sri.Agimon P.T had not properly maintained registers like meter reading register, Complaint register, Meter issue register and Anomaly Register.
4. As per the Electricity Supply Code 104(6),(7),(8) the metering equipments should be sealed and certificate should be maintained but the accused had failed to do so and this may give a chance to the consumer to do malpractice with the meter.(Inspected 41 consumer premises of 10 KW plus connected load, 30 meters are found sealed.)
5. Without the knowledge of higher authorities, the delinquent deliberately changed the meters which were in good condition and details were not recorded in the registers and in billing software system, that lead to heavy financial loss to KSEBL.
6. Installed CT meters having rating disproportionate to the consumption, connected load of industrial consumers recorded with wrong Multiflication Factor provided outdated 3 phase mechanical meters, that caused a heavy financial loss to KSEBL
7. Owing to the lack of routine inspections at the premises of consumers and subsequent regularization of connected load caused heavy financial loss not only in terms of fixed charge but also the damage caused to the installation of KSEBL.
8. The delinquent had given the Service connection to certain consumers by overlooking the priority and misled the higher officials by suppressing the fact.
9. Installed distribution post and by overlooking priority without obtaining permission from higher authorities
10. The accused had failed to give connection to 21 consumers in the Mankulam area in time but the same was entered in the system and

demanding bill from 10/2015 onwards. On further investigation the meters with consumer Number and date of connection marked were identified from the Chithirapuram section store. Hence the delinquent deceived the consumers for 9 months without giving connection to them.

11. The above acts of the accused had tarnished the image of KSEBL in public and incurred a huge financial loss to KSEBL.

As the reply submitted by Sri, Agimon P.T for the memo of charges was not satisfactory, a detailed departmental enquiry was ordered vide proceedings dated 16.12.2016. Since the charge 2 was proved and charge 7,8,10 were partially proved in the departmental enquiry, the Deputy Chief Engineer, Thodupuzha issued a Show Cause notice to him proposing a punishment of barring 3 increments with cumulative effect and a Technical Committee was also constituted by the Deputy Chief Engineer, Electrical Circle, Thodupuzha as per the recommendation of Chief Vigilance Officer KSEBL. Technical committee audited and verified the meter reading details. Committee detected anomalies and assessed mounting to Rs. 11,71,725/-, Technical Team also detected short assessment amounting to Rs. 1,55,546/-. Thus the total loss detected by the technical team was Rs.13,26,821/-. On perusing the reply to show cause notice, the Deputy Chief Engineer, Electrical Circle, Thodupuzha imposed the punishment of barring 3 increments with cumulative effect. Aggrieved by the above order Sri. Agimon P. T, had submitted an appeal to the Chief Engineer (HRM) against the above order. A letter was issued to the Deputy Chief Engineer, Electrical Circle on 10.05.2019 with instructions to complete a denova Enquiry by considering the report of Technical Committee as per the order of the Chairman and Managing Director. However, the DyCE, informed that if the current punishment is cancelled, since it is a three year old incident, it is doubtful how much reliance can be placed on the witness statements and evidences, so it is appropriate to keep this punishment as it and issue another charge memo and conduct an investigation based on that and the DyCE also informed that based on the Technical Committee report Rs.109768/- has been billed as final assessment and the same was recovered from the consumer. Based on the above, the Chairman and Managing Director has ordered that there is no further enquiry is required and all charged Officials have been imposed the major penalty of barring 3 increment with cumulative Effect. Because of the above reasons the appeal kept in abeyance.

As such the appeal petition was disposed by the CE(HRM) vide order No. EBVS/1/28/2016/849 dated 29.11.2019 after allowing a personal hearing to Sri Agimon P.T on 02.07.2019 and upheld the punishment imposed by disciplinary authority. Against

the above order Sri. Agimon P.T submitted a review petition dated 24.04.2020 before the Chairman and Managing Director, KSEBL. Considering the review petition submitted by Sri Agimon P.T, the Chairman and Managing Director as per order read as 1st above observed that the punishment imposed by the disciplinary authority was not excessive but commensurate with the acts of Sri. Agimon P.T which was upheld by the appellate authority. Now he has submitted a representation before the Board of Directors, KSEBL read as paper 2nd above , for exonerating him from all charges framed against him .

