

Special Post

भारत सरकार
 Government of India
 इलेक्ट्रॉनिकी और सूचना प्रौद्योगिकी मंत्रालय
 Ministry of Electronics & Information Technology
 इलेक्ट्रॉनिक्स निकेतन, 6, सी जी ओ कॉम्प्लेक्स, नई दिल्ली-110003
 Electronics Niketan, 6, C G O Complex, New Delhi-110003
 Website: www.meity.gov.in

संख्या

No.....11(4)/2017-EG-I

दिनांक

Date.....26.10.2017

To

Sh. Lawrence K R,
 CE-39, Palace Towers Cherry road,
 Salem, Tamilnadu.
 PIN- 636001.

In Dak

R

3/10

So (RTI)

LSCRTD

Sub: Online RTI Appeal with Regn. No. DITEC/A/2017/60072 dated 04.10.2017 received from Sh. Lawrence KR.

Ref: MeitY's letter No. 11(1)/2017-EG-I dated 25.09.2017 w.r.t RTI request dated 07.09.2017 from Sh. Lawrence KR.

Sir

8/10/17

Please refer to your above RTI Appeal dated 04.10.2017 w.r.t RTI request having Regn. No. DITEC/R/2017/50703 dated 07.09.2017. In this regard, it is noted that whatever information was available, the same has already been provided by CPIO (e-Gov) vide its letter dated 25.09.2017. As regards additional information/clarification sought w.r.t point no. (3), the said RTI request is simultaneously being transferred to Ministry of Road Transport & Highways under Section 6(3) of the RTI Act for providing additional information/ necessary clarifications directly to the applicant.

2. With this, your online Appeal with MeitY is disposed off.

Yours faithfully,

Trilok Chandra

(Trilok Chandra)

Director/Appellate Authority (e-Gov)

Tel:24364761

Encl: As Above.

Copy to:

✓ Shri V. K. Patnayak,
 Under Secretary (IT)/CPIO
 e-Governance, e-office & IT,
 Ministry of Road Transport &
 Highways,
 Transport Bhavan, R.No. 249, 1,
 Parliament Street New Delhi

RTI call

For US (MVL)

The RTI request of Sh. Lawrence KR is being transferred (Fresh RTI Request) under Section 6(3) of the RTI Act for providing any additional information/clarification with respect to Point (3) of the RTI application to the applicant directly. However, if the requisite information sought therein does not fall under your jurisdiction, the same may be transferred to the Public Authority to which the subject matter is more closely connected, directly, under intimation to the applicant.

A copy of the appeal is also enclosed for information.



RTI APPEAL DETAILS (आरटीआई अपील विवरण)

Appeal Registration Number (अपील पंजीकरण संख्या) :	DITEC/A/2017/60072	RTI Appeal Received Date (आरटीआई अपील प्राप्त की तिथि) :	04/10/2017
RTI Request Registration No. (आरटीआई अनुरोध पंजीकरण संख्या) :	DITEC/R/2017/50703	RTI Request Registration Date (आरटीआई अनुरोध पंजीकरण की तारीख) :	07/09/2017
Name (नाम) :	LAWRENCE K R	Gender (लिंग) :	Male
Address (पता) :	CE 39, PALACE TOWERSCHERRY ROADSALEM		
Pin code (पिन कोड) :	636001		
State (राज्य) :	Tamilnadu	Country (देश) :	India
Phone Number (फोन नंबर) :	Details not provided	Mobile Number (मोबाईल नंबर) :	+91-9443240343
Email-ID (ईमेल-आईडी) :	lawrencekrf@gmail.com		
Status (स्थिति) :	Urban	Educational Status (शैक्षणिक स्थिति) :	
Citizenship Status (नागरिकता) :	Indian	Is Appellant Bellow Poverty Line ? (क्या अपील करनेवाला गरीबी रेखा से नीचे का है?) :	No
CPIO Approached (संपर्क सीपीआईओ) :	15941	Date of Receipt of CPIO's Order/Decision (सीपीआईओ के आदेश / निर्णय के रसीद की तारीख) :	Details not provided
CPIO's Order/Decision No. (सीपीआईओ का आदेश / निर्णय संख्या) :	Details not provided		
Ground for Appeal (अपील का आधार) :	Any Other ground		

**Text of RTI First
Appeal (आरटीआई
प्रथम अपील का पाठ) :**

Dear Sir,

Thanking the PIO for his prompt reply, I write this to get more information on my question number 3. PIO stating the reason, Transport is a state subject, has given the information that Information Technology rules 2016 (Digilocker) with regard to Digilocker Driving License and Vehicle Registration Certificate may not be applicable for the state of Tamilnadu. Sir, Transport, Highways etc., comes under Union list and concurrent list. only Taxes on vehicles come under the state list. Information Technology act and Information Technology rules are formulated by the union government and hence it should be followed throughout India. Therefore if any exemption is given to the state of Tamilnadu with regard to the Digilocker Driving license and vehicle registration certificate, the copy of such guidelines issued by the MEITY may be given to me. I am prepared to pay the charge online or as directed and it is enough if the soft copy is sent through this portal. Thanking your sir,

yours sincerely

K R LAWRENCE.

