

Letter No.11989/A16/A161/2021 -13 , Dated : 03.02.2024.

From
Thiru.Rajesh Lakhoni, I.A.S.,
Additional Chief Secretary/
Chairman-cum-Managing Director.

To
The General Secretary, (w.e)

1. Tamil Nadu Electricity Workers Federation
2. Tamil Nadu Electricity Board Accounts and Executive Staff Union
3. Tamil Nadu Electricity Board Workers Progressive Union (LPF)
4. Central Organisation of Tamil Nadu Electricity Employees
5. Minsara Pirivu Anna Thozhir Sangam
6. Tamil Nadu Minvariya Janatha Thozhilalar Sangam
7. Tamil Nadu National Electricity Workers Federation.(Xavier group)
8. Tamil Nadu National Electricity Workers Federation.(Swarnaraj group)
9. Tamil Nadu Electricity Board Engineers Sangam
10. Tamil Nadu Electricity Employees Congress
11. Tamil Nadu Electricity Board Thozhilalar Poriyalay Aykkiya Sangam.
12. Tamil Nadu Electricity Board Engineers' Association
13. Tamil Nadu Electricity Board Finance & Accounts Officers Association
14. Bharathiya Electricity Employees Federation
15. Tamil Nadu Electricity Board Card Billing Staff Union
16. Tamil Nadu Electricity Board Dr. Ambedkar Employees Union
17. Tamil Nadu Electricity Board Engineers Union
18. Tamil Nadu Electricity Board Employees Federation
19. Tamil Nadu Electricity Board Paattali Thozhir Sangam

Pensioners Association:- (w.e)

20. TNEB Retired Officials' Association
21. Federation of TNEB Pensioners' Associations
22. TNEB Pensioners' Progressive Sangam
23. Electricity Board Pensioners' Welfare Association
24. Tamil Nadu Electricity Retired Workers' Association
25. TNEB Retired Employees' & Officers' Association
26. Bharathiya Electricity Pensioner's Federation
27. TNEB Retried Engineers' Sangam

Sir,

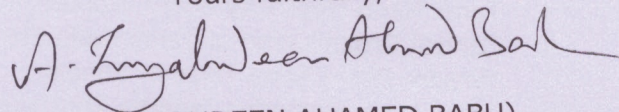
Sub: TANGEDCO – Restructuring of erstwhile TNEB -Furnishing of
Draft Tripartite Agreement – Views of Unions/Association –
Called for arriving at an amicable Agreement - Regarding.

- Ref: 1. G.O.(Ms).No.100 Energy (B2) Dept. dated 19.10.2010.
2. From Energy (B2) Department, Secretariat, Chennai Letter
(Ms).No.96/2023, dated 31.10.2023.
3. G.O.(Ms).No.102 Energy (B2) Department, Secretariat,
dated 23.11.2023.

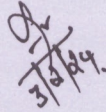
I am to state that as already discussed with the Unions/Associations, in the
matter of Tripartite Agreement to be entered into and taking into consideration

of the views expressed by them, the Government was addressed with the draft tripartite agreement. After careful consideration, the Government had approved the draft Tripartite Agreement with certain modifications in respect of clauses 5(3), 5(7), 5(9), 5(10), 5(12), 5(16), 5(21) & 5(22). The same has also been considered and accordingly the revised draft Tripartite Agreement is enclosed herewith to this letter, for offering your views and consent on or before 7th February 2024 positively for arriving at an amicable agreement.

Yours faithfully,



(A.JEEYABUDEEN AHAMED BABU)
UNDER SECRETARY/WAGE REVISION
AND REGULATIONS
for CHAIRMAN-CUM-MANAGING DIRECTOR
TANGEDCO


3/2/24.

