

# ***Guide for Vehicle Registration and Licensing for Divyangjan***



## दिव्यांगजनों का सरकारके प्रति आभार

स्वतंत्रताकी जिद थी हमारी,  
आपने कर दी मदद हमारी ।

हम सब काम खुद कर पाएंगे,  
नए कानूनसे खुशियोंमें पंख लग जाएंगे ।

नही रहेगी मोबिलिटीकी गरज हमारी,  
स्वयं ही तय कर पाएंगे सफर हमारी ।

खुदका स्वावलंबन रोजगार बढ़ाएंगे,  
देशकी उन्नति में कंधा मिलाएंगे ।

हमारी दिक्कतों को मिटाने का आपने दिखाया है  
दम,  
उसे आपके विश्वासमें सार्थक करेंगे हम ।

अमित खत्री  
रोड सेफ्टी कंसल्टेंट  
मो. 9723814844

This e-book is dedicated  
to  
**All Divyangjan**



*This is my noble attempt to bring together the benefits and legal provisions in the motor vehicle department for obtaining Driving License and vehicle registration / alteration for Divyangjan (persons with disabilities). I hope that this attempt will be useful to make Divyangjan friendly decisions and policies.*

- J. V. Shah

## **Disclaimer**

This is my noble attempt to compile e-book for Divyangjan with motor vehicle legislation, government notifications, and advisory and benefits for obtaining driving license and vehicle registration/alteration this is only a guideline for references

I hope, this attempt shall be very much helpful to them to learn about the rules which actually help them and support in becoming independent.

The aim of compiling this e-book is to make aware concerned people and as a ready reference for the officers of Motor Vehicle Department about recent Rules, Regulations, Advisories and Notifications issued by government

All are requested to refer the corrections in the above content time to time.

The compiler shall not be held responsible for any direct or indirect consequences arising out of this content.

This e-book is free of cost for all and is freely available to be used by all..

# Preface

Having Worked as a Motor Vehicle Inspector in Gujarat Motor Vehicle Department for over 30 years, I have observed that Divyangjan (people with disabilities) face difficulties due to lack of proper information. Even the officers of the Motor Vehicle Department lack in-depth information, there is a lack of information regarding the rules, regulations and advisory for obtaining a driving license for the Divyangjan and also for the procedure to register a newly/altereD or modified vehicle for the Divyangjan. Often, it was noticed that despite wanting to help a Divyangjan, officers have insufficient updated information, rules, regulations and notifications.

Due to this lack of knowledge, Divyangjan tend to modify their vehicles based on their own discretion, disregarding the laws resulting in vehicles with improper modifications. Vehicles with such improper modifications are often not registered by the RTO and hence, are also not recorded or taken into consideration by the insurance policies. Such uninsured vehicles did not only result in unlawful practices and penalties but also resulted in zero returns, gains or benefits from the insurance companies after an accident. Moreover, Divyangjan did not attain a license for the improper modified vehicle, which again resulted in unlawful practices, penalties and zero compensation from the insurance companies in the event of an accident.

As part of a moral duty, during my professional career and recent years of my retirement, I have participated in numerous programs related to Divyangjan and conducted workshops to raise awareness about updated and newly introduced rules and regulations for obtaining driving license, registering a modified vehicle and imparting information related to Governmental benefits for Divyangjan. Additionally, I have also contributed to spreading awareness on these topics among the newly appointed officers of the Motor Vehicle Department. Whenever possible, I have spoken about these issues by attending and participating in workshops and seminars for Motor Vehicle officers organized in different states across the country, resulting in a widespread awareness about difficulties faced by Divyangjan within the government body. As a result of this increased awareness, both The Central and various State Governments has enacted various changes in the laws and simplified process for Divyangjan. The changes include following:

1. Advisory for issuance of Driving licence (a) Leprosy affected person (b) Hearing impaired person (c) Having monocular vision
2. Facilitation for vehicle with automatic transmission have been considered suitable for driving by some Divyangjan without altering the vehicle
3. Issuance of Driving licence to Divyangjan for e-rickshaw/e-cart
4. Resolution on 2-Wheeler Retro-fitment kit  
(Most adapted vehicle in India is in 2-Wheeler category i.e. 87,509 as on 18-5-2023)
5. Procedure for alteration in motor vehicles including cars to facilitate the mobility of physically challenged persons.
6. Recording of Ownership Type in Registration Certificate w.r.t. Divyangjan for both new and in use vehicles extending benefits which were available for the Divyangjan)
7. GST Concession for Vehicles owned by Divyangjan having orthopedic disabilities
8. NHAI - Toll tax Exemption for adapted vehicle and vehicle owned by Divyangjan
9. 50% Discount in vehicle insurance Premium

10. The Central Government has created the Automotive Industry Standard (AIS) provide accessible, safe and easy mobility to the disabled and the elderly person.

A. **AIS – 169** [Code not yet notified by MORTH] for provision for adapted vehicle category (M1, N1 and M2 Not exceeding than 3.5 ton GVW) The important points of which are as follows.-

- Comfortable and safe mobility for Divyangjan and elderly people (senior citizens) by own adapted vehicles or adapted taxi with wheelchair as a driver or passenger by kneeling, lifting swivel seat or use of ramp with wheelchair.
- N1 Adapted vehicles for Divyangjan lively hood (self-reliance) (example: mobile food court / vegetable mobile van).
- More than 25% of disability will be considered for Adapted Driving License.
- M1 and M2 Not exceeding than 3.5 ton GVW may use as a taxi for Divyangjan
- Person with short stature (As per PWD Act-2016) may can drive adapted vehicles of category M1 and N1

B. **Draft AIS-178** [Code under draft in MORTH] provision for adapted vehicle category (L1, L2, L5M and Tricycle) When vehicles adaptations are taken up for hire and reward purpose (e.g. passenger wheelchair taxi service, mobile shops are fabricated for self-reliance) and also necessitating allowable structural changes or allowable major modifications, vehicles up to 5 (five) years age (from its date of registration) and having valid registration can be considered for adaptation.

- Fitting of side car on left side.
- Fitting two wheels on rear axle for balancing / supporting.
- Fitted two wheels on front – twinned wheel vehicles.
- L2 adapted vehicles may be converted in transport category, maximum 50kg. Goods can be transferred.
- L5M – three wheeler with self wheelchair can be possible
- Hill hold device necessary for all type vehicles mentioned above
- Use of side cars for good carriage, etc
- Purpose of the standard was to provide safe mobility to a rider or driver having lower / upper limb disability and spine disability and to prepare provisions for wheel chair accessibility in three wheelers Divyangjan driver / passengers / elderly people.
- Battery operated tricycle for person having disability of lower extremities (maximum speed 25km/h)
- Detachable type of Tricycle is defined as a tricycle which can split into two halves when "desired by and acted upon" by the user. Wheelchair may constitute the rear part of it. And requirement special standard for joining and separation arrangement
- When vehicle adaptation is taken up for hire and reward purpose (e.g. wheelchair user passenger transport service, mobile shops are fabricated for self-reliance) and also necessitating allowable Structural changes, vehicle up to 5 (five) years age (from its date of registration) and having valid registration can be considered for adaptation

11. Statistics of Divyangjan population and vehicle Registration Data

- As per Divyangjan population data (census 2011 report) Numbers of Divyangjan is 2.68 crore which is 2.21 % of total population of India. There may be a big addition in population as of today. Total numbers of adapted vehicle registered in India as on 18-5-2023 is 1,03,233 (numbers of 2-Wheeler is 87,509 and numbers of 4-Wheeler is 15,724) as per Vahan 4.0 dashboard
  - Maximum Divyangjan population is in Uttar Pradesh State 41.57 lack Divyangjan, while registered adapted vehicles are 2,834.
  - 4-Wheeler highest adapted vehicle registration in Gujarat: 6,192, Maharashtra: 2,489, Tamil-nadu: 1,438, Kerala: 1,269, Karnataka: 1,208, and total in India: 15,724 (As on 18/05/2023)
  - 2-Wheeler highest adapted vehicle registration in Tamil-nadu: 22,678, Karnataka: 21,089, Kerala: 11,180 Gujarat 8,984, Maharashtra: 6,409 (As on 18/05/2023)
12. Additional Benefits for Divyangjan in Gujarat State
- Motor Vehicle tax Exemption(First owned vehicle & All vehicles having UW below 250 kg)
  - Municipal Road tax Exemption
  - Simplification of process for issuance of Driving licence and registration
  - Formation of committee to resolve issue regarding Divyangjan
  - Issuance of International Driving Permit (IDP) to Divyangjan
13. We have compiled best practices in Kerala Motor Vehicle Department regarding alteration of Vehicle
14. Advisory for Accessibility (India campaign) To Divyangjan in public Transport Vehicle
- 25% of Govt. owned public transport vehicles should be made fully accessible.
  - All bus stops / terminals/ports should be made Accessible.
  - E- rickshaw/E-cart for replacing manual labored rickshaw.
15. Guidelines for parking facilities design for Divyangjan (IRC:SP:12:2015)

A Divyangjan needs physical as well as emotional care in terms of facilities and motivation from themselves, their family members and society at large, The most importantly from the government. This e-book is a humble attempt to motivate and help Divyangjan attain their own driving license and register their modified vehicles legally for easy accessibility and transportation. It will help Divyangjan no longer be dependent on others for their daily mobility. This e-book is a compilation of all the rules, regulations, notification, recent developments and benefits for the Divyangjan from the Governments.

Thank you  
**J. V. Shah**

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I would like to express my deep gratitude to all those individuals, organizations and agencies Whose support, guidance and motivation have made this e-book possible? I sincerely thank each and every one of them.

First off all, I thank God for enabling me to work for such an incredible and noble cause. The Almighty not only inspires me but also energizes me to strive tirelessly in the pursuit of bettering someone's daily life.

I would like to extend my heartfelt thanks to Mr. Sanjay Pandya, Motor Vehicle Prosecutor at the COT Office Gujarat, who has been the primary supporter and backbone of this e-book. His invaluable guidance and expertise regarding various rules and regulation for Divyangjan have been instrumental in its creation. I would also like to thank Mr. Ketan M. Khaped I/C RTO, Mr. D. M. Patel IMV, Mr. V. R. Chaudhary AIMV, Mr. Ashfaq Ahamed President All India Federation (Ret. RTO Karnataka), Mr. Maharaj Singh Ret. MLO Delhi and many others for their unwavering support and guidance.

This is also the right time and place to thank and recognize the efforts of all those people who are instrumental forces working day and night for the welfare of the Divyangjan. To name a few, Samir Kakkad – Ahmedabad and Amit Khatri - Ahmedabad

I would like to thank my family, who have always stood by me through thick and thin and who has cared for me, which in turn has enabled me to work for such noble causes.

Last but not the least, I would also like to extend my sincere gratitude to the State and Central government for their empathetic, caring and supportive approach towards Divyangjan,

Once again, I wholeheartedly thank all of you.

J V Shah



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# Chapter: 1

## Introduction

### Who is Divyang?

- As per Section 2(s) of The Rights of Persons with Disabilities Act – 2016 which came into effect on 27/12/2016 defines “person with disability” as follows.

“**Person with disability**” means a person with long term physical, mental, intellectual or sensory impairment which, in interaction with barriers, hinders his full and effective participation in society equally with others;

- To determine whether a person is Divyang, the person needs to have a disability certificate. The Ministry of social justice and empowerment has published rules namely “The Rights of Persons with Disabilities Rules, 2017” which has been effective since 15th June 2017 for issuing Disability certificate.



