

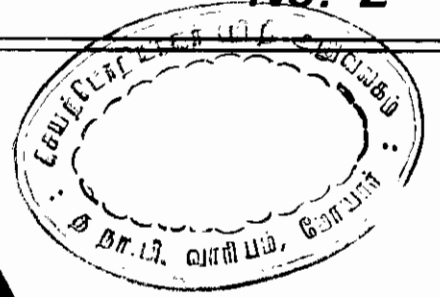
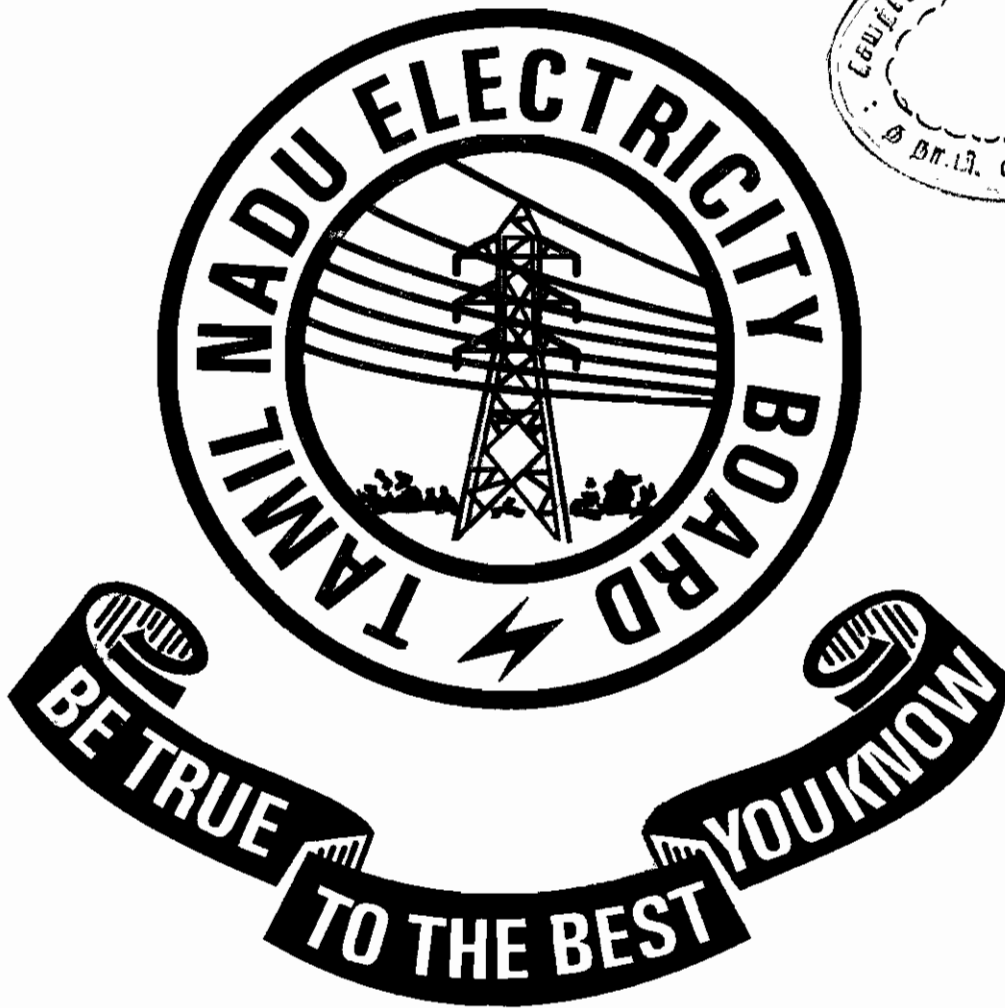
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# TAMIL NADU ELECTRICITY BOARD BULLETIN

Vol. XXIV

FEBRUARY 2005

No. 2



# **TAMIL NADU ELECTRICITY BOARD**

## **BULLETIN**

**FEBRUARY, 2005**

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# NEWS & NOTES

## PART – I

### I. Generation Particulars:

The Generation/relief figures for February, 2005 were as follows:

Sl.No.	Particulars	February, 2005 (in Million Units)
I.	<b>TNEB GENERATION (Gross)</b>	
	i) Hydro	221.582
	ii) Thermal	1582.202
	iii) Gas	165.608
	iv) Wind & Solar	0.347
	<b>TNEB TOTAL</b>	<b>1969.739</b>
II	<b>Net Import from CGS &amp; other regions (excluding Pondy &amp; Kerala Export)</b>	<b>1706.374</b>
III	<b>PURCHASES</b>	
	i) IPP	304.317
	ii) Windmill Private	147.473
	iii) Cogeneration (Provisional)	58.000
	iv) Others (TCPL, HITECH, MRL)	47.300
	<b>TOTAL</b>	<b>557.090</b>
IV	<b>TOTAL (Gross generation + Net import + Purchases)</b>	<b>4233.203</b>
V	<b>Less energy used for Kadamparai pump</b>	<b>0.000</b>
		<b>4233.203</b>
VI	<b>AVERAGE PER DAY</b>	<b>151.186</b>
VII	<b>DETAILS OF NET PURCHASES FROM CGS:</b>	
	1) Neyveli TS-I	282.126
	2) Neyveli TS-I Expansion	254.042
	3) Neyveli TS-II	792.576
	4) MAPS	104.823
	5) NTPC )	
	6) KAIGA )	
	7) Eastern Region )	749.065
	8) Kayankulam )	
	9) Less Export to Kerala & Pondy	476.258
	10) Export to Neyveli TS II Mines	0.000
	<b>TOTAL NET PURCHASES</b>	<b>1706.374</b>
VIII	<b>DETAILS OF PURCHASES FROM IPPs</b>	
	1) GMR	64.978
	2) SPCL	33.270
	3) MPCL	32.086
	4) PPN	28.880
	5) ST-CMS	145.103
	<b>TOTAL</b>	<b>304.317</b>

**IX DETAILS OF OTHER PURCHASES**

1) Wind Mill Private	147.473
2) Cogeneration	58.000
3) HITECH	4.759
4) TCPL	39.455
5) MRL	3.086
<b>TOTAL</b>	<b>252.773</b>

- X Maximum Grid demand (excluding Wind mill and Co-generation) and consumption during February 2005 were 7424 MW at 49.46 Hz on 23.2.2005 and 154.942 MU on 23.2.2005 respectively.

**II. Storage Position:**

The Storage position in various reservoirs as on 1.3.2005 when compared to the storage as on 1.3.2004 was as follows:-

Sl. No.	Name of the Group	As on 1.2.2005	As on 1.2.2004	Difference
1.	Nilgiris	1122.750	455.750	+ 667.000
2.	P.A.P.	44.830	25.310	+ 19.520
3.	Periyar	4.510	2.080	+ 2.430
4.	Papanasam & Servalar	18.140	2.190	+ 15.950
5.	Suruliyar	12.400	22.570	- 10.170
6.	Kodayar	128.690	60.050	+ 68.640
7.	<b>Total Excluding Mettur</b>	<b>1331.320</b>	<b>567.950</b>	<b>+ 763.370</b>
8.	For Mettur	25.880	1.000	+ 24.880

**III. Performance of Thermal Stations:****i) Tuticorin (5 x 210 MW):**

The details of generation at Tuticorin T.P.S. during February, 2005 were as follows:

	Unit	Availability Factor (%)	Generation (in MU)	Plant Load Factor (%)
I	(210 MW)	99.40	137.080	97.10
II	(210 MW)	100.00	141.990	100.60
III	(210 MW)	97.00	134.100	95.00
IV	(210 MW)	100.00	135.760	96.20
V	(210 MW)	86.24	105.850	83.29
	<b>STATION</b>	<b>96.53</b>	<b>654.780</b>	<b>94.44</b>

**ii) Mettur (4 x 210 MW):**

The details of generation at Mettur T.P.S. during February, 2005 were as follows:

	Unit	Availability Factor (%)	Generation (in MU)	Plant Load Factor (%)
I	(210 MW)	100.00	137.605	97.51
II	(210 MW)	96.31	135.609	69.09
III	(210 MW)	98.51	138.098	97.86
IV	(210 MW)	100.00	140.295	99.42
	<b>STATION</b>	<b>98.71</b>	<b>551.607</b>	<b>97.72</b>

iii) **North Chennai (3 x 210 MW):**

The details of generation at North Chennai T.P.S. during February, 2005 were as follows:

	Unit	Availability Factor (%)	Generation (in MU)	Plant Load Factor (%)
I	(210 MW)	95.85	132.170	93.66
II	(210 MW)	-	-	-
III	(210 MW)	100.00	139.775	99.05
	STATION	97.73	271.945	96.35

IV. **Coal Particulars for February, 2005:**

Sl.No.	Particulars	Tuticorin TPS	Mettur TPS	North Chennai TPS
1.	Coal Linkage (in lakh tonnes)	5.00	5.20	3.05
2.	Coal Receipt (-do-)	4.12	3.86	1.90
3.	Coal Consumption (-do-)	4.65	3.96	2.01
4.	Coal stock as on 1.3.2005 (-do-)	1.83	1.07	0.66
5.	Specific Coal Consumption (Kg./ug.)	0.710	0.717	0.739

V. **Auxiliary consumption and oil consumption during February, 2005:**

Details	Tuticorin TPS	Mettur TPS	North Chennai TPS
Specific Oil consumption (ml/ug)	0.940	0.224	1.060
Auxiliary consumption %	7.760	8.330	9.120

S. Arunasalamme,  
Superintending Engineer/Chairman's Office.

\* \* \*

The following are the details of posts Created and Abolished during the month of February, 2005.

S. Ayyadurai,  
Chief Engineer/Personnel.

**POSTS CREATED**

Sl. No.	Reference in which the posts were created	Name of the Circle	Class & Category	Name of the Post	No. of Posts	Purpose for which the posts were created	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
1.	Memo.(Per.) No. 051805/493/G37/G372/2004, DT.1.2.2005.	Tuticorin E.D.C.	IV-RWE	Vehicle Helper	1	Revival of one post of Vehicle Helper out of 7 posts suppressed.	

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
2. (Per.) B.P.(Ch.) No.27 (Adm.Br.) dt.3.2.2005.	W.E.D.C./ Tirunelveli	II-Provl.	AE/JE I Gr. (Elec.)	1	Creation for the newly Commissioned Sanctioned of 110/ 33-11 KV (Non-Grid) SS at Chidambara- puram.	For a period of one year from the date of utilisation of the posts.	
3. (Per.) B.P.(Ch.) No.28 (Adm.Br.) dt.3.2.2005.	W.E.D.C./ Tirunelveli	II-Provl.	AE/JE/El. I Gr.	1	Newly sanctioned	For a period of	
		III-Provl.	JE/El. II Gr.	4	110/11 KV (Non-Grid)	one year from	
		III-RWE	Line Inspector	4	SS at Kannanallur in	the date of	
		IV-RWE	Helper	1	WEDC/Tirunelveli.	utilisation of	
			Total	10		posts.	
4. (Per.) B.P.(Ch.) No.29 (Adm.Br.) dt.3.2.2005.	W.E.D.C./ Tirunelveli	II-Provl.	AE/JE/El.	1	Newly commissioned	For a period of	
		III-Provl.	JE/El. II Gr.	4	110/33-11 KV (Non- Grid) SS at Maharaja- puram in W.E.D.C./ Tirunelveli.	one year from	
		III-RWE	Line Inspector	4		the date of	
		IV-RWE	Helper	1		utilisation of	
			Total :	10		posts.	
5. (Per.) B.P.(Ch.) No.35 (Adm.Br.) dt.5.2.2005.	Madurai EDC/Metro	III-Provl.	JE II Gr.	4	Newly sanctioned	-	
		III-RWE	Line Inspector	4	110/11 KV (Non-Grid)		
		IV-RWE	Helper	1	SS at Anaiyur in Madurai EDC/ Metro.		
			Total :	9			
6. (Per.) B.P.(Ch.) No.36 (Sectt.Br.) dt.7.2.2005.	Chairman's Office	I-Provl.	Officer on Spl. Duty (Under Study) in the ranks of SE/El.	1	Created for a period upto 28.2.2005 from the date of utilisation of the post.	-	
7. (Per.) B.P.(Ch.) No.37 (Sectt.Br.) dt.7.2.2005.	SE/ APDRP	I-Provl.	Exe. Engr../EL.	1	One post of AEE (E) upgraded as Executive Engineer/ Elec.	-	
8. (Per.) B.P.(Ch.) No.37 (Adm.Br.) dt.8.2.2005.	CE/MTPS	II-Provl.	Medical Officer	1	As per the request of the Chief Engineer/ MTPS.	For a period of one year from the date of utilisation of posts.	
9. (Per.) B.P.(Ch.) No.41 (Adm.Br.) dt.11.2.2005.	CE/I.P.P., Chennai.	II-Pro.	A.E.E./El.	1	-	As requested by the CE/IPP for a period of one year from the date of utilisation.	
10. (Per.) B.P.(Ch.) No.42 (Adm.Br.) dt.18.2.2005.	Chengal- pattu E.D.C.	III-Provl.	J.E/El. II Gr.	4	Sanction of posts to the existing 33 KV SS at Thirunindravur upgraded as 110 KV (Non-Grid) SS in Chengalpattu E.D.C.	For a period of one year from the date of utilisation of posts.	
		III-RWE	Line Inspector	4			
		IV-RWE	Helper	1			
			Total:	9			

**POSTS ABOLISHED**

Sl. No.	Reference in which the posts were abolished	Name of the Circle	Class & Category	Name of the Post	No. of Posts	Purpose for which the posts were abolished	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
1.	(Per.) B.P.(Ch.) No.37 (Sectt.Br.) dt.7.2.2005.	SE/APDRP	II-Pro.	A.E.E./El.	1	Due to upgradation of A.E.E./El. as Exe. Engr./El.	-
2.	(Per.) B.P.(Ch.) No.39 (Adm.Br.) dt.11.2.2005.	Additional CE/MM-II	II-Pro.	A.E.E./El.	1	-	Abolished with immediate effect.
3.	Based on the (Per.) B.P. (Ch.) No.19 (Adm.Br.) dt.28.1.2005 the Adendment has been issued vide Memo. (Per.) No.094149/G39/G392/2004-2, dt.17.2.2005.	Madurai E.D.C	II-Pro.	A.E.E./El.	1	O&M section Karuppayurani is Rural section.	-
4.	(Per.) B.P.(Ch.) No.42 (Adm.Br.) dt.18.2.2005.	Chengalpattu E.D.C.	III-RWE	S.B.O./L.I. Helper	4	Due to upgradation of the existing 33 KV SS at Thirunindravur as 110 KV (Non-Grid) SS in Chengalpattu E.D.C.	With immediate effect from the date of utilisation of the posts sanctioned for 110 KV upgraded SS.
				Total	8		

\* \* \*

# GENERAL ADMN. & SERVICES

## PART – II

Letter No.5462/A23/A232/2005-1, (Secretariat Branch), Dated 28.1.2005.

Sub: High Court, Madras - Correspondence with the High Court - Instructions - Issued - Copy of Letter - Communicated.

Ref: Government Lr.No.51068/2004-1, Public (LO) Department, dt.23.11.2004.

I am to enclose a copy of Government letter cited for information and strict compliance.

Encl.: As above.

G. Ramamurthy,  
Secretary.

Copy of Letter No.51068/2004-1, Public (LO) Department, Secretariat, Chennai-9, dated 23.11.2004 from Thiru T. Pitchandi, I.A.S., Secretary to Government, to the Secretaries to Government, All Department of Secretariat, Chennai-9, The Commissioner of Revenue Administration, Chepauk, Chennai-5 and the Commissioner of Land Administration, Chepauk, Chennai-5.

Sir,

Sub: High Court of Madras - Correspondence with the High Court - Instructions - Issued.

I am to state that an instance has been brought to the notice of the Government, where a letter was directly addressed to the Hon'ble the Chief Justice of the High Court of Madras from one of the Secretariat Departments. The Registrar General, High Court, Madras has observed this as highly improper.

2. I am, therefore, directed to point out that all correspondence from the Government to the High Court of Madras are to be directly addressed only to the Registrar General, High Court of Madras. I am, therefore, to request that the above instructions may be followed without fail and that these instructions may also be communicated to all the Head of the Departments under the control of your Department for strict compliance, so that similar embarrassing situation does not occur in future.

Yours faithfully,  
Sd./-xxx E.Vijayakumar,  
23.11.04.  
For Secretary to Government.

/ True Copy /

\* \* \*

PENSION - Dearness Allowance to pensioners and family pensioners - Revised rates from 1<sup>st</sup> January 2005 - Orders - Issued.

(Per.) B.P. (CH) No.31,

(Secretariat Branch)

Dated 31<sup>st</sup> January, 2005,  
Thai 18, Dharana Aandu,  
Thiruvalluvar Aandu - 2036.

Read:

- 1) (Per.) B.P. (Ch) No.186, (S.B.), dt.29.10.2004.
- 2) G.O. Ms.No.23, Finance (Pension) Department dt.19.1.2005.

### Proceedings:

In the Government Order cited, the Government of Tamil Nadu have revised the rates of Dearness Allowance payable to their Pensioners / Family Pensioners with effect from 1<sup>st</sup> January 2005. The Tamil Nadu Electricity Board has decided to adopt the Government Orders to the Pensioner / Family Pensioners of the Tamil Nadu Electricity Board also.



2. Accordingly, the Tamil Nadu Electricity Board directs that the Pensioners / Family Pensioners of the Tamil Nadu Electricity Board shall be paid Dearness Allowance with effect from 1<sup>st</sup> January 2005 at the following rates:-

Date from which payable	Revised rate of Dearness Allowance (Per month)
1 <sup>st</sup> January 2005	61% of Pension / Family Pension.

3. The families of deceased Contributory Provident Fund Non-pensionable establishment beneficiaries who are in receipt of Ex-gratia payment of Rs.605/- per month with reference to (Per.) B.P. (Ch) No.238, (S.B.), dated 22.9.1998 of the Board shall also be paid Dearness Allowance at the rate of 53% per month with effect from 1.1.2005.