DRAFT TRIPARTITE AGREEMENT

BETWEEN

**THE GOVERNMENT OF TAMIL NADU, TNEB Limited, TANTRANSCO,
TANGEDCO AND ALL RECOGNISED TRADE UNIONS AND ASSOCIATIONS
REPRESENTING OFFICERS/EMPLOYEES – PENSIONERS.**

This Tripartite Agreement entered into at Chennai on this.....th day of..... 2024 between the Government of Tamil Nadu represented by its Principal Secretary to Government, Energy Department, (hereinafter called as the "State Government"), and the Party of the FIRST PART;

And

(1) The TNEB Limited, (2) the Tamil Nadu Transmission Corporation Limited (TANTRANSCO) and (3) the Tamil Nadu Generation and Distribution Corporation Limited (TANGEDCO) company and corporations wholly owned by the Government of Tamil Nadu and incorporated under the Companies Act, 1956 (1 of 1956), (hereinafter collectively called as "Successor entities") which expression shall unless repugnant to the context or meaning thereof include its successors and assigns, represented by its Chairman and The Parties of the SECOND PART;

And

All the recognized Trade unions and Associations representing Officers/employees and Pensioners of TNEB (covered under Per.B.P.(Ch) No.247 (SB) Dated 17.10.2007) (hereinafter called as "Union/Association") represented by the respective General Secretary/President or any other authorized representative, as the case may be, as shown herein under and the Parties of the THIRD PART;

Sl. No.	Name of the Union/Association (with Registration No.)	Authorized Representative Tvl.
1	Tamil Nadu Electricity Workers' Federation Regn. No.: 2970	1. M.Dhanasekar, President. 2. S.Moorthy, General Secretary.
2	Tamil Nadu Electricity Board Accounts And Executive Staff Union Regn. No.: 2472	1. S.Nagarajan, President. 2. K.Chandrasekaran, General Secretary.
3	Tamil Nadu Electricity Board Workers Progressive Union (LPF) Regn. No.:38 CPT	1. K.Sasikumar, President. 2. B. Manimaran, General Secretary.
4	Central Organisation of Tamil Nadu Electricity Employees (COTEE) Regn. No.: 158/CPI	1. T.Jaya Sankar, President. 2. S.Rajendran, General Secretary.
5	Minsara Pirivu Anna Thozhir Sangam Regn. No.: 2997/CNI	1. V.Sambath Kumar, President. 2. T.Vijayarangan, Secretary.
6	Tamil Nadu Minvariya Janatha Thozhilalar Sangam. Regn. No.: 873/MDS	1. K.Selvaraj, President. 2. S.Pari, General Secretary.
7	Tamil Nadu Electricity National Electricity Workers' Federation (Xavier Group) Regn. No.: 1544/MDS	1. K.Manoharan, President. 2. T.V.Xavier, General Secretary.
8	Tamil Nadu Electricity National Electricity Workers' Federation (Swarnaraj Group) Regn. No.: 1544/MDS	1. R.Swarnaraj, General Secretary. 2. S.Arumugam, Deputy General Secretary.
9	Tamil Nadu Electricity Board Engineers' Sangam Regn. No.: 124/MDS	1. A.Antony Padovaraj, President. 2. V.S.Sampath Kumar, General Secretary.
10	Tamil Nadu Electricity Employees Congress Regn. No.: 2416/MDS/95	1. K.Selvaraj, President. 2. S.Solomon, General Secretary.
11	Tamil Nadu Electricity Board Thozhilalar Poriyalar Aykkiya Sangam Regn. No.: 1956/HMS	1. C.Kannan, State President. 2. M.Subramanaian, State General Secretary.
12	Tamil Nadu Electricity Board Engineers' Association Regn. No.: 217/94	1. G.Sadhasivam, President 2. V.Shanmuga, General Secretary