In the review petition dated 01.11.2023 of Sri. Agimon P.T, the pertinent points are highlighted for kind perusal. His arguments were,

1. Findings in charge No. 2 charge No. 11 in the enquiry report are self contradictory and self defeating.
2. Findings in charge No. 11 nullifies the findings in charge No.2
3. The prosecution has accepted the alleged methodology to overcome the system limitations explicitly by permitting to continue it for two years after initiating disciplinary actions and the practice is still continuing.
4. It is not expected from the sub Engineer in charge of Assistant Engineer to check connected load of each and every consumer.
5. There is no irregularity reported to him with regard to unauthorized use of Electricity or connected load by the staff or officer concerned.
6. Consumer Numbers noted in Charge No. 7 are not pertained to consumers allotted to him as per the work allocation.
7. Delay in affecting service connection occurred due to objection raised by neighboring consumers at the time of taking steps to effect service connections as planned.
8. All the cases having objection in effecting Service connection had been reported to ADM.
9. Misunderstanding and misconception of inspecting authority about billing of LT consumers under OPTIONAL MAXIMUM DEMAND TARIFF resulted in initiation of disciplinary action against him.

In the meantime the Hon'ble High Court of Kerala in the judgment dated 14.12.2023 in W.P(C) No. 42032 filed by Sri. Agimon P.T ordered the Board of Directors to consider and pass appropriate orders on the review petition of Sri. Agimon P.T after affording an opportunity of being heard to the petitioner within a period of two

months from the date of production of judgment. In the light of the above, the Chairman and Managing Director allowed a personal hearing which was held on 03.01.2024.

On thorough examination of the submission made by Sri. Agimon P.T in the personal hearing, the documents produced and supporting documents adduced no additional evidence or arguments has been produced other than from the documents presented earlier in order to obtain relief from the offenses proved against him.

While going through the representation dated 01.11.2023 of Sri. Agimon P.T, it is observed that the contentions raised in the petition are not worthwhile for consideration and he has stated the same things as stated in the earlier review petition. The arguments submitted by Sri. Agimon P.T, former Sub-Engineer in Electrical Section, Chithirapuram along with connected files and documents was submitted to the Chairman and Managing Director. The Chairman and Managing Director, after examining the matter has ordered to place the matter before the Board of Directors as per note read as 4th above, for taking a decision.

Accordingly, the matter was placed before the Board of Directors in the 76th meeting held on 13.03.2024. The Board examined the review petition of Sri. Agimon. P.T (1058311), former Sub Engineer, Electrical Section, Chithirapuram requesting to set aside the order of the Chairman and Managing Director dated 30.10.2021, barring three increments with cumulative effect. Having found that the petitioner has not raised any fresh point which merits consideration and that there is no procedural defect in finalizing the Departmental Enquiry action, the Board.

RESOLVED not to review the punishment of barring three increments with cumulative effect imposed on Sri. Agimon. P.T, former Sub Engineer, Electrical Section, Chithirapuram as per the order dated 30.10.2021.

Orders are issued accordingly.

By the Order of the Director Board

Sd/-

G. Lekha

COMPANY SECRETARY

To,

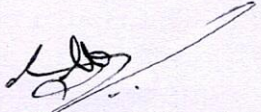
Sri. Agimon P.T ,
Sub Engineer ,
Generation Sub Division,
Chithirapuram.

[Through the Deputy Chief Engineer, Generation Circle, Moozhiyar]
Proceedings in triplicate is forwarded herewith. The original may be served on the addressee and duplicate returned with dated acknowledgement of the party.

Copy to:-

1. The Chief Engineer (HRM),
2. TA to the Chairman & Managing Director.
3. The Deputy Chief Engineer, Electrical Circle, Thodupuzha
- ✓ 4. The Company Secretary.
5. Stock File.

Forwarded /by Order



Senior Superintendent