

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.19696 of 2016

ORDER:

The petitioner joined the service of the respondent Corporation as Conductor on 06.03.1991 after undergoing the process of selection. His services were regularized with effect from 01.01.1992. While so, when he was conducting the bus service on 28.05.2016 from Hyderabad to Ileeja, a check was conducted by the checking officials at stage No.13/12 (tollgate) and it was noticed that one passenger was traveling without ticket. It is the case of the petitioner that the passenger was sleeping between the seats and he could not notice the passenger. However, the TTI collected Rs.200/- as penalty apart from collecting the regular fare of Rs.157/- from the passenger. A charge memo was issued on 29.05.2016 and when the petitioner was placed under suspension on 03.06.2016, the present Writ Petition is filed challenging the same.

This Court carefully perused the charge memo and the order of suspension and it is noticed that the following charges were framed against the petitioner:

“CHARGE (1) :“For having failed to observe the rule “Issue and Start” while performing duty on route Hyderabad to Gadwal on 29.05.2016, which constitutes mis-conduct under Reg.28(xxxii) of APSRTC Employees (Conduct) Reg.1963.”

CHARGE (2) :“For having failed to collect the requisite fare of Rs.157/- from the passenger at boarding point itself and failed to issue ticket to the passenger, who boarded the bus at Hyderabad and bound for Gadwal i.e, ex-stages 14 to 03, while conducting the bus No.TS06 UA 7692 on route Hyderabad to Gadwal on 29.05.2016, which constitutes mis-conduct under Reg.28(vi)(a) of APSRTC Employees (Conduct) Reg.1963.”

CHARGE (3) :“For having allowing un-accompanied luggage of i)40 ltr oil can 2) 6½ Rigg hammer 3) 6½ Rigg 4) Housing, while conducting the bus No.TS06 UA 7692 on route Hyderabad to Gadwal on 29.05.2016, which constitutes mis-conduct under Reg.28(vi)(a) of APSRTC Employees (Conduct)

Reg.1963.”

CHARGE (4) :“For having closed the TIM machine up to stage no.12 i.e., Raikal toll gate without issuing the ticket, which constitutes mis-conduct under Reg.28(xxxii) of APSRTC Employees (Conduct) Reg.1963.”

It appears that the petitioner submitted his explanation to the said charge memo. *A prima facie* perusal of the charges and the allegations indicated that the matter requires to be enquired and the allegations do not warrant interference with the order of suspension passed by the authorities.

In the circumstances, this Court is not inclined to interfere with the order of suspension. However, the respondents are directed to complete the enquiry as expeditiously as possible, but not later than twelve weeks from the date of receipt of a copy of this order. Needless to mention that the petitioner shall cooperate with the enquiry.

The Writ Petition is, accordingly, disposed of. The miscellaneous petitions pending, if any, shall stand closed. There shall be no order as to costs.

(A.RAMALINGESWARA RAO, J)

21.06.2016
vs