



## KERALA STATE ELECTRICITY BOARD LIMITED

(Incorporated under the Companies Act, 1956)  
Corporate Identity Number : U40100KL201 ISGC0272424  
Regd Office: Vidyuthi Bhavanam, Pattom,  
Thiruvananthapuram-695004  
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### Abstract

Disciplinary action initiated against Sri.Santhosh.P.V, Junior Assistant (Removed from Service), Electrical Circle, Thiruvananthapuram – Mercy Petition - Disposed off-orders issued.

### CORPORATE OFFICE (VIGILANCE WING)

**BO (DB) No: 291 /2021 (VIG/A3/7246/2008) | IOH | Thiruvananthapuram, Dated: 04.05.2021**

1. Suspension order No. EB1/DP/PNR/2003/408 dated 25.08.2003 of the Executive Engineer, Electrical Division, Thalassery.
2. Memo Of Charges No. EB1/DP/PNR/2003/182 dated 15.03.2004 of the Executive Engineer, Electrical Division, Thalassery issued to Sri. Santhosh.P.V.
3. Show Cause Notice No. EBVS.9/14/2004/63 dated 21.01.2008 of the Chief Engineer (HRM) issued to Sri.Santhosh.P.V.
4. Proceedings No. EBVS. 9/14/2004/353 Thiruvananthapuram dated 27.04.2011 of the Chief Engineer (HRM).
5. Appeal Petition dated.21.02.2012 submitted by Sri. Santhosh.P.V. before the Chairman, KSEB.
6. Proceedings No.VIG/A3/7246/2008/2304, Thiruvananthapuram dated 28.09.2012 of the Chairman, KSEB.
7. Review Petition dated.01.08.2017 submitted by Sri. Santhosh. P.V. before the Director Board of KSEBL.
8. Judgment dated 28.03.2019 of the Hon'ble High Court of Kerala in WP (C) No.30463/2017 filed by Sri. Santhosh.P.V.
9. Representation dated 01.02.2021 submitted by Sri.Santhosh. P.V. before the Hon'ble Minister of Electricity and before the Chairman & Managing Director, KSEBL.
10. Note No: VIG/A3/7246/2008/dated 10.03.2021 of the Chairman and Managing Director placed before the Director Board of KSEBL .
11. Proceedings of the 58<sup>th</sup> meeting of the Board of Directors held on 17.03.2021 [ Agenda Item No:26-03/2021].

## ORDER

Sri. Santhosh.P.V while working as cashier at Electrical Section, Panoor was suspended from Board service as per Order read as 1<sup>st</sup> above in connection with the defalcation of Board's money by the Executive Engineer, Electrical Division, Thalassery. A detailed audit conducted by the RAO, Kannur revealed that an amount to the tune of Rs.32,168/- was misappropriated by Sri. Santhosh.P.V while attending cash collection. Based on the above report, a crime case was registered against him at Panoor Police Station vide crime No.33/2004 and he was departmentally proceeded by the Executive Engineer, Electrical Division, Thalassery by issuing Memo of Charges read as 2<sup>nd</sup> above.

Sri. Santhosh.P.V. was reinstated into service and a formal departmental enquiry was ordered on 07.04.2005 by the Chief Engineer (HRM) in order to limelight the real facts of the case. The enquiry disclosed with the findings that all the charges levelled against Sri.Santhosh.P.V were proved with substantial evidence. The Executive Engineer, Electrical Division, Thalassery after perusing the enquiry report along with the service records of Sri.Santhosh.P.V, observed that he was departmentally proceeded two more times by suspending him from service for the misappropriation of public money and the same were ended by imposing punishment of increment barring. Since the subject disciplinary action was also initiated for the same set of allegations, the Executive Engineer, Electrical Division, Thalassery viewed that Sri. Santhosh.P.V. deserved an exemplary punishment of removal from service. Subsequently, the Chief Engineer (HRM) issued a Show Cause Notice read as 3<sup>rd</sup> above by proposing a punishment of removal from Board service and also granted a personal hearing with him on 03.04.2008.

In the mean time, Sri. Santhosh. P.V was again suspended from service

vide order dated 10.10.2008 by the Deputy Chief Engineer, Electrical Circle, Thiruvananthapuram in connection with the forgery of salary certificates. The disciplinary action was again initiated against him for the above charges and the same was also proved in the departmental enquiry. Subsequently disciplinary action initiated against Sri. Santhosh.PV for the defalcation of Board's money was finalized by the Chief Engineer (HRM) vide order read as 4<sup>th</sup> above by inflicting punishment of removal from service after observing all the formalities and rules prevailing in KSEB.

