

**BEFORE THE KERALA STATE HUMAN RIGHTS COMMISSION,  
THIRUVANANTHAPURAM**

**Present: Mr.Justice N.Dhinakar,  
Hon'ble Chairperson**

Dated this the 8th July, 2010.

**H.R.M.P.No.561 of 2008**

Petitioner : Dr.P.S.Vijaya Natharaj  
Reader in Political Science,  
Sree Narayana College, Chempazhanthy,  
Thiruvananthapuram – 695 587

Respondent :

**ORDER**

The complaint of the petitioner is that while he was traveling from Ernakulam to Thiruvnanthapuram on 9-1-2008 along with his two colleagues in the Kerala State Road Transport Corporation (KSRTC) bus No.KL.15/6172 (RT 994) he felt stomach disorder and hence he requested the conductor of the bus to stop the bus at the nearby Kayamkulam KSRTC bus stand for five or ten minutes which was refused by the conductor. According to the petitioner, he got down at Kayamkulam KSRTC bus stand around 10.30 p.m. and went to the bathroom and when he returned after using the bathroom the bus left the stand without him and after one hour he picked up another bus to reach his house and this is a human rights violation and he complained to the Assistant Transport Officer (ATO), KSRTC, Kayamkulam.

A Member of this Commission took the petition on file and called for a report from the Managing Director, KSRTC, Thiruvananthapuram. After the Member demitted his office the petition was placed before me and thereafter several reminders were sent for the report and now the report is filed.

In the report it is stated that the allegation of the petitioner is not based on real facts and there is no human rights violation. According to the report an enquiry was conducted by an Inspector of the KSRTC on the complaint filed by the petitioner before the ATO, Kayamkulam, who submitted a report after the enquiry and according to the enquiry officer initially the petitioner did not co-operate with the enquiry and he wanted to discuss the matter with the Chairman-cum-Managing Director (CMD) of the KSRTC. Thereafter the enquiry officer visited his office and informed that he was appointed by the CMD to enquire about his complaint and the petitioner narrated the incident with a half - minded approach. According to the report the actual fact with regard to the subject matter is that the petitioner accompanied by his two friends were travelling in KSRTC bus bearing registration No. RT 994 and when the bus reached near Kanyakulangara, the petitioner demanded the conductor for ten minutes halt of the bus in Kayamkulam but he never disclosed to the conductor regarding the actual reason behind the said demand. The conductor politely informed the petitioner that the bus was already late and if it was halted for ten minutes other passengers will not tolerate it and it will create problems. According to the report, the petitioner accepted this reply of the conductor and returned to his seat without any further talk, but later when the bus reached Kayamkulam bus stand he got down from the bus without informing the conductor and without knowing this the bus left the place. In the report it is also stated that the conductor told the enquiry officer that if the petitioner had disclosed the actual fact to him he would have helped him and would have allowed the bus to halt at least for 10 minutes at the bus stand, even though the bus was already late and that the petitioner did not inform the actual reason behind his request.

In the report it is also stated that though in the petition it is admitted that there were two friends travelling with the petitioner in the bus his friends did not inform the

conductor that the petitioner got down at Kayamkulam bus stand and the friends also did not inform the conductor regarding the problem of the petitioner, which shows that the petitioner did not disclose his problem to them also and that without informing the fact to anybody the petitioner straight away alighted from the bus and hence the conductor was under the impression that the petitioner did not want to travel any further. There was no deliberate intention on the part of the conductor as alleged in the petition and the petitioner has no complaint that the conductor misbehaved with him.

In the report it is further stated that the KSRTC is a Public Sector Corporation whose intention is to give maximum convenience to the public and it provides maximum comfort to the passengers including ladies and children, especially in long journeys, with its limited resource. The report concludes by stating that no incident happened as alleged in the petition and there was no intention on the part of the crew either to insult the petitioner or to infringe his rights.

The report shows that the petitioner was travelling with his two friends and that neither the petitioner nor the friends informed the conductor about the non-boarding of the petitioner in to the bus and that the petitioner has no complaint that the conductor misbehaved with him though he claims at the end of his complaint that there is misbehavior on the part of the bus operators which is general in nature.

In view of the averments in the report no further orders are required on this petition. The petition is closed.

Justice N. Dhinakar,  
Chairperson.