From
K R Lawrence
CE-39, Palace Towers,
Cherry Road,
Salem-636001.
Tamilnadu State.

Date:04.10.2017.

To
The Shri.Trilok Chandra,
Appellate Authority/Director (e-gov),
Ministry of Electronics and Information Technology, (MEITY),
Electronics Niketan, 6, CGO Complex,
New Delhi- 110003.

Dear Sir,

Sub: First Appeal RTI Act 2005.

Ref:1.My Application DITEC/R/2017/50703 dated 07.09.2017.

2.PIO reply 11(1)/2017-EG-I dated 25.09.2017.

I convey my thanks for the reply given by the Public Information Officer. Though the information given for my questions 1,2 and 5 are in line with the Information Technology Act, Rules, I require more clarification for my question number 3.

My question number 3 is to know whether the Information Technology act 2000 and Rule (Digilocker) 2016 is applicable to the whole of India or not. The PIO has given an unclear information.

The reply of the PIO is:

“The Driving License and Vehicle Registration Certificate generated through Digilocker in digitally signed format is a legally valid document when used electronically unless otherwise notified by the Tamilnadu State Authorities (As Transport is a State subject)” .

Sir, Transport is in the Union list(union list No:23, Road Transport and Highways-MORTH-Motor Vehicles Act 1988), Taxes on vehicles only is in the State list(State list No:57) and the Mechanically propelled vehicles including the Principles on which Taxes on such vehicles are to be levied is in the concurrent list (Concurrent list No: 35). So, the reply “Transport is a state subject”, does not apply here. Where it is in the union list and concurrent list, the Act and Rules formulated by the union government is to be followed. Hence all Transport related and highways related rules except the Taxes on Vehicles, come under the power of the Union government.

It is mentioned in the FAQ section of MORTH website that it could be shown for spot verification to the Authorities as legally valid and treated at par with original

document. It is also said in the press release dated 07.09.2016 of the MORTH that it could be used for verification as a legally valid document when demanded by the Traffic Police and other state authorised Authorities. Nowhere it is said that “ it is valid unless otherwise notified by the Tamilnadu State Authorities.

Hence I request you sir, to kindly provide me the copy of the guidelines which states that “it is only valid in Tamilnadu for verification unless otherwise notified by the Tamilnadu State Authorities”. (Whether MEITY has given any exemption to Tamilnadu with regard to Digilocker Driving License and Vehicle Registration Certificate – Kindly provide the guidelines copy)

Yours Sincerely

K R Lawrence.

भारत सरकार
Government of India
इलेक्ट्रॉनिकी और सूचना प्रौद्योगिकी मंत्रालय
Ministry of Electronics & Information Technology
इलेक्ट्रॉनिक्स निकेतन, 6, सी जी ओ कॉम्प्लेक्स, नई दिल्ली-110003
Electronics Niketan, 6, C G O Complex, New Delhi-110003
Website: www.meity.gov.in

संख्या
No.....11(1)/2017-EG-I

दिनांक
Date.....25.09.2017

To

Sh. Lawrence KR,
CE-39, Palace Towers, Cherry Road,
Salem, PIN- 636001.
Tamilnadu.

Sub: RTI request under RTI Act, 2005 from Sh. Lawrence KR.

Sir,

Please refer to your online RTI Application having registration no. DITEC/R/2017/50703 dated 07.09.2017. In this regard, as far as e-Governance Group under MeitY is concerned, the requisite information is enclosed as **Annexure-I**.

2. If you are not satisfied with the information, you can make an appeal to the following Appellate Authority against the information provided.

Shri Trilok Chandra, Appellate Authority/ Director (e-Gov)
Ministry of Electronics and Information Technology (MeitY)
Electronics Niketan, 6, CGO Complex, New Delhi- 110003

Yours faithfully,

Sagar

(D.K.Sagar)

CPIO/Deputy Director (e-Gov)
Tel: 24301234

Encl: As above.

Disposed off
25/9/17
R

3/12
13/11/17
26/09/17

Annexure - I

Answers to the question of Sh. Lawrence K R as RTI

Answer 1: The digitally signed Driving License and Vehicle Registration Certificate generated through DigiLocker is treated at par with original when used electronically.

Answer 2: The digitally signed Driving License and Vehicle Registration Certificate generated through DigiLocker is legally valid when used electronically.