13	Tamil Nadu Electricity Board Finance and Accounts Officers' Association Regn. No.: 81/1969	1. V.Lenin, President 2. S.Girinathan, General Secretary
14	Bharathiya Electricity Employees Federation Regn. No.: 990-SLM	1. S.Palani, State President. 2. R.Saravanakumar, State General Secy.
15	Tamil Nadu Electricity Board Card Billing Staff Union Regn. No.: 1471/MDS	1. K.Bakthavatchalam, State President. 2. D.Rathinavel, State Gnl. Secy.
16	Tamil Nadu Electricity Board Dr Ambedkar Employees Union Regn. No.: 1937/MDS	1. K.R.M.Adhidravidar, Preside 2. K.G.Samy, General Secretary
17	Tamil Nadu Electricity Board Engineers' Union Regn. No.: 481/KPM	1. S.Manoharan, President. 2. R.Govindharajan, General Secretary.
18	Tamil Nadu Electricity Board Employees Federation Regn. No.: 3600/CNI	1. S.Manikandan, President. 2. A.Sekkizhar, General Secretary.
19	Tamil Nadu Electricity Board Paattali Thozhir Sangam Regn. No.: 3575/CNI	1. M.Raja, State President. 2. M.Chinnaswamy, State General Secy.
PENSIONERS ASSOCIATIONS		
20	TNEB Retired Officials' Association Regn. No.:	1. President 2. General Secretary
21	Federation of TNEB Pensioners' Associations Reg.No. S11/1998	1. President 2. General Secretary
22	TNEB Pensioners' Progressive Sangam Reg.No.189/Chennai	1. President 2. General Secretary
23	Electricity Board Pensioners' Welfare Association - Reg.No.S.318/1998	1. President 2. General Secretary
24	Tamil Nadu Electricity Retired Workers' Association Regn. No.:	1. President 2. General Secretary
25	TNEB Retired Employees' & Officers' Association Regn. No.:	1. President 2. General Secretary
26	Bharathiya Electricity Pensioners' Federation-Reg.No.281/2012	1. President 2. General Secretary
27	TNEB Retried Engineers' Sangam Reg.No.260/2018	1. President 2. General Secretary

WHEREAS

1. The Government of Tamil Nadu, in G.O.(Ms) No.114 Energy (B2) Dept, dated 08.10.2008, have accorded in-principle approval for the re-organization of the Board by establishing a holding company, namely, TNEB Limited and two subsidiary companies namely, Tamil Nadu Transmission Corporation Limited (TANTRANSCO) and Tamil Nadu Generation and Distribution Corporation Limited (TANGEDCO) with the stipulation that the aforementioned companies shall be wholly owned by the Government of Tamil Nadu;
2. The Officers/Employees of the Board may be apprehensive that on such reorganization of the Board they may be retrenched and / or their service conditions may be adversely affected or their services may be privatized.
3. The Government of Tamil Nadu have clearly stated that such apprehensions of Officers/Employees are unfounded.
4. For the purpose of smooth implementation of the policy of re-organization and restructuring of the Board and consequent absorption of the Officers/ employees in successor entities as also to dispel the apprehensions that are being raised by the Trade Unions and Associations mentioned in Clause 2 above, the parties herein mutually agree as under and undertake to abide by the same to achieve the aforesaid objective;
5. Now, therefore, in consideration of the premises, mutual agreements, Covenants and conditions set forth herein, it is agreed by and between the parties as follows:-
 - (1) In so far as this Tripartite Agreement is concerned;
 - (a) 'State Government' means 'Government of Tamil Nadu;
 - (b) 'Board' means the Tamil Nadu Electricity Board
 - (c) 'Existing Officers/ Employees' means Officers/ Employees of the Board as on the preceding date of the first day of November 2010;
 - (d) 'Holding Company' means the TNEB Limited;
 - (e) 'Successor entities' or 'Corporate entities' means 'TNEB Limited', TANTRANSCO and 'TANGEDCO';
 - (f) 'Subsidiary Companies' means, TANGEDCO and TANTRANSCO.

- (2) All other words and expressions used herein and not defined shall have the meanings respectively assigned to them as stated in the G.O.(Ms) No:100, Energy department, dt:19.10.2010.
- (3) In view of re-organization of the Board into TNEB Limited (as holding company) and two or as many subsidiary companies like Tamil Nadu Transmission Corporation Limited (TANTRANSCO) and Tamil Nadu Generation and Distribution Corporation Limited (TANGEDCO) as a separate Corporate entities, the State Government and the Successor entities hereby undertake that there shall be no retrenchment of existing Officers/Employees on account of such restructuring and their status / service conditions shall not in any way be less favourable than those which would have been applicable to them if there had been no such re-organization and the transfer scheme. Any employee rendered surplus through a mutually agreed process of appropriate rationalization shall be redeployed.
- (4) The terms and conditions of service of the existing Officers/Employees of the Board upon transfer to the Successor/Corporate entities shall not be inferior to the present terms and conditions of service in the Board. The Successor entities will endeavor to rationalize the terms and conditions to provide for career growth and other welfare measures more beneficial to the Officers/Employees recognizing that the Officers/Employees are an essential part of the growth of power sector and its operation in an economic and efficient manner.
- (5) The principles and / or terms and conditions of service of the existing Officers/Employees in matters like promotions, appointments, internal selections, transfers, leave, all allowances, etc., regulated by existing regulations / ratios / service rules are guaranteed to continue to be the same during transition and shall not be less favourable as stated upon permanent transfer to the respective successor entities of the Board.

