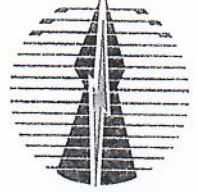




POWER GRID CORPORATION OF INDIA LTD.
SRTS-II HEADQUARTERS, BANGALORE



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Ref No: SRTS-II/ADMIN/ 2018

Dt: 25.06.2018

Sub: Committee's Report on the incidents reported at Pathanamthitta TLC- Reg.

Upon approval of Competent Authority, a committee comprising of DGM/FQA and Chief Manager/HR as the members has been constituted to enquire into the incidents reported vide letter dated 31.05.2018 from Sh. Varghese Mathew. (Copy enclosed at Annexure-1).

According to the above said letter dt. 31.05.2018, the following allegations have been leveled;

1. Man handling incident happened at loc No. 63/2 of Edamon -- Kochi line on 17.05.2018 at Vakayar Estate, Konnir due to the rejection of concrete mix upon exceeding the time period as per POWERGRID's FQP norms. Consequent upon stoppage of work due to the quality issue, the IR Class engineer's vehicles were blocked by people of M/s. KEC International Ltd. Engineers are man-handled by the local persons appointed by M/s KEC International Ltd.. POWERGRID Supervisor Sh. Anoob had a narrow escape from this situation by sitting inside the vehicle and keeping the doors closed. All of them were abused with unparliamentary words and life threatened by the local persons and labourers of KEC. It is also alleged that KEC section In-Charge Sh. Jayaraman had planned the incident to create fear in Supervisors of IRClass and POWERGRID. There were several incidents happened at sites earlier also regarding quality. KEC representatives by creating the above mentioned incident wanted to instill fear in the minds of POWERGRID's supervisors.

Another allegation made is :

2. A case of fatal accident happened at on 01.11.2017 at tower erection site of Loc 5/0, wherein one KEC labourer has succumbed to the accident injuries at workplace, sustained during a fall from the second section of the tower during final tightening of the tower. The incident was neither reported as an accident in the company nor the deceased Mr. Sekh Pinto's dependents was paid any compensation under the contractual conditions, till date.

Another allegation made is :

3. The supervisor level employees are being harassed by local management to support the contractor blindly. Local management of POWERGRID never asked any explanation letter from KEC till date and keeping silence even after written representation from Supervisor level employees of Pathanamthitta TLC.

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The committee visited Pathanamthitta TLC Office on 18.06.2018 and had discussed with the following persons regarding the incident on 17.05.2018;

1. Sh. Anoob G.B, E. No. 60304 Jr. Engr (Gr – IV) – who was the only employee from POWERGRID who was at the site during the reported incident on 17.05.2018 – Statement received mail subsequently attached at **Annexure -II**
2. Driver of vehicle hired by POWERGRID ; Name ; Anil Kumar Vehicle No;KL 25J 6120 (oral statemets taken on 18.06.18)
3. IR Class Engineers; Mr. Satish (**Annex – III**) & Mr. Vishwanathan
4. KEC Project Manager; Sh. Rajesh Pillai
5. KEC Site Engineer ; Sh. Jayaraman (Stement Attached at **Annexure – IV**)

The committee's observation after carefully looking into the facts and circumstances of the issues is as follows;

1. INCIDENT ON 17.05.2018

Brief of the Statement of Sh. Anoob G.B, E. No. 60304 Jr. Engr (Gr – IV), Pathanamthitta TLC

In 17.05.2018, four pits foundation casting being planned at 8.30 PM in location 63/1 in location 63/1 Vakayar Estate, Konni. The ready mix concrete vehicle reached at site by around 12.45 pm and casting started immediately, but due to slope, air leaking bad condition of the pipes the concrete got choked and due to this the setting time crossed almost 4 Hrs. Based on the instructions from Chief Manager TLC, IR Class engineers and himself asked KEC supervisor to give undertaking for casting of Pit B of Loc 63/1 was done and the second pit (Pit D) was unable to cast due to the chocking problem and it was cancelled.