4. The increase in dearness allowance drawn from 1<sup>st</sup> January 2005 shall be paid in cash to the pensioners family, pensioners and families of deceased Contributory Provident Fund Non-pensionable establishment beneficiaries who are in receipt of Ex-gratia payment of Rs.605/- per month with reference to (Per.) B.P. (Ch) No.238, (S.B.), dated 22.9.1998. The amount of Dearness Allowance involving a traction of a rupee shall be rounded off to the next higher rupee.

5. These orders are applicable to the present and future family pensioners. In the case of divisible family pension, the Dearness Allowance shall be divided proportionately.

(By Order of the Chairman)

G. Ramamurthy,  
Secretary.

\* \* \*

Establishment - TNEB - Appointment of Thiru N. Ben Augustus Ponnusamy, Chief Engineer (Retired) as Officer on Special Duty to Check up the equipments installed and works done in Independent Power Project with reference to Engineering Procurement and construction contract - Orders - Issued.

(Permanent.) B.P. (CH) No.32,

(Secretariat Branch)

Dated 1<sup>st</sup> February, 2005,  
Thai 19, Dharana Aandu,  
Thiruvalluvar Aandu - 2036.

Read:

From the Chief Engineer/Independent Power Project U.O. No.CE/  
IPP/Supdt.Steno/F.OSD/D.7/2005, dt.31.1.2005.

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#### Proceedings:

The Central Electricity Authority has convened a meeting in New Delhi on 11th, 12th and 13th January 2005, to finalise the completed capital cost of three Independent Power Projects namely M/s. Madurai Power Corporation, M/s. Samalpatty Power Company and M/s. ST-CMS Electric Company Pvt. Ltd. As decided in the meeting, the equipments installed and works carried out in each Independent Power Project have to be verified with reference to the EPC (Engineering Procurement and Construction) contract of the respective Independent Power Project.

2. The Chief Engineer / Independent Power Project, Chennai has recommended that the services of Th. N. Ben Augustus Ponnusamy, Chief Engineer (Retired), who has got wide experience in North Chennai Thermal Power Station, Tuticorin Thermal Power Station and Mettur Thermal Power Station in various capacities from Assistant Executive Engineer to Chief Engineer, may be utilised for the verification of the equipments and works done with reference to the scope of work of Engineering Procurement and Construction contract for all the three projects with reference to TEC and PPA. The above recommendation has been approved.

3. Accordingly, Th. N. Ben Augustus Ponnusamy, Chief Engineer (Retired), be appointed as "Officer on Special Duty" for the verification of the equipments and works done with reference to the scope of work of EPC (Engineering Procurement and Construction) contract for all the three projects with reference to

TEC and PPA so as to have uniformity in the assessment. He shall be paid by the Chief Engineer / Independent Power Project, a honorarium of Rs.10,000/- (Rupees ten thousand only) for each project viz:-

- i) M/s. Madurai Power Corporation,
- ii) M/s. Samalpatty Power Company and
- iii) M/s. ST-CMS Electric Company Pvt. Ltd.

He shall also be permitted to draw Travelling Allowance while on Official tour as allowed to a Chief Engineer and also to reimburse the actual expenditure incurred in connection with the assignment like preparation of report.

4. The assessment reports on all the three Independent Power Project, works shall be submitted to Chairman through the Chief Engineer / Independent Power Project.

5. The expenditure is debitable to "Tamil Nadu Electricity Board Funds - Revenue Expenses - 75 - Employees Costs - 75-1 - Salaries - 75-110 - Salaries Provincial".

6. Receipt of this Proceedings shall be acknowledged.

(By Order of the Chairman)

G. Ramamurthy,  
Secretary.

\* \* \*

Establishment - TNEB - North Chennai Thermal Power Station - Appointment of Th. R. Leelaraman, Chief Engineer / Projects (Retired) and Th. G. Prathapan, Additional Chief Engineer / Operation, North Chennai Thermal Power Station (Retired) as Consultants to co-ordinate in successful re-commissioning of Unit - II of North Chennai Thermal Power Station - Orders - Issued.

(Permanent.) B.P. (Ch) No.34,

(Secretariat Branch)

Dated 2<sup>nd</sup> February, 2005,  
Thai 20, Dharana Aandu,  
Thiruvalluvar Aandu - 2036.

Read:

Chief Engineer/Mechanical/Thermal Station Note dt.10.1.2005.

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#### Proceedings:

Due to fire mishap occurred on 5.12.2004 in Unit - II of North Chennai Thermal Power Station, heavy damages have been caused to the equipments and cables. It is necessary to carry out the rectification works in Unit - II of North Chennai Thermal Power Station.

2. The works contract has been awarded to M/s. BHEL for assessment and rectification works of Unit - II of North Chennai Thermal Power Station in the following three areas:-

- a) Refurbishment of HP, IP and LP turbine and generator.
- b) Replacement of failed instruments, re-laying of instrumentation cables.
- c) Re-laying of oil pipe lines connected with MOT.

3. A number of orders have also been placed / being placed for supply of cables and other electrical equipments and for rectification works.

4. On completion of the above erection / rectification works, re-commissioning activities should be carried out methodically and in sequence, which needs supervision by experts.

5. The Chief Engineer / North Chennai Thermal Power Station has recommended that the services of Tvl. R. Leelaraman, Chief Engineer / Projects (Retired) and G. Prathapan, Additional Chief Engineer / Operation / North Chennai Thermal Power Station (Retired) who are having vast experience in the operation, erection and commissioning of Thermal Units and were involved in recommissioning the Units III & IV of Ennore Thermal Power Station after the fire mishap in 1988, may be utilised for co-ordinating with various agencies and supervising the erection and re-commissioning works of Unit - II, North Chennai Thermal Power Station.

6. It is hereby directed that in view of special nature of works, Th. R. Leelaraman, Chief Engineer/ Projects (Retired) and Th. G. Prathapan, Additional Chief Engineer / Operation / North Chennai Thermal Power Station (Retired), be appointed as consultants with effect from the date of their assumption of charge upto the recommissioning of Unit II in North Chennai Thermal Power Station for co-ordinating with various agencies and supervising the erection and recommissioning works in Units II of North Chennai Thermal Power Station. They shall be paid a lumpsum amount of Rs.15,000/- each (Rupees fifteen thousand only) per month, by the Superintending Engineer / Purchase & Administration, North Chennai Thermal Power Station in addition to their eligible pension.

7. The expenditure is debitable to "TNEB Funds - Revenue Expenses - 75 - Employees Costs - 75-1 - Salaries - 75-110 - Salaries Provincial".

8. Receipt of this Proceedings shall be acknowledged.

(By Order of the Chairman)

G. Ramamurthy,  
Secretary.

\* \* \*

Establishment - M/s. GMR Power Corporation - Rent for land leased by Board - Constitution of a Committee to study the reasonableness of the rent - Orders - Issued.

(Permanent.) B.P. (FB) No.8,

(Secretariat Branch)

Dated the 3<sup>rd</sup> February, 2005,  
Thai 21, Dharana Aandu,  
Thiruvalluvar Aandu - 2036.

Read:

Chief Engineer/Independent Power Project U.O. No.CE/IPP/  
Supdt.Steno/F.Comm/D.8/2005, dt.31.1.2005.

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#### Proceedings:

The Tamil Nadu Electricity Board has decided to constitute a Committee to study the issues relating to reasonableness of the rent to be collected for the lands leased by Tamil Nadu Electricity Board. Accordingly, a Committee consisting of the following Officers is hereby constituted:-

- (i) Hon'ble Justice Th. David Christian, Retired Judge of High Court / Chennai and
- (ii) Th. S. Nagarajan, District Revenue Officer (Retired)

2. The Committee shall study the reasonableness of the rent for the land owned by Tamil Nadu Electricity Board at Basin Bridge and given on lease to M/s. GMR Power Corporation Private Ltd., and to recommend a general policy on the rent to be collected for Tamil Nadu Electricity Board's land leased for projects of perennial nature promoted by others.

3. The Members of the Committee shall be paid a consolidated honorarium of Rs.10,000/- each (Rupees ten thousand only) which includes conveyance by the Chief Engineer / Independent Power Project.

4. The required documents / details and typing works will be provided by Office of the Chief Engineer/ Independent Power Project. The members of the Committee are requested to complete their study and send their report to the Board within a period of three months.

5. The expenditure is debitable to "Tamil Nadu Electricity Board Funds - Revenue Expenses - 75 - Employees Costs - 75-1 - Salaries - 75-110 - Salaries Provincial".

6. Receipt of this Proceedings shall be acknowledged.

(By Order of the Board)

G. Ramamurthy,  
Secretary.

Memorandum No.112012/A23/A232/2004-1, (Secretariat Branch), Dated 3.2.2005.

Sub: Public Services - Mode of Correspondence - Tamil Nadu Government Office Manual - Certain instructions - Issued - Communicated.

Ref: From Government, P&AR (A) Department, Letter No.71049/A/2004-1, Dated 15.12.2004.

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A copy of the instructions issued in Government letter cited is communicated to all Officers of the Board for information and guidance.

Encl.: As above.

G. Ramamurthy,  
Secretary.

Copy of Letter No.71049/A/2004-1, Personnel and Administrative Reforms (A) Department, Government of Tamil Nadu, Secretariat, Chennai-9, Dated 15.12.2004, from Dr. C. Chandramouli, I.A.S., Secretary to Government, to the Director of Vigilance and Anti-Corruption, Chennai-28, All Heads of Department other than Director of Vigilance and Anti-Corruption, Chennai-28 and All Collectors.

Sir,

Sub: Public Services - Mode of Correspondence - Tamil Nadu Government Office Manual - Certain instructions - Issued.

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Chapter XIX (correspondence) para 158, Instruction (2) of Tamil Nadu Government Office Manual stipulates that the name and official designation of the sender must be indicated at the top of the communication. According to the provisions in Part I, chapter IX of Tamil Nadu Government Office Manual, at the head of every draft letter, proceedings or memorandum, the title must be written, the title should come after the word 'Sir / Madam / Gentleman', the body of the letter should follow subsequently. Further, the correspondence should indicate from whom it starts and therefore the name of the head of department, name of the department, place etc., need to be incorporated at the beginning of the letter, besides the authenticating authority to sign the correspondence with signature, name and designation at the bottom:

2. Despite the Specific provision in Tamil Nadu Government Office Manual to this effect, it has come to the notice of the Government that the above procedure is not strictly followed by certain heads of Departments. The communications received from certain heads of Departments are not in accordance with the instructions mentioned in para 1 above.

3. I am, therefore, to request that the procedure indicated in para 1 above should be scrupulously followed while making correspondence with the Government.

4. The receipt of this letter may be acknowledged.

Yours faithfully,  
Sd./-xxx  
For Secretary to Government.

/ True Copy /

\* \* \*

Contract Labourers - Labourers engaged in the areas covered by the orders of Supreme Court - Authorisation for payment of wages at the rate of Rs.69/- to the Contracted Labourers for the month of December 2004 and January 2005 - Orders - Issued.

(Per.) B.P. (Ch.) No.31,

(Administrative Branch)

Dated 4.2.2005,  
Thai 22, Dharana Aandu,  
Thiruvalluvar Aandu - 2036.

Read:

Orders dated 18.11.2004 of Supreme Court made in C.A. No.7483/  
2004 in SLP(C) No.21518/2004.

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#### Proceedings:

In the C.A. No.7483 / 2004 in SLP (C) No.21518 / 2004 filed by the Board against the interim orders dated 8.9.2004 of the Hon'ble High Court made in WAMP.No. 6137 / 04 in W.A. No.3251 / 2004, the Supreme

Court-passed orders dated 18.11.2004 modifying the orders dated 8.9.2004 of the Hon'ble Court / Madras and directed the Board to pay the wages at the rate of Rs.69/- to the Contracted Labourers engaged in the areas (a) to (h) extracted below:-

- a) FUSE OFF CALL.
- b) MAINTENANCE OF BUILDINGS / SUB-STATIONS.
- c) TRANSFORMER MAINTENANCE.
- d) HANDLING OF MATERIALS - DRAWAL FROM STORES AND SUPPLY TO STORES.
- e) TURBINE AND BOILER MAINTENANCE.
- f) OFFICE WORK.
- g) CABLE LAYING WORK.
- h) SERVICE CONNECTION WORK.

2) The Contract Labourers are engaged by the Contractors under Piece Works Labour Contract and they are paid wages by the respective Contractor to whom the work is allotted under K2/Chit agreement in Distribution and General Construction Circles.

3) In order to implement the orders of Supreme Court dated 18.11.2004, the Tamil Nadu Electricity Board hereby directs that the Chief Engineer / Personnel be delegated with powers, to authorise the payment of wages, which falls short of Rs.69/- to the Contract Labourers engaged in the areas (a) to (h) covered by the orders of the Supreme Court, based on the proposal received from the Superintending Engineers of the Distribution Circles and General Construction Circle for the month of December 2004 and January 2005.

4) The Superintending Engineers are requested to ensure that the orders of the Supreme Court are implemented in letter and spirit.

5) Receipt of the B.P. shall be acknowledged.

(By Order of the Chairman)

S. Ayyadurai,  
Chief Engineer/Personnel.

\* \* \*

Establishment - Tamil Nadu Electricity Board - Creation of one post of Officer on Special Duty (Under Study) in the rank of Superintending Engineer / Electrical in Chairman's Office - Orders - Issued.

(Per.) B.P. (Ch.) No.36,

(Secretariat Branch)

Dated the 7th February, 2005,  
Thai 25, Dharana Aandu,  
Thiruvalluvar Aandu - 2036.

#### **Proceedings:**

Sanction is hereby accorded for the creation of one post of Officer on Special Duty (Under Study) in the rank of Superintending Engineer / Electrical for the period upto 28.2.2005 from the date of utilisation of the post in the Chairman's Office.

2. Thiru. S. Arunasalamme, Superintending Engineer / P&A / Ennore Thermal Power Station is transferred and posted as Officer on Special Duty (Under Study) in the rank of Superintending Engineer / Electrical in the Chairman's Office against the newly created post sanctioned in para-1 above. He is directed to join the post immediately.

3. The incumbent of the post will be eligible to draw the usual Pay, Dearness Allowance, House Rent Allowance and City Compensatory Allowance at the rates admissible under the orders in-force wherever applicable.

4. The expenditure is debitable to "TNEB Funds - Revenue Expenditure 75 - Employees costs - 75.1 - Salaries - 75.110 - Salaries Provincial".

5. Receipt of this Proceedings shall be acknowledged.

(By Order of the Chairman)

G. Ramamurthy,  
Secretary.

**TRANSMISSION WING - STATE LEVEL POWER AND TELECOMMUNICATION CO-ORDINATION COMMITTEE MEETINGS - TO BE HOSTED BY TNEB FOR THE YEAR 2005 - APPROVAL FOR INCURRING EXPENDITURE.**

(Routine) B.P. (Ch.) No.18,

(Technical Branch)

Dated 9.2.2005,  
Thai 27, Dharana Aandu,  
Thiruvalluvar Aandu - 2036.

Read:

Chairman's Note Order dt.7.2.2005.

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**Proceedings:**

The Tamil Nadu Electricity Board after careful consideration approves the proposal of Chief Engineer/ Transmission to host the State Level Power and Telecommunication Co-ordination Committee meetings once in three months during the year 2005 and to incur an expenditure of Rs.75/- (Rupees Seventyfive only) per participant of each meeting.

The expenditure is debitale to the head of A/c. No.76-190.

(By Order of the Chairman)

R. David Jesudoss Sundar,  
Chief Engineer/Transmission.

**\* \* \***

Letter No.071616/Adm.Br./G42/G423/2004-3, (Administrative Branch), Dated 10.2.2005.

Sub: Electricity - Prohibiting Strike in Board under Tamil Nadu Essential Service Maintenance Act 2002 - Orders - Issued.

Ref: G.O. Ms.No.123, Public (S.C.) dated 24.1.2005.

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I am to enclose herewith a copy of G.O. Ms. No.123 Public (S.C.) Department, dated 24.1.2005 for information and necessary action.

2. I also request you to acknowledge the receipt of this letter.

Encl.: As above.

S. Ayyadurai,  
Chief Engineer/Personnel.

Copy of:

**TAMIL NADU GOVERNMENT GAZETTE  
EXTRAORDINARY PUBLISHED BY AUTHORITY**

No.[19]

CHENNAI, MONDAY, JANUARY 24, 2005  
Thai 11, Tarana, Thiruvalluvar Aandu - 2036

**Part II — Section 2**

Notifications or orders of interest to a section of the public issued by  
Secretariat Departments.

**NOTIFICATIONS BY GOVERNMENT**

**PUBLIC DEPARTMENT  
(S.C.)**

**PROHIBITING STRIKES IN CERTAIN ESSENTIAL SERVICES UNDER TAMIL NADU ESSENTIAL SERVICES MAINTENANCE ACT, 2002.**

[G.O. Ms. No.123, Public (S.C.), 24th January 2005.]

No.II(2)/PUSC/72(c)/2005.

Whereas the Government is satisfied that in the public interest and in the interest of public order, it is necessary to prohibit **strike** in the essential services specified in the Annexure.

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Tamil Nadu Essential Services Maintenance Act, 2002 (Tamil Nadu Act 36 of 2002), the Governor of Tamil Nadu hereby prohibits strike in the essential services, specified in the Annexure to this order, from the date of publication of this Notification in the Tamil Nadu Government Gazette.