## Chapter: 2

### Driving License for Divyangjan

#### 2.1 Provision in Motor Vehicle Legislation

ACT/Rule	Description
<p><b>MV Act</b>  <b>Section 10(2)(c)</b>  <b>Adapted vehicles</b>  <b>&amp; Section 2(1) of</b>  <b>MV Act</b></p>	<p>Class of vehicles in Driving License : Adapted vehicles (ADP vehicle)  <u>Definition of Adapted vehicles (Section 2(1) of MV Act)</u>            "Adapted vehicles " means a motor vehicles either specially designed and constructed or to which alterations have been made under sub section (2) of section 52, for the use of a person suffering from any physical defect or disability, and used solely by or for such person</p>
<p><b>MV Act</b>  <b>Section 8(4)</b>  <b>Issuance of</b>  <b>Learner Licence</b></p>	<p>If, from the application or from the medical certificate referred to in subsection (3), it appears that the applicant is suffering from any disease or disability which is likely to cause the driving by him of a motor vehicles of the class which he would be authorised by the learner's licence applied for to drive to be a source of danger to the public or to the passengers, the licensing authority shall refuse to issue the learner's licence:            Provided that a learner's licence limited to driving an adapted vehicles may be issued to the applicant, if the licensing authority is satisfied that he is fit to drive such a carriage.</p>
<p><b>CMVR</b>  <b>Rule 10(h)</b>  <b>Documents for</b>  <b>LL</b></p>	<p>In case of an application for a learner license to drive an adapted vehicleicles, a medical certificate in Form 1A (issued by Registered Medical Practitioner) along with a certificate of disability, if any</p>
<p><b>CMVR</b>  <b>Rule 15(1A)</b>  <b>Driving Test</b></p>	<p>No person shall appear for test of competence to drive adapted vehicles unless he brings a duly registered adapted vehicle (as per his disability) for the driving test.</p>
<p><b>MV Act</b>  <b>Section 9(3)</b>  <b>Issuance of</b>  <b>Driving Licence</b></p>	<p>Provided further that a driving licence for driving an adapted vehicle may be issued to the applicant, if the licensing authority is satisfied that he is fit to drive such motor vehicles.</p>

## 2.2 MORTH Advisory on issuance of driving license to Leprosy affected Person

**Government of India**  
**Ministry of Transport & Highways**

1, Parliament Street, Transport Bawana,  
New Delhi — 110 001

No RT-19021/12/2008-T

Dated: 22<sup>nd</sup> January, 2010.

To

The Principal Secretary (Transport)/ The Secretary (Transport)/ The Commissioner (Transport)/Additional Chief Secretary (Transport) of all States/ UTs.

**Subject: Grant of Driving License to Leprosy Affected Persons**

Sir,

The Committee on Petitions has recently presented its 131<sup>st</sup> Report on Petition praying for integration and empowerment of leprosy affected persons. This petition was jointly signed by Shri Ram Naik, former Union Minister of Petroleum and Natural Gas and five others, all of them working for leprosy affected person for many years. The Petition lays stress on the need for making concrete efforts to remove the social stigma attached to the LAPs and to bring them back to the mainstream of the society. It needs to be clarified that leprosy is infectious and not contagious. Leprosy is completely curable with Multi Drug Therapy (MDT) and even the first dose of MDT drugs kills 99.9 per cent of leprosy bacteria. The petitioners have, in particular requested to see the discriminatory provisions in certain Acts, which stand as barrier to their empowerment. Denial of driving licence to LAP's is one such issue which needs to be addressed properly and effectively.

2. As far as Motor Vehicles Act, 1988 is concerned, it does not specifically mention that LAPs are not eligible to get learner's licence/driving, hence However, Section 8 (4) of the Motor Vehicles Act, 1988 states that if the applicant suffering from any disease or disability which is likely to cause the driving by him of a motor vehicle of the class which he would be authorized by the learner's licence applied for to drive, to be a source of danger to the public or to the passengers, the licensing authority shall refuse to issue the learner's licence. It is apparent that under such a provision, LAP's are not being granted learner's licence by the concerned authorities in the State

3. The matter has been considered in this Ministry in the light of the request made by the Petitioners and the recommendations made by the Committee. It may be noted that a person who is/was suffering from leprosy but is not in the infectious stage, should not be considered as a source of danger to the public or disabled to drive motor vehicle only on the ground of his past or present affliction of the leprosy. Learner's licence/driving licence to such persons should not be denied if are otherwise eligible to get the licence and unless the degree/nature of disability make them incapable to drive a motor vehicle.

4. In the light of the principles enumerated in Para 3 above, you are requested to issue necessary instruction to all the licensing authorities in your States/UTS, to follow the same while considering grant of learner's licence to LAI'S A copy of the instructions issued in this regard may also be endorsed to This Ministry, at the earliest.

Yours faithfully,

(Saroj Kumar Dash)

Joint Secretary to the Government of India

Tel: 23717294

## 2.3 MORTH Advisory for procedural guideline to issuance driving licence and Registration

**Government of India  
Ministry of Transport & Highways**

1, Parliament Street, Transport Bawana,  
New Delhi — 110 001  
Dated: 14<sup>th</sup> June, 2016.

No. RT-11021/40/2014-MVL

To

The Principal Secretary (Transport)/ The Secretary (Transport)/ The Commissioner (Transport)/Additional Chief Secretary (Transport) of all States/ UTs.

**Subject: Procedure for guidelines for grant of driving licenses and registration certificates to differently able persons.**

Madam/Sir

This Ministry refers to erstwhile Ministry of Shipping, Road Transport & Highways resolution no. RT-11012/12/2001-MVL dated 23<sup>rd</sup> July, 2008 and Ministry of Road Transport & Highways letter number RT-11017/07/2011-MVL dated 5<sup>th</sup> May, 2011 regarding procedure of alteration in motor vehicles to facilitate the mobility of physically challenged person by the State Governments. (Copies enclosed)

2. Ministry has been receiving a number of representations from differently able persons, including hearing impaired citizens, highlighting the problems being faced by them due to non-availability of invalid carriages in the market as well as restrictions imposed in alteration in motor vehicles under Section 52 of the Motor Vehicles Act, 1988. Keeping in mind the above mentioned resolution and circular, and in- order to ensure the mobility of differently able persons, all State Governments/UTs are requested to consider the following guidelines for issue of driving licenses/registration certificates:-

- i) Driving licenses may be issued to the differently able citizens, so long as the altered vehicles are safe and are at no threat to the vehicle occupant and public at large. Further, the registering authority in the States may inspect the vehicle and may register the vehicle altered according to the need of the differently able person. They are fully empowered to deal with alterations .of vehicles for differently able person as this would avoid harassment and facilitate the mobility of differently able persons.
- ii) With regard to issue of driving licence as per the Honorable Delhi High Court's Order dated 14th February, 2011, in W.P (C) 10849/2009, the National Association of the Deaf Vs UoI, it is clarified that an applicant, is to be called for the test f he applies for a learner's licence without the medical certificate and if he passes the test as required under Rule 11, he shall be granted the learner's licence as that is the

statutory requirement. Similarly, If a person belonging to the said category satisfies the necessary criteria, he shall be allowed to obtain the licence. Such test would be conducted on the altered vehicle approved in accordance with Para (1) if required.

- iii) In Para 4 of this Ministry's letter of even number RT-11013/03/2011-MVL dated 5th May, 2011 as mentioned in Para 1 of this letter for "whereby a driver does not need to use his clutch (in the case of AUTOCLUTCH Kit) or uses his hands. To operate the break or accelerator" the following is substituted "whereby a driver does not need to use his clutch (in the case of AUTOCLUTCH Kit) or uses his hands or legs, or combination of his limbs to operate the brake or accelerator".
  - iv) A differently able person with a licence to drive an altered vehicle shall be allowed to drive an altered vehicle of the same type anywhere in the country.
3. In view of above and for hassle free process, State Governments/Users may authorize the respective RTOs for issue of such driving licenses or registration certificates. However, in case of difficulties, the case may be referred to- the—State-Authority or the Ministry.

**Yours faithfully,**

**(Priyank Bharti)**  
**Director (MVL)**

**Ph. 011-23314316**

**Email: [dirmvl-morth.gov.in](mailto:dirmvl-morth.gov.in)**

## 2.4 MORTH Advisory on issuance of driving license to hearing impaired persons

**Government of India  
Ministry of Transport & Highways**

1, Parliament Street, Transport Bhawan,  
New Delhi — 110 001  
Dated: 28<sup>th</sup> October, 2016.

To

- 1) The Principal Secretaries (Transport) the Secretaries (Transport)/The Transport Commissioners of all the States/UT Administrations except Govt. of Tamil Nadu and Gujarat.
- 2) The Secretary (Home/Transport), Government of Tamil Nadu and Gujarat.

**Sub: Driving licence for hearing impaired persons — reg.**

Sir/Madam.

In view of the PIL191 of 2013 in the High Court of Judicature of Bombay filed by Amit Ashok Tribhuvan vs. Regional Transport Officer and Ors, a meeting under the Chairmanship of Joint Secretary (Transport) was held on 6<sup>th</sup> May, 2016 to discuss the issue of grant of driving licenses for hearing impaired. It was decided to seek the views of All India Institute of Medical Sciences (AIIMS), New Delhi on the subject. The views of AIIMS were received on 3<sup>rd</sup> June, 2016 which was circulated to all the State Government vide letter of even number dated 23<sup>rd</sup> June, 2016 for comments. The same are reproduced hereunder:-

2. Driving is primarily a visual function with little inputs from hearing. Many developed countries give hearing impaired people the privilege of being able to drive. If a person is rehabilitated with hearing amplification (hearing aid or cochlear implant) and can hear reasonably with the same then there seems little reason to deprive him or her of a driving license. For patients not fully rehabilitated some countries do grant the privilege to drive. This is important with regard to opportunities we wish to grant to the disabled. It is well recognized that the loss of hearing does not pre-se impact the ability to drive. As an added precaution, should be asked to display on the car a sign indicating the driver is hearing impaired. All such applicants should take a stringent driving test under the actual road condition circumstances as is the case for normal individuals."

3. It is requested that the application for driving licenses to the hearing impaired applicants may be considered as per Para-2 above while deciding the issue of any hearing impaired applicant under section 8(4) of the Motor Vehicles Act, 1988.

**Yours faithfully,  
(Priyank Bharti)  
Director (MVL)  
Ph. 011-23314316**



## 2.5 MORTH Advisory on issuance of driving license to persons having monocular vision

ABHAY DAMLE, I.R.S Joint Secretary Phone : 011-23719209 Telifax : 011-23359477 E-Mail : abhay.damle@gov.in		Government of India Ministry of road transport & highways Parivahan Bhawan 1, parliament street, new delhi-110001
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**No. RT-11016/03/2017-MVL**

**Dated 21<sup>st</sup> November, 2017.**

To

The Principal Secretaries (Transport)/The Secretaries (Transport)/The Transport Commissioners of all the States/UT Administrations.

**Sub: Driving licence for persons having monocular vision — reg.**

Ref: This Ministry's communication No.RT-11021/40/2014-MVL dated 14th June, 2016.

Sir/Madam,

This Ministry is in receipt of several grievances in regard to problems being faced for obtaining driving licenses by persons having monocular vision. The matter has been examined in the Ministry and opinion/comments from the Department of Ophthalmology, AIIMS, and New Delhi has been obtained.

2. Department of Ophthalmic Science, All India Institute of Medical Sciences, New Delhi has furnished a report and opined that monocular impaired persons may be considered for grant of driving licence for non commercial cars and motor cycles, provided :

- (A) Visual acuity in the remaining or the better eye is 6/12 or better.
- (B) Horizontal visual field is 120 degrees or more on Goldman perimeter/Confrontation test.
- (C) Sufficient time (6 months) has been allowed after the loss of eye/vision in other eye for the person to adapt to loss of same.

3. It is advised that the application for the grant of driving licence to the applicant having monocular vision may be considered as per Para 2 above, while deciding the issue of any one eyed person under section 8(4) of the Motor Vehicles Act, 1988.

**Yours faithfully,**



**(Abhay Damle)**

Joint Secretary to the  
Govt. of India

## VISION CERTIFICATE

I certify that:

1. I have personally examined Shri/Smt/Kum .....
2. That while remaining the applicant, she/he has undergone the prescribed test as mentioned in the letter No RT — 11016/03/2017 — MVL dated 21-November, 2017

**Sub :- Driving License for person having monocular vision reg as follow**

A	Visual acuity in the remaining or the better eye is 6/12 or better Vision in better eye is .....	YES/NO
B	Hon" vision 120 degree or more on Goldman primary/Confrontabon test Vision test reason .....	YES/NO
C	Sufficient time (6 month) has been allowed after the loss of eye/vision in other Eye for the person to adopt	YES/NO

The clear opinion is given to base on above test results that applicant Shri/Smt/Ku.....  
Can/cannot drive the..... (Non-Transport)

**Date :-**

**Signature.....**  
**Seal.....**

**The applicant is medically fit to hold a driving license,**

Applicant  
photo with  
Seal (Medical  
Officer)

Signature  
1. Name & Designation of medical officer/Practitioner  
2. Registration Number of Medical Officer  
Signature of Thumb impression of the applicant

## 2.6 MORTH Advisory on Facilitation for the vehicles owned by Divyangjan

**Government of India  
Ministry of Transport & Highways**

1, Parliament Street, Transport Bhawan,  
New Delhi — 110 001

Dated: 13<sup>th</sup> November, 2020.

