

ANDHRA PRADESH STATE ROAD TRANSPORT CORPORATION

Office of the Managing Director,
RTC House, PNBS, Vijayawada.
Date: 02.05.2024.

No.IR1/136(1)/2024-PO-III

To
The District Public Transport Officer,
A.P.S.R.T.C.,
PALNADU, NARASARAOPET.

Sub: CRIMINAL MATTERS – Involvement of Sri P.Srinivasa Reddy E.725411, Driver (RSDI) of DPTO, Palnadu, Narasaraopet in a murder case on 29.10.2023 - Arrested on 01.11.2023 and sent for remand from 02.11.2023 to 16.11.2023 – Released from jail on 17.11.2023 - Suspended – Directive issued for further course of action in the matter - Reg:

Ref: 1. DPTO:PALNADU Lr.No.E1/136(01)/2023-DPTO(P) dated.06.04.2024.
2. Suspension Order No.E1/136(01)/2023-DPTO(P) dated 17.11.2023.
3. Charge Sheet No.E1/136(01)/2023-DPTO(P) dated 06.03.2024.

Through the letter under reference 1st cited, DPTO, Palnadu, Narasaraopet, requested for a directive on appropriate course of disciplinary action to be taken against Sri P.Srinivasa Reddy E.725411, Driver (RSDI) of DPTO, Palnadu who involved in a criminal case of murder that had occurred between 08.00 PM on 29.10.2023 to 08.30 AM on 30.10.2023, resulting in the death of Sattenapalli Seetharamanjaneyulu, on duty doctor working in Suraksha Hospital, Guntur.

A police case was registered against Sri P.Srinivasa Reddy, E.725411, Driver (RSDI) of DPTO, Palnadu, Narasaraopet, vide Crime No. 373/2023, U/S 302 IPC dated 30.10.2023 at Kothapet Police Station, Guntur. He was arrested on 01.11.2023 and sent for judicial remand from 02.11.2023 to 16.11.2023. He was released on bail on 17.11.2023.

A Government servant shall be **deemed to have been placed under suspension** by an order of the authority competent to place him under suspension.

- (a) **with effect from the date his detention**, if he is detained in custody, whether on a criminal charge or otherwise for a period exceeding forty-eight hours;
- (b) with effect from the date of his conviction if, in the event of a conviction for an offence, he is sentenced to a term of imprisonment exceeding forty-eight hours and is not forthwith dismissed or removed or compulsorily retired consequent to such conviction.

Hence, as per above rule position, he was placed under suspension **w.e.f., 02.11.2023** i.e., from the date of his remand, vide reference 2nd cited and issued with charge sheet, vide reference 3rd cited.

The matter is examined in terms of the rule position relevant to the present case as per the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 which is reproduced below.

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The Hon'ble Supreme Court of India, in the case of Jang Bahadur Singh vs. Baij Nath Tiwari, AIR 1969 SC 30 (copy filed in the case) had held that

"the pendency of the court proceedings does not bar disciplinary action in the absence of the order of the court restraining continuance of disciplinary proceedings. In the absence of stay order the disciplinary authority is free to exercise the lawful powers."

The Hon'ble Supreme Court of India, in another case of M.Paul Anthony vs. Bharat Gold Mines Ltd. & Anr.,(1999) 3 SCC 679 had held that

"Departmental proceedings and proceedings in a criminal case can proceed simultaneously as there is no bar in their being conducted simultaneously, though separately."

Further, detailed guidelines were also issued in the above matter, vide **Circular No. Ic5/82-83 dated 14.02.1983**. The **summary** of the guidelines is given below.

Issue	Course of action to be taken
Employee is involved in a serious heinous criminal offence like murder, dacoity, sedition	Employee shall be placed under suspension from the date of his arrest by the police. Parallel departmental proceedings on collateral grounds shall be concluded without waiting for the outcome in the criminal prosecution.

In view of the above guide line, as Sri P.Srinivasa Reddy E.725411, Driver (RSDI) of DPTO, Palnadu, Narasaraopet, had involved in a serious heinous crime of murder, the following directive is issued.

1. to **conduct** parallel departmental proceedings independently without reference to the final outcome of the criminal case prosecution registered against him in Crime No. 373/2023, U/S 302 IPC dated 30.10.2023 at Kothapet Police Station, Guntur; and
2. to **conclude** such departmental proceedings, in terms of the AP Civil Services (CC&A) Rules,1991 duly following the principles of natural justice and impose appropriate major penalty on the employee.


CHIEF MANAGER (P)&
BOARD SECRETARY