



Jammu and Kashmir State Information Commission
(Constituted under Right to Information Act 2009)
Old Assembly Complex, Srinagar, Fax No. 0194-2484269, 2484262
Wazarat Road Near DC Office, Jammu, Fax No. 0191-2520947, 2520937
www.jksic.nic.in

File No: SIC-J-C-04/2013
Decision No: SIC-J/C/04/2013/131

Sh. Prem Singh	Complainant	Present
Sh. Ajay Kumar Sharma Regional Transport Officer, H.Q. Lakhanpur, Kathua.	PIO	Present
Sh. Shiv Kumar Gupta Ex. Regional Transport Officer, Kathua at present Joint Director Tourism O/o TRC Residency Road Jammu.		Present

Jammu
15-05-2013

Briefly the facts in this complaint are that Sh. Prem Singh S/o Sh. Nihal Singh R/o H.No. 385 Upper Beli-charana, Jammu Cantt. moved an application dated 10-05-2012 under J&K RTI Act, 2009 before the PIO O/o Regional Transport Authority, Lakhanpur seeking the following information:-

- a) *Rule, Regulation, any other new SRO or any direction by any authority about not renewing driving licence of those which were already renewed by your office.*

Aggrieved by the conduct of the PIO, the information seeker has filed complaint before this Commission. Notice was issued to Sh. Shiv Kumar Gupta former PIO to file his counter statement. Sh. Shiv Kumar Gupta has submitted his reply dated 15-05-2013 which is reproduced as under:-

Counter statement furnished by the then PIO clearly shows that information was provided to the information seeker on 25-05-2012 by then the Assistant Regional Transport Officer who was the APIO and also dealt with the renewal of driving licences. The operative para of the reply furnished vide letter RTO/K/2012/273 dated 25-05-2012 is reproduced hereunder:

"No such SRO/direction is received which debar the renewal of valid driving licences which are already renewed by this office'.

The applicant in his complaint dated 11-01-2013 filed before the State Information Commission has attached two Annexures, Annexure-2 and Annexure-6 in support of negation of the reply provided by the then PIO. The Annexure-2 which is a letter Dated 15-05-2012 of Deputy Transport commissioner, J&K addressed to RTO, Kathua, is regarding the subject matter pertaining to the Renewal of Driving License of a specific case of one sh. Ravinder Pal S/o sh. Ved Prakash R/o Resham Garh, Jammu and the relevant lines of the said letter are reproduced here under:-

'.....As such you are advised to renew the said license after verification of original documents and even have a random trial test of the applicant for your satisfaction.'

From the perusal of the above said lines, it is evident that it was a mere advice and not a rule, regulation, new SRO or direction. Further the said advice was regarding the renewal of driving licence in a particular situation which did not stop/debar the RTO, Kathua from renewing the driving licence. Similarly, the Annexure-6 is an order No.48 (1) TC of 2012 dated

15-06-2012 on the subject : 'Conduct of retrial test of Drivers-maintaining of proper records therefore of.' The operative para of the said order is reproduced as under:-

"Now, therefore to mitigate the problems of such driving license it is, hereby, ordered that in absence of records the concerned Regional Transport Officer/Assistant Regional Transport Officer shall issue the renewal of these driving licenses after re-trial test and payment of requisite fee."

The above said order was an enabling provision regarding the subject and did not pertain to the information sought for by the applicant which is regarding any direction/SRO for non-renewing the driving licences already renewed. Besides the said order was issued several days after the reply to the applicant was given. In his complaint before the Commission the applicant has admitted that the aforesaid information was provided to him. The grievance of the information seeker appears to be the non-renewal of a particular driving licence for which the Driving Licence Holder should approach the concerned Transport Department/Authorities for getting the renewal done in the light of the latest directions/guidelines of the said Department. The commission can't be used as forum for the redressal of personal grievances. The jurisdiction of the Commission is only limited to the extent of providing information which exists in material form . In view of the aforesaid facts the information seeker is advised to approach the appropriate authority for renewal of his licence. No further direction in the matter is required. Thus, there seems no merit in the complaint filed by the information seeker and the same is dismissed.

The complaint is accordingly dismissed.

Notice of this decision be given free of cost to the parties.

Sd/-

Dr. S.K. Sharma
State Information Commissioner

Copy to the:-

1. Public Information Officer / Regional Transport Officer, H.Q. Lakhanpur, Kathua.
2. Public Information Officer / Former Regional Transport Officer, Kathua at present Joint Director Tourism O/o TRC Residency Road Jammu.
3. Sh. Prem Singh S/o Sh. Nihal Singh R/o H.No. 385 Upper Belicharana, Jammu Cantt.
4. Guard file.

Jang Bhadur
Joint. Registrar
J&K State Information Commission