While getting back to the vehicle, the KEC Supervisor and labourers told us that they wanted to put the cancelled concrete of location 63/1 to location 63/2. DGM (FQP) was contacted who advised to reject the concrete. KEC also refused to give the undertaking as required by the instruction given by AGM, Kotayam.

Upon cancelling the same and leaving the site, he got a call from IRCLASS driver that their vehicle is blocked by KEC people & labour. It was observed that one of the engineer of IRCLASS was caught by shoulder by a person appointed by KEC, whom he could intervene and save. After IRCLASS people left the site, the KEC person moved towards him and abused with unparliamentarily words and while getting back to the vehicle they tried to manhandle him. Inside the vehicle the driver instantly moved up the window glass and was saved from being stabbed by this person. He also threatened him that he will kill if further arrived at site. This happened in the presence of KEC supervisors and labour. He somehow escaped from the location and reached home safely.



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Brief of the Statement of IR Class Engineer (Consultant) Mr. Satish:

It was informed by IR Class Engineer that on 17.05.2018, Pit 'B' concreting of location no 63/1, was under progress, and the concrete pumping machine got choked and clearing of the same took much time, meanwhile 5th and 6th Transit mixers also reached the site. As clearing of the choked concrete pipes took time, it was already more than 4 hours of time has lapsed after mixing at the batching plant, the concrete mix cannot be poured into the pit as it will not attain the desired strength.

It was also informed by Mr. Satish that, he also discussed the issue with DGM/FQA at Bangalore, who also advised not to use the concrete.

At this time the contractor's labour and RMC people stood in front of the vehicle of IR Class Engineer Mr. Satish and did not allow the vehicle to move. The RMC pump coordinator of M/s KEC got angry at not allowing the concrete and held the collar of Mr. Satish when he was talking to MR. Jayaraman of KEC Mr. Mr. Anoop GB, E No. 60304, JE Gr. IV, POWERGRID who came from other location was also witness to the incident. The labour used unparliamentarily languages. KEC driver made the way for movement of the vehicle and everybody left the site.

Brief of the Statement of KEC Engineer Mr. Jayaraman:

It is informed by Mr. Jayaraman that, on 17.05.2018 they planned to complete all the four legs of location no 63/1. Due to heavy rain the concrete pump got blocked and due to delay balance 24Cu.m concrete was wasted. One Transit mixer with 5Cu.m concrete was waiting and they were discussing with IR Class representative to allow it to be used in location no 63/2. The discussion lasted for 2hours and by this time the 4hours time lapsed after mix of the concrete and the concrete became unusable. Mr. Armaan of A&A representative was available during the above incident.

As the concrete got set in the Transit mixer due to delay, RMC representative got angry and held the collar of IR Class Engineer. Mr. Jayaraman and other staff of KEC got the issue resolved. Now, it is informed by Mr. Jayaraman that they have removed Mr. Armaan from the site and have informed A&A concrete supplier not to involve Mr. Armaan in any activities related to Edamon-Kochi line. KEC have assured that in future such incidents will not occur.

It is also alleged by KEC that Mr. Verghese Mathew, JE (SG), E. No. 10532 and Mr. Anoop KM E. No. 60085, JE Gr. I, always want to stop the work for various reasons. They stop the work intentionally and would provide evidence if called for.

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It was informed by KEC that Mr. Anoop KM/JE forced KEC to appoint his wife's brother, Mr. Rojith M R (Brother in-law) to appoint as safety officer. Succumbing to pressure KEC engaged Mr. Anoop's brother in law as safety officer. After wards Mr. Anoop was forcing the agency make the appointment permanent.

The appointment letter and pay slip given by KEC pertaining to Mr. Anoop's brother in law is enclosed.

