



RIGHT TO INFORMATION ACT-2005

TAMILNADU INFORMATION COMMISSION

No.2, Thiyagaraya Road, Teynampet,
Chennai 600 018. Tel: 24357580

Date of Enquiry : 04.11.2020

PRESENT:

**Thiru S.T.TAMILKUMAR, B.A.,B.L.,
STATE INFORMATION COMMISSIONER.**

Case No. SA7307/F/2019

Thiru L. Muruganantham

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PETITIONER

/Vs/

..

PUBLIC AUTHORITY

The Public Information Officer
Under Secretary to Government,
Transport Department,
Secretariat, Fort St.George,
Chennai- 600 009.

ORDER

Due to Covid-19 lockdown imposed by the Government of Tamil Nadu this Commission due to the constraint of conducting the enquiry in person, conducts the enquiry through telephone and online. Hence this case was taken in to enquiry on 04.11.2020 through telephone. During the enquiry the petitioner Thiru.L.Muruganantham, Dharapuram and the Public Information Officer, Under Secretary to Government, Transport Department, Secretariat, Fort St.George, Chennai – 600 009 was present for the telephone enquiry.

2. A perusal of the petition dated 05.03.2019 filed under section 6(1) of the R.T.I. Act, 2005 reveals that the petitioner has sought the following informations:

- The number of Government owned public transport buses in State of Tamilnadu which are as per as per Harmonized Guidelines and Space Standards for Barrier-Free Built Environment for persons with Disability and Elderly persons.
- The number of Government buses in State of Tamil Nadu which are accessible as per the direction of Hon'ble Supreme Court of India on 15th December, 2017 in its Judgement in Writ Petition (Civil) No.243 of 2005 with Writ Petition (Civil) No.228 of 2006.

- Whether Government owned public transport carriers in State of Tamilnadu which are accessible as per the direction of Hon'ble Supreme Court of India on 15th December, 2017 in its Judgement in Writ Petition (Civil) No.243 of 2005 with Writ Petition (Civil) No.228 of 2006.
- To provide the Compliance report submitted by State of Tamilnadu in the case of Writ Petition (Civil) No.243 of 2005 / Writ Petition (Civil) No.228 of 2006 that 10% of government owned public transport carriers are to be made fully accessible by March, 2018.
- Whether trainings on disability rights, training to promote values of inclusion, tolerance, empathy and respect for diversity of all persons with disability is provided in all courses for the training of Conductors and drivers of bus and Staffs of Transport Department, in State of Tamilnadu. If training has been provided, the petitioner seeks the name of materials used for providing such trainings with its name of publishers, name of authors.

3. The Public Information Officer has transferred the petition under section 6(3) of the RTI Act, 2005 vide letter dated 15.03.2019 to the Public Information Officers, Metropolitan Transport Corporation (Chennai) Limited, Chennai-2, State Express Transport Corporation (Tamil Nadu) Limited, Chennai-2, Tamil Nadu State Transport Corporation (Villupuram/ Coimbatore/ Salem / Tirunelveli / Madurai / Kumbakonam) Limited. As the petitioner was not satisfied with the information, the petitioner has preferred a First Appeal dated 08.04.2019 under section 19(1) of the RTI Act, 2005. The Appellate Authority has informed vide letter 26.04.2019 that the information requested by the petitioner will be available only at the Corporation level and hence the same was forwarded to all Corporations for providing information. As the petitioner was not satisfied with the information he has preferred a Second Appeal under section 19(3) of the RTI Act, 2005 before this Commission on 20.07.2019 and the said appeal has been taken up for today's (04.11.2020) enquiry.

4. During the enquiry, the petitioner informed the Commission that all the informations sought in the petition are related to persons with disability and Rights of Persons with Disabilities Act, 2016 with respect to Transport department to State Government of Tamilnadu. He also stated that he is suffering from a disability of muscular dystrophy and hence could not travel long distance, and requests to provide the video conference enquiry to provide the information without any omission from the Transport Department, Government of Tamilnadu.

5. During the enquiry, the Public Information assured to provide the complete information to the Petitioner at the earliest.

6. In the facts and circumstances of this case, this Commission finds that information sought by the petitioner was not provided to the petitioner. Hence, the Public Information Officer is hereby ordered:

- The Public Information Officer/ Under Secretary to Government, Transport Department, Secretariat, Chennai is hereby ordered to provide the complete information relating to the 6(1) petition dated 05.03.2019 to the petitioner by RPAD within 15 days under Section 7(6) of Right to Information Act from the date of receipt of this order and report compliance to this Commission.
- The Commission further orders that if the Public Information Officer fails to provide requisite information during the said period of 15 days action will be initiated under section 20(1) of the Right to Information Act.
- As the petitioner is suffering from a disability and could not travel long distance and requests to provide the video conference enquiry, this Commission orders that **video conference enquiry** will be conducted at a future date. During the re-enquiry, both the petitioner and the Public Information Officer is hereby ordered to attend the enquiry without fail. **The date of re-enquiry will be intimated in a future date.**

Sd/- (S.T.TamilKumar)
State Information Commissioner

/By order of the Commission/

Assistant Registrar.

Case No. SA7307/F/2019

To

PUBLIC AUTHORITY:

The Public Information Officer
Under Secretary to Government,
Transport Department,
Secretariat,
Fort St.George,
Chennai- 600 009.

PETITIONER:

Thiru L. Muruganantham,
1/16, Muthu Nagar,
Kotapulipalayam Road,
Dharapuram,
Tiruppur District – 638 657.