To

- 1) The Principal Secretaries/the Secretaries, Department of Transport
- 2) The Transport Commissioners of all the States/ UT Administrations

**Subject: Facilitation for the vehicles, whose ownership type is Divyangjan,**

Sir/Madam,

Kindly find attached notification G.S.R. 661(E) dated 22.10.2020 which contains amendment in Form 20 of the Central Motor Vehicles Rules (CMVR), 1989. With this notification Divyangjan have been categorized as ownership type. Form 20 of the CMVR 1989 provides for application for registration of a motor vehicle with the ownership of a vehicle in the name of the categories as mentioned at Sr. No. 4A of the form.

2. The attention is also invited to the advisory issued by the Ministry No. RT-1021140/2014-MA. Dated 14<sup>th</sup> June 2016 regarding Procedure for guidelines for grant of driving licenses and registration certificates to differently abled persons. The vehicles with Automatic gear have been considered suitable for driving by some of the Divyangjan without altering the vehicle.

3. In order to facilitate Divyangjan, the various exemptions / facilitation / relief provided by the State Governments in respect of Invalid Carriage vehicles may also be extended for these vehicles owned by Divyangjan.

4. This issues with the approval of the Competent Authority.

You faithfully,  
(Dr. Piyush Jain)  
Director (MVL)  
Tel- 23357125

E-mail: director-morth@gov.in

Copy to: -

1. Secretary, Ministry of Heavy Industries and Public Enterprises, Udyog Bhawan, New Delhi- 110001.
2. Secretary, Ministry of Social Justice and Empowerment, Shashtri Bhawan, New Delhi-110001

## 2.7 MORTH Advisory on issuance of driving license to Divyangjan for e-rickshaw/e-cart

No. RT-11036/57/2020-MVL  
Government of India Ministry of Road Transport & Highways  
(MVL Section)  
Transport Bhawan, 1, Parliament Street, New Delhi-110001

Dated the 02<sup>nd</sup> May, 2023

To,

1. Principal Secretaries/ Secretaries (Transport) of all States/ UTs;
2. Transport Commissioners of all States/ UTS.

**Subject: Issue of driving license to Divyangjan for e-rickshaws/e-carts.**

Madam/Sir.

The Accessible India Campaign by Government of India is aimed at promoting universal accessibility to Divyangjan, by providing them with a barrier-free environment and facilitating their equal participation in all spheres of life, including socio-cultural and economic activities.

2. The Ministry of Road Transport & Highways (MORTH) has taken several policy measures enabling greater accessibility and inclusivity to Divyangjan. Rules have been notified and several advisories have been issued to provide speedy licensing and registration facilities to Divyangjan.

3. E-rickshaws / e-carts are an important mode of transport in many cities, providing seamless and clean mobility, along with a means of employment and livelihood.

4. As per Central Motor Vehicles Rules (CMVR), 1989, e-rickshaws/e-carts have the following characteristics:

- i) They are a special purpose battery operated vehicle having 3 wheels.
- ii) They are intended to provide last mile connectivity for transport of passengers/goods for hire or reward.
- iii) They are meant to carry not more than 4 passengers and luggage of 40 kg, excluding the driver in case of e-rickshaws or goods up to maximum 310 kg in addition to driver in case of e-carts, with limited power and speed,

5. Such vehicles are compact in design and can be customized to be driven by upper limbs only, with no operational control provided at lower limbs.

6. Further, such vehicles are type approved as per rule 126 of CMVR, 1989. Alterations to such vehicles as per the specific needs of an individual can be made as per rule 112 and 112A of MV Act, 1988.

7. Section 7, sub-section (1) of Motor Vehicles (MV) Act, 1988, as amended vide Motor Vehicles (Amendment) Act, 2019, restricts the grant of learner's license to drive a transport vehicle unless the applicant has held a driving licence to drive a light motor vehicle for at least one year. However, the subsequent proviso exempts e-rickshaws from this condition.

8. Further, in line with section 9, sub-section (10) of MV Act, 1988, it has been mandated under rule 8A of CMVR, 1989 that every applicant for obtaining a license to drive e-rickshaw or e-cart shall undergo training for a period of at least 10 days.

9. It is inferred from paras 7 and 8 that the extant statutory provisions provide considerable relaxations in case of e-rickshaws / e-carts vis-à-vis other motor vehicles, mainly due to lower likelihood of such vehicles causing serious road accidents or causing grievous injury, in view of the restrictions on number of passengers, luggage and speed highlighted at Para 4.

10. Certain disabilities can cause difficulties or altogether restrict the driving of motor Vehicles; there may also be cases where the disabilities are not an impediment in driving certain types of motor vehicles.

11. Since e-rickshaws / e-carts can be driven by upper limbs/ any two limbs where one limb is upper limb with suitable adaptation of vehicle, States/UTs are advised to take a lenient view while granting of driving license to Divyangjan for e-rickshaw/e-cart on a case-to-case. The following considerations may be factored in:

Sr. No.	Type of disability	Consideration
1	Left leg (partial or full)	May be considered
2	Right leg (partial or full)	May be considered
3	Both leg (partial or full)	May be considered
4	Left/right (partial or full)	May be considered
5	Both hands (partial or full)	Not recommended under normal situations. May be considered under special circumstances
6	Combination of one lower limb and upper limb	May be considered under special circumstances
7	Person with short stature	May be considered
8	Person with spine disability	May be considered

12. Further, the following aspects may be considered for certifying the person with physical disability for his/her ability to drive the e-rickshaw/e-cart:

- i) Vision
- ii) Muscle strength, flexibility and range of motion
- iii) Coordination and reaction time
- iv) Judgment and decision making abilities
- v) Ability to drive with adaptive equipment as specified above

13. In case of denial of driving license to a Divyangjan for e-rickshaw/e-cart by the licensing authority, intimation may be sent to the respective Transport Commissioner for remedial action, if any.

14. It is again emphasized that greater accessibility and inclusivity is to be provided to Divyangjan. Hence, States/UTs are advised to consider the aforementioned relaxations on humanitarian grounds as a measure to further the participation of Divyangjan in socio-cultural and economic activities.

These issues with the approval of the Competent Authority.

Yours faithfully,  
(Piyush Jain)  
Director (MVL&T)  
Tel: 011-2371 4974  
Email: [director-morth@gov.in](mailto:director-morth@gov.in)

## Chapter: 3

# Registration/Alteration/Adaptation of Divyangjan Owned Vehicles

### 3.1 Provisions in Motor Vehicle Legislation

ACT/Rule	Description
<b>MV Act Section 52(2) Alteration of vehicles</b>	<p>Notwithstanding anything contained in sub-section (1), any person may, with the subsequent approval of the registering authority, alter or cause to be altered any vehicles owned by him to be converted into an adapted vehicles :</p> <p>Provided that such alteration complies with such conditions as may be prescribed by the Central Government.</p>
<b>CMVR Rule 112A Alteration for Adapted vehicleicles</b>	<p>(1) Any alteration to a motor vehicles under sub-section (2) of section 52 of the Act, to convert it to an Adapted vehicles shall be in compliance with the conditions notified by the Central Government under this rule or any other applicable rule, and shall be carried out by either, :-</p> <ul style="list-style-type: none"><li>(i) original equipment manufacturer; or</li><li>(ii) dealer of the vehicles manufacturer; or</li><li>(iii) workshop authorized by the State Government; or</li><li>(iv) service station authorized by the State Govt</li></ul> <p>(2) Either the original equipment manufacturer or dealer of the vehicles manufacturer or workshop authorized by the State Government or service station authorized by the State Government, making the alteration under sub-rule (1), shall issue a certificate of compliance in Form 22G, either electronically on the Portal or in physical form to the owner.</p>
<b>CMVR Rule 53A Application for Temporary Registration</b>	<p>An application for temporary registration in case the motor vehicles is being registered in a state other than the state in which the dealer is situated or in case of a purchased chassis on which the body has to be fabricated separately or in case of fully built motor vehicles which is to be altered for conversion to an adapted vehicles , shall be made electronically on the Portal by the owner to any registering authority or other authority as may be prescribed by the State Government, in Form 20, and shall be accompanied by the documents required to be submitted along with an application for registration of motor vehicles as per sub-rule (1) of rule 47 along with the appropriate fee as specified in rule 81</p>

ACT/Rule	Description
<b>CMVR Rule 53B Issuance of Temporary Registration</b>	<p>Provided further that in case of fully built motor vehicles which is to be altered for conversion to an adapted vehicles or the motor vehicles is being registered in a State other than the State in which the dealer is situated, the validity of such temporary registration shall be for a period of forty five days from the date of its issue.</p>
<b>CMVR Rule 47A Prior Approval for Adaption</b>	<p>(1) Where the owner of a motor vehicles intends to alter or Retrofit the motor vehicles in accordance with sub-rules (1) and (3) of rule 112, the owner shall seek the prior approval of the registering authority, either electronically through the Portal or in physical form, in Form 22C.</p> <p>Note: As per Rule 47A(3), Application for prior approval shall be disposed within 7 days unless application shall be deemed as approval granted.</p>
<b>CMVR Rule 47B Endorsement of Adaption in RC</b>	<p>Where any motor vehicles is altered to convert it into an adapted vehicle , as per rule 112A, the owner of the vehicles shall make an application for making an entry of the adapted vehicles in the certificate of registration, in the State in which he has the residence or place of business where the vehicles is normally kept or in which the alteration is made, in Form 22E electronically on a Portal, either accessed by the applicant himself or with the help of a Facilitation Centre, or otherwise, along with the certificate of registration.</p>

## 3.2 MORTH Resolution on 2-Wheeler Retro-fitment kit

**MINISTRY OF SHIPPING, ROAD TRANSPORT AND HIGHWAYS**  
**(Department of Road Transport and Highways)**  
**(MVL SECTION)**  
**RESOLUTION**  
**New Delhi, the 23rd July, 2008**

**No. RT- 1012/12/01-MVL**, In the recent past, the Government have received a number of representations from persons with disability, highlighting the problem being faced by them due to non-availability of invalid carriages in the market as well the policy of banning alteration in motor vehicles under Section 52 of the Motor Vehicles Act, 1988 .

2. Section 2, (18 ) of the Motor Vehicles Act,1988 defines "invalid carriage" as motor vehicle especially designed and constructed for the use of a person suffering from some physical defect or disability and used solely by or for such a person. Not being a commercially viable proposition, OEMs do not manufacture invalid carriage. Further, the degree and nature of disability also varies from person to person.

3. Prior to the amendment made in the Act in the year 2000, alterations in Motor Vehicles were possible with the approval of concerned registering authority. Section 52 was amended in the year 2000 to impose ban on alteration of motor vehicles to ensure that the vehicles conform to the originally approved prototype. Consequently, the registering authorities stopped the registration of modified / altered two wheelers. Proviso to Section 52(1), however, empowers Central Government to grant exemption for alteration of motor vehicles in a prescribed manner for a specific purpose.

4. The matter was, therefore, considered in this Department to find a way out to provide a suitable two wheeler to the persons with disability without compromising on their safety, as well as safety of other road users.