Aggrieved by the above orders, Sri. Santhosh.PV filed an appeal petition read as 5<sup>th</sup> above before the Chairman contending that he had committed some irregularities which was under an eccentric state of mind due to the influence of drugs addiction. His health condition was not taken on account by the Enquiry Officer while conducting the departmental enquiry. Further he contended that the rules laid down in Kerala Civil Services (CC&A) Rules have not been adopted and the procedures therein were not followed by the Chief Engineer (HRM) while removing him from service. Hence he requested to set aside the orders of the Chief Engineer (HRM) and to readmit him in service.

The Chairman had meticulously examined the appeal petition of Sri. Santhosh.PV and observed that he had not adduced any vital or convincing documents viz., medical certificate of mental disability to substantiate his arguments and Sri. Santhosh.PV was seen removed from service by the Chief Engineer (HRM) after observing all the formalities as contemplated in Manual of Disciplinary Proceedings and KSEB CC&A Regulations. Based on the above views and observations the Chairman declined his appeal petition vide order read as 6<sup>th</sup> above by confirming the orders of the Chief Engineer (HRM).

Against the above orders of the Chairman, Sri. Santhosh.PV filed a

review petition read as 7<sup>th</sup> above before the Director Board of KSEBL. and subsequently filed a Writ Petition before the Hon'ble High Court of Kerala to redress the same grievances.

Since Sri. Santhosh.P.V had approached the Hon'ble Court to redress the same grievance mentioned in the review petition, the Chairman & Managing Director had ordered to keep the review petition in abeyance till the outcome of the Writ Petition filed by him. Subsequently the Hon'ble Court vide its Judgment read as 8<sup>th</sup> above disposed the writ petition in favour of KSEBL on stating the ground that the Writ Petition filed by Sri. Santhosh. P.V was highly belated.

Now, Sri. Santhosh. P.V has filed a Mercy petition read as 9<sup>th</sup> above through the Hon'ble Minister for Electricity with a prayer to readmit him in service taking into account of his pathetic family environment. The Hon'ble Minister ordered to examine his representation in respect of the fact that he was a player on the winning team 'Santhosh Trophy' and his ill health condition. The Chairman & Managing Director has examined the representation along with the connected file observed that Sri. Santhosh. P.V was removed from service for the misappropriation of Board's money frequently while holding the post of cashier at different offices. Criminal case was also registered against him for cheating, misappropriation of public money which is a culpable misconduct in service jurisprudence and criminal breach of trust Sri.Santhosh.P.V cheated his employer many times by way of misappropriating Public money and forging the official documents for his personal gain. The service of Sri. Santhosh.P.V is not an unblemished one. Being a habitual offender, the Chief Engineer (HRM) had ordered to remove him from service by taking on account his entire service history and by invoking the guidelines contained in Board Circular No.Vig/B3/GL/1/2007

dated 18.04.2007. The service records of Sri.Santhosh.P.V underlined that even though he was punished for the similar offence several times, he is not willing to change his fraudulent and criminal nature. Hence his readmission in Board service is detrimental to the interest of the Board, which would also impair the morale of honest and trust worthy employees of KSEBL.

However, the Chairman& Managing Director after scrupulously examining the entire history of the case ordered to place a comprehensive note regarding the subject matter before the Board of Directors by laying stress on all the aspects of the case for taking a decision in this regard.

Accordingly, a detailed note read as 10<sup>th</sup> above by highlighting the entire history of the case was placed before the Board of Directors of KSEB Ltd.

Having examined the mercy petition filed by Sri.Santhosh. P.V in detail, the Board of Directors in its 58th meeting held on 17.03.2021 vide Agenda Item No.26-03/2021 **resolved not to review the orders of the Chairman dated 28.09.2012, "Punishment of removal from Board Service imposed on Sri. Santhosh. P.V, Junior Assistant (Removed from service), Electrical Circle, Thiruvananthapuram".**

⇒Orders are issued accordingly.

**By Order of the Director Board,**

**Sd/-**

**G.LEKHA**

**COMPANY SECRETARY (I/C)**

To

Sri.Santhosh. P.V  
Pathiyakkara House,  
Thrikkur P.O, Thrissur  
PIN-680 306.

Copy to:

- 1.The Chief Engineer (HRM), KSEBL.
- 2.The Chief Engineer, Distribution (South), Tvpm, KSEBL.
- 3.The Deputy Chief Engineer,Electrical Circle,Tvpm.
- 4.The Executive Engineer, Electrical Division, Thalassery.
- 7.TA to the Chairman & Managing Director, KSEBL.
- 8.TA to the Director (D, IT&HRM), KSEBL.
- 9.TA to the Director (Plg & Safety), KSEBL.
- 10.TA to the Director (Trans., SO & REES), KSEBL.
- 11.TA to the Director (Generation- Civil), KSEBL.
- 12.TA to the Director (Generation- Ele. & SCM), KSEBL.
- 13.PA to the Director (Finance), KSEBL.
14. Sr.CA to the Secretary (Admn.)
15. Stock File

Forwarded/by Order

Senior Superintendent

2