#### ANNEXURE

Services connected with—

01. Water Supply and Electricity.
02. Transport services for carriage of passengers or goods and allied services.
03. Public Health and Sanitation including Hospitals and Dispensaries and Public conservancy.
04. Municipal Corporations, Municipal Councils and other Local Authorities.
05. Fire Brigade and Ministerial Service of Police Department.
06. Government Revenue and Treasuries.
07. Animal Husbandry and Milk Production and Distribution.
08. Social Welfare, Welfare of the depressed communities and Nutrition Programmes
09. Co-operation and Public Distribution System.
10. Education and Sports Development.
11. Revenue Administration.
12. Rural Development.
13. Law and Order and General Administration.
14. Agriculture, Horticulture and allied services.
15. Highway.
16. Industrial Development.
17. Housing facilities.
18. Factories Labour Welfare and Employment opportunities.
19. Public Works including Irrigation.
20. Information and Public Relations and Promotion of Tourism.
21. Religious Institutions and Development of the official language.
22. Welfare, Weavers and Fishermen.
23. Environment Control and Forest conservation.
24. The Tamil Nadu Secretariat.

LAKSHMI PRANESH,  
Chief Secretary.

/ True Copy /

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Establishment - Tamil Nadu Electricity Board - Transmission Wing - Change of control from Member (Distribution) to Member (Generation) - Orders - Issued.

(Per.) B.P. (Ch.) No.41,

(Secretariat Branch)

Dated the 16<sup>th</sup> February, 2005,  
Maasi 4, Dharana Aandu,  
Thiruvalluvar Aandu - 2036.

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#### Proceedings:

The Transmission Wing, now under the control of Member (Distribution), is transferred and placed under the control of Member (Generation) with immediate effect.

(By Order of the Chairman)

G. Ramamurthy,  
Secretary.

Memo.(Per.) No.8549/A22/A221/2005-1, (Secretariat Branch), Dated 17.2.2005.

Sub: Vigilance Cell - Reshifting of Headquarters of the Assistant Executive Engineer / Vigilance / Coimbatore at Salem - Back to Coimbatore - Orders - Issued.

Ref: i) Memo.(Per.) No.119006/A22/A221/01-1, dated 21.12.2001.  
ii) Board's U.O.Note No.37800/B11/B111/2003-6, dated 31.1.2005.

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Based on administrative reasons and to enforce economy in expenditure, the Headquarters of Assistant Executive Engineer / Vigilance / Coimbatore was shifted from Coimbatore to Salem in the reference first cited.

2. The Additional Director General of Police / Vigilance has reviewed the performance of the Assistant Executive Engineer / Vigilance / Headquarters, at Salem and has now suggested for re-shifting the Headquarters of Assistant Executive Engineer / Vigilance from Salem to Coimbatore, as no appreciable reduction in T.A. claims or in the disposal of petitions has been noticed. Further the presence of the Assistant Executive Engineer / Vigilance / Salem is found necessary at Coimbatore to assist the Vigilance Officer / Coimbatore in technical matters.

3. After careful consideration, the Tamil Nadu Electricity Board hereby directs that the Headquarters of the Assistant Executive Engineer / Vigilance Unit, shifted to Salem in the Board's memo. first cited be re-shifted to Coimbatore from Salem. The office of the Assistant Executive Engineer / Vigilance Unit / Coimbatore shall be accommodated in the existing Vigilance Unit at Coimbatore.

4. Receipt of the memo. shall be acknowledged.

(By Order of the Chairman)

G. Ramamurthy,  
Secretary.

\* \* \*

Memo. No.051371/02/G44/G4412002-16, (Administrative Branch), Dated 19.2.2005.

Sub: Establishment - Vandavasi Rural Electric Co-operative Society - Employees of Vandavasi Rural Electric Co-operative Society - Permanent absorption into Board's Service - Option - Called for.

Ref: 1) G.O.Ms.No.124, (Energy) A1. Dept. dt.27.6.97.  
2) EE/SO/VREC's Lr.No.3793/செ.பொ./த.அ./வ.வா./நி.மே/2004, dt.13.3.2004.  
3) Registrar of Co-operative Societies/Chennai's Lr.No.110125/97/PMCT.2 dt.6.1.2004.

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With reference to the orders of Government issued in G.O. under reference 1st cited the Administrative functions of Vandavasi Rural Electric Co-operative Society has been taken over by the Board with effect from 6.4.2002.

2) The appointments made in various Societies under the control of Registrar of Co-operative Societies, including Rural Electric Co-operative Society, was subject matter of litigation in W.A.No.2501, 2502/2001 and batch cases. The Division Bench of High Court have disposed the Writ Appeal on 24.10.2002.

3) Taking into account the above orders of High Court and the report of Registrar of Co-operative Societies, the Board have decided to take follow up action for the absorption of employees of Vandavasi Rural Electric Co-operative Society, whose appointments are not irregular / illegal.

4) As per the report furnished by the Executive Engineer / Special Officer / Vandavasi Rural Electric Co-operative Society in consultation with the Official Liquidator of Co-operative Department, out of 112 employees at Vandavasi Rural Electric Co-operative Society as on 6.4.2002, except the appointment of 16 employees, the appointment of others are in order with reference to the orders of High Court mentioned in para 2 above. One Thiru K. Arumugam, Helper has been recommended for Medical invalidation and the matter is under process.



5) In view of the above, it has been decided to call for option for permanent absorption of 95 employees of 6.4.2002. A specimen form of option for permanent absorption of employees of Vandavasi Rural Electric Co-operative Society into Board's Service is enclosed.

6) The Superintending Engineer / Thiruvannamalai Electricity Distribution Circle is requested to obtain option from the 95 employees of Vandavasi Rural Electric Co-operative Society, whose appointments are in accordance with the rules, for permanent absorption into Board's Service in the format enclosed in quadruplicate and forward one copy of the option to this office so as to reach this office before 5.3.2005, one copy of option may be attached to the Service Book of the concerned employee and one copy may be retained in Executive Engineer's Office and Central Office.

7) The receipt of this Memo. shall be acknowledged.

(By Order of the Chairman)

Encl.: 1 Specimen format.

S. Ayyadurai,  
Chief Engineer/Personnel.

.....: RURAL ELECTRIC CO-OPERATIVE SOCIETY

Option for permanent absorption into Board's Service with reference to G.O. Ms.No.124, Energy Department, A1 dated 27.6.97.

I ..... (name) Date of birth ..... holding the post of ..... (Designation) w.e.f. .... hereby exercise my option for permanent absorption into services of TAMIL NADU ELECTRICITY BOARD w.e.f. the vesting date (i.e.) 6.4.2002.

I was initially appointed as ..... (Designation) in the Time-Scale of pay of Rs..... w.e.f. .... by DIRECT RECRUITMENT THROUGH EMPLOYMENT EXCHANGE / PRESS ADVERTISEMENT WITH THE APPROVAL OF GOVERNMENT / THROUGH ABSORPTION OF C.L. / D.W. as per 18(1) and 12(3) Settlement with the approval of Government.

I declare that at the time of my initial regular appointment, I was fully qualified to hold the post of ..... as per Tamil Nadu Co-operative Society Rule 1988 and the bye-law of the Society.

I am now drawing a pay of Rs..... w.e.f. .... in the Time-Scale of pay of Rs.....

I was initially appointed as ..... against the cadre strength of the Society approved by the Co-operative Department. I am now continued as ..... within the cadre strength approved by the Co-operative Department.

I am aware that my seniority in the Board's service will be fixed with reference to my date of joining in the present post.

I declare that I am fully eligible for permanent absorption into Board's Service and I am not disqualified for appointment or absorption with reference to the orders of High Court dated 24.10.92 made in W.A. No.2501/2004 and 2502/2001 and batch cases.

I am aware that after absorption into Board's Service I will be governed by the rules and regulations of the Board w.e.f 6.4.2002 and I will not claim for any rights or privileges enjoyed by me in the erstwhile Society.

SIGNATURE OF THE EMPLOYEE.

Place :

Date:

#### DECLARATION

I, Thiru ..... hereby declare that the particulars given above are true to the best of my knowledge and belief. I am aware that in case any of the above information is found incorrect at the later date my orders of the absorption are liable to be cancelled and I will be discharged from the service forthwith.

Signature of the employee.

Date:

Endt. of E.E./S.O. .... R.E.C.S.

Certified that the particulars furnished by Thiru ..... are found correct with reference to the Office records. Thiru ..... may be considered for absorption into Board's Service as ..... in the Time-Scale of pay Rs.....

Signature of the Executive Engineer/  
Special Officer ..... R.E.C.S.

/ True Copy /

\* \* \*

AMENITIES - Providing Transport facilities to the Staff and School going children of the employees of North Chennai Thermal Power Station by engaging 2 Nos. buses on Contract basis for the period from 1.5.2004 to 30.4.2005 - Proposal approved and orders - Issued.

(Per.) B.P. (Ch.) No.43,	(Administrative Branch)	Dated 21.2.2005, Maasi 9, Dharana Aandu, Thiruvalluvar Aandu - 2036.
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Read:

- 1) (Permanent) B.P. (CH) No.134/Adm.Br./dt.21.6.2004.
- 2) From the CE/NCTPS/Ch-120 Letter No.CE/NCTPS/SECM/EA/AE/F.Bus/D.274/04, dt.25.3.04.
- 3) From the Chief Engineer/NCTPS/Ch-120/Lr.No.CE/NCTPS/SE/CM/EA/AE/F.Bus/D.477/04 dt.21.5.2004.

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#### Proceedings:

Administrative approval is hereby accorded to the Chief Engineer / North Chennai Thermal Power Station for engaging 2 (two) Nos. diesel driven buses on hire basis from M/s. Sakula Constructions, Koyambedu, Chennai-107 for the period from 1.5.2004 to 30.4.2005 to the tune of Rs.22,85,782/- (Rupees Twenty two Lakhs Eighty five thousand seven hundred and eighty two only) (excluding the Head Quarters charges of Rs.34,286.72 and the LWF at of Rs.6,857.34 added in the estimate).

(By Order of the Chairman)

S. Ayyadurai,  
Chief Engineer/Personnel.

\* \* \*

Establishment - TNEB - North Chennai Thermal Power Station - Th. T. Chelliah, Executive Engineer / Electrical (Retired), North Chennai Thermal Power Station - Utilisation of his services to co-ordinate in the works for successful recommissioning of Unit-II of North Chennai Thermal Power Station - Orders - Issued.

(Permanent) B.P. (Ch.) No.43,	(Secretariat Branch)	Dated the 21st February 2005, Maasi 9, Dharana Aandu, Thiruvalluvar Aandu - 2036.
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Read:

- i) Chief Engineer/Mechanical/Thermal Power Stations (i/c.) Note  
dt.24.12.2004.
- ii) (Per.) B.P. (Ch.) No.34, (SB), dt.2.2.2005.

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#### Proceedings:

The Chief Engineer / Mechanical / Thermal Stations has requested to engage the services of Thiru T. Chelliah, Executive Engineer / Elecl., who has wide knowledge about the maintenance of HT and LT motors of boiler auxiliaries, electrical maintenance of ash handling system and maintenance of power, control and instrumentation cables and worked in similar type of work during the erection of Unit-II at North Chennai

Thermal Power Station, to co-ordinate in the rectification works in North Chennai Thermal Power Station after his retirement on 31.11.2004.

2. The request of the Chief Engineer / Mechanical / Thermal Stations has been examined and accepted. It is hereby ordered that the services of Thiru T. Chelliah, Executive Engineer / Elec. (Retired on 30.11.2004) be utilised to co-ordinate the works for re-commissioning of Unit-II, North Chennai Thermal Power Station for a period of six months from the date of utilisation (i.e.) from 1.12.2004 (or) till the commissioning of Unit-II of North Chennai Thermal Power Station, whichever is earlier. The action of the Chief Engineer / North Chennai Thermal Power Station in having engaged Thiru T. Chelliah, Executive Engineer / Elec. (Retired) in view of the emergent nature of work is ratified.

3. He shall be paid a lumpsum amount of Rs.8,000/- (Rupees eight thousand only) per month by the Superintending Engineer / Purchase & Administration / North Chennai Thermal Power Station in addition to his eligible pension.

4. The expenditure is debitable to "Tamil Nadu Electricity Board Funds - Revenue Expenses - 75 - Employees Costs - 75-1 - Salaries - 75-110 - Salaries Provincial"

5. Receipt of this Proceedings shall be acknowledged.

(By Order of the Chairman)

G. Ramamurthy,  
Secretary.

\* \* \*

**NORTH CHENNAI THERMAL POWER STATION - APPOINTMENT OF THIRU R. KRISHNASWAMY, ADDITIONAL GOVERNMENT PLEADER IN PLACE OF THIRU SAM HENRY THOMAS TO TAKE UP LAOP CASES - APPROVAL - ACCORDED.**

(Permanent) B.P. (Ch.) No.95,

(Technical Branch)

Dated 22.2.2005,  
Maasi 10, Dharana Aandu,  
Thiruvalluvar Aandu - 2036.

Read:

Chief Engineer/Civil Designs Note dated 5.2.2005.

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**Proceedings:**

Chief Engineer / North Chennai Thermal Power Station proposal for appointment of Thiru R. Krishnaswamy, Additional Government Pleader as Board's Counsel in place of Thiru Sam Henry Thomas to take up LAOP cases of North Chennai Thermal Power Station has been approved.

Fees as per Legal practitioners fee rule 1973 may be considered for payment.

(By Order of the Chairman)

K.G. Natesan,  
Chief Engineer/Civil Designs (I/c.)

\* \* \*

**TNEB - Internet connection for the Executive Engineer / Operation Ingur 230 KV SS - Administrative - Approval accorded - Regarding.**

(Permanent) B.P. (Ch.) No.99,

(Technical Branch)

Dated 23 February 2005,  
Maasi 11, Dharana Aandu,  
Thiruvalluvar Aandu - 2036.

Read:

Chairman's note approval dt.11.2.2005.

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**Proceedings:**

The Superintending Engineer / Erode Electricity Distribution Circle has requested approval for availing internet connection to the office of Executive Engineer / Operation / Ingur 230 KV SS. It has been stated

that one number Personal Computer is provided to Ingur SS to download CMRI readings from the meters installed in the SS and to prepare tripping reports. The paper correspondences of tripping reports, line schedule, energy reports, material allotment etc. have to be made with SE/O/Coimbatore and SE/EEDC. At present these are being made through postal, courier and FAX services. If Internet connectivity is provided to Ingur 230 KV SS the expenditure involved in communication and the delay in time would be reduced.

After careful consideration, the Chairman / Tamil Nadu Electricity Board has administratively approved the proposal for providing Internet connection to the Executive Engineer / Operation 230 KV SS from M/s. BSNL Ltd. for a duration of 100 hours at a cost of Rs.500/- (Rupees Five Hundred) plus service taxes as applicable with a validity of two years.

(By Order of the Chairman)

R. Thiruvengada Ramanuja Doss,  
Chief Engineer / Commercial.

\* \* \*

Training & Development - Deputation of Thiru S. Ravichandran, Asst. Engineer / Mech / Operation Divn.II TTPS for studying One year full time Diploma Course from 12.7.2002 to 30.4.2003 in Industrial Safety at Regional Labour Institute, Chennai, at Board's cost - Payment of HRA & CCA on par with Chennai city - Approval accorded - Reg.

(Routine) B.P. (FB) No.2,

(Technical Branch)

Dated 24.2.2005,  
Maasi 12, Dharana Aandu,  
Thiruvalluvar Aandu - 2036.

Read:

- 1) (Rt.) B.P. (Ch) No.83, (Tech.Br.), dt.6.7.2002.
- 2) (Rt.) B.P. (FB) No.9, (Tech.Br.), dt.12.12.2002.

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#### Proceedings:

Thiru S. Ravichandran, Asst. Engineer / Mech / Operation Divn.II / Tuticorin Thermal Power Station has been deputed for studying One Year full time Diploma Course from 12.7.2002 to 30.4.2003 in Industrial Safety at Regional Labour Institute, Chennai, at Board's cost, vide B.P. (RT) B.P. (FB) No.4, (T.B.), Dt. 8.7.2002.

Representations have been received from Thiru S. Ravichandran, Asst. Engineer, requesting payment of HRA & CCA as applicable to Chennai city during the period of deputation due to the hardship in maintaining his family at Chennai without CCA & enhanced HRA applicable to the Chennai City.

After careful consideration, approval is hereby accorded to treat the officer as transferred to head quarters and deemed to have been sent on deputation for the higher studies from head quarters for drawing CCA & HRA as applicable to the Chennai City.

All other terms & conditions of the B.P. (RT) B.P. (FB) No.4, (T.B.), Dt.8.7.2002 remain unaltered.

(By Order of the Board)

S. Ayyadurai,  
Chief Engineer/Personnel.

\* \* \*

Memorandum No.5619/A18/A181/2005-1, (Secretariat Branch), Dated 25.2.2005.

Sub: Public Services - Defects crept in framing of charges / show cause notice calling for explanation and in final orders in Disciplinary Proceedings - Avoidance of - Instruction issued by the Government - Copy communicated.

- Ref: i) Memorandum No.20653/P1/93-1, dated 24.7.93.  
ii) Government P&AR (N) Department letter (Ms) No.10, dt.10.1.2005.

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In continuation of the Memorandum cited, a copy of the Government letter cited is communicated to all Officers of the Board for strict adherence of the instructions contained therein while dealing with

Disciplinary Proceedings cases.

2. The receipt of this Memorandum should be acknowledged.

Encl.: As above.

G. Ramamurthy,  
Secretary.

Copy of Letter (Ms) No.10, dated 10.1.2005, from Tmt. Lakshmi Pranesh, I.A.S., Chief Secretary to Government, Government of Tamil Nadu, Personnel and Administrative Reforms (N) Department, Secretariat, Chennai-9 to All Secretaries to Government, Departments of Secretariat, Chennai-9 and All Heads of Department (including District Collectors).

Sir/Madam,

Sub: Public Services - Defect crept in framing of charges / show cause notice calling for explanation and in final orders in disciplinary proceedings - Avoidance of - Instructions issued.

Ref: Government Circular No.14353/93-1, Personnel and Administrative Reforms (Per.N) Department, Dated 11.3.1993.

