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O.A.NO.174 OF 2001

ORDER DATED 13-12-2002.

Heard Mr.D.P.Dhalsamant, Learned Counsel for for the Applicants and Mr.Anup Kumar Bose, Learned Senior Standing Counsel for the Union of India, appearing for the Respondents further in the matter. Mr.Bose, learned Senior Standing Counsel for the Respondents has submitted documents laying down the principles formulated by the Department for realisation of Electricity charges from the occupants of the staff quarters at Koraput as also from the occupants of the staff quarters at Bhubaneswar.

This Original Application has been filed by a group of Postal employees (22 in number) working under the Senior Superintendent of Post Offices, Koraput Division ventilating their grievances with regard to the policy of the Respondents in realising the electricity charges from the occupants of the staff quarters at Koraput. They further prayed that the Respondents be directed to recover the electricity charges as per the individual consumption of the electricity w.e.f.January, 2000 and to refund the amount already recovered from them as per the direction

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of this Tribunal in OA No.555/97 disposed of on 08-12-1997 and to quash the order under Annexure-4 to the Original Application.

Short of unnecessary details, it would suffice to say that the Applicants have been allotted staff quarters of different types by the Respondent No.4, Senior Superintendent of Post Offices, Koraput Division, Koraput and that no clear cut policy has been adopted by the Respondents in realising ~~the~~ Electricity charges from the Applicants, who are in occupation of the said quarters. They further stated that although this Tribunal had directed earlier, in OA No.555/1997 on 08-12-1997 that they/should work out the electricity charges for the common facilities so that the amount of electricity charges for the common electricity facilities would not to be realised from the occupants of the quarters, the same had not been complied with in full, ~~and~~ that the applicants were made to pay on an average of Rs. 300/- for Type-I, Rs. 400/- for Type-II and Rs. 450/- for Type-III quarters for ~~the~~ electricity consumption. The main thrust of the prayer of the Applicants is

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that each of the occupants should be charged on the basis of individual meter reading and that they should not be made to pay for the electricity charges for the common facilities. Respondents have denied that they were deducting electricity charges more than what should be realised from the occupants. They further stated that they could instal individual meter only in June, 1997 and before that electricity charges were being calculated out of the master meter reading. They also averred that no separate meter had been installed for Motor pump, street lights and stair case lights before August, 2000. They further stated that the total electricity charges paid to the GRIDCO was being divided amongst all the occupants and accordingly, the amount was being recovered from each individual from his pay. It was also submitted that the Electrical Engineer of the Department had, at the instance of Respondent No. 2 carried out detailed calculation of the Electricity consumption (individual consumption as well as liability towards common facilities) and, therefore, there could be no room for making any grievance in the matter. They further stated that the GRIDCO carried out meter reading from the main meter i.e. master meter and not from the individual meters. Individual meters which have been installed at the request of the occupants are being

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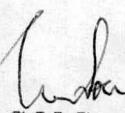
used to know the exact individual consumption and for calculation of the amount to be recovered from them. They, however, averred that for want of guidelines in the matter, they were yet to decide the basis on which they should recover the electricity charges from the occupants whereas the Respondent No.3 had been making direct payment to the GRIDCO on the basis of the master meter reading.

I have heard Mr.D.P.Dhalsamant, Learned Counsel for the Applicants and Mr.A.K.Bose, Learned Senior Standing Counsel appearing for the Respondents at length on morethan one occassion. To facilitate formulation of the principles of realisation of electricity charges from the occupants of the staff quarters of koraput postal colony, the Respondents were asked to submit the formula adopted by them for collection of electricity charges from the occupants of the staff quarters of the postal colony at Bhubaneswar. On perusal of the principles/method adopted by the Respondents in realising electricity charges from the occupants of the quarters located at Bhubaneswar it is found that it would be fair and proper if the same principles are adopted for realisation of electricity charges from the occupants of the staff quarters at Koraput also. Hence no fresh direction is now necessary to be issued to Respondent No.3

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as he had already installed separate meters for each occupants of the staff quarters and also had installed separate meters for running the motor pump, street lights and staircase lights. In short, each occupant shall be liable to pay electricity charges, strictly according to the meter reading of the individual quarters. The electricity charges for running of motor pump, street lights and stair-case lights and other common passages will be borne by the Department.

With the above direction, this O.A. is disposed of and with this, the question of adjustment of the amount already recovered from the occupants/applicants shall also be taken care of by the Respondent No.3. No costs.


(B.N. SOM) 
VICE-CHAIRMAN

Copy of order dt. 13/12/02
issued to the council
for both side.


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