- (6) The existing wage settlement and work load settlement entered with the Unions/Associations shall be valid with full force and effective even after re-organization until its validity period or a new settlement is arrived at, whichever is later. With regard to pay revision, the present system of bipartite negotiations shall continue by the Trade Unions / Associations with the respective successor entities, under the aegis of TNEB Limited. The successor entities of TNEB shall enter into all future wage settlements with the Unions/Associations.
- (7) The parties of the first and second part shall guarantee the payment of Pension, Family Pension, Retirement / Death benefits such as gratuity, encashment of earned leave and the existing benefits including GPF/CPF and periodical Dearness Allowance Relief and all other terminal / applicable benefits that are in force as on the date of signing of this agreement to all existing pensioners / family pensioners / other eligible persons.
- (8) In so far as all the Retirement and terminal benefits of existing Officers/ Employees are concerned appropriate arrangements shall be made to ensure that the interests of the Officers/Employees, are protected. Till arrangements are finalized, all such payments to the existing Officers/ Employees working on "as-is where-is" condition shall continue as per the present arrangements.
- (9) It is agreed by the Parties of First and Second Part herein to consider creation of a separate fund to meet the Pension and other liabilities to the existing pensioners and pension and other terminal benefits of the existing Officers/Employees of the TNEB and the successor entities.
- (10) All the existing welfare measures like the scheme for compassionate appointment, medical reimbursement, present medical insurance till its validity period and thereafter by any other suitable scheme / insurance, educational loan, health fund, HBA, Conveyance advance, marriage advance, festival advance or any other existing loans and advances shall be continued.

For introduction of new schemes/benefits/ welfare measures, prior approval of Government have to be obtained after placing the issue before the respective Board.

- (11) In respect of all the statutory and other schemes such as Provident Fund, Gratuity and other superannuation benefits of the Officers/Employees and matters related to employment, the successor entities shall stand substituted for all purposes of rights, powers, and obligations of the Board / entities.
- (12) The existing welfare benefits to the pensioners, family pensioners, ex-gratia pensioners and existing Officers/Employees subject to modifications, that may be brought forth by the State Government, shall continue subject to the approval of the respective Company's Board. All obligations in respect of payment of pension, family pension and other retirement benefits including provident fund, superannuation pension, gratuity and encashment of leave, etc., to the Officers/Employees already retired and to be retired from the services of the Board shall continue. For introduction of new schemes/benefits/welfare measures, prior approval of Government have to be obtained after placing the issue before the respective Board.
- (13) The period of service of the existing Officers/Employees under the Board and the successor entities shall be treated as continuous service for the purposes of all service benefits including promotion, internal selection, fixation, movement to selection grade, special grade, payment of pension etc., and retirement / terminal benefits.
- (14) All benefits for the services rendered by the Officers/Employees in the Board as on the date of permanent transfer to successor entities, shall be protected.
- (15) Even on formation of TNEB LIMITED, TANTRANSCO and TANGEDCO, until further orders, all the existing Officers/Employees of the Board will be retained in TANGEDCO for the present. The Officers/Employees shall continue to serve "as-is where-is" basis and shall be treated as Officers/Employees of TANGEDCO and they would be treated as being on deputation