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The Tamil Nadu Public Service Commission has brought to the notice of the Government that during its examination of disciplinary cases referred to it by Government under Regulation 18(1) (a) (b) (c) and (d) of the Tamil Nadu Public Service Commission Regulations, 1954, it was found that the memo calling for the explanation of the delinquent officer under rule 17(a) of the Tamil Nadu Civil Services (Discipline and Appeal) Rules or charges framed against the delinquent officer under rule 17(b) of the said Rules are found to be vague and in general terms, without pinpointing the lapses or offences committed by the delinquent, resulting in the delinquent officer not being able to offer his explanations specifically to such lapses / offences. The Commission has also pointed out that sometimes, irrelevant sections of Act are found to be quoted for lapses under 17(b) of the said Rules and in certain cases, the final orders issued are non-speaking, without furnishing reasons, for arriving at the final decision.

2. In this connection, I am directed to state that as the disciplinary proceedings are quasi-judicial in nature, proper care has to be taken by the disciplinary authorities at all stages of disciplinary proceedings. The stage of framing of charge / show cause notice calling for explanation are crucial stages, because the success of any disciplinary proceedings depends primarily on the clarity of the charges / statement of imputation of misconduct or misbehaviour for which action is proposed to be taken. Taking into account the above aspects, guidelines have also been laid down in Annexure-III to the Government Circular cited, regarding the manner in which the charge / show cause notice should be drafted. Further, it is well settled that the final order in a disciplinary proceedings should be self-contained "speaking order".

3. I am therefore, directed to request all the Secretaries to Government / Heads of Department to ensure that the charges / show cause notices are carefully drafted in such a way that they are not vague and no irrelevant or incorrect rule or section of an Act is quoted therein and also to ensure that the final orders are issued in self contained "speaking orders". They are also requested to issue circulars to all the Disciplinary Authorities under their control to follow the guidelines issued in the reference cited scrupulously and to avoid any kind of defects either in the charge memo / letter / show cause notice or in the final orders.

4. The receipt of this letter may be acknowledged.

Yours faithfully,  
Sd./-xxx

For Chief Secretary to Government,  
12.1.2005.

/ True Copy /

\* \* \*

U.O.Note No.10431/A3/A31/2005-26, (Secretariat Branch), Dated 26.2.2005.

Sub: Writ Appeal No.1081 of 2004 in W.A.M.P.No.1958 of 2004 filed by Tamil Nadu Electricity Board Vs. Tamil Nadu Electricity Board Engineers Association - Appeal allowed by the Hon'ble High Court, Madras in favour of the Board - Copy communicated.

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A copy of the judgement of the Hon'ble First Division Bench of Madras High Court, dated 28.1.2005 in Writ Appeal No.1081 of 2004 and W.A.M.P.No.1958 of 2004 filed by the Board against Tamil Nadu Electricity Board Engineers Association may be communicated to the Chief Engineer / Personnel, Administrative Branch for disposing of the pay anomaly repn. received in Administrative Branch citing the earlier judgement in W.P.No.572 of 2002 which are kept pending till the outcome of the Writ Appeal No.1081 of 2004.

Encl.: As above.

G. Ramamurthy,  
Secretary.

Copy of:

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 28.1.2005

CORAM

THE HON'BLE MR.MARKANDEY KATJU, CHIEF JUSTICE

and

THE HON'BLE MR.JUSTICE D.MURUGESAN

W.A.No.1081 of 2004

and

W.A.M.P. No.1958 of 2004

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1. The Tamil Nadu Electricity Board,  
rep. by its Secretary,  
793, Anna Salai,  
Chennai - 600 002.

2. The Chairman,  
Tamil Nadu Electricity Board,  
793, Anna Salai,  
Chennai - 600 002.

... Appellants.

Vs.

Tamil Nadu Electricity Board Engineers'  
Association, "Electricity Avenue",  
Rep. by its General Secretary Mr.G.Balakrishnan,  
793, Anna Salai, Chennai - 600 002.

... Respondent.

PRAYER: Appeal against the order of the learned single Judge dated 8.10.2003, passed in W.P. No.572 of 2002, as stated therein.

For Appellants :: Mr. V. Radhakrishnan

For Respondent :: Mr. A.E. Chelliah, Senior Counsel  
For M/s. P. Karunakaran and  
C. Vasanthakumari Chelliah

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### J U D G M E N T

THE HON'BLE THE CHIEF JUSTICE

This writ appeal has been filed against the order of the learned single Judge dated 8.10.2003.

2. Heard learned counsel for the parties and perused the records.

3. The writ petition was filed by an Association of Graduate Engineers in the Tamil Nadu Electricity Board. The dispute is between the Graduate Engineers on the one hand, and the diploma holders, who were appointed as Technical Assistants and Junior Engineers Gr.II, and who can subsequently be promoted as Assistant Engineers if they acquire B.E. Degree or A.M.I.E. through part time course or correspondence studies by internal selection, on the other. It is alleged in paragraph - 2 of the affidavit filed in support of the writ petition that the directly recruited Assistant Engineers are seniors, and they were all along drawing a higher pay than the internally selected Assistant Engineers, who are their juniors, in every wage revision. However, now some of the internally selected juniors are getting more pay than the directly recruited Assistant Engineers, who are seniors, and this has happened on account of the wage revision w.e.f. 1.12.1996 providing grant of additional increments on the basis of the number of years service put in the department under Clause 6(4) of the Board's Proceedings in (Permanent) B.P. (FB) No.59 (Secretariat Branch) dated 18.7.1998. It is alleged that many such directly recruited Assistant Engineers, who are seniors both in the cadre of Assistant Engineers as well as Assistant Executive Engineers are now being given lesser pay than their juniors who were subordinate to them earlier. It is further alleged that the representations of the petitioners have been rejected, and hence the writ petition.

4. In paragraph - 4 of the petitioner's affidavit several details are given alleging that seniors are now being given less salary than juniors. It is alleged that this violates Article 14 of the Constitution of India.

5. A counter affidavit was filed in the writ petition by the respondents. In paragraph - 3 of the same it is alleged that the internal selection is resorted to not only for the post of Assistant Engineers category but also categories such as Junior Assistant, Typist, Steno Typist, Assessor and Technical Assistant, etc. In all these cases the period of service rendered in previous posts is counted for pension in the new post, and the pay drawn in the previous post is protected in the new post. Such internally selected persons by virtue of their earlier service in the Board draw more pay than the directly recruited employees, as their pay has been protected. It is alleged that this is not an anomaly in any real sense. It is further alleged that the pay protection is the benefit consciously allowed by the Board to its workmen, who were recruited from other posts through internal selection, and this is governed by the orders issued in (Per.) B.P. (F.B.) No.95, (Secretariat Branch) dated 2.11.1985 covering all the employees of the Board.

6. In paragraph - 5 of the counter affidavit it is averred that when workmen were recruited to another post internally, there were occasions, at the time of their appointment, when such internally selected and appointed persons were drawing higher pay in the previous post itself than the minimum scale of pay applicable for the post to which that person was appointed through such internal selection, and in all such cases their pay in the previous post was protected in the new post. The position in the Government of India and in the Government of Tamil Nadu service is similar.

7. In paragraph - 6 of the counter affidavit it is alleged that in the 1996 Wage Revision Orders, it was ordered that a benefit of one increment for the first 7 years of regular completed service, and thereafter, one increment for every 10 years of service, as service weightage shall be given after fitment in the new scale of pay. By virtue of this provision the employees with longer years of service get more number of increments as service weightage benefit than those with less number of years of service.

8. In paragraph - 7 of the counter affidavit Clauses 6(3) and 6(4) of the Board's Proceedings in (Permanent) B.P. (FB) No.59 (Secretariat Branch) dated 18.7.1998 were extracted, and the same are as follows:-

Clause - 6(3) : Where a junior opts to come over to the revised scale from a date subsequent to 1st December 1996 and happens to get more pay than that of his senior by way of fitment benefit, then the pay of the senior shall be stepped up to the level of the pay of the junior with effect from the date from which the junior draws such higher pay.

The above provision will not apply to those covered, under para 5(ii) above.

The applicability of the above provision is subject to the condition that:

- (i) the senior was drawing pay higher than or equal to the pay of the junior in the pre-revised scales of pay from time to time.

- (ii) if the pay and the date of increment of a senior and junior are identical in the pre-revised scale of pay and if the senior opts for revised scale with effect from 1.2.1996 whereas the junior foregoes the wage revision benefit and opts for revised scale with effect from the date of next increment or subsequent increments after 1.12.1996 and consequently the junior happens to get higher pay than the senior, such anomaly should not be rectified since the senior also could have opted for the same date as the junior and availed the fitment benefit, as that of this junior. However, the anomaly may be sent right, by permitting the senior to opt for revised scale from the same date of next increment or subsequent increment after 1.12.1996 as opted by the junior subject to the condition, that, the wage revision arrear already drawn by the senior with effect from 1.12.1996 is refunded in one lumpsum.

Clause - 6(4) : "Senior" and "Junior" mentioned in this regulation shall be only those covered by sanction of same number of service weightage increments."

9. The petitioner-Association requested the respondents to annual clause 6(4) quoted above, but this was not accepted by the respondents because the above rule is the same for both workmen and officers.

10. In paragraph - 9 of the counter affidavit it is stated that there were instances where on appointment itself, an internally recruited Assistant Engineer may be getting higher pay than the directly recruited senior Assistant Engineer, as in the case of one Thiru S. Mohankumar, Assistant Executive Engineer, details of which are given in paragraph - 10 of the counter affidavit. On the date of his appointment as Assistant Engineer his pay in the previous post was protected by grant of personal pay. Hence, it is alleged that this was the existing practice even earlier, and was not on account of wage revision w.e.f. 1.12.1996 as alleged by the petitioner-Association.

11. In paragraph - 12 of the counter affidavit it is alleged that the anomaly of junior drawing more pay already existed in the case of an Assistant Engineer / Non-Degree Holder promoted as Assistant Executive Engineer, who was promoted step by step (hierarchical promotion), and would be drawing higher pay than the senior Degree Holders / Direct Recruits with lesser number of years of service. Hence, it is alleged that there is no anomaly. It is alleged that 'Seniority' of an employee is a mere relation to the category to which he belongs, whereas the 'Service Weightage' allowed in the wage revision of 1996 is taking into account the total service of an employee in all categories put together from the date of his joining the Board.

12. In paragraph - 14 of the counter it is alleged that the representations of the petitioner-Association were examined in detail, but were rejected by the Board. Therefore, the grievance alleged by the petitioner-Association that its representations were not considered is not correct.

13. The learned single Judge by his order dated 8.10.2003 allowed the writ petition holding that 'the principle that a senior must not get less pay than his junior must be followed'. In our opinion, there is no such absolute principle that a senior can never get less pay than his junior. It can happen that a junior may get higher pay than his senior, as he may put in more number of years of service than his senior. In our opinion there is no anomaly or illegality in this. There is also no violation of Article 14 of the Constitution of India. Hence, in our considered opinion, the order of the learned single Judge is not correct and deserves to be set aside.

14. We are of the considered view that the impugned Clause 6(4) of the Board's Proceedings in (Permanent) B.P. (FB) No.59 (Secretariat Branch) dated 18.7.1998 is not illegal or unconstitutional. It may be mentioned that there is always a presumption in favour of the constitutional validity of a statute or rule, and an attempt should be made to uphold the same instead of readily striking it down.

15. In B.R. Enterprises Vs. State of U.P. and Others, (1999) 9 SCC 700 (vide paragraph - 81) the Supreme Court observed:-

"It is also well settled that first attempt should be made by the Courts to uphold the charged provision and not to invalidate it merely because one of the possible interpretations leads to such a result, howsoever attractive it may be. Thus, where there are two possible interpretations, one invalidating the law and the other upholding, the latter should be adopted."

16. It may be mentioned that fixing of pay scales and salaries is a complicated matter and it is for the executive authority to decide, as they only have the expertise in this matter. Ordinarily, it is not proper for the Courts to interfere in these types of matters, as Courts do not have such enterprise.



17. In *Union of India Vs. P.V. Hariharan*, J.T. 1997 (3) 569 the Supreme Court observed that the Tribunals are often interfering with pay scales without proper reason and without being conscious of the fact that fixation of pay is not their function. It is the function of the Government which normally acts on the recommendation of a Pay Commission. Change of pay scale of a category has a cascading effect. Several other categories similarly situated, as well as those situated above and below will put forward their claims on the basis of such change. The Tribunal should realise that interfering with the prescribed pay scales is a serious matter. The Pay Commission goes into the problem at great depth and it is the proper authority to decide upon the issue. Very often the doctrine of equal pay for equal work is also being misunderstood and misapplied freely revising and enhancing the pay scales across the board.

18. In our opinion, fixation of pay scales, salaries, etc., are purely executive functions and it is not proper for this Court to interfere in this executive domain. In *Rama. Muthuramalingam Vs. The Deputy Superintendent of Police, Mannargudi & Others*, 2004 (5) CTC 554 a Division Bench of this Court discussed the philosophy of judicial restraint in great detail and we reiterate the views expressed therein. There are several considerations which have to be taken into account by the executive while fixing the pay scales, etc., and the Courts should realise that only the executive authorities have the requisite expertise in such matters, and not the Courts. Interference by the Courts in the fixation of pay scales, salaries, etc., can only result in chaos and confusion, and can have adverse and undesirable repercussions.

19. There is nothing in the constitution or in any statutory rule that a junior cannot get a higher salary than a senior, particularly, when the junior has put in a large number of years of service, as compared to the senior, who may be a new recruit. In any event, these are matters to be decided by the executive, and it is not proper for this Court to encroach upon in this field, as has been done by the learned single Judge. The Courts must exercise judicial restraint and not interfere in such matters. The three organs of the State - the Legislature, the Executive, and the Judiciary have their own broad spheres of operation, and it is ordinarily not proper for one organ to encroach into the domain of another.

20. It is well settled that in policy matters this Court has a very limited scope of interference vide *Union of India vs. International Trading Co.*, J.T. 2003 (4) SC 549 (para 17), *State of Punjab vs. Ram Lubhaya*, 1998 (4) SCC 117, *Krishnan Kakkanth vs. Government of Kerala* 1997 (9) SCC 495, *G.B. Mahajan vs. Jalgaon Municipal Council* AIR 1991 SC 1153, *Federation of Railway Officers Association vs. Union of India*, 2003 (4) SCC 289.

21. In *Union of India vs. International Trading Co.* 2003 (51) ALR 598 (vide paragraph 17) the Supreme Court observed:

"The Courts as observed in *G.P. Mahajan v. Jalgaon Municipal Council*, AIR 1994 SC 988 are kept out of the lush field of administration policy except where the policy is inconsistent with the express or implied provision of a statute which creates the power to which the policy relates, or where a decision made in purported exercise of power is such that a repository of the power acting reasonably and in good faith could not have made it. But there has to be a word of caution. Something overwhelming must appear before the Court will intervene. That is and ought to be a difficult onus for an applicant to discharge. The Courts are not very good at formulating or evaluating policy. Sometimes when the Courts have intervened on policy grounds the Court's view of the range of policies open under the statute or of what is unreasonable policy has not got public acceptance. On the contrary, curial views of policy have been subjected to stringent criticism.

As Professor Wade points out (in *Administrative Law* by H.W.R. Wade, 6th Edition), there is ample room within the legal boundaries for radical differences of opinion in which neither side is unreasonable. The reasonableness in administrative law must therefore distinguish between proper course and improper abuse of power. Nor is the test the Court's own standard of reasonableness as it might conceive it in a given situation. The point to note is that the thing is not unreasonable in the legal sense merely because the Court thinks it to be unwise."

22. In *Tamil Nadu Education Dept., Ministerial and General Subordinate Services Association vs. State of Tamil Nadu and others*, AIR 1980 SC 379, the Supreme Court while examining the scope of interference by the Courts in public policy held that the Court cannot strike down a circular / Government Order or a policy merely because there is a variation or contradiction. The Court observed: "Life is sometimes

contradiction and even inconsistency is not always a virtue. What is important is to know whether malafides vitiates or irrational and extraneous factors foul".

In that decision the Court also observed:

"Once, the principle is found to be rational, the fact that a few freak instances of hardship may arise on either side cannot be a ground to invalidate the order or the policy. Every cause claims a martyr and however, unhappy we be to see the seniors of yesterdays becoming the juniors of today, this is an area where, absent arbitrariness and irrationality, the Court has to adopt a hands-off policy."

23. In *Maharashtra State Board of Secondary and High Secondary Education and others vs. Paritosh Bhupesh Kumarsheth*, AIR 1984 SC 1543, the Supreme Court considered the scope of judicial review in a case of policy decision and held as under:-

"The Court cannot sit in judgment over the wisdom of the policy evolved by the Legislature and the sub-ordinate regulation making body. It may be a wise policy, which will fully effectuate the purpose of the enactment or it may be lacking in effectiveness and hence calling for revision and improvement. But any drawbacks in the policy incorporated in a rule or regulation will not render it ultra vires and the Court cannot strike it down on the ground that in its opinion, it is not a wise or prudent policy but is even a foolish one, and that it will not really serve to effectuate the purpose of the Act. The legislature and its delegate are the sole repositories of the power to decide what policy should be pursued in relation to matters covered by the Act and there is no scope for any interference by the Courts unless the particular provision impugned before it can be said to suffer from any legal infirmity in the sense of its being wholly beyond the scope of the regulation-making power or it being inconsistent with any of the provisions of the parent enactment or in violation of any of the limitations imposed by the Constitution."

24. A similar view has been reiterated in *Delhi Science Forum and others vs. Union of India and another*, AIR 1996 SC 1356 ; *U.P. Kattha Factories Association vs. State of U.P. and others*, (1996) 2 SCC 97; and *Rameshwar Prasad vs. Managing Director, U.P. Rajkiya Nirman Nigam Limited and others* (1999) 8 SCC 381.

25. In *Netai Bag and others vs. State of West Bengal and others*, (2000) 8 SCC 262 (vide para 20), the Supreme Court observed:

"The Court cannot strike down a policy decision taken by the government merely because it feels that another decision would have been fairer or wiser or more scientific or logical."