The following are the observations by the committee regarding the incident happened on 17.05.2018

1. It can be concluded that there was a tussle between the local persons hired by KEC International Ltd. and the IR Class engineers at site on 17.05.2018 as reported and attempts to humiliate the IR Class Engineers by holding on to their shirt's collar and abuses with derogatory words in local dialect were showered on them.
2. From the statement of Mr. Anoop GB, E No. 60304, JE Gr. IV, corroborated with the statements given by the driver, shows that abusive language was used against powergrid's supervisor Mr. Anoop also. However, no physical encounter was done on Sh. Anoop, apparently due to the driver's intervention to lift the window panes in right time.
3. The above offences are alleged to be done by Mr. Arman who is a local person hired by KEC. However, the undue delay in communicating the decision to stop the work and the incessant rains in which the laborers were working through till such time has apparently provoked him to such a behavior.
4. Upon reporting strong objection from POWERGRID'S side vide letter dt.22.05.2018 (**Annex V**), which was replied by KEC vide their letter dt. 24.05.2018 (**Annex VI**) it can be concluded that the accused Mr. Arman's services to KEC was immediately terminated and assurance that such incidents will not be repeated was given in writing by KEC. They had expressed regret on the incident.
5. Merely by being present at the location, while the reported incidents were happening does not prove that Mr. Jayaraman has planned and executed this incident. The committee could not see any proofs to believe any direct involvement of Mr. Jayaraman on the incident. On the contrary, from various statements it was evident that Mr. Jayaraman, was intervening to the labourers to make way for POWERGRID's vehicle to get away from the location safely.
6. Provocation for the quarrel appears to be the delay in communicating the decision to reject the cement amounting to 24 Cubic Meters waiting in 5 Trucks at the site in heavy rain
7. Considering that outrageous attempts has been made to humiliate one of our employee during performance of his duty in protecting the company's interests, the committee observes it would be appropriate to file an FIR by POWERGRID against

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the accused Mr. Arman in the concerned police station. The written statement of Mr. Anoop GB, E No. 60304, JE Gr. IV can be the basis of this and his presence at the police station to give evidence can also be insisted upon.



8. Incidentally, a statement given by Mr. Jayaraman against Mr. Anoop KM, Emp No. 60085, Jr Engineer is worth pursuing further. Vide his statement (**Annexure - VII**) it is alleged that Mr. Anoop KM has forced him to secure employment for his brother in law Mr. Rojith MR at KEC in the rolls of Teamlease. The pay slip issued to Mr. Rojith is also attached. If proved, it is a serious contravention of Rule 6 (1) of the CDA rules and warrants vigilance enquiry. In order to prevent the employee from further intervening in the matter, his immediate transfer to another location of POWERGRID may also be considered.
9. Yielding to such influences of employees involved in the execution of the project and thereby maligning the image of the corporation is also a grievous contravention of the integrity pact by the KEC personnel. Therefore KEC Ltd may be asked to conduct their internal enquiry into the case and take action / remedial measures immediately so that further occurrences of such incidents are avoided.

2. ACCIDENT AT WORK SITE ON 01.11.2017

Regarding the accident, the issue was discussed with POWERGRID and KEC staff and the following information has been collected.

From the following correspondences examined by the committee, it is observed that a fatal accident has happened on 01.11.2017 in which a labour hired by KEC named Sh. Sekh Pinto has expired.

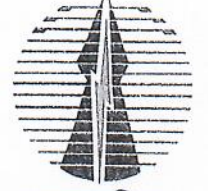
- (a) Letter Ref: SRII/PTA/LTC/Tech F No. 222/2017/365 dt. 01.11.2017 issued by Sr. AE (TLC) to Project Manager, KEC asking for confirmation of information regarding a fatal accident happened in the TL Construction on 01.11.2017
- (b) Reply from KEC vide letter dt. EU/A765/766/427 DT. 03.11.2017, confirming the accident.
- (c) Letter Ref: SRII/ LTC/Tech F No. 222/2017/373 dt. 06.11.2017 issued by Sr. AE (TLC) to Project Manager, KEC asking to submit details of the accident, FIR and Postmortem report copies and written statement from gang leader & fitters

It appears that no reply was provided by M/s KEC International Ltd. to the letter given at (c) above seeking the documents of FIR, Post-mortem report etc. It was not followed up seriously though one of the labour on the rolls of the contractor who had reported for work on the said day had succumbed to injuries to chest during working hours.