to the other successor entities. The period of transition will be as approved by Government of Tamil Nadu in Transfer Scheme in the Government of Tamil Nadu gazette. During the transition period, i.e., till the period of finalization of options of the Officers/Employees and their absorption in the successor entities, the cadre management shall vest with TANGEDCO. During such transition period the existing seniority pattern for each category will be maintained by TANGEDCO. The other entities shall accept the employee posted by TANGEDCO wherever necessary in consultation with the TANTRANSCO and TNEB Ltd., based on seniority which shall be basis for absorption of Officers/Employees in the successor entities. The service conditions of the employee in the successor entities shall not be less favourable to them than that has been provided by the Board. Retirement / Terminal benefits including GPF / CPF and pension payments to the retiring Officers/employees during the period of transition shall be dealt with by TANGEDCO and thereafter by the successor entities.

- (16) The Officers/Employees so transferred to the service of the successor entities shall be deemed to have entered into an agreement / settlement with such successor entities to fulfill the obligations undertaken by them to the Board including in respect of repayment of loans, advances and other sums due which remain outstanding from the Officers/Employees on the date of transfer to the successor entity.
- (17) All disciplinary proceedings pending on the date of transfer of an employee to the successor entity shall be dealt with by the respective successor entity following the existing rules, Regulations, Certified Standing order and all other instructions / orders in force. All disciplinary cases already finalized and or punishments awarded by the Board under the existing rules / regulations / certified standing orders etc., shall not be reopened, unless permitted by the rules / regulations.

- (18) All the existing workload norms shall continue and changes from time to time shall be finalized through mutually negotiated settlements between the recognized Trade Unions and the respective successor entity.
- (19) The rule of reservation hitherto followed by the Board shall be continued by the successor entities and the successor entity shall follow the rule of reservation as ordered by the State Government from time to time including any changes/modifications.
- (20) If the newly constituted Corporate entity / entities fail to implement this agreement in any respect, the State Government shall take full responsibility for enforcing such implementation by the entity concerned.
- (21) The successor entities may introduce a new set of rules, regulations, certified standing order, etc., in consultation with the Trade Unions and Board which will be effective from the date following the date of completion of transition period which shall be within the ambit of the first proviso to section 133 (2) of the Electricity Act 2003. Till such introduction, the rules, regulations, certified standing orders, etc., in force on the date of this agreement shall continue to be in force. Even legitimate activity or functions of TNEB or successor entities in respect of existing Officers/Employees including those contained in the settlements on work norms shall not be modified without following the procedure laid down in relevant law.
- (22) In the event of any dispute(s)/ difference(s) arising out of this Tripartite Agreement, effort shall be taken by the parties to resolve such dispute(s)/ difference(s) amicably in the first instance. If such dispute(s)/ difference(s) could not be resolved within 60 days, the respective parties including the present and past Officers/Employees shall be free to avail the remedies available under any law of the land.
- (23) This Tripartite Agreement shall be binding on the Government of Tamil Nadu, Successor entities and Unions / Associations / Pensioners of the Board and all the existing and past Officers/employees of the Board. The first party, the Government of Tamil Nadu shall have power to issue orders / instructions /

directions, if any from time to time to implement any of the provisions of this Tripartite Agreement and other related matters incidental thereto. In such case, it shall be the duty of other parties to this Tripartite agreement to treat the same as part and parcel of this Tripartite agreement, subject to the right under sub-clause (22) of clause 5 of this Tripartite agreement.

- (24) The existing recognition of the Unions to be continued even after restructuring and binding on the successor entities.
- (25) This Tripartite Agreement executed by and between the parties herein shall be duly notified in the Tamil Nadu Government Gazette.
- (26) This tripartite agreement shall be deemed to have come into force with effect on and from the first day of November 2010.

IN WITNESS WHERE OF the parties hereto have signed this Tripartite Agreement on the day, month and year written here-in-above.

The Principal Secretary to Government, Energy Department, Chennai-600 009 Government of Tamil Nadu, For and on behalf of the Government of Tamil Nadu (The party of the FIRST PART)	1.	
	2.	
The Additional Chief Secretary/ Chairman & Managing Director, For and on behalf of TNEB Ltd., TANGEDCO & TANTRANSCO Chennai – 600 002 (The party of the SECOND PART)	1.	
	2.	