The Government is entitled to make pragmatic adjustments and policy decision which may be necessary or called for under the prevalent peculiar circumstances. While deciding the said case, the Court referred to and relied upon its earlier judgements in *State of Madhya Pradesh vs. Nandlal Jaiswal*, AIR 1987 SC 251 and *Sachidanand Pandey vs. State of West Bengal*, AIR 1987 SC 1109, wherein the Court held that judicial interference with policy decision is permissible only if the decision is shown to be patently arbitrary, discriminatory or mala fide. A similar view has been reiterated in *Union of India and others vs. Dinesh Engineering Corporation and another*, (2001) 8 SCC 491.

26. In *Ugar Sugar Works Ltd. vs. Delhi Administration and others*, (2001) 3 SCC 635, it has been held that in exercise of their powers of judicial review, the Courts do not ordinarily interfere with policy decisions of the executive unless the policy can be faulted on the ground of mala fide, unreasonableness, arbitrariness or unfairness etc. If the policy cannot be touched on any of these grounds, the mere fact that it may affect the interests of a party does not justify invalidating the policy.

27. In *State of Himachal Pradesh and another vs. Padam Dev and others* (2002) 4 SCC 510, the Supreme Court held that unless a policy decision is demonstrably capricious or arbitrary and not informed by any reason or discriminatory or infringing any statute or the Constitution it cannot be a subject of judicial interference under the provisions of Articles 32, 226 and 136 of the Constitution. Similar view, has been reiterated in *State of Rajasthan and others vs. Lata Arun*, (2002) 6 SCC 252.

28. This Court cannot ordinarily interfere in administrative matters, since the administrative authorities are specialists in matters relating to the administration. The Court does not have the expertise in such

matters, and ordinarily should leave such matters to the discretion of the administrative authorities. It is only in rare and exceptional cases, where the *Wednesbury* principle applies, that the Court should interfere, vide *Tata Cellular vs. Union of India*, (1994) 6 SCC 651, *Om Kumar vs. Union of India*, 2001 (2) SCC 386. In *U.P., Financial Corporation V. M/s. Naini Oxygen & Acetylene Gas Ltd.* J.T. 1994 (7) S.C. 551 (vide para 21) the Supreme Court observed:

"However, we cannot lose sight of the fact that the Corporation is an independent autonomous statutory body having its own constitution and rules to abide by, and functions and obligations to discharge. As such, in the discharge of its function it is free to act according to its own light. The views it forms and the decisions it takes are on the basis of the information in its possession and the advice it receives and according to its own perspective and calculations. Unless its action is *mala fide*, even a wrong decision taken by it is not open to challenge. It is not for the Courts or a third party to substitute its decision, however more prudent, commercial or business like it may be, for the decision of the Corporation. Hence, whatever the wisdom (or the lack of it) of the conduct of the Corporation, the same cannot be assailed by making the Corporation liable."

29. In *Haryana Financial Corporation and another V. M/s. Jagdamba Oil Mills and another* (2002) 1 UPLBEC 937 (vide paragraph 10) the Supreme Court observed:

"If the High Court cannot sit as an appellate authority over the decisions and orders of quasi-judicial authorities, it follows equally that it cannot do so in the case of administrative authorities. In the matter of administrative action, it is well known that more than one choice is available to the administrative authorities. They have a certain amount of discretion available to them. They have 'a right to choose between more than one possible course of action upon which there is room for reasonable people to hold differing opinions as to which is to be preferred'. (per Lord Diplock in *Secretary of State for Education and Science V. Metropolitan Borough Council of Tameside*, 1977 AC 1014). The Court cannot substitute its judgment for the judgment of administrative authorities in such cases. Only when the action of the administrative authority is so unfair or unreasonable that no reasonable person would have taken that action, the Court can intervene. To quote the classic passage from the judgement of Lord Greene M.R. in *Associated Provincial Picture Houses Ltd. V. Wednesbury Corporation*, 1947 (2) ALL ER 680:

"It is true the discretion must be exercised reasonably. Now what does that mean? Lawyer familiar with the phraseology commonly used in relation to exercise of statutory discretions often use the word 'unreasonable' in a rather comprehensive sense. It has frequently been used and is frequently used as a general description of the things that must not be done. For instance, a person entrusted with the discretion must, so to speak, direct himself properly in law. He must call his own attention to the matters which he is bound to consider. He must exclude from his consideration matters which are irrelevant to what he has to consider. If he does not obey those rules, he may truly be said, and often is said, to be acting 'unreasonably.' Similarly, there may be something so absurd that no sensible person could ever dream that it lay within the powers of the authority".

30. In *Tata Cellular vs Union of India* AIR 1996 SC 11 (vide paragraph 113) the Supreme Court observed:

- (1) The modern trend points to judicial restraint in administrative action.
- (2) The Court does not sit as a Court of appeal over administrative decisions but merely reviews the manner in which the decision was made.
- (3) The Court does not have the expertise to correct an administrative decision. If a review of the administrative decision is permitted it will be substituting its own decision, without the necessary expertise, which itself may be fallible."

31. As Lord Denning observed:

"This power to overturn executive decisions must be exercised very carefully, because you have got to remember that the executive and the local authorities have their very own responsibilities and they have the right to make decisions. The courts should be very wary about interfering

and only interfere in extreme cases, that is, cases where the Court is sure they have gone wrong in law or they have been utterly unreasonable. Otherwise you would get a conflict between the courts and the government and the authorities, which would be most undesirable. The courts must act very warily in this matter." (See 'Judging the World' by Garry Sturgess Philip Chubb).

32. In our opinion judges must maintain judicial self restraint while exercising the powers of judicial review of administrative or legislative decisions.

"In view of the complexities of modern society," wrote Justice Frankfurter, while Professor of Law at Harvard University, "and the restricted scope of any man's experience, tolerance and humility in passing judgment on the worth of the experience and beliefs of others become crucial faculties in the disposition of cases. The successful exercise of such judicial power calls for rare intellectual disinterestedness and penetration, lest limitation in personal experience and imagination operate as limitations of the Constitution. These insights Mr. Justice Holmes applied in hundreds of cases and expressed in memorable language:

"It is a misfortune if a judge reads his conscious or unconscious sympathy with one side or the other prematurely into the law, and forgets that what seem to him to be first principles are believed by half his fellow men to be wrong."

33. In writing a biographical essay on the celebrated Justice Holmes of the U.S. Supreme Court in the dictionary of American Biography, Justice Frankfurter wrote:

"It was not for him (Holmes) to prescribe for society or to deny it the right of experimentation within very wide limits. That was to be left for contest by the political forces in the state. The duty of the Court was to keep the ring free. He reached the democratic result by the philosophic route of scepticism - by his disbelief in ultimate answers to social questions. Thereby he exhibited the judicial function at its purest."

(See 'Essays on Legal History in Honour of Felix Frankfurter' Edited by Morris D. Forkosch).

34. In our opinion adjudication must be done within the system of historically validated restraints and conscious minimisation of the judges preferences. The Court must not embarrass the administrative authorities and must realise that administrative authorities have expertise in the field of administration while the Court does not. In the word of Chief Justice Neely:

"I have very few illusions about my own limitations as a Judge. I am not an accountant, electrical engineer, financier, banker, stockbroker or system management analyst. It is the height of folly to expect Judges intelligently to review a 5000 page record addressing the intricacies of a public utility operation. It is not the function of a Judge to act as a super board, or with the zeal of a pedantic school master substituting its judgment for that of the administrator."

35. In administrative matters the Court should therefore ordinarily defer to the judgment of the administrators unless the decision is clearly illegal or shockingly arbitrary. In this connection Justice Frankfurter while Professor of Law at Harvard University wrote in 'The Public and its Government' -

"With the great men of the Supreme Court constitutional adjudication has always been statecraft. As a mere Judge, Marshall had his superiors among his colleagues. His supremacy lay in his recognition of the practical needs of government. The great judges are those to whom the Constitution is not primarily a text for interpretation but the means of ordering the life of a progressive people."

In the same book Justice Frankfurter also wrote ---

"In simple truth, the difficulties that government encounters from law do not inhere in the Constitution. They are due to the judges who interpret it. That document has ample resources for imaginative statesmanship, if judges have imagination for statesmanship."

36. In *Keshvanand Bharathi v. State of Kerala*, AIR 1973 SC 1461 (vide para 1547) Khanna, J. observed:

"In exercising the power of judicial review, the Courts cannot be oblivious of the practical needs of the government. The door has to be left open for trial and error."

37. In *Indian Railway Construction Co. Limited vs. Ajay Kumar* (2003) 2 UPLBEC 1206 (vide para 14) the Supreme Court observed that there are three grounds on which administration action is subject to control by judicial review. The first ground is illegality, the second is irrationality and the third is procedural impropriety. These principles were highlighted by Lord Diplock in *Council of Civil Service Unions v. Minister for the Civil Service* 1984 (3) All ER 935. The Supreme Court observed that the Court will be slow to interfere in such matters relating to administrative functions unless the decision is tainted by any vulnerability enumerated above, like illegality, irrationality and procedural impropriety. The famous case, commonly known as the 'Wednesbury's case', is treated as the landmark in laying down various principles relating to judicial review of administrative or statutory discretion.

38. Lord Diplock explained irrationality as follows:

"By irrationality I mean what can be now be succinctly referred to as *Wednesbury* unreasonableness. It applies to a decision which is so outrageous in its defiance of logic or of accepted moral standards that no sensible person who had applied his mind to the question to be decided could have arrived at it."

39. From the above stand point the impugned Clause 6 (4) of the (Permanent) B.P. (FB) No.59 (Secretariat Branch) dated 18.7.1998 cannot, in our opinion, be faulted, as it cannot be said to be so outrageous in defiance of logic or accepted moral standards that no sensible person could have arrived at it. There is a rational basis for the impugned rule viz., that there should be some pay protection to the employees who have put in long years of service. No doubt a different principle could have been adopted, but on this ground the impugned clause cannot be said to be vitiated. The legislature and the executive in their wisdom have different choices, and this Court cannot say that this or that choice should have been adopted. As Mr. Justice Cardozo of the U.S. Supreme Court observed in *Anderson Vs. Wilson*, 289 U.S. 20:-

"We do not pause to consider whether a statute differently conceived and framed would yield results more consonant with fairness and reason. We take this statute as we find it."

40. In our opinion the same principle will apply to administrative decisions also.

41. It must never be forgotten that the administrative authorities have wide experience in administrative matters. No Court should therefore strike down an administrative decision solely because it is perceived by it to be unwise. A Judge cannot act on the belief that he knows better than the executive on a question of policy, because he can never be justifiably certain that he is right. Judicial humility should therefore prevail over judicial activism in this respect.

42. In our considered opinion Clause 6(4) of the Board's Proceedings in (Permanent) B.P. (FB) No.59 (Secretariat Branch) dated 18.7.1998 incorporates a policy decision and it is well settled that this Court should not interfere in policy matters unless, it is clearly unconstitutional or shockingly arbitrary in the *Wednesbury* sense vide *JT 2003 (4) SC 549* (paragraph - 17); *AIR 1991 SC 1153*; (1997) 9 SCC 495; (2003) 7 SCC 301; 2003 AIR SCW 2828 (paragraph - 18).

43. In *Krishnan Kakkanth Vs. Government of Kerala*, (1997) 9 SCC 495 the Supreme Court observed:-

"To ascertain unreasonableness and arbitrariness in the context of Article 14 of the Constitution, it is not necessary to enter upon any exercise for finding out the wisdom in the policy decision of the State Government. It is immaterial whether a better or more comprehensive policy decision could have been taken. It is equally immaterial if it can be demonstrated that the policy decision is unwise and is likely to defeat the purpose for which such decision has been taken. Unless the policy decision is demonstrably capricious or arbitrary and not informed by any reason whatsoever or it suffers from the vice of discrimination or infringes any statute or provisions of the Constitution, the policy decision cannot be struck down. It should be borne in mind that except for the limited purpose of testing the public policy in the context of illegality and unconstitutionality, courts should avoid "embarking on uncharted ocean of public policy".

44. In our considered view, the policy behind Clause 6 (4) of the Board's Proceedings in (Permanent) B.P. (FB) No.59 (Secretariat Branch) dated 18.7.1998 is obviously that employees having long years of service should get some pay protection, and hence they can sometime even get higher pay than some senior employees who are newly recruited. There is nothing shockingly arbitrary about this.

45. We are of the opinion that Court should not readily strike down rules or policy decisions on the ground that they are unconstitutional, rather every attempt should be made to uphold the constitutional validity. The Courts should always hesitate to declare a statute or policy decision unconstitutional, unless it

finds it clearly so, because invalidating a statute or policy decision is a grave step. Of the three organs of the State, only the judiciary has the power to declare the Constitutional limits of all three. This great power should therefore be used by the judiciary with the utmost humility and self-restraint.

46. As observed by the Supreme Court in *M.H. Qureshi Vs. State of Bihar*, AIR 1958 SC 731, the Court must presume that the legislature understands and correctly appreciates the needs of its own people. The legislature is free to recognize degrees of harm and may confine its restrictions to those where the need is deemed to be the clearest. In the same decision it was also observed that the legislature is the best judge of what is good for the community on whose suffrage it came into existence. In our opinion, the same principle also applies to the executive decisions, as the executive is accountable to the legislature in a democracy.

47. One of the earliest scholarly treatments of the scope of judicial review is Prof. James Bradley Thayer's article "The Origin and Scope of the American Doctrine of Constitutional Law", published in 1893 in the *Harvard Law Review*. This paper is a singularly important piece of American legal scholarship, if for no other reason than that Justices Holmes and Brandeis of the U.S. Supreme Court, among modern judges, carried its influence with them to the Bench, as also did Mr. Justice Frankfurter. Thayer, who was a Professor of Law at Harvard University, strongly urged that the courts must be astute not to trench upon the proper powers of the other departments of government, nor to confine their discretion. Full and free play must be allowed to "that wide margin of considerations which address themselves only to the practical judgment of a legislative body or the executive authorities". Moreover, every action of the other departments embodies an implicit decision on their part that it was within their constitutional power to act as they did. The judiciary must accord the utmost respect to this determination, even though it be a tacit one. This meant for Thayer, and he attempted to prove that it had generally meant to the courts, that a statute or a policy decision could be struck down as unconstitutional only "when those who have the right to make it have not merely made a mistake, but have made a very clear one, so clear that it is not open to rational question". After all, the Constitution is not a legal document of the nature of a title deed or the like, to be read closely and construed with technical finality, but a complex charter of government, looking to unforeseeable future exigencies. Most frequently, reasonable men will differ about its proper construction. The Constitution leaves open "a range of choice and judgment," and hence constitutional construction 'involves hospitality to large purposes, not merely textual exegesis'.

48. In *Lochner Vs. New York*, 198 U.S. 45 (1905), Mr. Justice Holmes, the celebrated Judge of the U.S. Supreme Court in his classic dissenting judgment pleaded for judicial tolerance of state legislative action even when the Court may disapprove of the State Policy. Similarly, in his dissenting judgment in *Griswold Vs. Connecticut*, 381 U.S. 479, Mr. Justice Hugo Black of the U.S. Supreme Court warned that "unbounded judicial creativity would make this Court a day-to-day Constitutional Convention". Justice Frankfurter has pointed out that great judges have constantly admonished their brethren of the need for discipline in observing their limitations (see Frankfurter's 'Some Reflections on the Reading of Statutes').

49. For the reasons give above, this writ appeal is allowed and the impugned order of the learned single Judge dated 8.10.2003 passed in W.P.No.572 of 2002 is set aside. No costs. Consequently, connected W.A.M.P. is closed.

Sd./-xxx  
Asst.Registrar.

/ true copy /

Sd./-xxx  
2.2.05.  
Sub Asst.Registrar.

Copy to the Secretary, The Tamil Nadu Electricity Board, 793, Anna Salai, Chennai-600 002, The Chairman, Tamil Nadu Electricity Board, 793, Anna Salai, Chennai-600 002, +1cc to Mr.P.Karunakaran, Advocate Sr 3124

KSJ (CO)  
km/29.1.

W.A.No.1081 of 2004.

/ True Copy /



Memo.No.72099/A9/A92/2004-3, (Secretariat Branch), Dated 26.2.2005.

Sub: Telephone - Expenditure on Excess Telephone Calls - Recovery from employees in Section Offices / Sub-stations - Instructions - Issued.

Ref: (Per.) B.P. (Ch) No.121, (SB), dt.24.5.1997.

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In the B.P. cited, Orders were issued fixing the ceiling limit on expenditure of Telephone call charges for Office and Residence phone of various officers of the Board. It is also ordered that the excess expenditure in this behalf should be met only with the prior approval of Chairman and no proposal for ratification by Chairman of incurring excess expenditure shall be entertained.

2) The Tamil Nadu Electricity Board Engineers Sangam has filed W.P.No.21706 of 2004 with prayer to forbear the Respondent from effecting any recoveries from the salaries of the employees in Section offices / Sub-stations in respect of the expenditure on official telephones purportedly in excess of the ceiling limits prescribed. .

3) In W.P.M.P. No.26226 of 2004 in W.P.No.21706 of 2004, the High Court, Madras by order dated 11.8.2004 has granted Interim Injunction restraining the Board from effecting any recoveries from the salaries of the employees in Section offices / Sub-stations in respect of the expenditure on official telephones purportedly in excess of the ceiling limit prescribed pending disposal of the W.P.21706 of 2004.

4) All Chief Engineers / Superintending Engineers are informed not to effect any recoveries from the salaries of the Board employees working in Section offices / Sub-stations in respect of excess telephone call charges pending disposal of the W.P. No.21706 of 2004 and until further orders from the Board. The question of recovery will be decided after the disposal of the W.P. pending before the Court. The ceiling limit of telephone calls fixed for the O&M Sections / Sub-stations in the reference cited should be adhered to strictly in future.