5. Keeping in view the above, the Government, in exercise of powers conferred under third proviso to Section 52 of the Motor Vehicles Act, 1988, hereby grants exemption for alteration in motorcycles [defined in Section 2(27) of the Act] for use of physically challenged persons by the concerned State Governments, in the manner specified in the Annexure attached with this Order, subject to the following conditions:-

- i) Retrofitted vehicles should not be categorized as "Invalid Carriage" as these vehicles will not be meeting the definition of "Invalid Carriage" given under Section 2(18) of the Motor Vehicles Act, 1988.
- ii) Even after adding the side car on the left side of the scooter the seating capacity will remain same and the side car should not be utilized for carrying luggage.
- iii) Such permission may be given to the person with disability if he is the owner of the altered vehicle.
- iv) Such permission should not be considered if prototyped vehicle is available in the market



- v) Permission for alteration should be valid if the person with disability is driving the vehicle.
- vi) It will be the personal responsibility of the person with disability to keep the vehicle in fit condition / drive it carefully so that there may not be any safety hazard.
- vii) Permission will be subject to obtaining a medical fitness certificate from the competent medical authority to drive the vehicle.
- viii) Person with disability has to give the driving test and obtain necessary permission from the Licensing Authority to drive the altered vehicle. Ability of the person with disability should be considered while deciding his ability to drive a vehicle with prescribed modifications. A person with loco motor disability is required to have the modification in the specified vehicle as prescribed by a specialist Doctor in Physical Medicine and Rehabilitation (PMR) / Orthopedic Surgeon.
- ix) Necessary entry in the RC about the alteration will be made by the concerned registering authority.
- x) Permission will stand withdrawn once the vehicle is sold to some other party.
- xi) Valid certificate of retro fitment kit from authorized Test Agency will be produced.
- xii) Valid certificate of authorized workshop for the fitment of approved retro fitment kit will be produced.
- xiii) Above alteration should be permitted only in the non transport vehicles.

6. All State / UT Governments are requested to consider the cases. relating to retro fitment of side car in two wheelers / fitment of additional two wheels at the rear on both the side as per the following procedure:-

**PROCEDURE FOR APPROVAL OF RETRO FITMENT/ ADAPTATION KIT FOR TWO WHEELED VEHICLE FOR PHYSICALLY CHALLENGED PERSON**

**1.0 OBJECTIVE**

Facilitate the person with lower limb disabilities to drive the two wheelers.

**2.0 POSSIBLE MODIFICATIONS IN THE VEHICLE**

**2.1 Fitment of Side Car:**

- a) 2-wheeler vehicle can be modified by fitment of a sidecar on the left side of the vehicle.
- b) While carrying out such a modification, it shall be ensured that minimum changes are made on the basic structure of the vehicle.
- c) In case the original vehicle has any foot controls (such as accelerator, brake, clutch or gear shift), such controls shall be adapted for operation by hand.
- d) The vehicle shall have device to intentionally lock the wheels in order to prevent rolling of vehicle (in situations like alighting the vehicle, stopping the vehicle on the gradient, etc.)
- e) The vehicle shall have either hand start or electric-starting mechanism.
- f) Clamping arrangements shall be provided for carrying person's aids/ crutches etc.

**2.2 Fitment of additional two wheels at the rear on both the side:**

- a) 2-wheeler vehicle can be modified by fitment of additional two wheels to provide balancing / stability to the vehicle. The additionally fitted wheels shall have preferably the same size and specification of the original rear wheel.

- b) While carrying out such a modification, it shall be ensured that minimum changes are made on the basic structure of the vehicle.
- c) In case original vehicle has any foot controls (such as accelerator, brake, clutch or gear shift), such controls shall be adapted for operation by hand.
- d) The vehicle shall have device to intentionally lock the wheels in order to prevent rolling of vehicle (in situations like alighting the vehicle, stopping the vehicle on the gradient, etc.)
- e) The vehicle shall have either hand start or electric-starting mechanism.
- f) Clamping arrangements shall be provided for carrying person's aids / crutches etc.

### 3.0 APPROVAL OF RETRO FITMENT / ADAPTATION KIT

#### 3.1 Application for Approval

Kit manufacturer shall submit the already type approved vehicle model fitted with retro fitment / adaptation kit along with technical information as per details given in Annexure A.

### 4.0 REQUIREMENTS

The vehicle model fitted with retro fitment / adaptation kit shall be tested for:

#### 4.1 Functional Brake Test

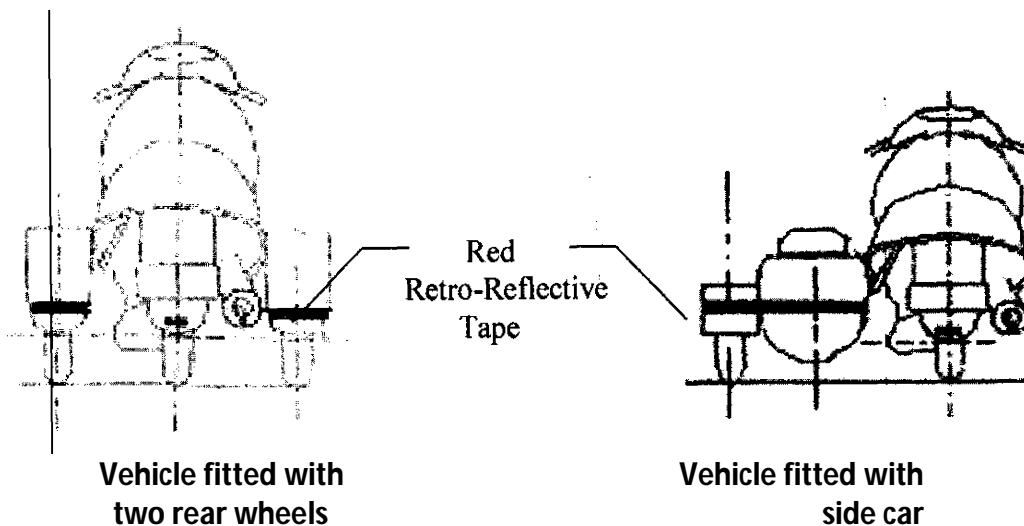
Vehicle shall be driven on a normal city road at 50 km/h speed, (as indicated on speedometer). Both brakes (front and rear) shall be applied together and the stopping behavior of the vehicle shall be checked. During this test, the vehicle shall not show any instability or unsafe condition.

#### 4.2 Functional Grade ability Test

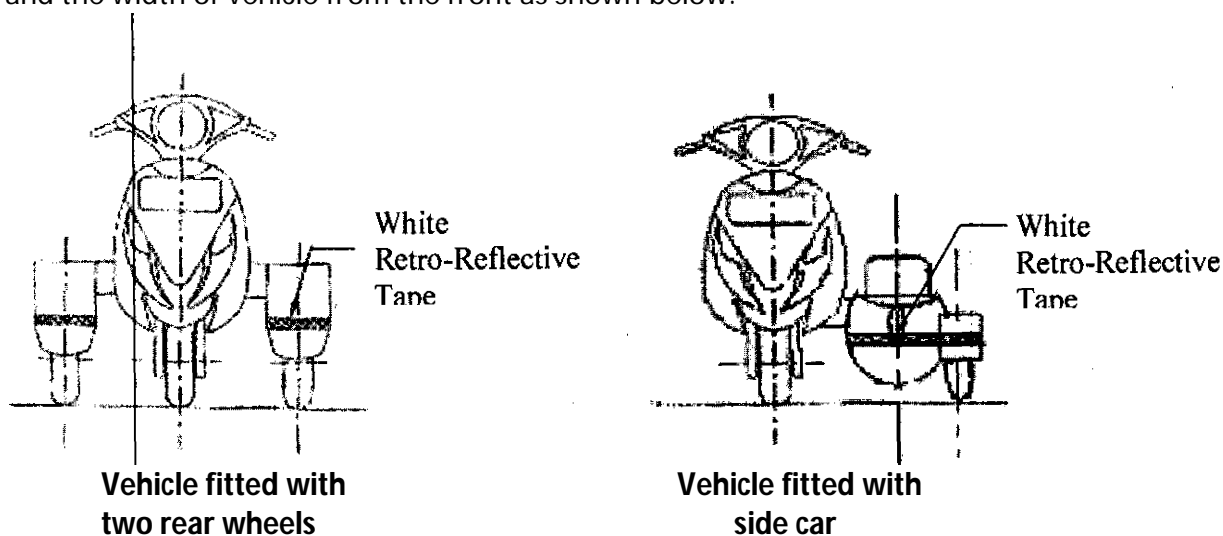
The vehicle shall be driven on the gradient such as city fly over. While negotiating the gradient, brakes shall be applied. The vehicle shall not skid and roll back. On release of brake, the vehicle shall be able to easily climb the gradient.

#### 4.3 Fixing of Retro-Reflective Tape

4.3.1 Retro-reflective tape, red in color and having minimum width of 20 mm, shall be affixed running across the width on the rear side of the sidecar or on the additional wheels (as the case may be) to indicate the presence of additional fitment and the width of vehicle from the rear as shown below.

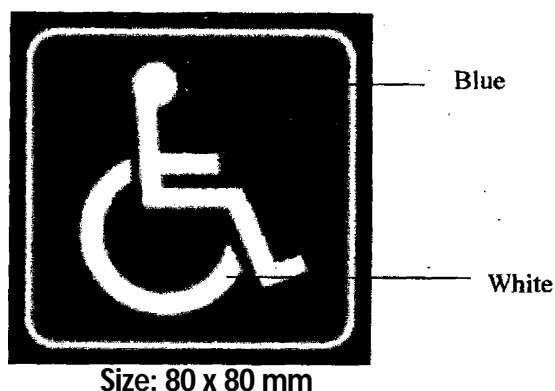


4.3.2 Retro-reflective tape, white in color and having minimum width of 20 mm, shall be affixed running across the width on the front side of the sidecar or on the additional wheels (as the case may be) to indicate the presence of additional fitment and the width of vehicle from the front as shown below.



#### 4.4 Identification Symbol

The vehicle shall carry following symbol in the front and at rear, indicating that the vehicle is meant for driving by a physically challenged person. The symbol shall be made up of retro-reflective material (tape)



#### 5.0 APPROVAL OF WORKSHOPS FOR THE FITMENT OF APPROVED KITS

The kit manufacturer shall identify the workshops, which shall carry out the fitment on his behalf. This shall be done on the basis of:

- Competence.
- Availability of necessary equipments.
- Experience in the relevant field.
- Trained manpower, etc.

#### 6.0 TYPES OF PHYSICAL DISABILITIES THAT CAN BE CONSIDERED FOR USE OF ABOVE VEHICLES WITH RETRO FITTED KIT

Following criteria for • rant of DL should be followed:-

Nature of limb disability	Recommendation	Remarks
Left lower limb (partial or full)	Can be considered	

Right lower limb (partial or full)	Can be considered	
Both lower limb (partial or full)	Can be considered	
Left / Right upper limbs (partial or full)	Can be considered	
Both upper limb (partial)	Can be considered under special circumstances	Normal operation by hands is very critical. Such situations may be considered under special circumstances,
Combination of one lower limb and upper limb.	Can be considered under special circumstances	

Medical Certificate for the purpose of DL would be given at the District level by a duly constituted board comprising of CMO as chairman, one medicine specialist and one subject matter specialist (PMR / Orthopedic surgeon) as member in District hospitals or by a Medical College, where the board will consist of Medical Superintendent or his authorized representative as chairman and two subject matter specialists (PMR / Orthopedic surgeon) as members.

**TECHNICAL INFORMATION TO BE SUBMITTED BY  
THE RETRO FITMENT KIT MANUFACTURER**

1	Retro-fitment kit Manufacturers name and address	
	Tel. O. Fax o. E-mail address Contact person Website address, if any.	
2	Vehicle Model selected for retro fitment.	
3	Authenticated drawings, in duplicate, with following detail- • a) Kit densification / model No. b) List of kit components. c) Details of individual component and assembly of kit on the vehicle. d) Locations and fixing details for person's aids / clutches, etc.	
4	Detailed explanation about safety in case of accidental failure if modified controls / other mechanisms.	
5	Instructions / Maintenance manual.	
6	Any other relevant information.	

**SAROJ KUMAR DASH, Jt, Secy.**

### 3.3 MORTH Advisory on alteration in car (Dated 29/05/2009)

**Government of India  
Ministry of Road Transport & Highways**

No. RT-11021/12/2001-MVL

Dated the 16<sup>th</sup> September, 2009

To

Principal Secretaries/Secretaries (Transport)/Transport Commissioners of all States /UTS.

