

**IN THE COURT OF THE STATE COMMISSIONER FOR RPwDS
AT MALAKPET, HYDERABAD**

Present: Smt. B. Shailaja, M.A., LLB.,

Dated this the 1st Day of December, 2022

Case No. RPwD Act, 2016/200-3/2021

BETWEEN

**P. Andalu,
Sr. Assistant,
O/o. Asst. Commissioner, Endowment Dept.,
Kacheguda, Secunderabad Division**

... Petitioner

AND

**Assistant Commissioner,
Endowment Department,
Secunderabad Division.**

... Respondent (1)

**Superintendent,
O/o. Asst. Commissioner, Endowment Dept.,
Secunderabad Division.**

... Respondent (2)

Petitioner claim:

The Court of the State Commissioner received a complaint from P. Andalu, Sr. Assistant, O/o. Asst. Commissioner, Endowments Department, Kacheguda, Secunderabad Division, stating that Smt. M. Pallavi, Superintendent of her office has been insulting and harassing the petitioner on her disability and requested the State Commissioner to intervene in the matter and to do justice.

The above Petition was sent to the Commissioner, Endowments Department for conducting detailed enquiry into contents raised in the petition and to take appropriate action on it and arrange to send Action Taken Report to the Court of the State Commissioner, RPwDs, but no report has been received from Commissioner, Endowments Department.

In view of the above, the Court of the State Commissioner for RPwDs has issued summons several times to the Asst. Commissioner, Endowments Department (Res.I), Smt. M. Pallavi, Supdt., O/o. Asst. Commissioner, Secunderabad Division (Res.II) and to the petitioner to appear before Court of the State Commissioner on 20-04-2022, 06-08-2022 and 23-08-2022. Both the Respondents and petitioner have filed their written statement separately before the Court of the State Commissioner on 20-04-2022.

Further, the written statement filed by both the respondents have sent to the petitioner to file affidavit before the Court of the State Commissioner and petitioner also submitted her remarks on the counter affidavits submitted by both the respondents. Certain files were also verified as per the request of the Respondent-(1) and the petitioner. As verified with the facts and circumstances referred above by both the respondents and petitioner the following observations are made by the State Commissioner:

OBSERVATIONS OF STATE COMMISSIONER:

- 1) The petitioner alleged Smt M. Pallavi, Superintendent, Endowment Department(Res II), Kacheguda, Secunderabad Division has been insulting and harassing the petitioner on one or another pretext.
- 2) Respondent (2) has denied the allegations leveled against her by the petitioner stating that the allegations are false and liable to be strict proof by the petitioner on all the allegations.
- 3) Further Respondent (1) (the Asst. Commissioner, Endowment Dept., Sec-bad Division) in his counter affidavit submitted certain issues against the Respondent (2) and stated that the petitioner was harassed by the Respondent (2).
- 4) As seen from the files submitted before the State Commissioner it is revealing that both the Respondent (2) and petitioner are making certain personal written allegations in the office files against each other which are found in violation of code of conduct. It is also shows the high handed behavior of Respondent-(2) against petitioner.
- 5) Respondent (1) (the Asst. Commissioner, Endowment Dept., Sec-bad Division) knowing all the above material facts did not take any controlling measures on both the employees working under his control.
- 6) It is also established the callous behavior of Respondent-(2) towards petitioner and in submitting the information on time or in attending the Court of the State Commissioner.

Therefore, in view of the above observations it is felt that the Respondent-2 is insulting the petitioner and also being competent authority the Asst. Commissioner has also failed to set right the office atmosphere.

RECOMMENDATIONS OF THE STATE COMMISSIONER

Basing on the above averments made by both parties and the observations thereupon the State Commissioner made the following recommendations as per Section-80 (b) of RPwD Act, 2016:

- 1) The Commissioner, Endowments Department to take departmental action under conduct of Rules against the Smt. Pallavi, Respondent-(2) Superintendent, O/o. Asst. Commissioner, Endowments, Sec-bad Division after initiating departmental proceedings on the complaint of Smt. P. Andalu, Senior Asst.
- 2) The Commissioner, Endowments Department may shift the Respondent-(2) to other place in the best interest of the smooth running of the office on the administrative grounds.
- 3) Both the Petitioner and Respondent-(2) must be warned not to insert any personal writings in official files.
- 4) The Commissioner, Endowments Department may issue instructions to the Assistant Commissioner of Sec-bad Division to be assertive in taking timely decisions to cut down the untoward incidents in the office to maintain peace and tranquility in the office.

The Commissioner, Endowments Department shall take appropriate action on the above recommendations and arrange to send Action Taken Report to the State Commissioner as per Section-81 of RPwD Act, 2016.

Accordingly, the matter is closed.


STATE COMMISSIONER

Copy communicated to the Commissioner, Endowment Department for taking further action in the matter and to send Action Taken Report to the Court of the State Commissioner within (30) days.

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