

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

**CWP No.17499 of 2025
Date of Decision: 30.09.2026**

Shesh Ram Thakur

.....Petitioner

Versus

HRTC & Anr.

.....Respondents

Coram

Hon'ble Mr. Justice Sandeep Sharma, Judge.

Whether approved for reporting?

For the Petitioner: Ms. Shikha Rajta, Advocate.

For the Respondents: Mr. Raman Jamalta, Advocate.

Sandeep Sharma, J. *(Oral)*

By way of instant petition, petitioner has prayed for the following main reliefs:-

“a) Issue a writ of Mandamus directing the Respondent-Corporation to frame and implement a policy/order whereby conductors may issue tickets while sitting on a designated seat and passengers should approach the conductor to obtain tickets and they should be made accountable for the same;

b) Direct the Respondent-Corporation to ensure adequate safety measures for conductors, including installation of seat belts and other safety equipment in all buses.”

2. Precisely, the case of the petitioner, who is a conductor in HRTC, as has been highlighted in the petition and further canvassed by Ms. Shikha Rajta, learned Amicus, is that there is an imminent threat to the life of conductors working in Himachal Road Transport Corporation (in short, “**HRTC**”) on account of their performing duty of

distributing tickets in a moving bus. Ms. Rajta, learned Amicus, submits that since Himachal Pradesh is a hilly terrain, it is not advisable for conductor to distribute tickets in a moving bus, rather there should be a designated seat for the conductor from where every passenger can buy a ticket. Besides above, she also submits that directions are required to be issued to HRTC to provide seat belts on each and every seat so that no harm or injury is caused to passengers on account of sudden braking.

3. Pursuant to the directions issued by this Court, respondent-HRTC has filed a reply, wherein it is averred that in terms of Section 29 of the Motor Vehicles Act, 1988, Chapter III, every conductor shall have a conductor's licence. As per aforesaid provision of law, no person shall act as a conductor of a stage carriage unless he holds an effective conductor's licence issued to him authorizing him to act as such conductor and no person shall employ or permit any person who is not so licensed to act as a conductor of a stage carriage. While fairly admitting that conductors do not have a fixed seat, it has been claimed on behalf of the respondent-Corporation that conductors are provided with adequate safety measures, including hand rails, secure standing areas and training for safe movement within the bus. Respondent-Corporation has continuously evaluated safety protocols and has taken all reasonable and practicable steps to minimize the risk to conductors during bus operation. Besides above, respondent-

Corporation has also taken steps to issue tickets before the journey by online booking, advance reservation, ground booking from booking counters, outsourcing the issuance of tickets while the bus is parked before departure, called “ground booking”. All the aforesaid steps minimize the issuance of tickets while the bus is moving, but certainly the conductor has to issue tickets to the passengers who board the bus midway. It is also stated in the reply that when a passenger boards a bus and bus goes into moving position after a halt, the speed is so slow that conductor can issue the ticket before the bus gains momentum. Besides above, respondent-Corporation has issued electronic ticket machines to conductors to minimize the ticket issuance time. Imposing a requirement for a fixed seat for conductors would interfere with the functional efficiency of bus operations, rather, issuing tickets and attending to passenger necessities requires mobility and restricting such movement would hinder operational efficiency and service delivery.

4. In similar facts and circumstances, the High Court of Delhi, in the case titled **Santosh Kumar versus Government of NCT of Delhi**, Writ Petition W.P.(C) No. 420/2019, decided on 13.08.2019, held as under:

"Even otherwise, how to issue tickets depends on the number of passengers boarding the bus and there cannot be any hard and fast rule to be laid down by this Court that every conductor must move from front to rear and rear to front seat for issuing tickets.

In view of the above, we see no reason to give any order, direction or much less a writ for establishing a methodology of issuing ticket by Bus Conductors."

5. In a case before the Delhi High Court, a prayer was made by a passenger that conductor should come to the passenger for giving tickets, however, such prayer was rejected by the High Court of Delhi by stating that method of issuing tickets depends upon the number of passengers boarding the bus and certainly there cannot be any hard and fast rule, which can be laid down by the Court that every conductor must move from front to rear and rear to front seat for issuing tickets. Moreover, practice of providing a fixed seat to the conductor in Delhi Transport Corporation buses has also now been done away.

6. Similarly, this Court finds that now, in new buses being purchased by the respondent-Corporation, seat belts are being provided on seat Nos. 1 to 6, which may be immediately exposed to harm or injury, if any, caused on account of sudden braking. Since conductors are imparted special training to issue tickets in a moving bus, coupled with the fact that many passengers board the buses midway, it may not be advisable to accede to the request of the petitioner to provide a fixed seat to the conductors, who are otherwise well trained to react in an emergency situation. However, certainly, a passenger who may be sitting on seat No. 1 cannot be expected to go

to the last seat of the bus to collect a ticket that too in a moving bus, which includes elderly persons, ladies, and children.

7. Consequently, in view of the above, this Court finds no merit in the present petition and accordingly, the same is dismissed.

Petition stands disposed of in the aforesaid terms along with pending application(s), if any.

September 30, 2026
(sunil)

(Sandeep Sharma),
Judge