Sub: Registration of motor vehicles modified by physically challenged persons.

Sir/Madam,

A large number of representations were received by the Government in the past from physically challenged persons, highlighting the problem being faced by them due to non-availability of invalid carriages in the market as well as the policy of banning alteration in the motor vehicles under section 52 of the Motor Vehicles Act, 1988. The matter was considered and a Resolution of even number dated 23 July, 2008 was issued by this Ministry, thereby laying down the procedure for approval of modified vehicles belonging to physically challenged persons by the State/UTS. It is hoped that the provisions of the resolution would have been given effect by all the States/UT's by now

2. Physically challenged persons have now represented to this Ministry that many of them had got their vehicles modified prior to the issuance of aforesaid resolution and they are facing difficulties in getting these vehicles registered. Requests have been made to allow such vehicles to be registered and also to issue driving licence to the owners of the vehicles.

3. The matter has been considered in this Ministry. It may be appreciated that in the absence of easily accessible public transport system to the physically challenged persons, their mobility largely depends on two wheeled vehicles. As such, their request would need to be considered sympathetically. You are, therefore, advised to consider all such requests brought before you and allow registration of two wheeled vehicles, though modified prior to the issuance of the Resolution by this Ministry. While inspecting the vehicles, it may be kept in view that the modification carried out should be as close to the prescribed norms as possible. Along with registration of such vehicles, the physically challenged persons may also be granted driving licence subject to fulfilment of the eligibility criteria.

Yours faithfully,  
(Anand Prakash)  
Director (Road Transport)  
Tel: 23719097

### 3.4 MORTH Advisory on alteration in car (Dated 05/05/2011)

**Government of India**  
**Ministry of Transport & Highways**

1, Parliament Street, Transport Bhawan,  
New Delhi — 110 001  
Dated: 5<sup>th</sup> May, 2011.

No : RT-11017/07/2011-MVL

**To:**

- 1) The Principal Secretary (Transport) The Secretary (Transport) / The Commissioner (Transport) of all States / UTs except Government of Tamil Nadu and Gujarat
- 2) The Secretary (Home / Transport), Government of Tamil Nadu and Gujarat.

**Subject** – Procedure for alteration in motor vehicles to facilitate the mobility of physically challenged persons.

Sir / Madam,

This Ministry had received in the past a number of representations from physically challenged persons, highlighting the problems being faced by them due to non-availability of invalid carriages in the market as well the policy of banning alteration in motor under section 52 of the motor vehicles Act, 1988.

These issues were considered by the ministry in the past In order to ensure the mobility of physically challenged people; this Ministry had laid down certain procedure.

2. As far as two wheeled vehicles are concerned, this Ministry had laid down A detailed procedure vide Resolution No. RT&H-11012/12/01-MVL dated 23th July, 2008 to allow the state Governments to approve such cases. The alteration could however be done in the manner prescribed by this Ministry and that too only by an. Authorized workshop. Laying down such a procedure was necessary to ensure the safety of physically challenged persons as well as the safety of other road users. It has been brought to the notice of this Ministry That there are no such authorized workshops in many parts of the country. As such, the physically challenged persons are unable to get their vehicle modified to suit their requirement.

3. In fact, it is the responsibility of concerned State Governments to identify and authorize such workshops for the convenience of physically challenged persons. In case this is not possible, the States will have to inspect the vehicle before registration and satisfy themselves that such modified vehicles are not safety hazards.

4. As far as four wheelers are concerned, the number of such cases not being Very large, the Ministry has been granting exemption on a case to case basis on the basis of the recommendations made by the concerned State Government. Recently, this Ministry has received a request from Government of Maharashtra to authorize the state Governments to

issue the permissions for such alteration in the four wheelers retrofitted by authorized retrofitter so that delay in issuing permission could be avoided and the need of physically challenged person could be addressed it has also been brought to the notice of this Ministry that the retro-fitment /Adaptation kit do not modify/change the originality of the vehicle except Mere adaption/convenience whereby a driver does not need to use his clutch, (in the case of AUTOCLUTCH Kit) or uses his hands to operate the brake or accelerator (in the case of HAND CONTROL kit) There is no -modification made in the engine or the gearbox. The original pedals are also not modified or removed and also none of the parameters entered in the Registration Certificate of the vehicle are affected or changed.

5. In view of the above, It is suggested that the concerned authority in the states may inspect the vehicle and in case the alteration does not attract the provisions of Section 52 of the Motor Vehicles Act – 1988, the same need not be referred to his ministry.

Yours faithfully,  
(Saroj Kumar Dash)  
Joint Secretary to the Government India  
Tel : 23717294

### 3.5 MORTH Advisory for Procedural guideline for Alteration

No. RT-11012/06/2013-MVL  
Government of India  
Ministry of Road Transport & Highways

Transport Bhawan, 1, Parliament Street,  
New Delhi -110001.

Dated: 24<sup>th</sup> June, 2015.

To

- 1) The Principal Secretaries (Transport)/The Secretaries (Transport)/The Transport Commissioners of all the States/UT Administrations except Govt. of Tamil Nadu and Gujarat.
- 2) The Secretary (Home/Transport), Government of Tamil Nadu and Gujarat.

**Sub:** Procedure for alteration in motor vehicles to facilitate the mobility of physically challenged persons.

Sir/Madam,

Ministry had issued letters to all the Principal Secretaries (Transport)/the Secretaries (Transport)/the Transport Commissioners of all the States/UT Administrations vide letter No.RT-11017/07/2011-MVL dated 5<sup>th</sup> May, 2011 regarding procedure for alternation in motor vehicles to facilitate the mobility of physically challenged persons.

2. The concerned State Governments are once again advised to identify and authorize workshops for the convenience of alteration of the vehicles of physically challenged persons. The alteration could be done in the manner prescribed by this Ministry's resolution No. RT&H -11012112101-MVL dated 23<sup>rd</sup> July, 2008.

3. It is requested that the guidelines issued vide this Ministry's letter No. RT-11012/07/2011-MVL dated 5<sup>th</sup> May, 2011 and resolution RT&H-11012/07/01-MVL dated 23<sup>rd</sup> July, 2008 may kindly be adhered to, to ensure the mobility of physically challenged persons.

Yours faithfully,  
**(Irene Cherian)**  
Deputy Secretary to the Govt. of India  
Ph: 23710195



### 3.6 MORTH Advisory for procedural guideline to issuance driving licence and Registration

**Government of India  
Ministry of Transport & Highways**

1, Parliament Street, Transport Bawana,  
New Delhi — 110 001  
Dated: 14th June, 2016.

No. RT-11021/40/2014-MVL

To

The Principal Secretary (Transport)/ The Secretary (Transport)/ The Commissioner (Transport)/Additional Chief Secretary (Transport) of all States/ UTs.

**Subject: Procedure for guidelines for grant of driving licenses and registration certificates to differently abled persons.**

Madam/Sir

This Ministry refers to erstwhile Ministry of Shipping, Road Transport & Highways resolution no. RT-11012/12/2001-MVL dated 23<sup>rd</sup> July, 2008 and Ministry of Road Transport & Highways letter number RT-11017/07/2011-MVL dated 5<sup>th</sup> May, 2011 regarding procedure of alteration in motor vehicles to facilitate the mobility of physically challenged person by the State Governments. (Copies enclosed)

2. Ministry has been receiving a number of representations from differently abled persons, including hearing impaired citizens, highlighting the problems being faced by them due to non-availability of invalid carriages in the market as well as restrictions imposed in alteration in motor vehicles under Section 52 of the Motor Vehicles Act, 1988. Keeping in mind the above mentioned resolution and circular, and in- order to ensure the mobility of differently able persons, all State Governments/UTs are requested to consider the following guidelines for issue of driving licenses/registration certificates:-

- i) Driving licenses may be issued to the differently able citizens, so long as the altered vehicles are safe and are at no threat to the vehicle occupant and public at large. Further, the registering authority in the States may inspect the vehicle and may register the vehicle altered according to the need of the differently able person. They are fully empowered to deal with alterations of vehicles for differently abled person as this would avoid harassment and facilitate the mobility of differently abled persons.
- ii) With regard to issue of driving licence as per the Hon'ble Delhi High Court's Order dated 14th February, 2011, in W.P (C) 10849/2009, the National Association of the Deaf Vs UoI, it is clarified that an applicant, is to be called for the test if he applies for a learner's licence without the medical certificate and if he passes the

test as required under Rule 11, he shall be granted the learner's licence as that is the statutory requirement. Similarly, if a person belonging to the said category satisfies the necessary criteria, he shall be allowed to obtain the licence. Such test would be conducted on the altered vehicle approved in accordance with Para (1) if required.

- iii) In Para 4 of this Ministry's letter of even number RT-11013/03/2011-MVL dated 5th May, 2011 as mentioned in Para 1 of this letter for "whereby a driver does not need to use his clutch (in the case of AUTOCLUTCH Kit) or uses his hands. to operate the brake or accelerator" the following is substituted "whereby a driver does not need to use his clutch (in the case of AUTOCLUTCH Kit) or uses his hands or legs, or combination of his limbs to operate the brake or accelerator".
- iv) A differently abled person with a licence to drive an altered vehicle shall be allowed to drive an altered vehicle of the same type anywhere in the country.

3. In view of above and for hassle free process, State Governments/Urns may authorize the respective RTOs for issue of such driving licenses or registration certificates. However, in case of difficulties, the case may be referred to- the—State-Authority or the Ministry.

**Yours faithfully,**

**(Priyank Bharti)**

**Director (MVL)**

**Ph. 011-23314316**

**Email: [dirmvl-morth.gov.in](mailto:dirmvl-morth.gov.in)**

### 3.7 MORTH Advisory to record ownership type in registration certificate

No. RT-11036/57/2020-MVL

**Government of India**

**Ministry of Road Transport and Highways**

(MVL Section)

Transport Bhawan, 1, Parliament Street, New Delhi-110001

Dated: 3<sup>rd</sup> February 2023

To

1. The Principal Secretaries/ Secretaries (Transport) of all States/UTs
2. The Transport Commissioners of all the States/UTs

#### **Sub: Recording of Ownership Type in Registration Certificate w.r.t. Divyangjan**

Sir/Madam,

Morth has been receiving grievances from the citizens stating that the registering authorities are not recording ownership type as "Divyangjan" in the registration certificate of motor vehicles owned by them, and thereby depriving them from availing various exemptions /facilities granted by the Central Government and States/UTs.

2. To build hassle-free environment in which equal opportunities are provided for the growth and development of the Persons with Disabilities (Divyangjan), following guidelines/notifications issued by this Ministry are brought to your kind notice:

- a. This Ministry vide letter no. RT-11021/40/2014-MVL dated 14.06.2016 issued guidelines for grant of driving licenses and registration certificates to differently abled persons.
- b. To achieve the targets of Accessible India Campaign, this Ministry vide advisory dated 26.06.2018 advised the States/ UTs to take several steps. One of the advised steps was to provide facilities for speedy Licensing and registration certificates for differently abled persons.
- c. Ministry of Heavy Industries vide order 12(42)/2015- **AEI** dated 24<sup>th</sup> Oct, 2019 has facilitated persons with orthopedic disability, subject to Minimum 40% Orthopedic physical disability (*Benchmark* disability as per the Rights of Persons with Disabilities Act, 2018). This facilitates Divyangjan, who cannot drive the vehicle but use driver to drive the vehicles. It paved requirement of registration of normal vehicles under ownership type as 'Divyangjan'.
- d. The Central Government vide G.S.R. 661 (E) dated 22.10.2020 amended Form 20 of CMVR, 1989 (i.e., Registration Certificate) for recording various ownership types in the registration certificate, including Divyangjan with GST/Divyangjan without GST, as the case may be, in order to facilitate Divyangjan, who owns the normal vehicles, to avail other facilities/concessions which was available to adopted vehicles only.

