



## KERALA STATE ELECTRICITY BOARD LIMITED

(Incorporated under the Companies Act, 1956)

Reg. Office: Vydyuthi Bhavanam, Pattom, Thiruvananthapuram – 695 004, Kerala

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### Abstract

Establishment - Leave Without Allowance (LWA) for Employment/Joining Spouse/ Study purpose (Within India or abroad) for workmen and officers of KSEBL- Revised guidelines Sanctioned – Orders issued.

### **CORPORATE OFFICE (ADMINISTRATION)**

**B.O. (DB) No.219/2023(SEC-ES-SA3/2022/315**

**Dated, Thiruvananthapuram, 03.05.2023.**

- Read:-
1. B.O. (FB) No.420/2012(Estt.1/5050/2007) dated 22.02.2012.
  2. B.O. (FB) No.1625/2013 (Estt.1/5050/2007) dated 25.07.2013.
  3. Government Circular No.PLGEA-BPE1/12/2021/PLGEA dated 23.11.2021.
  4. B.O (DB) No.449/2022(PLNG-AEE2/2022/31)dated 26.05.2022.
  5. Note No.SEC-ES-ST5/2022/315(1) dated 11.12.2022 of Chairman & Managing Director.(Agenda Item No.61/12/22).
  6. Note No.SEC-ES-SA3/2022/315 dated 14.03.2023 of the Chairman & Managing Director.
  7. Proceedings of the 70<sup>th</sup> Meeting of the Board of Directors held on 25.03.2023 (Agenda Item No.10-03/2023).

### ORDER

The Leave Without Allowance granted to an employee for employment abroad/within India and joining spouse abroad /India is as per the provisions contained in Appendix XII A, XII B and XII C of Part 1 of Kerala Service Rules. The KSEBL follows the Board Orders read as 1<sup>st</sup> and 2<sup>nd</sup> above while granting LWA to employees in line with the rules prescribed by the Government from time to time in this regard. As per Government Circular read as 3<sup>rd</sup> above Government have issued revised guidelines for sanctioning Leave Without Allowance to the employees of public sector enterprises which limits the maximum period of Leave Without Allowance to an extent of 5 years in the entire service period. As such there exists contradiction between the Board Orders and the Government Circular. Therefore it

is essential to review the existing guidelines in KSEBL for sanctioning LWA for the above purpose and to frame modified guidelines.

The above matter has been placed before Full Time Directors as per note read as 5<sup>th</sup> above and the Full Time Directors in the meeting held on 28.12.2022 decided to place the matter before the Board of Directors. Accordingly the matter was placed before the Director Board as per note read as 6<sup>th</sup> above.

Having considered the matter in detail the Board of Directors in its meeting held on 25.03.2023 resolved to approve the draft guidelines for sanctioning of LWA for employment/joining spouse/study abroad and inside India incorporating the proposed amendments and retaining all other existing clauses in the Board Order read as 1<sup>st</sup> and 2<sup>nd</sup> above and the applicable conditions in the Government Circular read as 3<sup>rd</sup> above. The modified guidelines are as follows.

#### **1. Applicability**

These Guidelines shall apply to Leave Without Allowances (LWA) for Employment/Joining Spouse/Study (within India or abroad).

#### **2. Duration of LWA**

LWA will be allowed for a maximum period of 5 years during the entire service except under exceptional circumstances

#### **3. Leave Sanctioning Authority**

1	Workmen up to a period of two years	Chief Engineer(HRM)
2	Workmen for a period beyond two years to five years	Director(HRM) through the Director concerned
3	Officers	Full Time Directors

LWA to employees those who have not declared probation in the entry cadre may also be sanctioned on the condition that they will have to start their probation afresh and complete the probation after return from LWA and they will be deemed as new entrants to the entry cadre

#### **4. Procedure for applying LWA**

(a) The submission together with the formal leave application in the prescribed format shall be submitted to their respective controlling Officers who shall offer their specific remark on the application.



(b) All LWA applications shall be submitted to the Chief Engineer (HRM) through proper channel.