(By Order of the Chairman)

G. Ramamurthy,  
Secretary.

\* \* \*

Memo.No.128469/A3/A32/2002-2, (Secretariat Branch), Dated 28.2.2005.

Sub: Establishment - Incentive Scheme - Payment of monthly incentive allowance and Annual Incentive Bonus to the employees of Gas Power Station at Basin Bridge Power House, Thirumakkottai, Valathur and Kuttalam - Orders issued - Amendment ordered.

Ref: (Per.) B.P. (FB) No.31, (SB), dt.26.11.2004.

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The following amendment is issued to (Per.) B.P. (FB) No.31, (SB), Dated 26.11.2004.

#### AMENDMENT

The following expression in the Annexure under heading "(1) Monthly Thermal Incentive allowance" occurring in para (a) of the said Board's proceedings shall be deleted:-

"who are required to work eight hours per day under the Standing order / Tamil Nadu Electricity Board Service Regulations."

(By Order of the Chairman)

G. Ramamurthy,  
Secretary.

\* \* \*

# FINANCE

## PART – III

Pension - Pension Scheme - Contributory Pension Scheme - Further Guidelines - Orders - Issued.

(Per.) B.P.(FB) No.6

(Secretariat Branch)

Dated 31<sup>st</sup> January 2005,  
18, Thai, Dharana Varudam,  
Thiruvalluvar Aandu - 2036.

Read :

- 1) G.O.Ms.No.259, Finance (Pension) Department dt.6.8.2003.
- 2) (Per.) B.P. (Ch.) No.264, (S.B.), dt. 3.12.2003.
- 3) From Finance (BPE) Department Letter No.58786/BPE/04,  
Finance Dept. dt.18.10.2004.

### Proceedings:

In the Government Order first cited, Government of Tamil Nadu have introduced a new Contributory pension scheme to the Government employees who are newly recruited on or after 1.4.2003. In the Board Proceedings second cited, the above Government orders have been made applicable to the Tamil Nadu Electricity Board employees, who are newly recruited on or after 1.4.2003.

2. The Government have now issued the guidelines for implementation of the contributory pension scheme to the employees of statutory Boards, who were recruited in the Board on or after 1.4.2003.

3. Accordingly, the Tamil Nadu Electricity Board hereby issues the following further guidelines in order to implement the contributory pension scheme:

I. It is mandatory for all the new employees of Tamil Nadu Electricity Board, who are recruited on or after 1.4.2003 to become members of the Scheme. Each employee will pay a monthly contribution of 10% of Basic pay and Dearness Allowance from his salary to the Contributory Pension Scheme. The Pay Drawing / Disbursing Officer shall recover the amount from the pay of the employee and shall intimate the total amount of Employees' Contribution recovered every month to the Chief Financial Controller.

II. A matching contribution will be made by the Tamil Nadu Electricity Board for each employee, who contributes to the Scheme. The Chief Financial Controller shall arrange for the matching contribution by the Board.

III. Existing General Provident Fund will not be applicable to the newly recruited employees who are covered under Contributory pension Scheme introduced from 1.4.2003.

IV. Proper Accounts for the Contributory pension Scheme should be maintained by the Chief Financial Controller, Tamil Nadu Electricity Board. Index numbers will be allotted by the Chief Internal Audit Officer to the employees covered under the Contributory Pension Scheme on receipt of application from the circle offices as in the format prescribed in the Annexure-I.

V. Chief Internal Audit Officer should allot the Index numbers for all the new employees who have already joined the Board's service after 31.3.2003 within a month from the date of this order. As and when new employees join in future, they should be admitted to this scheme compulsorily and Index numbers allotted promptly within a month from the date of joining of the new employees. Accounts Slip shall be issued by the Pay Drawing Officer during April of succeeding each year.

VI. Index number allotted on joining the Contributory Pension Scheme should be entered in the first page of the Service Register with necessary attestation.

VII. Only on assigning the Index number by the Chief Internal Audit Officer for the above scheme, recovery from pay bills shall be made by the Pay Drawing Officer / Disbursing Officer. Necessary Card for this purpose shall be maintained by the Pay Drawing Officer in the Head Office. If there are more than one Pay Drawing Officer, on transfer of the employee, this should be reconciled and sent to the Head Office of the place of transfer.



VIII. Nomination has to be filed at the time of admission by each employee and has to be revised upon marriage of the subscriber and thereafter once in five years. Necessary entry to the effect of filing the nomination along with name of nominee(s) should be made in the Service Register of the employee. The Pension Sanctioning Authority shall admit and arrange to enter in the Service Register.

IX. Recovery schedule has to be attached to the Pay Bill showing the Contribution to Pension Scheme as in Annexure-II. Every Drawing and Disbursing Officer of the Board should prepare and enclose this schedule along with the Pay Bill.

X. The Accounting Procedure to credit the amount so recovered shall be issued by the Chief Financial Controller. While evolving the accounting procedure, a new account viz. "Contributory Pension Account", shall be opened by the Board in the Banks in addition to the existing accounts under regular pension. A new account code shall be prescribed to Board's account under receipt for Employees Contribution under Contributory Pension Scheme and under expenditure side of Board's General Account for Board's Contribution under Contributory Pension Scheme.

XI. The total amount recovered from the Pay bills towards the above scheme shall be sent to the Chief Financial Controller along with the number of employees subscribed without fail. Also a recovery Schedule should be prepared as in the case of other recoveries indicating the amount recovered as pension contribution from the individual and handed over to the concerned Accounts Officer or to the Officer Authorised for every month for posting in the ledger and to transfer the Board's contribution to Contribution Pension Scheme.

XII. The reasons for non-recovery from a particular employee in any month should be furnished by the Drawing and Disbursing Officers concerned in the recovery Schedule without fail.

XIII. The total amount of Board's and Employee's contribution for each month has to be transferred to Pension Fund Regulatory and Development Authority or any Agency authorised by Pension Fund Regulatory and Development Authority for this purpose on monthly basis after obtaining clearance from Pension Fund Regulatory and Development Authority. The Board's contribution to the Scheme to be debited shall be spelt out by the Chief Financial Controller specifically in the accounts by adopting proper Accounting Procedure.

XIV. Arrears of subscription to the Contributory Pension Scheme from 1.4.2003 will be deducted from the new employees already joined after 1.4.2003 along with current month subscription (i.e. one subscription for current month and one additional for subscription arrears).

4. Receipt of the Board Proceedings shall be acknowledged.

(By Order of the Board)

G. Ramamurthy,  
Secretary.

#### ANNEXURE - I

#### APPLICATION FOR ADMISSION TO THE CONTRIBUTORY PENSION SCHEME IN TAMIL NADU ELECTRICITY BOARD

(To be furnished in Duplicate)

CPS Index Number	
---------------------	--

(to be allotted by Chief Internal Audit Officer)

- |  |   |                                  |                                    |
|--|---|----------------------------------|------------------------------------|
| 1. Name of the Applicant.                  | : |                                  |                                    |
| 2. Sex:*                                   | : | Male <input type="checkbox"/>    | Female <input type="checkbox"/>    |
| 3. Marital status. *                       | : | Married <input type="checkbox"/> | Unmarried <input type="checkbox"/> |
| 4. Official Designation.                   | : |                                  |                                    |
| 5. Office to which attached.               | : |                                  |                                    |
| 6. Service to which the applicant belongs. | : |                                  |                                    |
| 7. Date of first entry into Board service. | : |                                  |                                    |
| 8. Scale of pay.                           | : |                                  |                                    |

9. Basic pay :  
 10. Date of birth :  
 11. Date of superannuation. :  
 12. Whether appointment is regular or temporary. :  
 13. Whether recruited for Pensionable service\* : Yes ☐ No ☐  
 14. Community of the applicant (For Statistical Purposes only) : SC / ST / BC / MBC / OC  
 15. Nomination  
     Name of the Nominee :  
     a) Age :  
     b) Relationship :  
 16. C.P.S. Plan opted \*\* : Plan-I / Plan-II / Plan-III.  
 17. Remarks, if any.

Station :

Signature of the Applicant.

Date :

## CERTIFICATE TO BE FURNISHED BY THE HEAD OF OFFICE

Certified that Thiru / Tmt. / Selvi ..... is a regular employee appointed to pensionable service and is eligible to join the Contributory Pension Scheme.

Station :

Signature of Head of the Office with  
full address / Office Seal.

Date :

\* Tick ☐ Whichever is applicable

\*\* Not to be filled now.

/ True Copy /

## ANNEXURE-II

**CONTRIBUTORY PENSION SCHEME IN TAMIL NADU ELECTRICITY BOARD**  
**PAY BILL SCHEDULE OF RECOVERY FOR THE MONTH OF 200 .**

To

Account Code details

Sl.No.	CPS Index Number	Name	*Plan Type	Basic Pay (Rs.)	D.A.(Rs.)	Total (Rs.)	Employees Contribution		
							Current	Arrears	
							(Rs.)	Instal-ment No.	Amount (Rs.)
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)		

Need not be filled up at present.

(Rupees only)

Certified that the Basic Pay entered in column 5 of the Statement has been verified with entries in the Service Book and Pay Bill.

SIGNATURE OF THE DRAWING OFFICER WITH  
DESIGNATION.

www.taneef.org

**INSTRUCTIONS:-**

- 1) During non-drawal of Pay and allowances for any individual 'NIL' particulars should be shown in Col.5 to Col.8 but Col.1 to Col.3 should be filled up without fail.
- 2) In case of "Transfer" to "Transfer" from other Office, the facts may be mentioned for two consecutive months against the employees' name.
- 3) CPS Index number and Name details should be entered in the first page of the Service Register with necessary attestation.

**HOW TO FILL UP C.P.S. SCHEDULE:-**

- 1) Column (2) : CPS Index Number should be given correctly.
- 2) Column (3) : Initial and name should be furnished as in the Service Register.
- 3) Column (5) & (6) : Basic pay and D.A. should be furnished as per the Pay and D.A. drawn in the particular months.
- 4) Column (8) : (i) Employees' Contribution has to be deducted from the Supplementary Bill also (eg.) arrears of pay.  
Incremental arrears and D.A. Arrears consequent on D.A. revision.  
(ii) Arrears of subscription when recovered in instalments, the instalment number should be noted (eg.) 01/14, 02/14 etc.

/ True Copy /

\* \* \*

Letter No.FC/Accts/DFC/BS/I.T./D.51/C263/2005, (Accounts Branch), Dated 1.2.2005.

Sub: Tsunami Relief Fund - Recovery of one day salary - Deduction under section 80G of I.T. Act 1961 - Clarification requested - Furnishing of - Reg.

Ref: SE/TPTR Lr.No.நீயி4/உ.1/வவரி/2005/5.1.2005.

In his letter under reference the Superintending Engineer / Electricity Distribution Circle / Thirupathur has sought for clarification on the following points.

1. Whether deduction under section 80G may be allowed on one day salary recovered for Tsunami Relief Fund while assessing Taxable Income.
2. Whether Voluntary Contribution over and above the one day salary may be permitted and accounted under A/c. code 44.319.

Accordingly the following clarifications are issued.

1. 100% deduction shall be allowed on one day salary recovered for Tsunami Relief Fund under section 80G (2) (iii hf).
2. Voluntary Contribution for Tsunami Relief Fund over and above one day salary shall also be permitted, deduction allowed as above and accounted under A/c. code 44.419.
3. However, deduction allowed under section 80G (2) (iii hf) is not qualified for arriving at the rate of rebate under section 88 (i.e.) to switch over to 20% from 15% of rebate).

The above aspect shall be scrupulously followed and communicated to all Drawing and Disbursing Officers of the circle so as to avoid claim for short assessment of Income Tax by Income Tax Department at a latter date.

Receipt of the letter shall be acknowledged to the Financial Controller / Accounts (By name).

S. Kathiresan,  
Chief Financial Controller/General.

Memorandum (Per.) No.111623/A23/A232/2004-1, (Secretariat Branch), Dated 15.2.2005.

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Sub: Tamil Nadu Electricity Board - Payment of terminal benefits to retiring employees at an official function - Awarding Commendation Certificate and adorning with a Handloom or Khadi towel - Cost of Shawl to be purchased - Enhancement - Orders - Issued.

Ref: i) Board's Memo.(Per.) No.58749/O&M Cell/89-1, dated 16.8.89.  
ii) Board's Memo.No.8008/O&M Cell (4)/90-1, dated 21.12.90.  
iii) Board's Memo.No.86700/O&M Cell (4)/91-2, dated 21.1.92.  
iv) Board's Memo.No.67788/O&M Cell I(4)/92-1, dated 2.12.92.  
v) From General Secretary/T.N.E.B. Retired Employees Progressive Union letter dated 13/21.12.2004.

In partial modification of the orders issued in the reference (iv) cited, it is hereby ordered that the cost fixed for the purchase of One No. Shawl from Handloom / Khadi shall be enhanced from Rs.125/- to Rs.150/- (Rupees One hundred and fifty only) for adorning the retiring employees of the Tamil Nadu Electricity Board.

(By Order of the Chairman)

G. Ramamurthy,  
Secretary.

\* \* \*

# TECHNICAL

## PART – IV

TNEB - Dam Safety - Committee for International commission on Large Dams (INDIA) - Nomination OF Chief Engineer / Civil Designs as Institutional member to INCOLD - Payment of annual subscription for the Calender year 2005 - Approved.

(Per.) B.P.(CH) No.53

(Technical Branch)

Dated 1<sup>st</sup> February 2005,  
19, Thai, Dharana Varudam,  
Thiruvalluvar Aandu - 2036.

Read:

Note approved by the Chairman dt.25.1.2005.

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### Proceedings:

1. Approval is accorded for the following:
  - a) To incur an expenditure of Rs.10020/- (Rupees Ten thousand and twenty only) towards membership subscription for the Calender year 2005, including Rs.20/- (Rupees twenty only) as Bank's Collection charges for outstation cheque / draft payable to the "Committee for International Commission on Large Dams (INCOLD) India and
  - b) To renew the membership of Chief Engineer / Civil Designs as an institutional member representing TNEB for the calender year 2005.
2. The expenditure is chargeable to fees and subscription Account Code No.76.151.

(By Order of the Chairman)

K.G. Natesan,  
Chief Engineer/Civil Designs,  
(In-charge).

\* \* \*

T.T.P.S. - Procurement of one No. Thermo View Camera - Administrative Approval - Accorded.

Permanent B.P.(CH) No.68

(Technical Branch)

Dated 5<sup>th</sup> February 2005,  
23, Thai, Dharana Varudam,  
Thiruvalluvar Aandu - 2036.

Read :

Note approved by the Chairman on 2.2.2005.

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### Proceedings:

The Chairman hereby accords administrative approval to procure one number Thermo View Camera with 0° - 250°C and above through open tender at an approximate estimated cost of Rs.10.88 lakhs (Rupees Ten lakhs and eighty eight thousand only) by the Chief Engineer / TTPS and to be used as a common one in our Thermal Power Stations.

(By Order of the Chairman)

M. Arunachalam,  
Chief Engineer/Mechanical,  
Thermal Stations.

\* \* \*

Memo.No.CFC/GL/DIR/Tf.Cell/AEE/D.388/2005, (Accounts Branch), dated 16.2.2005.

Sub: TNERC - Tariff to LT crematorium - Order issued - Reg.

- Ref: 1. Memo.No.CFC/SE/Tf.Cell/AEE/F.Crematorium/D.334/2004,  
dt.14.9.2004.  
2. Memo.No.CFC/SE/Tf.Cell/AEE/F.Crematorium/D.334-1/2004,  
dt.12.10.2004.  
3. T.O.1-34 dt.25.1.2005.

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Based on the proposal sent from TNEB, the TNERC issued order No.1-26 dt.31.8.2004 declaring that the Electrical crematorium run by the local bodies be classified under HT Tariff IIA. This was communicated to all Chief Engineers / Distribution and Superintending Engineers / Electricity Distribution Circles in the memos cited 1<sup>st</sup> and 2<sup>nd</sup> above.

Superintending Engineer / Udumalpet Electricity Distribution Circle vide Ir. dt.6.11.2004 addressed to Chief Engineer / Coimbatore Region informed that an Electrical crematorium run by the Pollachi Municipality is existing under LT category under LT Tariff IA in accordance with the Board's circular memo dt.14.9.2000. As, the TNERC order dt.31.8.2004 speaks only about HT category, Superintending Engineer / Udumalpet Electricity Distribution Circle had requested to clarify the tariff applicable to electrical crematorium under LT category.

The Chief Engineer / Distribution / Coimbatore clarified vide Ir. dt.17.11.2004 that the above TNERC order was applicable only for HT supply and until separate order is issued by TNERC for LT supply extended to crematorium, statues quo may be maintained. The Chief Engineer / Distribution, Coimbatore requested to confirm his presumption. This was referred to TNERC.

Tamil Nadu Electricity Regulatory Commission has ordered in order No. T.O.1-34 dt.25.1.2005 that the LT crematorium may be continued to be classified under LT tariff IA. A copy of the order is enclosed herewith.

Under the above circumstances all Superintending Engineers / Electricity Distribution Circle are instructed to continue LT Tariff IA to LT crematorium.

The action taken report may be sent to Director / Tariff Cell within 15 days.

Encl: As above

M. Durairaj,  
Member (Distribution).

Copy of:

**TAMIL NADU ELECTRICITY REGULATORY COMMISSION**

No.17, Third Main Road, Seethammal Colony, Alwarpet, Chennai - 600 018.  
Phone: ++91-044-2435 9156 / 2435 9215 / 2432 2037 Fax: ++91-044-2435 4982.  
email : tnerc@vsnl.net Website : www.tnerc.org

**BEFORE THE TAMIL NADU ELECTRICITY REGULATORY COMMISSION CHENNAI**

**ORDER No.T.O. 1-34 dated 25.1.2005**

**Present:** Hon'ble Thiru A. Balraj, Chairman  
Hon'ble Thiru S. Thangarathnam, Member  
Hon'ble Thiru. B. Jeyaraman, Member

**In the matter of: Tariff to LT Electrical Crematorium**

1) In the Letter No.CFC/GI/SE/Tf.Cell/AEE/F.Crematorium/D.401-1/2004, dated 30.12.2004, the TNEB has requested the Commission to classify the LT Electrical Crematorium maintained by Local Bodies under LT Tariff II A similar to the classification by the Commission of HT Electrical Crematorium under HT Tariff II A.