- e. This Ministry vide RT-11036/57/2020-MVL dated 13.11.2020 appraised the States/UTs that the vehicles with Automatic Gear have been considered suitable for driving by some of the Divyangjan without altering the vehicle. Hence, this Ministry advised States/UTs to extend various exemptions/facilities/reliefs provided by the State Governments in respect of invalid carriage, to the vehicles owned by Divyangjan as well.
- f. Further, the Central Government had also amended rule 11(e) of the National Highways Fee (determination of Rates and Collection) Rules, 2008 vide G.S.R. 804 (E) dated 30.12.2020, thereby exempting toll fee where the vehicle is registered with ownership type as "Divyangjan" in the registration certificate (w.e.f. 31.12.2020).

3. Though there is no express restriction imposed by G.S.R. 661 (E) dated 22.10.2020 for recording ownership type "Divyangjan", whether the vehicle is adapted or normal, new or old, yet some registering authorities are insisting upon new and adapted vehicle for recording ownership type "Divyangjan". Under the following circumstances, a person with disability (PWD) may desire for recording ownership type "Divyangjan" in the registration certificate:

- a. Divyangjan may not like/not able to drive himself and may hire a driver to drive his vehicle who is in possession of an effective driving license.
- b. Divyangjan may not be able to afford a new vehicle and prefers to buy in-use vehicle whose ownership type is individual in the registration certificate.
- c. Divyangjan may buy in-use vehicle auctioned by Government, whose ownership type is Government in the registration certificate.
- d. There may be instances where a person, who already owns a motor vehicle and at later stage became disabled, may like to change ownership type from individual to Divyangjan.

4. For recording ownership type as "Divyangjan" in registration certificate, the vehicle type, whether adapted or otherwise, should not be the criteria to record the ownership type in registration certificate. However, the owner of the vehicle shall be a person with benchmark disability and in possession of a disability certificate issued by the Competent Authority for recording the ownership type as Divyangjan with GST/Divyangjan without GST, as the case may be.

5. In view of above, you are requested to issue directions to the registering authorities in your States/UTs for implementation of notification G.S.R.661 (E) dated 22.10.2020 in true letter and spirit at the earliest. If needed, the State Motor Vehicles Taxation Act/State Motor Vehicle Rules may be amended accordingly to facilitate the Person with Benchmark Disability not only with registration of the vehicle but also for extending benefits which were available to the adopted vehicles.

6. These issues with the approval of the Competent Authority.

(Dr. Piyush Jain)  
Director (MVL)

[Email: director-morth@gov.in](mailto:director-morth@gov.in)

Tel-23714974

## Chapter: 4

### Retro-fitment/Adaption kit for considerable disabilities (including photographs)



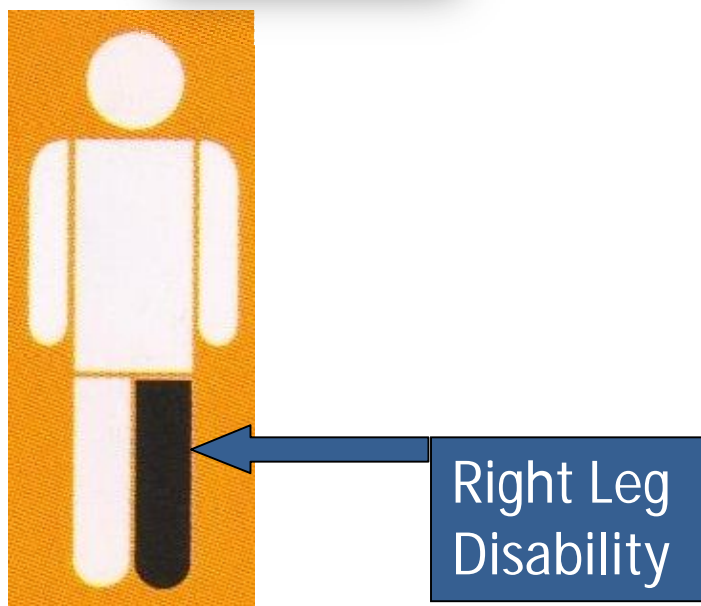
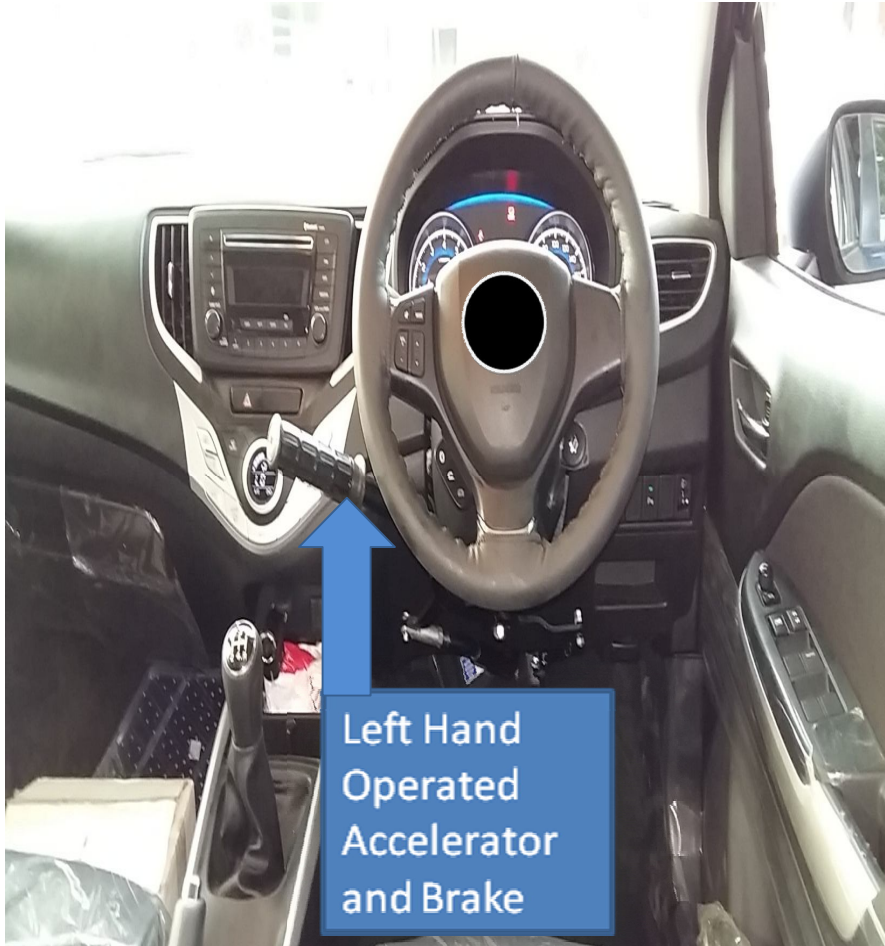
Type of Disability	For Manual Transmission(MT) vehicles	For Auto Transmission(AT) vehicles
Left lower limb disability	Clutch control auto / manual with left hand.	No changes are required.
Right lower limb disability	Brake & accelerator Control with left hand.	Accelerator extension is in left side foot.
For both lower limb disability	Clutch, brake & accelerator are controlled with the left hand.	Brake & accelerator control with the left hand.
For any one upper limb disability	Not applicable	Nob on the steering wheel and signal control.
For short height person	Not applicable	Brake & accelerator control with the left hand or pedal extension and seat modification as per height.
For hearing impaired person	Considered	Considered
For monocular vision person	Considered	Considered



# Sample pictures of Divyangjan vehicles with modification

**For Manual Transmission (MT) & Automatic Transmission vehicles  
(AT/AMT/IMT) vehicles): -**

**Brake and accelerator control in left hand operate mobility device fix near to steering wheel to use right lower limb disable person / normal person use.**



**For AT vehicles: -**

**Accelerator extension control with left leg operate mobility device fix near to brake pedal to use right lower limb disable person / normal person use.**



Right Leg Disability



Accelerator extension kit



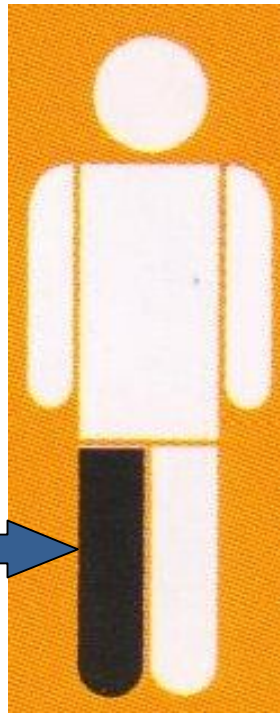
**For Manual Transmission vehicles:-**

**For Clutch control in hand operate mobility device fix to gear knob use left lower leg disable person / normal person use.**

Hand  
Operated  
Electronic/  
Mechanical  
Clutch



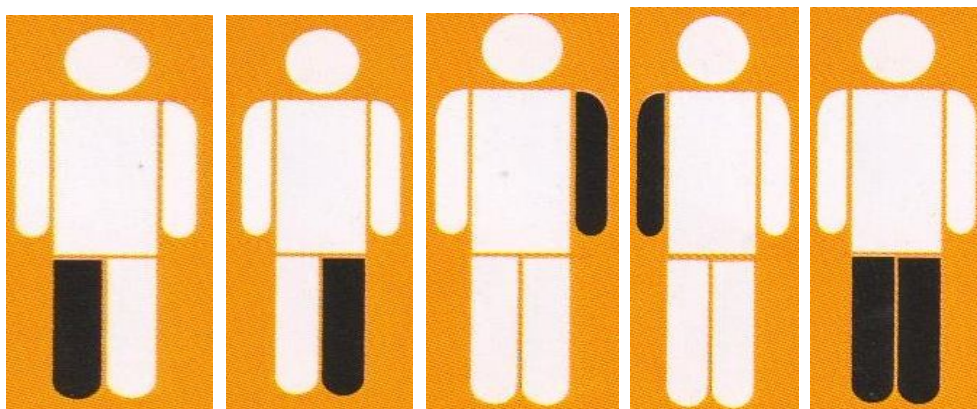
Left Leg  
Disability



**For Clutch, brake & accelerator are control in hand operate mobility device fix near to gear knob and steering wheel to use both lower leg Disable person / normal person use.**



Steering wheel knob are control in hand operate mobility device fix to steering wheel to use any one hand and one or both lower legs. Disable person / normal person use.



**Short heighted person (Divyang):-**

**Brake & accelerator control with the left hand or pedal extension and seat modification as per height.**



**Pedal Extension**



**Seat Extension**



## Chapter: 5

### GST Concession for Vehicles owned by Divyangjan having orthopedic disabilities

- The Ministry of Finance, Government of India, has allowed a concessional rate Goods and Services Tax of 18% and no cess on motor vehicles for the use of persons with orthopedic physical disability equal to greater than 40% disability irrespective of the fact that the applicant drives the vehicles himself or otherwise.
- Applicant can apply only through online mode on website <https://dhigeecs.heavyindustry.gov.in/>
- The concession can be availed for following cars (manual / automatic) of length not exceeding 4000 mm only, namely:
  - Petrol, LPG or CNG driven vehicles of engine capacity not exceeding 1200 cc.
  - Diesel driven vehicles of engine capacity not exceeding 1500 cc.

F. No: 12(42)/2015-AEI  
Government of India  
Ministry of Heavy Industries and Public Enterprises  
Department of Heavy Industry

Udyog Bhawan, New Delhi  
Dated 24th October, 2019

#### ORDER

**Sub:** Revised Guidelines for issue of GST concession certificate for purchase of vehicles by the persons with Orthopedic Physical Disability

1. Concessional rate of GST for motor vehicles for the use of persons with Orthopedic physical disability is notified by Ministry of Finance vide its notification dated 28th June 2017, amended from time to time.
2. As per Ministry of Finance Notification no. 14/2019-Integrated Tax Rate dated 30th September 2019 and related CGST and SGST Notifications, concessional rate of GST for Motor Vehicles for the use of persons with Orthopedic physical disability is as given below.