(c) The LWA applications of workmen beyond a period of two years and LWA application of Officers for the above purposes should be forwarded to the Secretary (Administration) for sanction of KSEBL by Chief Engineer (HRM) with required documents after due verification of the documents and ensuring the formalities have been observed.

(d) While forwarding the application instructions as per Circular No.Estt.1/4919/2014 dated 23.12.2014 should strictly be followed.

(e) Under no circumstances LWA will be sanctioned based on the advance copy of LWA application submitted to the Sanctioning Authority directly by the employee or based on the application which is not received through proper channel.

(f) The following documents in respect of the employee should be obtained and forwarded to the sanctioning authority with the leave application.

i. Copy of NLC from the concerned Departments of KSEBL.

ii. Copy Of Vigilance Clearance from the Chief Vigilance Officer.

iii. Document proving the advance payment of dues to KSEB Employees Welfare Fund (KSEBEWF) for the entire period of LWA.

iv. Copy of the Passport (Original Passport also to be produced and returned after verification.

v. Copy of Employment Contract/Document regarding the offer of appointment or extension from the foreign employer.

vi. Copy of VISA.

vii. Document showing the nature of business of the foreign employer and the nature of work offered to the employee in that organization.

viii. Employment details of Spouse abroad (For joining spouse abroad).

ix. Copies of documents substantiating their claims attested by the authorized officer of Indian Embassy of the respective country (For extension of LWA).

x. Address for communication abroad with the telephone number and e-mail Id.

xi. Document proving the admission to the course for LWA for study purpose together with details of University and Course.

#### **5. Cancellation of LWA for rejoining duty**

a. No application from an employee for cancellation of LWA and for rejoining duty in KSEBL Service shall be allowed in normal course.

- b. The Chairman and Managing Director, in consultation with the Directors shall allow cancellation of LWA for rejoining duty.
- c. An employee who cancels LWA and rejoins duty in KSEBL shall not be eligible for LWA during the ensuing period of 3 years even if the employee has not availed the LWA for 5 years.
- d. An employee who cancels LWA and rejoins duty in KSEBL shall submit the following documents.
  - i. Relieving Order from the foreign employer.
  - ii. Documents to substantiate the reason stated for cancellation of LWA.
  - iii. Original Passport.

#### **6. Restrictions after sanctioning LWA**

- a. The LWA stand automatically cancelled on the expiry of six months from the date of sanction in case the leave is not availed in the mean time.
- b. The employee who has been granted LWA for taking up employment abroad will report to KSEBL within two weeks from the date of taking up the foreign employment, the details of foreign employer and the nature of work he is entrusted with.
- c. The employee who has been granted LWA for joining spouse/study abroad shall under no circumstance accept any foreign employment during the currency of leave, without the prior sanction of KSEBL.
- d. The employee who has been granted LWA will normally be allowed to join duty only after the expiry of the leave granted.
- e. The employee who is granted with LWA should invariably rejoin duty 12 months before the date of superannuation.
- f. If there is no vacancy in the respective cadre the employee who rejoins duty after expiry of LWA or after canceling the leave has to wait till the next vacancy arises. The vacancy will be filled up on first come first serve basis. In such cases the employees rejoining duty after expiry of leave will be given preference in posting.

#### **7. Service Conditions while on leave**

- a. The period of LWA will not count for eligible leave, increment, grade promotion and pension.
- b. During the currency of Leave the employee will not be eligible for any service benefits as specified in Kerala Service Rules.



c. The employee will lose the promotion to the vacancies in higher grade which arises during the period of LWA and the employees shall have the right to be considered for promotion only to those vacancies which arise after the expiry of cancellation of LWA subject to fulfillment of other eligibility criteria.

d. Those employees who rejoin duty will have to complete the minimum period of service in the feeder category as prescribed in the rules for considering them for promotion to higher posts and the promotions will be based on the evaluation of Performance Appraisal Reports at least for such prescribed minimum periods in the feeder category, in addition to the other eligibility criteria.

e. An employee promoted to a higher post shall not be granted LWA unless he/she has completed the prescribed probation period.