It is also observed that the Workmen's compensation has been deposited in full by the contractor to the authority competent (Receipt from --Employees Compensation Commissioner, Kollam, Kerala dt. 31.01.2018 & copy of DDs (DD Nos. 005617 and 005618 dt. 31.01.2018 for a total amount of Rs. 9,15,520/- enclosed – **Annex – VIII**)

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Postmortem report dt. 2.11.2018 mentioning that the death was due to injuries sustained to chest is enclosed at **Annexure – IX**. Copy of death Certificate dated 19.03.2018 is enclosed at **Annexure – X**]. However, according to the Project Manager of KEC Mr. Rajesh Pillai, the accident really happened not at the works site, still considering the notional extension allowed in the workmen compensation act the same was taken up with the insurer and the matter was settled amicably by depositing the compensation with the authority and sending the body to his native after due postmortem. It is also reported that the FIR copy is not yet received by them. Mr. Rajesh Pillai has informed the committee that he can produce two eye witnesses who were with the deceased during the incident to prove that the accident happened outside the work location.

In the absence of FIR and further evidences, the committee could not come to conclusion whether the same can be classified as a workplace accident or not. However, committee is of the opinion that in the absence of production of eye witnesses to the contrary, benefit of doubt should be given to the victim and the case need to be dealt with accordingly. Considering the grievous nature of this incident and its potential repercussions, also considering the responsibility of POWERGRID as a principal employer for ensuring the welfare of all workmen employed by its contractors, the matter need to be further examined by another committee comprising of senior executives including the executive heading safety in the region.

In view of the above the committee recommends the following;

1. Due to the use of abusive words and threats on POWERGRID's personnel Mr. Anoob GB, E No. 60304, JE Gr. IV and the consultants M/s IR Class whose services are hired by the company, to give complaint at the concerned police station by POWERGRID regarding the incident against the accused person Mr. Arman and to get the FIR filed. Mr. Anoob's presence at the police station at the time of filing complaint can be insisted upon.
2. In view of the serious allegation of directly influencing to secure employment for a relative, by Mr. Anoop KM, Emp No. 60085, Jr Engineer (Gr. I), consider to report the matter to vigilance and to transfer him immediately out of Pathanamthitta TLC to prevent further interference in the matter.
3. From the preliminary enquiry, KEC Ltd. is found to have yielded to the pressure of POWERGRID employee to engage his relative for the above line works, from their own statements. An explanation should be sought from M/s. KEC for not reporting such incidents in time to POWERGRID's appropriate level of management. Had this incident been reported in time, appropriate action could have been taken and further damages like the incidents reported would have been prevented. KEC should be asked to conduct their internal enquiry and take action / remedial measures immediately so that further occurrences of such incidents are avoided.

R. Pillai

Arman

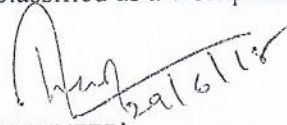


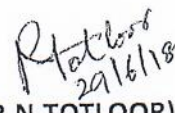
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4. To constitute a committee of senior executives to look into the fatal accident, to ascertain whether it has taken place in the work site and therefore eligible to be classified as a workplace accident or not.


(M. THANVEER)
CM (HR)


(R.N. TOTLOOR)
DGM (FQA)


Asst. GM (HR)


GM (PROJECTS)


ED (SRTS II)

CM (HR)