Answer 3: As per the press notification by Ministry of road transport and highways the digital Driving License and Vehicle Registration Certificate generated through the DigiLocker in digitally signed format is a legally valid document when used electronically unless otherwise notified by Tamilnadu state authorities. (As transport is state subject)

Answer 4: A printed copy of digital Driving License and Vehicle Registration Certificate generated through DigiLocker is not legally valid.

Answer 5: An uploaded and eSigned document is not an original document and hence it's not legally valid document.

RTI

RTI Details

DigitLocker

RTI REQUEST DETAILS (आरटीआई अनुरोध विवरण)

Registration Number (पंजीकरण संख्या) : DITEC/R/2017/50703 Date of Receipt (प्राप्ति की तारीख) : 07/09/2017

Type of Receipt (रसीद का प्रकार) : Online Receipt Language of Request (अनुरोध की भाषा) : English

Name (नाम) : LAWRENCE K R Gender (लिंग) : Male

Address (पता) : CE 39, PALACE TOWERS, CHERRY ROAD, SALEM, Pin:636001

State (राज्य) : Tamilnadu Country (देश) : India

Phone Number (फोन नंबर) : Details not provided Mobile Number (मोबाईल नंबर) : +91-9443240343

Email-ID (ईमेल-आईडी) : lawrencekrf@gmail.com

Status (स्थिति)(Rural/Urban) : Urban Education Status : Graduate

Is Requester Below Poverty Line ? (क्या आवेदक गरीबी रेखा से नीचे का है?) : No Citizenship Status (नागरिकता) : Indian

Amount Paid (राशि का भुगतान) : 10 (original recipient) Mode of Payment (भुगतान का प्रकार) : Payment Gateway

Request Pertains to (अनुरोध निम्नलिखित संबंधित है) : DK Sagar (e-Gov)

Information Sought (जानकारी मांगी): DEAR PIO, I HAVE ATTACHED FILE ASKING FOR DETAILS. KINDLY PROVIDE ME SEPARATE REPLY FOR EACH QUESTION WITH QUESTION NUMBER BEFORE IT, SO THAT I CAN UNDERSTAND IT PROPERLY.

YOURS SINCERELY
K R LAWRENCE

Print Save Close

From
K R Lawrence
CE-39, Palace Towers
Cherry Road
Salem-636001.

Date:07.09.2017.

To
The Public Information Officer,
The MINISTRY of ELECTRONICS AND INFORMATION TECHNOLOGY,
Government of India,
New Delhi.

Dear Sir,

Sub: Details requested under RTI Act-Digilocker Document-Legally valid for State Police and State Transport Authority Verification.

It is said as follows in the information Technology Act 2000.

Admissibility of electronic records.

65B. (1) Notwithstanding anything contained in this Act, any information contained in an electronic record which is printed on a paper, stored, recorded or copied in optical or magnetic media produced by a computer (hereinafter referred to as the computer output) shall be deemed to be also a document, if the conditions mentioned in this section are satisfied in relation to the information and computer in question and shall be admissible in any proceedings, without further proof or production of the original, as evidence of any contents of the original or of any fact stated therein of which direct evidence would be admissible.

The digilocker created by the Indian Union Government under the Information Technology rules 2016 and displayed with FAQ section in their website says the Driving license and the Vehicle Registration Certificate generated through digilocker are legally valid document under the IT ACT 2000.

The above printed copy of the Driving License and Registration Certificate with the QR code is also explained as valid for Police and Transport authority verification.

The above details are also given as information to the public through the Press Information Bureau letter dated 07.09.2016

The following details are sought under the RTI Act 2005 in the above context:

Q No.1. Whether the Driving License and Vehicle Registration Certificate generated through the Digilocker app and Displayed in the mobile is a document treated at par with the original?

Q No.2. Whether digital Driving License and Vehicle Registration Certificate generated through the Digilocker App and displayed in the mobile is a legally valid document throughout India?

(The above two questions are explained in the Information Technology Act 2000, FAQ Section, Press Information Bureau letter dated 07.09.2016 as "Yes")

Q No.3. Whether the **Driving License** and **Vehicle Registration Certificate** generated through Digilocker and **displayed in the mobile app** is **legally valid** to present for **verification to the Police and Transport authorities in the state of Tamilnadu?** (Whether Information Technology act 2000, rule 2016 and Digilocker applicable to Tamilnadu or not)

Q No.4. Whether the **Driving License** and **Vehicle Registration Certificate** generated through Digilocker using computer with QR code and **printed in paper** is **legally valid** to present for **verification to the Police and Transport authorities in the state of Tamilnadu?** (Whether Information Technology act 2000, rule 2016 and Digilocker applicable to Tamilnadu or not)

Q No.5. Whether **uploaded and esigned Vehicle Insurance documents** displayed in the **mobile app** are **legally valid** documents to present for verification to the Police and Transport Authority?

Sir, kindly give reply to each of the five questions separately, so that I can understand it clearly.

K R Lawrence.