### **8. General Conditions**

a. Those who are under bonded obligation with KSEBL for a prescribed period will not be granted LWA till the period prescribed in the bond is over unless they settle the bonded obligations before the grant of leave. The amount remitted on that account will not be refunded under any circumstances.

b. Those employees against whom liabilities have been outstanding will not be granted LWA unless they clear the entire liability fixed against them.

c. Employees who are entrusted with financial transactions in KSEBL will not be granted LWA unless the transactions are completely audited by the Internal Audit Wing of KSEBL and Non Liability Certificate is issued to them.

d. Those employees who have undergone statutory training and specialized training at the expense of KSEBL and who are engaged for specialized work will not be eligible for LWA till the employee completes 3 years of service in KSEBL.

e. Those employees who have less than two years of service for superannuation will not be granted LWA.

f. If it is found that the employee has submitted incorrect information to KSEBL, the LWA sanctioned to such employee will be cancelled without notice and disciplinary action as contemplated in KSEB Employees (CCA) Regulations 1969 will be initiated against them.

g. The service of the employee who leaves KSEBL service for employment abroad, for joining spouse abroad or study abroad without getting the leave sanctioned will be terminated after following procedures as contemplated in KSEB Employees(CCA) Regulations 1969.

- h. The service of the employee who does not duly rejoin duty immediately on the expiry of LWA sanctioned to him will be terminated after following the procedures as contemplated in KSEB Employees (CCA) Regulations 1969.
- i. The LWA of the employee who has proceeded for employment abroad, for joining spouse abroad, or study abroad will be cancelled and disciplinary action initiated against the employee if it found that the employee had taken up foreign employment or joined any other course without prior sanction of KSEBL.
- j. If it is proved that during the currency of LWA the employee has caused disrepute to the nation or to the Govt. or to KSEBL, LWA will be cancelled without notice and disciplinary action will be initiated against such employee.
- k. No Leave other than LWA will be allowed to be combined in continuation of the LWA sanctioned as per these guidelines.
- l. Leave application without complying the guidelines mentioned above will be summarily rejected by the respective controlling officers themselves.
- m. Under no circumstances the request of employees for relaxing the conditions in these Guidelines shall be forwarded by the controlling officers to the Leave sanctioning Authorities.
- n. KSEBL reserves the right to cancel any Leave sanctioned as per these guidelines if it is found that the employee has furnished incorrect information to KSEBL or has shown any misconduct or has indulged in any illegal activities.
- o. KSEBL reserves the right to cancel the LWA sanctioned and to recall the employee at any time in the exigencies of service and in public interest and the service of the employee will be terminated after following the procedures prescribed in KSEB Employees (CCA) Regulations 1969, in case the employee disobeys such order of KSEBL.
- p. An employee promoted as above shall continue for a minimum period of two years in the promoted post before availing further Leave Without Allowance. Employees who have not completed this mandatory period of two years in the promoted post shall be sanctioned Leave Without Allowance for foreign employment only on relinquishment of the last promotion availed by him/her.



q. KSEBL reserves the right to alter, amend or include any clause in these guidelines if circumstances warrant.

Orders are issued accordingly.

By Order of the Director Board  
Sd/-  
LEKHA.G  
COMPANY SECRETARY

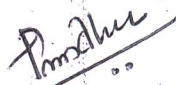
To

1. All Chief Engineers, Deputy Chief Engineers and Executive Engineers.
2. The Financial Adviser/The Chief Internal Auditor.
3. The Legal Adviser and Disciplinary Enquiry Officer.
4. The Chief Vigilance Officer.
5. The TA to the Chairman & Managing Director.
6. The PA to the Director (Finance & HRM)
7. TA to the Director(Generation Civil)
8. The TA to the Director (Distribution, SCM, IT, REES, SOURA, Nilaavu Project, Sports, Welfare)
9. The TA to the Director (Transmission, SO, Planning, Safety, Generation Electrical)

Copy to

1. The Senior CA to the Secretary(Administration)
2. The Legal Liaison Officer, KSEB Ltd. Kochi.
3. Stock File.

Forwarded / By Order

  
Senior Superintendent