

Reserved on 15.05.2023

Delivered on 25.05.2023

Chief Justice's Court

Case :- PUBLIC INTEREST LITIGATION (PIL) No. - 741 of 2022

Petitioner :- Karmveer Azad

Respondent :- The Honble Minister (Independent Charge) Transport
Deptt U.P. Govt. Lko. And Others

Counsel for Petitioner :- In Person

Counsel for Respondent :- C.S.C.

Hon'ble Pritinker Diwaker, Chief Justice

Hon'ble Rajan Roy, J.

1. Heard Sri Karmveer Azad, the petitioner appearing in person and Sri Sanjay Sarin, learned Additional Chief Standing Counsel for the State.

2 This is a petition under Article 226 of Constitution of India challenging an order of Government of U.P. dated 05.01.2022 by which faceless R.T.O. services in Uttar Pradesh scheme has been implemented with effect from 06.01.2022.

3. The contention of the petitioner, who appeared and argued the matter in person was that this petition has been filed in public interest and that the faceless scheme is too complex for the common man.

4. On the other hand counsel for the State submitted that the scheme is a consequence of a notification by Ministry of Road Transport and Highways, Government of India dated 03.03.2021. The Government of India is not a party in this petition. Moreover, it is also the case of the opposite party / State that the scheme impugned herein is more convenient and transparent than earlier scheme as in this

process there is a provision for filling online application form for learning license, deposition of fees, thereafter, time slot for test on fixed date and time is provided online and under this provision applicants apply online for driving license, deposit fee, upload requisite documents and book the time slot for driving test and, on date fixed, undergo test for issuance of learning driving license. On being successful in learning driving license test, the concerned officer provides printout of the learning driver license to the concerned candidate. This scheme has been put into effect in pursuance to the aforesaid government notification of the Ministry of Road Transport and Highways, Government of India so as to provide convenient and hassle free services to the citizens.

5. We confronted the petitioner, who appears in person and claims to be a member of a trust known as Indian Social Justice Mission, as to whether he himself has a driving license, whereupon, he fairly submitted that he has a license. However, his concern was with regard to other citizens who are finding it difficult to apply for such learning license, online. On further being asked as to where are the averments in the writ petition which may show that any or several persons have approached him raising a grievance in this regard and may have also asked him to file this writ petition on their behalf, the petitioner could not show any pleading in this writ petition nor satisfy us, on this account.

6. Having considered the matter, we are of the opinion that the impugned scheme has been put in place in pursuance to the notification of Ministry of Road Transport and Highways, Government of India dated 03.03.2021 which is not under challenge nor the Government of India is a party herein. These are policy matters and the Government and its experts are best suited to frame

such policies. If the petitioner has material with him to establish that the online software is in any manner complicated and difficult to handle by ordinary citizens, then, he can give suggestions to the Ministry of Road Transport and Highways, Government of India as also to the Transport Department of the Government of Uttar Pradesh, which can be looked into as per law, but, beyond this, we see no reason to grant the reliefs prayed for in this writ petition at the behest of the petitioner.

7. With this observation the petition is **disposed of**.

Order Date :- 25.05.2023

Saurabh

(Rajan Roy,J.) (Pritinker Diwaker,C.J.)