

Court No. - 29

Case :- PUBLIC INTEREST LITIGATION (PIL) No. - 2349 of 2022

Petitioner :- In Re Disruption Of Power Supply In Prayagraj

Respondent :- State Of U.P. Through Additional Chief Secretary Power U.P. Government And Others

Counsel for Petitioner :- Suo Moto, R.K. Shahi, R.P.S. Chauhan, Tripurari Pal

Counsel for Respondent :- C.S.C.

Hon'ble Manoj Misra, J.

Hon'ble J.J. Munir, J.

Taking notice of disruption in supply of electricity in some areas of the city of Prayagraj, these proceedings were drawn suo moto to ensure maintenance of power supply. In connection therewith, an order was passed on 03.12.2022 requiring the presence of Additional Chief Power Secretary, Government of U.P. in Court. On being apprised by the Additional Chief Power Secretary that in a meeting with the representatives of the Employees' Union of the various Generation, Transmission and Distribution Companies certain issues had been resolved and the representatives of the employees have agreed to defer the strike and join back to their duties immediately, the matter was adjourned to December, 06, 2022 with a specific observation that if the power supply is still disrupted in any other city of the State and has not yet been restored, the same shall be restored in the minimum possible time.

Today, when this matter was taken up, Sri Manish Goel, learned Additional Advocate General appearing for the State, apprised us of certain decisions taken in the meeting held on 03.12.2022 between Vidyut Karmchari Sanyukt Sangharsh Samiti, U.P., a body representing the employees of the Power Department including Power Corporation, and the Power Minister as well as other high ranking officers of the State.

The minutes of the meeting and the decisions taken therein have been placed before us.

From the minutes produced, it appears that consensus has been arrived on 14 points and, as a result whereof, the Employees' Union has decided to defer the strike for a period of fifteen days. It appears from the minutes of the meeting dated 03.12.2022 that on their request the department has taken a decision to withdraw show cause notices and orders relating to suspension, removal from service and other coercive disciplinary measures which it had adopted against the striking employees.

The aforesaid minutes of the meeting gives us an impression that the employees of the power department are arm-twisting the Department having little regard that

disruption of essential services is a very serious issue and is not to be tolerated. The situation therefore needs to be dealt with in a firm manner.

In such circumstances, we deem it appropriate to issue notice to the representatives of Employees' Union so that whenever the matter is listed next, they are given opportunity of being heard.

At this stage, Sri Manish Goel has informed us that the representative body of the Employees' Union, which is currently interacting with the administration, is "Vidyut Karmchari Sanyukt Sangharsh Samiti having its office at 41/557, Dr. Tufail Ahamad Marg, Lohiya Mazdoor Bhawan, Narhi, Lucknow".

In view of the above, we deem it appropriate to direct that notice of these proceedings be served upon the aforesaid Union through its General Secretary. The service of notice shall be effected through the Chief Judicial Magistrate, Lucknow within a week from today.

List this matter again on 16.12.2022. It is expected that the Power Department shall ensure that the power supply is not disrupted and if it is disrupted in any manner, then strict action is taken.

Let this order be communicated to the Chief Judicial Magistrate, Lucknow by the Registrar (Compliance) today itself.

Order Date :- 6.12.2022.

Rks.