Sl. No.	Name of the Union/Association (with Registration No. and name & Designation of the authorized representative) (The parties of the THIRD PART)	Signature of the Authorized Representative	Witness (Name and Address)	Signature of witness
1	Tamil Nadu Electricity Workers' Federation - Reg.No.:2970 1. M.Dhanasekar, President. 2. S.Moorthy, General Secy.			
2	Tamil Nadu Electricity Board Accounts And Executive Staff Union - Reg.No:2472 1. S.Nagarajan, President. 2. K.Chandrasekaran, Genl. Secy.			
3	Tamil Nadu Electricity Board Workers Progressive Union (LPF)- Reg.No: 38 CPT 1. K.Sasikumar, President. 2. B. Manimaran, General Secy.			
4	Central Organisation of Tamil Nadu Electricity Employees (COTEE) – Reg.No:158/CPI 1. T.Jaya Sankar, President. 2. S.Rajendran, General Secy.			
5	Minsara Pirivu Anna Thozhir Sangam - Reg.No: 2997/CNI 1. V.Sambath Kumar, President. 2. T.Vijayarangan, Secretary.			
6	Tamil Nadu Minvariya Janatha Thozhilalar Sangam: 873/MDS 1. K.Selvaraj, President. 2. S.Pari, General Secretary.			

7	Tamil Nadu Electricity National Electricity Workers' Federation (Xavier Group) Reg.No.1544/MDS 1. K.Manoharan, President. 2. T.V.Xavier, General Secretary.			
8	Tamil Nadu Electricity National Electricity Workers' Federation (Swarnaraj Group) Reg. No.: 1544/MDS 1. R.Swarnaraj, General Secy. 2. S.Arumugam, Depy. Genl.Secy			
9	Tamil Nadu Electricity Board Engineers' Sangam: 124/MDS 1. A.Antony Padovaraj, President. 2. V.S.Sampath Kumar, General Secretary.			
10	Tamil Nadu Electricity Employees Congress Reg.No.:2416/MDS/95 1. K.Selvaraj, President. 2. S.Solomon, General Secretary			
11	Tamil Nadu Electricity Board Thozhilalar Poriayar Aykkiya Sangam - Reg.No.:1956/HMS 1. C.Kannan, State President. 2. M.Subramanaian, State Genl. Secretary.			
12	Tamil Nadu Electricity Board Engineers' Association: 217/94 1. G.Sadhasivam, President 2. V.Shanmuga, General Secy			
13	Tamil Nadu Electricity Board Finance and Accounts Officers' Association: 81/1969 1. V.Lenin, President 2. S.Girinathan, General Secretary			

14	Bharathiya Electricity Employees Federation- Reg.No:990-SLM 1. S.Palani, State President. 2. R.Saravanakumar, State General Secretary.			
15	Tamil Nadu Electricity Board Card Billing Staff Union: Reg.No.1471/MDS 1. K.Bakthavatchalam, State President. 2. D.Rathinavel, State Gen.Secy.			
16	Tamil Nadu Electricity Board Dr Ambedkar Employees Union Regn. No.: 1937/MDS 1. K.R.M.Adhidraavidar, Preside 2. K.G.Samy, General Secretary			
17	Tamil Nadu Electricity Board Engineers' Union: 481/KPM 1. S.Manoharan, President. 2. R.Govindharajan, Genl. Secy.			
18	Tamil Nadu Electricity Board Employees Federation Regn. No.: 3600/CNI 1. S.Manikandan, President. 2. A.Sekkizhar, General Secretary			
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21.	Federation of TNEB Pensioners' Associations-Reg.No. S11/1998 1. President 2.General Secretary			

22.	TNEB Pensioners' Progressive Sangam - Reg.No.189/Chennai 1. President 2.General Secretary			
23.	Electricity Board Pensioners' Welfare Association Reg.No.S.318/1998 1. President 2.General Secretary			
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27.	TNEB Retried Engineers' Sangam Reg.No.260/2018 1. President 2.General Secretary			

// TRUE COPY //

A. Jayaraj
3/2/24
SECTION OFFICER