C2

KERALA STATE ELECTRICITY BOARD

Abstract

Payment of gratuity as per Gratuity Act, 1972 – Disbursement of amount – Sanctioned – Orders issued.

LAW SECTION

B.O.(MF) No. 1390/2012 (LAS IV/7019/2012).Dated, Thiruvananthapuram, 20.07.2012.

Read:- (1) B.O.(FB)No.1313/2011 (PS1/Gratuity/TVPM/06 dated 24.05.2011.
(2) B.O.(MF) No.1099/PS-1/Pension Revision/2011 dated TVPM 31.05.2012.
(3) B.O.(FB)No.1152/2012 (PS1/Gratuity/TVM/2006 dated 05.06.2012.

ORDER

KSE Board has made applicable the payment of Gratuity Act, 1972 to its, employees vide order read 1st above and has decided to take necessary steps for disbursement of amount, as per Payment of Gratuity Act, 1972 vide Board Order read 2nd and 3 above. It has been brought to the notice of the Board that numerous writ petition are being filed against the Board, even after implementation of the Act, 1972 by the Board. The petitions are being disposed directing the Board to disburse the additional gratuity amount and interest thereon within 6 months time. Due to the delay in arranging disbursement contempt petitions are being moved for non compliance. Personal appearance of the Secretary, KSE Board has been ordered in a number of pending contempt cases and already has appeared in so many days. This has made much difficulty and hardship in the administration and invited the ire of the Court.

Sri. Anil. K.S., Standing Counsel for KSE Board at Kochi has also requested to take a decision at Board level regarding the manner and mode in which the enhanced gratuity could be disbursed to retired employees, taking note of the huge financial burden involved. He has opined that for bringing a halt to new filing of writ petitions and for avoiding contempt petitions due to non-compliance of judgment, a decision at Board level shall be taken immediately, for effective submission before the Court and also for resolving the issue arising out of contempt of Court proceedings.

The matter has been examined by the Board in detail and it is hereby ordered to disburse the additional gratuity in a time phased manner as detailed below:

(1) Sanction the additional gratuity amount in respect of all pensioners with effect from 24.05.1994 (date of implementation of the provisions of the payment of Gratuity Act, 1972) in accordance with the relative seniority of their respective date of retirement.

(2) Out of turn priority shall be given to those case pending in contempt action before the Hon'ble High Court and steps shall be taken to release the amount immediately.

(3) The additional amount arrived at shall be disbursed within nine months in a time bound manner.

(4) Excess amount drawn by the pensioners by way of gratuity by approaching the Court of law shall be recovered from the arrears of pension.

The above direction shall be scrupulously followed by the Chief Engineer (HRM) in addition to the directions already issued vide Board Orders dated 24.05.2011 and 05.06.2012.

By Order of the Board,
Sd/-
S. ROOPAKALA JAGATH,
SECRETARY.

To
The Chief Engineer (HRM), KSE Board.

Copy to:
All Chief Engineers (Electrical & Civil).
All Deputy Chief Engineers (Electrical & Civil).
All Executive Engineer, (Nodal Officers), (Electrical & Civil).
The Financial Adviser/The Chief Internal Auditor.
The Financial Adviser & Displinary Enquiry Officer.
The Chief Vigilance Officer.
The Public Relations Officer.
The Director (MIS).
The RCAO/The RAO.
The TA to Chairman/Member (Gen.)/Member (Distn.)/Member (Trans.).
The PA to Member (Finance)/Secretary.
The Deputy Secretary (Admn.)
The Accounts Officer, Pension Sanction/Authorisation
The Record Section.
The Legal Liaison Officer, KSE Board, Kochi.
Library/Stock File.

Forwarded / By Order

ASSISTANT LAW OFFICER.