SI No	Chapter or heading or Sub heading Or tariff item of the first Schedule	Description of goods	Rate
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400	8703	<p><i>Following motor vehicles of length not exceeding 4000mm, namely."-</i></p> <p><i>(a) Petrol, Liquefied petroleum gases (LPG) or compressed natural gas (CNG) driven vehicles of engine capacity not exceeding 1200cc; and</i></p> <p><i>(b) Diesel driven vehicles of engine capacity not exceeding 1500 cc</i></p> <p><i>For persons with orthopedic disability, subject to the condition that an officer not below the rank of Deputy Secretary to the Government of India in the Department of Heavy Industry certifies that the said goods shall be used by the persons with orthopedic physical disability in accordance with the guidelines issued by the said Department"</i></p>	18%
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3. Accordingly, in supersession of all previous guidelines issued by Department of Heavy Industry, Revised Guidelines for issue of GST concession certificate for purchase of vehicles by the persons with Orthopedic Physical Disability is given as under.
4. Concessional rate of duty to Persons with Orthopedic Physical Disability will be applicable to those persons who are having Orthopedic Physical Disability of equal to or greater than 40% disability irrespective of the fact that the applicant drives the vehicle himself or otherwise.
5. This concession can be availed for following motor vehicles of length not exceeding 4000 mm only, namely:-
  - a) Petrol, Liquefied petroleum gases (LPG) or compressed natural gas (CNG) driven vehicles of engine capacity not exceeding 1200cc; and
  - b) Diesel driven vehicles of engine capacity not exceeding 1500 cc
6. For availing the concessional duty, an eligible applicant with orthopedic physical Disability (=>40% disability) shall
  - a) Make an application to Department of Heavy Industry (DHI) in the format prescribed at Annexure A.
  - b) Submit a Medical certificate duly signed and countersigned in prescribed format placed at Annexure B.
  - c) Is also required to submit the copy of Income Tax Return filed for the last three years.
  - d) is required to submit a Self-declaration stating that he has not availed this concession in the last five years and he will not dispose of the vehicle after availing the GST concession for a period of 5 years from the date of purchase in prescribed format placed at Annexure C

7. Among other details, applicant is required to submit the details of Vehicle Model they intend to purchase along with name of dealer from whom vehicle will be purchased and name of RTO, where vehicle will be registered.
8. After processing of the application, Department of Heavy Industry is expected to issue certificate for availing the GST concession in the prescribed format placed at Annexure D to the applicant within a period of 4 weeks from the date of receipt of application, complete in all respect.
9. The said Certificate for availing the GST concession would be valid for a period of three months from date of issue of the certificate and the vehicle would have to be purchased by the applicant within this three months period to avail the concession.
10. DHI will send a copy of the certificate to respective dealer, Original Equipment Manufacturers (OEM) and Regional Transport Office for their record and cross check/confirmation.
11. Car Dealers would be required to charge concessional rate of GST to the individual in whose name GST certificate is issued and stamp the invoice of all such cars purchased with GST concession with hologram symbol of "To be registered as Adapted vehicle"
12. All vehicles sold on the strength of certificate issued by DHI and with concessional GST would be registered as "Adapted Vehicle", as per new Motor Vehicle Act 2019. Ministry of Road Transport and Highways (MORTH) would issue necessary instructions in this regard.
13. Applicant would inform DHI about the purchase of vehicle and Registration number of vehicle to Department of Heavy Industry within a period of 30 days from date of registration of vehicle.
14. The eligible physically handicapped persons, according to the above guidelines, may send their application along with all required documents to the following address:  
**The Under Secretary (AEI Section)**  
**Department of Heavy Industry**  
**Udyog Bhawan, Room No 428**  
**New Delhi 110011**  
**Tel: 011-23061490**
15. This issues in consultation with Department of Revenue, Ministry of Finance and with the approval of Hon'ble Minister, Heavy Industries and Public Enterprises.  
Enclosure: Annexure A, B, C, and D

(Simmi Narnaulia)  
Under Secretary to the Government of India

## Chapter: 6

### Statistics of Divyangjan (Vehicle Registration, Population)

#### Divyangjan Population Data (Source Census 2011 Report)

State /UT	Number of Disabled	Total Population	% Disabled to Total Population
JAMMU & KASHMIR	361153	12541302	2.88
HIMACHAL PRADESH	155316	6864602	2.26
PUNJAB	654063	27743338	2.36
CHANDIGARH	14796	1055450	1.4
UTTARAKHAND	185272	10086292	1.84
HARYANA	546374	25351462	2.16
NCT OF DELHI	234882	16787941	1.4
RAJASTHAN	1563694	68548437	2.28
UTTAR PRADESH	4157514	199812341	2.08
BIHAR	2331009	104099452	2.24
SIKKIM	18187	610577	2.98
ARUNACHAL PRADESH	26734	1383727	1.93
NAGALAND	29631	1978502	1.5
MANIPUR	58547	2855794	2.05
MIZORAM	15160	1097206	1.38
TRIPURA	64346	3673917	1.75
MEGHALAYA	44317	2966889	1.49
ASSAM	480065	31205576	1.54
WEST BENGAL	2017406	91276115	2.21
JHARKHAND	769980	32988134	2.33
ODISHA	1244402	41974218	2.96
CHHATTISGARH	624937	25545198	2.45
MADHYA PRADESH	1551931	72626809	2.14
GUJARAT	1092302	60439692	1.81
DAMAN & DIU	2196	243247	0.9
DADRA & NAGAR HAVELI	3294	343709	0.96
MAHARASHTRA	2963392	112374333	2.64
ANDHRA PRADESH	2266607	84580777	2.68
KARNATAKA	1324205	61095297	2.17
GOA	33012	1458545	2.26
LAKSHADWEEP	1615	64473	2.5
KERALA	761843	33406061	2.28
TAMIL NADU	1179963	72147030	1.64
PUDUCHERRY	30189	1247953	2.42
ANDAMAN & NICOBAR ISLANDS	6660	380581	1.75
<b>INDIA</b>	<b>26814994</b>	<b>1210854977</b>	<b>2.21</b>



## Adapted Vehicle Registration Data

(Source- Vahan 4.0 Dashboard on Parivahan Portal)

State	2WIC – 2 Wheeler				4WIC – 4 Wheeler				Gross Total
	2020	2021	2022	Gross Total up to 18/05/23	2020	2021	2022	Gross Total up to 18/05/23	
Andaman & Nicobar Island	0	0	0	1	0	0	0	1	2
ANDHRA PRADESH	293	36	32	3549	33	50	63	301	3850
ARUNACHAL PRADESH	0	0	0	1	0	0	1	2	3
ASSAM	0	0	0	2	1	3	2	6	8
BIHAR	10	5	8	411	1	8	15	39	450
CHHATTISGARH	16	10	11	93	8	20	46	108	201
CHANDIGARH	1	3	9	19	20	26	46	162	181
UT of DNH and DD	0	1	0	9	0	0	0	1	10
DELHI	14	1	1	169	45	87	136	648	817
GOA	5	15	12	203	4	6	4	59	262
GUJARAT	483	409	402	8984	509	627	771	6192	15176
HIMACHAL PRADESH	0	1	1	51	0	6	1	67	118
HARYANA	11	1	2	67	45	68	103	51	118
JHARKHAND	0	0	0	2	3	4	2	24	26
JAMMU KASHMIR	79	364	1221	1870	2	1	0	13	1883
KARNATAK	4698	4840	4440	21089	185	223	227	1208	22297
KERALA	373	192	632	11180	64	96	125	1269	12449
LADAKH	4	0	0	4	0	0	0	0	4
MAHARASHTRA	748	862	887	6409	157	358	449	2489	8898
MEGHALAYA	0	0	0	0	0	0	0	8	8
MANIPUR	0	0	0	1	0	0	0	2	3
MADHYA PRADESH	128	69	50	1727	0	0	1	4	1731
MIZORAM	0	2	0	6	0	0	0	1	7
NAGALAND	0	0	0	0	0	0	0	1	1
ODISHA	32	5	3	339	3	2	5	36	375
PUNJAB	1	4	5	88	11	11	15	174	262
PUDUCHERRY	106	5	0	316	0	2	4	12	328
RAJASTHAN	107	141		5878	55	101	137	547	6425
SIKKIM	0	0	0	0	0	0	0	0	0
TAMIL NADU	2651	2646	3694	22678	120	198	238	1438	24116
TRIPURA	0	0	0	13	0	0	0	1	14
UTTARAKHAND	13	11	15	149	6	24	32	116	265
UTTAR PRADESH	299	348	287	2111	62	187	226	723	2834
WEST BENGAL	3	7	9	90	2	6	3	21	111
<b>TOTAL</b>	<b>12095</b>	<b>11999</b>	<b>13743</b>	<b>87509</b>	<b>3356</b>	<b>4135</b>	<b>4674</b>	<b>15724</b>	<b>103233</b>

## Chapter: 7

### AIS-169 Code – Provision for Adapted vehicle category (M1, N1 and M2>3.5 ton)

[Code not yet notified by MORTH]

#### Definitions

- M1 - means a motor vehicle used for carriage of passengers, comprising not more than eight seats in addition to the driver's seat
- N1 – means a motor vehicle used for carriage of goods and having a Gross Vehicle Weight not exceeding 3.5 tonnes.
- M2 - means a motor vehicle used for carriage of passengers, comprising nine or more seats in addition to driver's seat and having a maximum Gross Vehicle weight not exceeding five tonnes.

Note: this code is applicable to M2 category vehicle having GVW less than 3.5 ton.

#### Important Notes

- Comfortable and safe mobility for Divyangjan and elderly person (senior citizen) by own adapted vehicles or adapted taxi with wheelchair as a driver or passenger by kneeling, lifting swivel seat or use of ramp with wheelchair.
- N1 Adapted vehicles for Divyangjan lively hood (self-reliance) (example: mobile food court / vegetable mobile van).
- N1 adapted vehicles may ply within its Registering Authority jurisdiction.
- After retro fitment seating capacity will not increase.
- More than 25% of disability will be considered for Adapted vehicles Driving License.

#### SCOPE

- Part B: Provisions for adapted vehicles of category M1 and M2 having GVW not exceeding 3.5 ton. Adaptation in this part is with respect to vehicle accessibility and wheel chair accommodation.
- Note: M2 category vehicle, not exceeding 3.5 ton, can be adapted for use for person with reduced mobility. However, adaptations for enabling person with disability to drive M2 category vehicles are not permitted
- 1.1.5 (a) "Person with disability" means person with limb disability or person with short stature who is eligible to drive adapted vehicle(s) of category M1 and / or N1, having complied with provisions about disability mentioned in this standard and driving license tests.
- 1.1.9 "Lift" means a device or system with a platform that can be raised and lowered to provide driver or passenger access in the vehicles.
- 1.1.10. "Ramp" means a device to bridge the gap between the floor of driver and /or passenger compartment and the ground or kerb.
- 1.1.13 "Kneeling system" means a system which lowers and lifts totally or partially the body of a vehicle relative to the normal position of travel.

- 1.1.14. "Swivel Seats" means the seat that can swivel to 90 degrees in either direction in the front co-passenger seat in M1 category due to limited space. In case of M2 category swivel can be 360 degrees but the swivel seat must have a locking system in place.
- Note: Person with short stature is as specified in Person with Disability Act 2016. For person with disability, various locomotor disabilities considerations are as specified in A 6.0 of Part A of this standard.
- (b) "Passenger with reduced mobility" means all passengers who have a difficulty when using public transport, such as disabled person, wheelchair users, person with limb impairments, elderly person (senior citizens), visually impaired, hearing impaired, short stature.
- 2.1.3 When vehicles adaptations are taken up for hire and reward purpose (e.g. passenger wheelchair taxi service, mobile shops are fabricated for self-reliance) and also necessitating allowable structural changes or allowable major modifications, vehicles up to 5 (five) years age (from its date of registration) and having valid registration can be considered for adaptation
- 2.8.4 In the event of the failure of a safety device, lifts, ramps and kneeling systems shall be incapable of operation, unless they can be safely operated by manual effort. The type and location of the emergency operating mechanism shall be clearly marked. In the event of power failure, lifts and ramps shall be capable of manual operation
- 2.13 Intelligent Transport System (ITS) Equipment for public transport vehicles of category M1 and M2.
- 2.14 Speed Limiter requirement for transport vehicles of category M1, N1 and M2: Requirement of AIS-018, as amended from time to time shall be complied with. In case of retro-fitment of vehicles for vehicles adaptation, original setting of speed limiting devices shall not be changed.