## 2) The Commission considered the following points:

- (i) The Commissioner, Tiruchirapalli City Corporation represented that HT service connection extended to the Electrical Crematorium had been classified under HT Tariff III Commercial and other categories not covered under HT I and HT II and that the tariff be changed from HT Tariff III to HT Tariff II as the crematorium has been established purely for social service and not for commercial service.
- (ii) The representation was forwarded to the TNEB for their views.
- (iii) The TNEB suggested that, since the Electrical Crematorium run by local bodies are meant for social services, the Crematorium may be classified under HT Tariff II A applicable to Educational Institutions, Public Lighting, Public Sewerage Works by Government / Local Bodies, etc. besides other Institutions declared by the Government from time to time.
- (iv) Accordingly, the Commission ordered in Order No.T.O. 1-26 dated 31.8.2004 that the HT service connection to Electrical Crematorium run by the Local Bodies be classified under HT Tariff II A.
- (v) Now the TNEB in the letter cited that the LT services connected to the Electrical Crematorium run by the Local Bodies which are now under LT Tariff I A may be classified under LT Tariff II A applicable to Public Lighting, Public Water Supply and Public Sewerage System belonging to Local Bodies.
- (vi) The TNEB had classified the L.T. Electrical Crematorium under LT Tariff I A during 9/2004 itself considering the fact that the electrical crematorium is a public convenience run by the Local Bodies and that there is no commercial activities in the service availed for electrical crematorium.
- (vii) The public convenience run by the Local Bodies and by such other Organisations have been classified under LT Tariff I A - Domestic category in the tariff orders issued by the Commission and also in the earlier orders issued by the Government.
- (viii) In the tariff proposals, the TNEB had not furnished any public conveniences, which are to be included or excluded for the purpose of categorisation under LT Tariff I A. Thus the LT Electrical Crematorium, which has already been considered as public convenience remain under LT Tariff I A and cannot be classified under LT Tariff II A, which is an exclusive tariff for Public Lighting and Public Water Supply.

## 3) The Commission passes the following order:

- (i) Under HT, public conveniences run by Local Bodies have not been classified under any Tariff category. Also by nature of the activity such HT services can neither be classified under HTI - Industries nor HT Tariff III - Commercial. Hence the classification of HT Crematorium under HT II A is justified.
- (ii) As regards LT, as public convenience has already been classified under LT Tariff I A, the LT Crematorium may be continued to be classified under LT Tariff I A and the request of the TNEB to classify them under LT Tariff II A cannot be considered.

(By Order of the Commission)

R. Balasubramanian,  
Secretary.

To: The Chairman  
Tamil Nadu Electricity Board,  
Chennai - 600 002.

/ True Copy /

\* \* \*

**AMARAVATHY SMALL HYDRO ELECTRIC PROJECT (2X2MW). SUPPLY AND ERECTION OF ELECTRICAL AND MECHANICAL WORKS BY M/S STEEL INDUSTRIAL KERALA LIMITED (SILK), KERALA - CERTAIN REQUESTS OF M/S SILK WHICH AMOUNTED TO DEVIATIONS IN PURCHASE ORDER CONDITIONS ACCEPTED IN BOARD LEVEL TENDER COMMITTEE AS A SPECIAL CASE FOR EARLY COMPLETION OF THE PROJECT - APPROVAL AND RATIFICATION - ACCORDED.**

(Permanent) B.P.(FB) No.26,

(Technical Branch)

Dated 17<sup>th</sup> February 2005,  
5, Maasi, Dharana Varudam,  
Thiruvalluvar Aandu - 2036.

Read :

1. CE/Hydro's Note dated 22.11.2003 to BLTC.
2. Extra of minutes of 975<sup>th</sup> BLTC meeting held on 22.11.2004.
3. CE/Hydro's note dated 24.12.2004 to Board meeting approved by Chairman on 25.12.2004.
4. Extract from the minutes of 877<sup>th</sup> Board meeting held on 8.1.2005.

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The Tamil Nadu Electricity Board hereby approves and ratifies the proposal of Chief Engineer / Hydro which was approved in 975<sup>th</sup> Board Level Tender Committee meeting held on 22.11.2004 as detailed below:

To defer the 10% Liquidated Damages recovery from the further supplies to be made by M/s SILK as a special case considering the reasons explained by M/s SILK.

To make direct payments by TNEB to the sub-suppliers of M/s SILK at the components' price specified in purchase order with necessary deductions as per the contract and with the arrangements for the disbursement of bills by Chief Engineer / Project / Civil / Masinagudi instead of central payment at Headquarters to avoid time delays and to accept the price break ups of M/s SILK on the consolidated rates of four items (nos. 2.2, 2.4, 2.6 & 2.7) of Purchase Order Price schedule.

(By Order of the Board)

M. Chockalingam,  
Chief Engineer/Hydro.

\* \* \*

**TUTICORIN THERMAL POWER STATION - MODIFIED INSTALLATION, OPERATION AND MAINTENANCE OF PRESSURISED DENSE FLY ASH COLLECTION SYSTEM (PDFACS) BY M/s. INDIA CEMENTS LIMITED AT THEIR COST - APPROVAL - ACCORDED.**

(Per.) B.P.(CH) No.84

(Technical Branch)

Dated 18<sup>th</sup> February 2005,  
6, Maasi, Dharana Varudam,  
Thiruvalluvar Aandu - 2036.

Read :

Chief Engineer / Civil Designs, Chennai-2 Note dt.4.2.2005.

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#### Proceedings:

Approval is accorded to allot the existing unit-II dry Fly Ash collection system at Tuticorin Thermal Power Station to M/s. India Cements Limited, Chennai-2 for the modified installation, operation and maintenance of the system at their cost for the 100% collection of dry Fly Ash, for a period of 9 (nine) years as per the agreed terms and conditions between Tamil Nadu Electricity Board and M/s. India Cements Limited, Chennai-2 stipulated in the M.O.U. annexed with this proceedings.

(By Order of the Chairman)

K.G. Natesan,  
Chief Engineer/Civil Designs,  
(In-charge).





**TUTICORIN THERMAL POWER STATION - MODIFIED INSTALLATION, OPERATION AND MAINTENANCE OF PRESSURISED DENSE FLY ASH COLLECTION SYSTEM (PDFACS) BY M/s. CHETTINAD CEMENT CORPORATION LIMITED AT THEIR COST - APPROVAL - ACCORDED.**

(Per.) B.P.(CH) No.85,

(Technical Branch)

Dated 18<sup>th</sup> February 2005,  
6, Masi, Dharana Varudam,  
Thiruvalluvar Aandu - 2036.

Read :

Chief Engineer / Civil Designs, Chennai-2 Note dt.4.2.2005.

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**Proceedings:**

Approval is accorded to allot the existing Unit-I dry Fly Ash collection system at Tuticorin Thermal Power Station to M/s. Chettinad Cement Corporation Limited, Chennai-6 for the modified installation, operation and maintenance of the system at their cost for the 100% collection of dry Fly Ash, for a period of 9 (nine) years as per the agreed terms and conditions between Tamil Nadu Electricity Board and M/s. Chettinad Cement Corporation Limited stipulated in the M.O.U. annexed with this proceedings.

(By Order of the Chairman)

K.G. Natesan,  
Chief Engineer/Civil Designs,  
(In-Charge).

\* \* \*

**MM-I - Procurement of 1694 Kms of 7/3.15mm AAA Conductor - Immediate Requirement for rectification works in Tsunami affected areas - Orders placed - Approved and ratified.**

(Per.) B.P.(FB) No.27

(Technical Branch)

Dated 22<sup>nd</sup> February 2005,  
10, Masi, Dharana Varudam,  
Thiruvalluvar Aandu - 2036.

Read :

Extract from the approval of 878<sup>th</sup> Board meeting held on 19.2.2005 (Item No.7)

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**Proceedings:**

Approval and ratification is hereby accorded for having procured 1694 Kms of 7/3.15mm AAA Conductor at updated price as on 1.1.2005 against the left out quantity in R.C. orders placed during 8/2003 in view of urgent requirement for Tsunami rectification works from 7 local firms of regular supplier as per Annexure enclosed at the unit price detailed below.

Ex-works	:	Rs.	18,378.00
E.D. 16%	:	Rs.	2,940.48
Edu. cess 2% on ED	:	Rs.	58.80
		Rs.	21,377.28
ST + SC 4.2%			897.84
Total For(D)		Rs.	22,275.12

The total order value is Rs.377.34 Lakhs.

(By Order of the Board)

Encl: Annexure.

E. Mohanarajan,  
Chief Engineer/Materials Management.

## ANNEXURE

Sl. No.	Name of the firm Messers	Additional quantity ordered Kms
1.	Alvittas Electrical Pvt. Ltd.	242
2.	Bhaskar Electricals	242
3.	Bhuvana Enterprises	242
4.	Goutham Conductors' Pvt. Ltd.	242
5.	Jayashree Cables & Conductor Pvt. Ltd.	242
6.	Nirmal Aluminium Industries Ltd.	242
7.	Ramesh Conductors Pvt. Ltd.	242
	<b>Total</b>	<b>1694 Kms</b>

/ True Copy /

\* \* \*

NCTPS - Unit-II - 210MW - Rectification works of Unit-II consequent to fire mishap - entrusting the works to M/s BHEL under single tender system proprietary basis - Proposal approved and ratified - Regarding.

Permanent B.P.(FB) No.30

(Technical Branch)

Dated 22<sup>nd</sup> February 2005,  
10, Masi, Dharana Varudam,  
Thiruvalluvar Aandu - 2036.

Read :

Minutes of 878th Meeting of the Board held on 19.2.2005 - Item No.6.

-----

**Proceedings:**

Tamil Nadu Electricity Board hereby approves and ratifies the action of the Chief Engineer / Mechanical / Thermal Stations in having issued acceptance letter dated 14.12.2004 to M/s. BHEL, Secunderabad, under single tender proprietary basis for the rectification works of the damages caused by the fire accident to turbo-generator, main oil tank, pipelines and control and instrumentation system of Unit-II of North Chennai Thermal Power Station at a cost of Rs.220.40 lakhs (Rupees Two hundred and twenty lakhs and forty thousands only) inclusive of service tax and education cess.

(By Order of the Board)

M. Arunachalam,  
Chief Engineer/Mechanical Thermal Stations.

\* \* \*

TNEB - Procurement of Imported Coal - P.O. placed on M/s. MMTC Ltd. - Approval & Ratification - Reg.

Permanent B.P.Ms.(FB) No.36

(Technical Branch)

Dated 23<sup>rd</sup> February 2005,  
11, Masi, Dharana Varudam,  
Thiruvalluvar Aandu - 2036.

Read :

The extract of Item No.5 from the minutes of the 878th Meeting of the Tamil Nadu Electricity Board held on 19.2.2005.

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**Proceedings:**

The action of Chairman / TNEB for having placed an order on M/s.MMTC in anticipation of approval of the Board for supply of 5.00 Lakh Tonnes  $\pm$  10% of imported coal of Chinese origin at Ennore Port for a total value of Rs.175.46 Crores at the following rates, based on the authorization of the Board to Chairman to purchase imported coal from M/s.MMTC is approved and ratified.

Sl.No.	Description	Qty. in Tonnes	Price Ennore Port/MT	Total Price
1.	Steaming Coal of Chinese Origin (C&F Price/MT) as per the specification in Table II (Board Note) and Price Basis as follows: GCV (ADB) 6850 Kcal/Kg., Total Moisture (ARB) 8%, Ash Content 9.5% (ADB).	5,00,000	73.50USD	3,67,50,000 USD
2.	Insurance Charges (Reimbursable at actuals in Indian Rupees subject to a maximum of 0.09 USD/MT).	5,00,000	0.09 USD	45,000 USD
3.	Supplier's Administrative Charges towards shortage, LC, Margin and Interest.	5,00,000	Rs.124.00	Rs.6.20 Crores

Quantity Tolerance permitted :  $\pm 10\%$

(By Order of the Board)

R. Chandiraseharan,  
Chief Engineer/Mech/Coal.

\* \* \*

MMI Circle Tender Specification M18/2004-05 - Procurement of ACSR 7/4.09mm (Raccoon) and ACSR (6/4.72+7/1.57)mm (Dog) Conductor - Approval to place orders - Issued.

(Per.) B.P.(FB) No.40,

(Technical Branch)

Dated 23<sup>rd</sup> February 2005,  
11, Masi, Dharana Varudam,  
Thiruvalluvar Aandu - 2036.

Read :

Extract from the approval of 878th Board meeting held on 19.2.2005 (Item No.52)

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#### Proceedings:

(i) Approval is accorded to place rate contract on 35 bidders for a total value of Rs.2687.85 Lakhs (including ED & ST) at a unit price/Km as given below for a total quantity of 6720 Kms of 7/4.09mm ACSR conductor and to allocate the quantities to each of the firm as shown in the annexure-I.

Ex-works	: Rs.33000.00
Excise Duty+cess@ 16.32%	: Rs. 5385.60
Freight & Insurance	: Nil
Sales Tax @ 4.2%	: Rs. 1612.20
-----	
Total	Rs.39997.80
-----	

(Rupees Thirty Nine thousand Nine hundred and ninety seven and paise eighty only)

(ii) Approval is accorded to place rate contract on 22 bidders for a total value of Rs.566.64 Lakhs (including ED & ST) at a unit price/Km as given below for a total quantity of 1100 Kms of (6/4.72+7/1.57)mm ACSR conductor and to allocate the quantities to each of the firm as shown in the annexure-II.

24.

Ex-works	: Rs.42500.00
Excise Duty+cess@ 16.32%	: Rs. 6936.00
Freight & Insurance	: Nil
Sales Tax @ 4.2%	: Rs. 2076.31

Total	Rs.51512.31
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(Rupees Fifty one thousand Five hundred and twelve and paise thirty one only)

- (iii) To allocate the quantity as originally offered by eligible tenderer.
- (iv) Approval is accorded for the modification in Delivery schedule as 9 months against 19 months.
- (v) Approval is accorded to issue rate contract on variable price with ceiling of  $\pm 15\%$ .
- (vi) Approval is accorded to reject the offer of M/s. Gayatri Wires & Cables Pvt. Ltd. as they did not accept to match the negotiated L1 rate.
- (vii) Approval is accorded to authorise BLTC to re-allocate the quantity whenever necessary at a latter date within the approved quantity if anybody is not able to commence the supply within first quarter or not able to complete the supply during the course of contract.
- (viii) Approval is accorded to authorise BLTC to place orders for additional quantity upto 25% of the total ordered quantity as follows, if necessary at a later date.
  - (a) On the firms (Regular suppliers) who are completing the entire supply by end of March 2005 in the case of Raccoon ACSR Conductor.
  - (b) On the firms (Regular suppliers) who are completing the entire supply well in advance in the case of DOG ACSR Conductor.

(By Order of the Board)

Encl: Annexure.

E. Mohanarajan,  
Chief Engineer/Materials Management.

Annexure-I  
Allocation of Quantity for Raccoon Conductor

Sl.No.	Name of the Company	Qty. allotted in Kms
(1)	(2)	(3)
1.	A.J. Conductors	200
2.	Alvitas Electricals Pvt Ltd.	200
3.	Ambika Conductors	60
4.	Anam Electrical Manufacturing Co.	200
5.	Bala Computer Graphics and printing Pvt. Ltd.	200
6.	Balaji Wires & Cables	200
7.	Bhaskar Electricals	200
8.	Bhuvana enterprises	200
9.	Electrical Engineering Equipment Co.	200
10.	Electrotech Enterprises	200
11.	Goutham Conductors Pvt. Ltd.	200
12.	Gowmathy Metal Industries	200
13.	Guindy Enterprises Pvt. Ltd.	200
14.	Gupta Cables Pvt. Ltd.	200
15.	Integrated Products	200
16.	Jay & Jay Industries	200
17.	Jayashree Cables & Conductors	200
18.	Jothy Conductor & Cables	200
19.	K.G. Rohini Industries	200
20.	Madras Cable Industries Pvt. Ltd.	200
21.	Metro PowerTransmission Pvt. Ptd.	200
22.	Nirmal Aluminium Industries Ltd.	200

(1)	(2)	(3)
23.	Nirmal Insulation Pvt. Ltd.	200
24.	Parsvir Alloys Pvt Ltd.	200
25.	Rajesh Cables & Conductors	200
26.	Ram Conductor	200
27.	Ramesh Conductor	200
28.	Revathy Industries	200
29.	Rohini Cables	200
30.	Shobag Aluminium Pvt. Ltd.	200
31.	Sreevatsa Fasteners	200
32.	Sridhara Electrotek	60
33.	Uma Enterprises	200
34.	Veena Wire Products	200
35.	Vidhwath Electricals	200
	<b>Total</b>	<b>6720</b>

Sd/-

Chief Engineer/Materials Management.

## Annexure-II

## Allocation of Quantity for Dog Conductor

Sl.No.	Name of the Company	Qty. allotted in Kms
(1)	(2)	(3)
1.	A.J. Conductors	50
2.	Alvitas Electricals Pvt Ltd.	50
3.	Ambika Conductors	50
4.	Anam Electrical Manufacturing Co.	50
5.	Bhaskar Electricals	50
6.	Bhuvana enterprises	50
7.	Electrical Engineering Equipment Co.	50
8.	Goutham Conductors Pvt. Ltd.	50
9.	Integrated Products	50
10.	Jay & Jay Industries	50
11.	Jayashree Cables & Conductors	50
12.	Jothy Conductor & Cables	50
13.	K.G. Rohini Industries	50
14.	Nirmal Aluminium Industries Ltd.	50
15.	Nirmal Insulation Pvt. Ltd.	50
16.	Ram Conductor	50
17.	Ramesh Conductor	50
18.	Rohini Cables	50
19.	Shobag Aluminium Pvt. Ltd.	50
20.	Sridhara Electrotek	50
21.	Uma Enterprises	50
22.	Vidhwath Electricals	50
	<b>Total</b>	<b>1100</b>

Sd/-

Chief Engineer/Materials Management.

