



2025:KER:30636

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE D. K. SINGH

TUESDAY, THE 8TH DAY OF APRIL 2025 / 18TH CHAITHRA, 1947

WP(C) NO. 6989 OF 2025

PETITIONER:

**K. ANIL KUMAR
AGED 48 YEARS
S/O. KRISHNA PILLAI. SENIOR ASSISTANT
(SUPERINTENDENT), KERALA STATE ELECTRICITY BOARD
LTD., ELECTRICAL CIRCLE, KANNUR. RESIDING AT
‘THULASI VILASAM', P.O. EAST KALLADA, KOLLAM
DISTRICT. EMPLOYEE CODE: 1066 643, PIN - 691502**

**BY ADVS.
P.M.PAREETH
NAJEEB P.S
AISWARYA VENUGOPAL**

RESPONDENTS:

- 1 STATE OF KERALA
REPRESENTED BY SECRETARY TO GOVERNMENT, FINANCE
DEPARTMENT, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM, PIN - 695001**
- 2 KERALA STATE ELECTRICITY BOARD LTD.
REPRESENTED BY ITS SECRETARY, VIDYUTHI BHAVANAM,
PATTOM, THIRUVANANTHAPURAM, PIN - 695004**
- 3 CHAIRMAN AND MANAGING DIRECTOR
KERALA STATE ELECTRICITY BOARD LTD., VIDYUTHI
BHAVANAM, PATTOM, THIRUVANANTHAPURAM, PIN - 695004**
- 4 CHIEF ENGINEER (HRM)
KERALA STATE ELECTRICITY BOARD LTD., VIDYUTHI
BHAVANAM, PATTOM, THIRUVANANTHAPURAM, PIN - 695004**



2025:KER:30636

2

WP(C) NO. 6989 OF 2025

- 5 **CHIEF INTERNAL AUDITOR**
KERALA STATE ELECTRICITY BOARD LTD., VIDYUTHI
BHAVANAM, PATTOM, THIRUVANANTHAPURAM, PIN - 695004
- 6 **ACCOUNTS OFFICER**
PAY FIXATION SECTION, OFFICE OF THE CHIEF INTERNAL
AUDITOR, KERALA STATE ELECTRICITY BOARD LTD.,
VIDYUTHI BHAVANAM, PATTOM, THIRUVANANTHAPURAM, PIN -
695004
- 7 **ACCOUNTS OFFICER**
PAY FIXATION SECTION, CORPORATE OFFICE (AUDIT),
KERALA STATE ELECTRICITY BOARD LTD., VIDYUTHI
BHAVANAM, PATTOM, THIRUVANANTHAPURAM, PIN - 695004
- 8 **DEPUTY CHIEF ENGINEER**
KERALA STATE ELECTRICITY BOARD LTD., ELECTRICAL
CIRCLE, VIDYUTHI BHAVANAM, KANNUR, PIN - 670002

BY ADVS.
ANTONY MUKKATH
REGI MATHEW(K/1132/2020)
JOSEPH M.L.(K/000699/2025)
VANDAMEN ROX ANTONY K.(K/000852/2025)

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 08.04.2025, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:



D.K.SINGH, J

W.P.(C) No.6989 of 2025

Dated this the 8th day of April, 2025

The petitioner, who is working as Senior Assistant in the Kerala State Electricity Board Ltd., the 2nd respondent, has filed this writ petition being aggrieved by the orders and decisions whereby the petitioner's pay has been reduced by one increment, despite the interim order granted by this Court.

2. The petitioner's pay was fixed in accordance with the long term settlement arrived at between the respondent Board and the labor union, which is admitted in the counter affidavit filed on behalf of the respondent.

3. Section 18(1) of the Industrial Disputes Act, 1947, provides for honoring the long term settlement arrived at between an establishment and the labor union and the establishment does not have the power to unilaterally modify or vary the long term settlement agreement between the labor union and the establishment.

4. The learned counsel for the respondent Board has not been able to point out any provision authorizing the Kerala State



2025:KER:30636

4

WP(C) NO. 6989 OF 2025

Electricity Board Ltd., to modify the long term settlement arrived at between the labor union and the respondent Board.

5. I am of the considered view that the long term settlement agreement cannot be modified unilaterally by the Kerala State Electricity Board Ltd., and therefore, the petitioner's pay, which was fixed in terms of the long term settlement, cannot be reduced by one increment, as has been sought to be done by the Board.

Thus, the present writ petition is allowed. The respondent Board is directed not to reduce the one increment of the petitioner and it should be paid with salary in terms of the long term settlement in Exhibit P-1.

Sd/-
D.K.SINGH
JUDGE

STB



APPENDIX OF WP(C) 6989/2025

PETITIONER EXHIBITS

- Exhibit P1** **A TRUE PHOTOCOPY OF THE RELEVANT PORTION OF THE LONG TERM SETTLEMENT DATED 17-02-2016 IMPLEMENTED BY THE BOARD AS PER BO (FTD) NO: 746/2016 (PSI/3764/2015) DATED 03-03-2016**
- Exhibit P2** **A TRUE PHOTOCOPY OF THE RELEVANT PORTION OF THE CIRCULAR NO. 1/LTS/2013 DATED 04-03-2016 ISSUED BY THE FIFTH RESPONDENT**
- Exhibit P3** **A TRUE PHOTOCOPY OF THE FIXATION STATEMENT DATED 23-04-2016 IN RESPECT OF THE PETITIONER**
- Exhibit P4** **A TRUE PHOTOCOPY OF THE CIA/PAY FIXN./A5/473/4-24 DATED 03-05-2024 ISSUED BY THE SIXTH RESPONDENT IN THE OFFICE OF THE FIFTH RESPONDENT**
- Exhibit P5** **A TRUE PHOTOCOPY OF THE RELEVANT PORTION OF THE PAY REVISION ORDER GO(P) NO. 7/2016/FIN DATED 20-01-2016**
- Exhibit P6** **A TRUE PHOTOCOPY OF THE GO(P) NO. 74/2016/(6)/FIN DATED 23-05-2016**
- Exhibit P7** **A TRUE PHOTOCOPY OF THE BO (FB) NO. 1121/2017 (PSI/189/2017) DATED 27-04-2017 ISSUED BY THE SECOND RESPONDENT**
- Exhibit P8** **A TRUE PHOTOCOPY OF THE ORDER NO. CIA/GENERAL/ADOPTION OF G.O/2017/35 DATED 11-05-2017 ISSUED BY THE FIFTH RESPONDENT**
- Exhibit P9** **A TRUE PHOTOCOPY OF THE REPRESENTATION DATED 26-10-2024 SUBMITTED BY THE PETITIONER BEFORE THE FOURTH RESPONDENT**
- Exhibit P9(a)** **ENGLISH TRANSLATION OF EXHIBIT P9**



2025:KER:30636

6

WP(C) NO. 6989 OF 2025

Exhibit P10 **A TRUE PHOTOCOPY OF THE LETTER NO. CIA/PAY
FIXATION/A5/473/04/2024 DATED 16-01-2025
ISSUED BY THE SEVENTH RESPONDENT**

RESPONDENT EXHIBITS

Exhibit R-2(a) **A true copy of the Undertaking dated 24-
06-2016 submitted by the petitioner**

PETITIONER EXHIBITS

Exhibit P11 **A true photocopy of the illustration 9 in
full shape.**

Exhibit P12 **A true photocopy of the B.O. (DB) No.
640/2016 (PSI) 3764/2015 dated 26-02-2016
issued by the second respondent.**