

BIPARTITE AGREEMENT BETWEEN THE GOVERNMENT OF HIMACHAL PRADESH AND JOINT FRONT OF ELECTRICITY EMPLOYEES AND ENGINEERS

The Bipartite Agreement entered into at Shimla on this 24th day of May 2010

BETWEEN

The representatives of Joint Front of HPSEB Employees and Engineers, consisting of the registered/recognised Associations and Unions of 'Himachal Pradesh State Electricity Board', here in after referred as "Joint Front".

AND

The Government of Himachal Pradesh represented by the Principal Secretary (MPP & Power), hereinafter called the "State Government"

WHEREAS in order to reorganise and restructure the erstwhile Himachal Pradesh State Electricity Board in terms of the provisions of Electricity Act, 2003, the Government of Himachal Pradesh has issued a Notification No. MPP-A(3)-1/2001-IV dated 15.6.2009 read with notification No. MPP-A(3)-1/2001-IV dated 3.10.2009 under section 131(1) etc. of Electricity Act, 2003 and all the assets and undertakings of erstwhile Himachal Pradesh State Electricity Board has been transferred to the State Government to be re-vested in government entity(s) to be created for the purpose;

WHEREAS some assets and properties are acquired by the 'Managing Committee of HPSEB' between 15.6.2009 and to date and which are also to be re-vested in the government entity(s) likewise as above;

WHEREAS the State Government has formed 'Himachal Pradesh State Electricity Board Ltd.', a company registered under the Companies Act and two Public Companies namely, 'Himachal Pradesh Power Corporation Ltd.' and 'Himachal Pradesh Transmission Corporation (Private) Ltd.' are already in existence;

WHEREAS the Himachal Pradesh State Electricity Board functioned as a single entity for last about 40 years and has performed satisfactorily with efficient contribution of its employees and therefore the Government of Himachal Pradesh thought it proper to have an effective and purposive consultation with the Unions and Associations of the employees and Engineers of the erstwhile Board for restructuring as per requirement of Electricity Act. After series of meetings and deliberations between the 'State Government' and the 'Joint Front' with regard to manner and

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method of re-vesting of assets and undertakings amongst the Government Power Sector Entity(s), including the service conditions of the employees of the erstwhile Board, both the parties have agreed upon the modalities of re-vesting of assets and undertakings amongst different government power sector entity(s) in the best interests of the development and growth of Power Sector in the State.

NOW THEREFORE IT IS AGREED BY AND BETWEEN THE PARTIES AS FOLLOWS:-

1. That the manner, method and distribution of assets and undertakings of erstwhile Himachal Pradesh State Electricity Board, as vested in the State Government vide Notification No. MPP-A(3)-1/2001-IV dated 15.6.2009 read with notification No. MPP-A(3)-1/2001-IV dated 3.10.2009 under section 131(1) etc. of Electricity Act, 2003, for further re-vesting in the Government Power Sector Entity (s) is agreed to the extent as detailed in the proposed transfer scheme annexed as Annexure – 1 with the present agreement.
2. That the State Government shall notify the agreed transfer scheme within one month of the signing of the present agreement. The effective date of re-vesting would be notified simultaneously with the notification of the transfer scheme.
3. That both the parties agree that after the signing of the present agreement no change would be made in the transfer scheme Annexure-1 unless such change is mutually agreed upon again.
4. That in case some provisions and clauses of the transfer scheme require some clarification, the same would be given on the basis of decision taken in joint meeting of both the present parties as and when occasion arises.
5. That the H.P. Govt. hereby guarantees that successor entity shall remain fully State Govt. owned Corporations and there will be no further restructuring and privatisation of these Corporations.
6. That all the welfare measures like employment assistance schemes etc. shall continue in accordance with State policy from time to time.
7. That the parties agree that the Industrial Dispute Act, 1947 wherever applicable as per the law, shall continue to be applicable.


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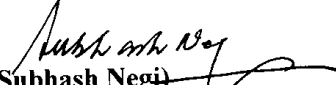
8. That the existing recognition of Trade Unions and Association shall be continued by the HPSEB Ltd. as per the prevailing legal provisions/norms.
9. That personnel who have been working as workcharge, daily wage, contractual and trainee on the date of re-vesting will be regularised and part time will be brought on daily wage cadre as per scheme / policy of the Govt. of H.P. from time to time.
10. That this Agreement shall be binding upon the Government of Himachal Pradesh, successor entities and recognised Unions/Associations of the Board/successor entity and if any change is required, it will be done after mutual consultations.

In witness where of the parties hereto have signed this Bipartite Agreement at Shimla in the presence of following witnesses on the date above mentioned.

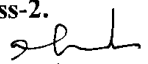
On Behalf of Govt. of H.P.


(Deepak Sanan)
Pr. Secretary (Power)
To the Govt. of H.P.


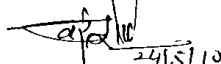
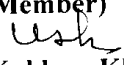
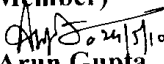


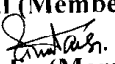

Witness-1.


(Subhash Negi)
Special Officer (HPSEB)

Witness-2.


(Devinder Saraswati)
Under Secretary (Home)
To the Govt. of H.P.

On behalf of Joint Front of HPSEB
Employees & Engineers (JFOEE)

- 1) Er. Suneel Grover
(Convener)

- 2) Sh. Dev Raj Sharma
(Member)

- 3) Sh. Kuldeep Kharwara
(Member)

- 4) Er. Arun Gupta
(Member)

- 5) Sh. Deep Chand Bhardwaj
(Member)

- 6) Sh. K.S.Jamwal (Member)

- 7) Er. D.S.Dhatwalia (Member)

- 8) Sh. H.S.Chandel (Member)

- 9) Sh. Vidya Sagar Sharma (Member)