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\* \* \*

Sub: Electricity - Tamil Nadu Electricity Supply Code - Clause 5 (2) - Levy of  
Excess demand charge - Working Instructions - Reg.

Ref: Tamil Nadu Electricity Supply Code.

Consequent on notification of supply code by TNERC the provisions contained in this code supercede the Terms and Conditions of Supply of Electricity. The Chief Engineers / Superintending Engineers of Electricity Distribution Circles are instructed to follow the procedure stipulated under Regulation 5(2) of supply code, whenever the LT and HT Consumers exceed the sanctioned demand.

In this connection the following instructions are issued:

- (1) Whenever the HT Consumer exceeds the sanctioned demand based on KVA demand recorded, the exceeded demand shall alone be charged at double the normal rate in addition to the normal Maximum Demand charges for the recorded demand as per clause 5 (2) (i).
- (2) (a) For LT Domestic and Agriculture the excess demand charges shall not be applicable. For other categories of LT services where the contracted demand and connected load is equal to (or) less than 25 HP (18.6 KW) the excess demand charges shall not be applicable.
- (b) Even if a consumer's contracted demand / connected load is equal to 25 HP (or) less than 25 HP (18.6 KW), the Superintending Engineers are requested to arrange to install the appropriate meter with demand recording facility for those consumers who opt for fixing the above meter and bring those consumers under the scope of excess demand chargeable category and levy the charges applicable. No excess demand charge is leviable till such time the meter with demand recording facility is installed.
- (c) If a consumer's contracted demand is equal to or less than 18.6 KW (25 HP) and the connected load is more than the contracted demand the SEs are instructed to arrange to install the appropriate meters with demand recording facility and bring them also under the scope of excess demand chargeable category and levy the charge applicable. No excess demand charge is leviable till such time the meter with demand recording facility is installed.
- (3) (i) For LT Services having contracted load of above 25 HP (Excluding LT / CT services) it may be ensured to fix the whole Current Electronic Meter with the provision of KW demand recorded as per the TNERC directive already made.
- (ii) For LT Services (other than the categories mentioned in Para (2) (a) and (b) having contracted load of above 25 HP (18.6 KW) (excluding LT / CT Services) and less than 25 HP (18.6 KW) where the meter fixed with demand recording facility the excess demand charges shall be collected from the consumer as stipulated in regulation 5 (2) (c) (I to III).
- (iii) After fixing the meter with demand recording facility in an LT service if the contracted load is in HP, it shall be converted into KW and revised sanction in KW shall be accorded to the consumer with an intimation / notice by the AEE with the following details:
  - (a) The sanctioned demand in KW which has to be adopted for calculation of excess demand.
  - (b) Charges leviable for exceeding contracted demand as per the supply code.
  - (c) In case of excess demand, revised sanction will be made to the level of recorded demand or 112 KW as the case may be and charges applicable for additional load will be collected, as per clause 5 (2) (iii) (A) and (B).
- (iv) At the time of installation of demand recording facility meter, the maximum demand must be reset to Zero.
- (v) During subsequent assessment if the recorded demand is in excess of contract demand, then the Maximum Demand will be reset to Zero.

4. RTR and revised agreement wherever necessary shall be executed as soon as all the procedures for effecting additional demand are over. Though the RTR and revised agreement is executed at a later date the consumer is eligible to avail the revised sanctioned demand from the date of previous bimonthly reading.

5. For the static meters which are having "Auto resetting" facility it should be so arranged that resetting is done once in two months at 0.00 hours of first date of either the odd month or even month.

6. Even after bringing the above services under the scope of excess demand chargeable category, bimonthly reading shall be taken by the Assessors.

7. The Assessor shall note down the "KW Demand" shown in the display at the time of taking meter reading by him and press the "ALT" Mode button and note down the "KW demand" for the period between the last bimonthly reading and auto resetting. The KW demand recorded in the normal mode and ALT mode whichever is higher shall be taken to decide the Excess demand.

8. In all occasions when the Assessor noted the excess KW demand, he / she shall report the fact to the AE/JE concerned for according revised sanction to the consumer by adopting the procedure as detailed above and for resetting the MD to Zero. In all occasions when the recorded demand does not exceed the sanctioned demand, the 'KW Demand' need not be reset.

9. Whenever KW resetting is warranted, the same shall be done by the AE/JE concerned only.

10. Separate action shall be initiated for carrying out necessary improvement works if warranted, because of the additional demand effected.

11. Training shall be imparted to Assessors at Circle level with the assistance of MRT Wing for taking meter readings.

M. Durairaj,  
Member (Distribution).

\* \* \*

Electricity - Vellore Region - Vellore EDC - Theft of Copper Wires from 150 KVA Distribution Transformer at Kanchalore SSI on 6.6.2002 to the value of Rs.15890/- write-off ordered.

Routine B.P. (CH) No.3,

(Accounts Branch)

Dated 24<sup>th</sup> February 2005,  
12, Masi, Dharana Varudam,  
Thiruvalluvar Aandu - 2036.

Read:

1. CE/D/Vellore Region Lr.No.016712/3520/Accts./F.Write-off/2004 dt.5.11.2004.
2. Lr.No.77/SEV/GL/DM/F.Theft/2004, dt.22.1.2005.

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#### Proceedings:

The proposal of Chief Engineer/Vellore Region to write-off a sum of Rs. 15,890/- (Rupees Fifteen thousand eight hundred and ninety only) being the cost of undetected theft materials which were stolen at Kanchalore SSI, 150 KVA Distribution Transformer in Junior Engineer / Urban / Katpadi Section on 6.6.2002 is approved.

The cost of materials lost in theft may be debited to A/c No.79.881.

(By Order of the Chairman)

S. Kathiresan,  
Chief Financial Controller/General.

\* \* \*

TNEB - Srilankan Refugees Camp - Thiruvalluvar District - Waiver of Penal Interest (Belated Payment Surcharges) - Requested by District Collector - Gummuidipoondi and Puzhal Camp - Approval - Accorded.

Routine B.P. (FB) No.1,

(Accounts Branch)

Dated 25<sup>th</sup> February 2005,  
13, Masi, Dharana Varudam,  
Thiruvalluvar Aandu - 2036.

Read:

1. District Collector / Thiruvallur letter No.32753/01/A3/dt.8.8.2002 and letter dt.7.4.2004.
2. Special Commissioner and Commissioner of rehabilitation letter No.B2/0132/6163/2003, dt.13.7.2004, dt.25.8.2004 & 16.11.2004.
3. SE/Chennai North Lr.No.RCS/A5/F.PNI/D388/2004, dt.9.11.2004.
4. Item 30 of 878<sup>th</sup> meeting of the Board held on 19.2.2005.

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#### Proceedings:

The District Collector/Thiruvallur has stated in his letter dt.7.4.2004 that Executive Engineer/O&M/

Ponneri, Chennai Electricity Distribution Circle/North had intimated to pay the Current Consumption arrears including Belated Payment Surcharge of Rs.3079522/- + Rs.25271/- in respect of LTSC No.93-12-58 and 51-10-612.

The Current Consumption charges arrears of Rs.16,65,224 has been paid by the District Collector/ Tiruvallur leaving the Belated Payment Surcharge to the tune of Rs.14,39,569/- as detailed below:-

Srilankan Refugees Camp at Gummudipoondi LTSC No.93-12-58	Rs. 14,14,298/-
Puzhal Camp LTSC No.51-10-612	Rs. 25,271/-
	-----
	Rs. 14,39,569/-
	-----

The District Collector/Thiruvallur and the special Commissioner and Commissioner of Rehabilitation Chepauk, Chennai have requested for waiver of Belated Payment Surcharge, which was not paid till date, since the delay of payment of Current Consumption charges caused due to administrative reasons only.

As per section 5(4)(iv) of the Tamil Nadu Electricity Supply Code "In the case of LT consumers, the surcharge shall be 1.5% per month for the sum outstanding towards the price of Electricity Supplied".

In 878<sup>th</sup> Board meeting held on 19.2.2005, the Board has approved the proposal for waiver of penal interest (Belated Payment Surcharge) of Rs.14,39,569/- in respect of Srilankan Refugees Camp/ SC.No.93-12-58 and 51-10-612.

The Superintending Engineer/Chennai Electricity Distribution Circle/North shall arrange to take appropriate action for withdrawal of penal interest (Belated Payment Surcharge) of Rs.14,39,569/- by adjustment.

(By Order of the Board)

S. Kathiresan,  
Chief Financial Controller/General.

\* \* \*

Transmission Wing - GCC/Madurai - Payment of balance legal fees to be paid to the private lawyer Thiru R. Raman Laal, Chennai - Approval accorded.

Routine B.P. (CH) No.26,

(Technical Branch)

Dated 25<sup>th</sup> February 2005,  
13, Masi, Dharana Varudam,  
Thiruvalluvar Aandu - 2036.

Read:

1. Routine B.P. (Ch) No.110 (Tech. Br.), dt.4.10.2004.
2. Chief Engineer / Transmission, Note dt.5.2.2005.

#### Proceedings:

The TNEB approves the proposal of Chief Engineer / Transmission for payment of a sum of Rs.3500/- (Rupees Three thousand five hundred only) towards the disposal of the case and expenses to Thiru R. Raman Laal, the advocate engaged by the Board to conduct the case in W.P. No.39106/2003 filed by Tmt S. Dhanalakshmi in the High Court of Madras in respect of 110 KV Anaiyur SS.

This payment is approved in addition to the payment of sum of Rs.2000/- already approved in B.P. (Routine) (Ch) No.110 (Tech.Br.) dt.4.10.2004.

The expenditure is debitable to the Head of Account No.76-121.

The payment will be made by the Superintending Engineer/GCC/Madurai.

(By order of the Chairman)

R. David Jesudoss Sundar,  
Chief Engineer/Transmission.



**TENDER - Acceptance of supply with levy of Liquidated Damages - Delegation of Powers to Chief Engineers concerned - Amendment to Cl.26.5(i) and 26.4(iii) of Tender Regulations, 1991 - Amendment No.71 to Tender Regulations, 1991 - Order - Issued.**

(Per.) B.P. (FB) No.5,

(Accounts Branch)

Dated 26<sup>th</sup> February 2005,  
14, Masi, Dharana Varudam,  
Thiruvalluvar Aandu - 2036.

Read:

The Minutes of 878<sup>th</sup> Meeting of the Tamil Nadu Electricity Board  
held on 19.2.2005 (Item No.10)

-----

**Proceedings:**

The Tamil Nadu Electricity Board after careful consideration hereby orders to amend Clause 26.5(i) and Clause 26.4(iii) of Tender Regulations, 1991 as below:-

T.R. No.	Existing	Amendment
26.5 (i)	Superintending Engineers, Chief Engineers and Chairman may approve acceptance of belated supplies upto 4 months upto 8 months and beyond 8 months respectively subject to the following conditions:	Superintending Engineers, Chief Engineers may approve acceptance of belated supplies with levy of L.D. upto 4 months and beyond 4 months respectively subject to the following conditions:
26.4(iii)	Chairman may condone the delay irrespective of the period involved in cases where the Liquidated Damages exceeds Rs.1,000/-	Chief Engineers may waive L.D. not exceeding Rs.25,000/- and Chairman may waive L.D. exceeding Rs.25,000/-

(By Order of the Board)

S. Kathiresan,  
Chief Financial Controller/General.

\* \* \*

**TENDER - PEMD - Revised Slab - Amendment to Cl.2 of Tender Regulations, 1991 - Amendment No.72 to Tender Regulations, 1991 - Orders - Issued.**

(Per.) B.P. (FB) No.6,

(Accounts Branch)

Dated 26<sup>th</sup> February 2005,  
14, Masi, Dharana Varudam,  
Thiruvalluvar Aandu - 2036.

Read:

The Minutes of 878<sup>th</sup> Meeting of the Tamil Nadu Electricity Board  
held on 19.2.2005 (Item No.11).

-----

**Proceedings:**

The Tamil Nadu Electricity Board after careful consideration hereby orders to amend Clause 2 of Tender Regulations, 1991 as below:-

**Clause 2.0 Definitions:**

In the Regulations, unless the contract otherwise requires:

(i) "Approved Tenderer" means the tenderer who has made a Permanent Deposit with the Board in lieu of Earnest Money Deposit as follows:-

Existing	Amendment
(1)	(2)
1) Rs.5,00,000/- in case of tenders not exceeding Rs.10,00,00,000/- in value.	1) No Change
2) Rs.10,00,000/- in case of all tenders without any monetary limit.	2) No Change.

(1)	(2)
	3) (New Clause) In case of Iron and steel materials, Main Producers (Govt. of India Undertaking) only Rs.2,00,000/- in case of all tenders without monetary limit.

(By Order of the Board)

S. Kathiresan,  
Chief Financial Controller/General.

\* \* \*

**TENDER - Procurement of Spares and Proprietary items - Low Value Items - Expert Committee Approval - Dispensing with - Amendment to Note under TABLES III, IV, VIII and IX, Annexure to TR 1991 - Amendment No.73 to TR 1991 - Orders issued.**

(Per.) B.P. (FB) No.7, (Accounts Branch)

Dated 26<sup>th</sup> February 2005,  
14, Masi, Dharana Varudam,  
Thiruvalluvar Aandu - 2036.

Read:

- (i) (Per) B.P. (FB) No.10 (Accts.Br.) dt.7.4.2003.
- (ii) The Minutes of the 878<sup>th</sup> Meeting of the Tamil Nadu Electricity Board held on 19.2.2005 (Item No.12).

**Proceedings:**

After careful consideration Tamil Nadu Electricity Board hereby orders to amend Note under TABLES III, IV, VIII and IX, Annexures to Tender Regulations, 1991 as below.

EXISTING	AMENDMENT
Note under TABLES III, IV, VIII & IX Even if the value of procurement from Single source under Sec 16(b) of the TNTT Act, 1998 is less than Rs.5 lakhs, Opinion of Expert Committee is required.	Note under TABLES III, IV, VIII & IX The Opinion of Expert Committee is not required where the value of procurement is less than Rs.5 lakhs provided the procurement satisfy the Clause 16(b) Para 1 of TTTT Act, 1998.

(By Order of the Board)

S. Kathiresan,  
Chief Financial Controller/General.

\* \* \*

**TENDER - Contracts - Delegation of Powers to Superintending Engineers of Electricity Distribution Circles for repairing of Sick Distribution Transformers through Outside Agencies under Limited Tender and enhancement of Monetary Powers - Amendment to TABLE-VII - Work Contract - Annexure to Tender Regulations, 1991 - Amendment No.74 to Tender Regulations, 1991 - Orders - Issued.**

(Per.) B.P. (FB) No.8, (Accounts Branch)

Dated 26<sup>th</sup> February 2005,  
14, Masi, Dharana Varudam,  
Thiruvalluvar Aandu - 2036.

Read:

The Minutes of 878<sup>th</sup> Meeting of the Tamil Nadu Electricity Board  
held on 19.2.2005 (Item No.13)

**Proceedings:**

After careful consideration Tamil Nadu Electricity Board hereby orders to amend TABLE-VII, WORK

CONTRACT, Annexure to Tender Regulations, 1991 as below:-

TABLE-VII - WORK CONTRACT - LIMITED TENDER

Authority	Existing	Amendment
Superintending Engineer	1) Not Exceeding Rs.1 lakh with 5% excess over technically sanctioned estimate.	1) No Change
		2) (As a new Item) Not exceeding Rs.5 lakhs for repair of Sick Distribution Transformers alone on the firms and the rate approved by BLTC.

(By Order of the Board)

S. Kathiresan,  
Chief Financial Controller/General.

\* \* \*

Memo.No.CFC/GI/Dir/Tf.Cell/AEE/D.449-21/2005, (Accounts Branch), dated 26.2.2005.

Sub: Electricity - Internet and Email centre - Tariff Clarification - Reg.

- Ref: 1. Lr.No.CFC/GI/SE/Tf.Cell/AS2/D449/2004, dt.22.11.2004.  
2. SE/Trichy EDC/North Lr.No.SE/TEDC/N/Try/AO/R/RCS/A2/FR/D1179/2004, dt.13.12.2004.  
3. SE/Chennai EDC/W Lr.No.SE/CEDC/W/AO/RCS/AS A2/D37/2005, dt.6.1.2005.  
4. Lr.No.SE/M/AEE/DVP/AE1/DM/FM/D140/2005, dt.2.2.2005 from SE/Mettur EDC.

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In the letter cited 1st above all the Superintending Engineers/Electricity Distribution Circle were requested to furnish the details of the tariff adopted for Internet and Email centers.

From the details received, it is seen that LT tariff V is adopted for Internet and Email centers in all the Electricity Distribution Circles except Trichy (North), Chennai (West) and Mettur. In these three circles both LT tariff V and IIIB are adopted as below:

S.No.	Name of Electricity Distribution Circle	No. of SCs charged under	
		LT Tariff V	LT tariff IIIB
1.	Chennai (West)	104	2 Nos.
2.	Trichy (North)	31	1 No.
3.	Mettur EDC	69	1 No.
	<b>Total</b>	<b>204</b>	<b>4 Nos.</b>

Adoption of two different tariffs for the same activity may not be appropriate. The Superintending Engineers are therefore instructed to adopt LT Tariff V for the services availed for Internet and Email centers since there is no Industrial activity in these centers.

Hence the Superintending Engineer / Chennai Electricity Distribution Circle (West), Trichy Electricity Distribution Circle (North), and Mettur Electricity Distribution Circle are requested to adopt LT tariff V to internet and Email centres in their circles and send a confirmation report within 15 days.

S. Kathiresan,  
Chief Financial Controller/General.

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