## **2.0 POSSIBLE MODIFICATIONS IN THE vehicles (M1 and N1 categories): -**

Modifications to be carried out would solely depend upon the type and nature of physical disability of a person. Usually these modifications would involve shifting/relocation/adaptation of foot controls and/ or hand controls.

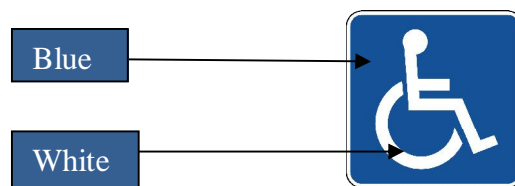
- Vehicles with manual transmission as well as with automatic transmission may be considered for carrying out modifications. Details regarding type of disability, vehicles selection, recommended solution for retro fitment/ adaptation, etc. are given in Annexure A-1 of this standard.
- A 2.1 List of minor allowable modifications for vehicles adaptation as per Part A of this Standard: When following minor modifications are already approved as a part of Adaptation Retro-fitment kit for specific vehicles model / OE genuine parts, further testing while adaptation as per part A is not required:
  - A 2.1.1 Increase of door opening, where door stopper length is to be increased and / or door hinge is to be modified.
  - A 2.1.2 Fitment of steering knob for one hand steering operation.
  - A 2.1.3 Fitment of light switch to operate lights / wipers in dual / tandem to the original system of the vehicle.
  - A 2.1.4 Adaptation and fitment of Swivel (Rotary) cum transfer seat mechanism in the front LHS (co-driver side) of the vehicle.

- A 2.1.5 Adaptation and fitment of Swivel (Rotary) cum transfer seat mechanism in the rear seat of a suitable vehicle.
- A 2.1.6 Fitment of wheelchair hoist or chair topper on the roof of the vehicles to load and unload the wheelchair. Fitment will be just like the fitting of a normal roof carrier.
- A 2.1.7 Fitment of mechanical lever to operate the original light control levers from left side to right side and vice versa in cases of either hand disability.
- A 2.1.8 Fitment of switch on the flooring in automatic or AMT vehicles to operate the lights as required for cases of persons with either hand disability.
- A 2.1.9 Fitment or adaptations of telescopic portable ramps for loading wheelchairs into the vehicle.
- A 2.1.10 Fitment of CP seat (like a child seat) inside the vehicle
- A 2.1.11 Fitment of curtains or screen inside the vehicle. Specially required to keep the sun off the disabled person, and also when they have to change clothes or relieve themselves inside the vehicle.
- A 2.1.12 Fitment of light on roof top in adapted vehicles symbol.
- A 2.1.13 Increasing height of gear knob.
- A 2.1.14 Fitment of system which will act as parallel system for signal activation.
- A 2.1.15 Fitment of light for illumination, so that ramp will be properly visible after opening of door.
- A 2.1.16 Buzzer while ramp is in use. Portable Ramp may have lights and buzzer.
- A 2.1.17 Folding support (handle) to ease-out standing while egress from vehicle. This is fitted at door lock hook.
- A 2.1.18 Fitment of hand rest to bucket seat.
- A 2.1.19 increasing seat height.
- A 2.1.20 Increasing seat cushion.
- A 2.1.21 Provision of puncture repair kit.
- 2.2 Allowable alterations in Motor vehicles by owner of the vehicles without further certification and without modification in Registration Certificate (Ref. No. RT-11036/06/2019-MVL dated 28th February 2019 by Morth)
- A 2.2.1 Replacement of parts or components by the identical parts or components.
- A 2.2.2 Replacement of parts or components with parts or components with equivalent performance.
- A 2.2.3 Optional parts or components as prescribed by vehicle manufacturer.
- A 2.2.4 Following modifications are permissible in the motor vehicle, subject to conditions mentioned below (only relevant shall criteria reproduced below).

<b>Sr. No</b>	<b>Change of parameter</b>	<b>Subject to compliance of the following</b>
1	Seats A. Lateral / side facing seat fitment or alteration in 4wheelers B. Deletion of seats	1. Vehicles weight after the alteration / changes not to exceed the permissible Gross vehicles Weight. 2. Seating capacity to remain within the same motor vehicles category. 3. Seating dimensions as per prescribed specifications.
2	Soft top to hard top or vice versa in M1 vehicles	4. Seats fitted should not obstruct other

		occupant(s). 5. Folding seats, if fitted, should have auto lock in both used / unused position. 6. Such seats shall be fitted in rows other than first row of the driver. 7. Such fitments shall not obstruct ingress and egress of the occupants.
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- 4.5 Identification symbol The vehicles shall carry following symbol on the front and rear, indicating that the vehicles is meant for driving by a Person with disability. The symbol shall be made up of retro reflective material (tape). Wherever space constraint is there, square blue background below may be provided in circular shape having diameter 80 mm
- Note: Affixing of symbol shall not obstruct driver's field of vision.



- A 4.7 Retro-fitment kit installer shall provide user guide (instruction manual) to vehicles owner involving at least following instructions:
  1. Name of Retro-fitter and his contact details, including mobile number / helpline number.
  2. Ways for effective use of secondary controls fitted while vehicles adaptation.
  3. Remedies on possible failures

## **A 6.0 TYPES OF PHYSICAL DISABILITIES THAT CAN BE CONSIDERED FOR USE OF ABOVE vehicles WITH RETRO-FITTED / ADAPTATION KIT**

- Authorized medical practitioner shall examine type of physical disabilities of the person and may calculate degree of disability based on specific norms. Physical disabilities more than 25% may be acceptable for person with disability to be a driver for driving a vehicles fitted with retro fitment / adaptation kit.
  - Left leg (partial or full): May be considered
  - Right leg (partial or full): May be considered
  - Both leg (partial or full): May be considered
  - Left /right hand (partial or full): May be considered
  - Both hands (partial or full): Not recommended under normal situations. May be considered under special case.
  - Person with short stature: May be considered
- Following aspects may be considered for certifying the Person with disability for his driving abilities of the vehicles fitted with retro fitment /adaptation kit.
  - Vision;
  - Muscle strength, flexibility and range of motion;
  - Co-ordination and reaction time;
  - Judgment and decision making abilities;
  - Ability to drive with adaptive equipment as specified above.
- Medical report may contain specific recommendations on driving requirements or restrictions.

## **A 7.0 REGISTRATION OF vehicles FITTED WITH RETRO FITMENT/ ADAPTATION KIT AND OFFERING DRIVING LICENSE.**

- Road Transport Authorities (RTO) shall register the vehicles fitted with approved retro fitment / adaptation kit for a person with physical disabilities as adapted vehicles in compliance to:
- Valid certificate of retro fitment / adaptation kit from authorized Test Agency.
- Valid certificate of authorized workshop for the fitment of approved retro-fitment or adaptation kit.
- Medical fitness certificate from authorized medical practitioner



**A. Ramp on side of vehicle**



**B. use of wheel chair as a driver seat**



**C. Swivel Seat**



**D. Extension of roof**



**E. Ramp on Rear Side**



## Chapter: 8

# Draft AIS-178 Code – Provision for Adapted vehicle category (L1, L2, L5M, Tricycle)

[Code under draft in MORTH]

### Definitions

- L1 - means a motor cycle without gear or a light two wheeled powered vehicle with maximum speed 70 kilometres per hour and engine capacity not exceeding 50cc if fitted with a thermic engine or motor power not exceeding 4.0 kilowatts if fitted with eclectic motor.
- L2 – means a motor cycle or a light two wheeled powered vehicle with engine capacity exceeding 50cc if fitted with a thermic engine or motor power exceeding 4.0 kilowatts if fitted with eclectic motor.
- L5M – means a three wheeler passenger carrier (Auto Rickshaw) on account of its technical features intended to carry passengers.
- Tricycle – means a vehicle with three wheels symmetrically arranged in relation to the longitudinal median plane.
- Twinned Vehicle – means in the case of L category vehicles, two wheels mounted on the same axle, the distance between the centers of their areas of contact with the ground is equal to or less than 460 mm. Twinned wheels shall be considered as one wheel.

### Important Notes in AIS – 178:

- Fitting of side car on left side.
- Fitting two wheels on rear axle for balancing / supporting.
- Fitted two wheels on front – twinned wheel vehicles.
- L2 adapted vehicles may be converted in transport category, maximum 50kg. goods can be transfer.
- L5M – three wheeler with self wheelchair can be possible
- Hill hold device necessary for above all type vehicles.
- Use of side cars for good carriage, etc
- Purpose of the standard was to provide safe mobility to a rider or driver having lower / upper limb disability and spine disability and to prepare provisions for wheel chair accessibility in three wheelers differently able driver / passengers / elderly people.
- The standard will also be helpful for self – reliance of person with disability. The scope of the standard will be limited to 2 and 3 wheelers (adaptation by retro-fitters/ OE).
- Vehicle selection for adaptation shall be done very thoughtfully, since each model of categories L1, L2 and L5M may not suitable for adaptation. This standard is intended to address mobility and self-reliance needs of persons with reduced mobility.
- Detachable Tricycle is defined as a tricycle which can split into two halves when "desired by and acted upon" by the user. Wheelchair may constitute rear part of it.

### 2.0 Technical and safety requirements

- 2.1 Consideration of vehicle age for adaption
- 2.1.1 While adaptations as per Part A of this standard for Person with disability are being carried out, vehicle having valid registration can be considered for adaptation
- 2.1.2 When vehicle adaptation is taken up for hire and reward purpose (e.g. wheelchair user passenger transport service, mobile shops are fabricated for self-reliance) and also necessitating allowable Structural changes, vehicle up to 5 (five) years age (from its date of registration) and having valid registration can be considered for adaptation

## **PART A: 2.0 POSSIBLE MODIFICATIONS IN THE VEHICLE [L1 and L2]**

### **2.1 Fitment of Side Car for carriage of a passenger:**

- a) 2-wheeled vehicle can be modified by fitment of a sidecar on the left side of the vehicle.
- b) While carrying out such a modification, it shall be ensured that minimum changes are made on the basic structure of the vehicle.
- c) In case the original vehicle has any foot controls (such as accelerator, brake, clutch or gear shift), such controls shall be adapted for operation by hand.
- d) The vehicle shall have device to intentionally lock the wheels in order to prevent rolling of vehicle (in situations like alighting the vehicle, stopping the vehicle on the gradient, etc)
- e) The vehicle shall have either hand start or electric-starting mechanism.
- f) Clamping arrangements shall be provided for carrying person's aids/ crutches etc.

### **2.2 Fitment of additional two wheels at the rear.**

- a) 2-wheeler vehicle can be modified by fitment of additional two wheels to provide balancing/ stability to the vehicle. The additionally fitted wheels shall have preferably the same size and specification of the original rear wheel.
- b) While carrying out such a modification, it shall be ensured that minimum changes are made on the basic structure of the vehicle.
- c) In case original vehicle has any foot controls (such as accelerator, brake, clutch or gear shift), such controls shall be adapted for operation by hand.
- d) The vehicle shall have device to intentionally lock the wheels in order to prevent rolling of vehicle (in situations like alighting the vehicle, stopping the vehicle on the gradient, etc)
- e) The vehicle shall have either hand start or electric-starting mechanism.
- f) Clamping arrangements shall be provided for carrying person's aids/ crutches etc.

### **2.3 Fitment of Side [Car / carriage] for transport of goods:**

- a) L2 vehicle can be modified by fitment of a sidecar on the left side of the vehicle.
- b) While carrying out such a modification, it shall be ensured that minimum changes are made on the basic structure of the vehicle.
- c) In case the original vehicle has any foot controls (such as accelerator, brake, clutch or gear shift), such controls shall be adapted for operation by hand.
- d) The vehicle shall have device to intentionally lock the wheels in order to prevent rolling of vehicle (in situations like alighting the vehicle, stopping the vehicle on the gradient, etc.)
- e) The vehicle shall have either hand start or electric-starting mechanism.
- f) Clamping arrangements shall be provided for carrying person's aids/ crutches
- g) Side bar/carriage may have foldable or flexible cover to confine or secure the cargo.
- h) Maximum load carried shall be limited to [50 kg]

- i) Max. Dimensions of load shall not exceed (Length\*width \*height) or load shall not be projecting outside of side car load carriage space].

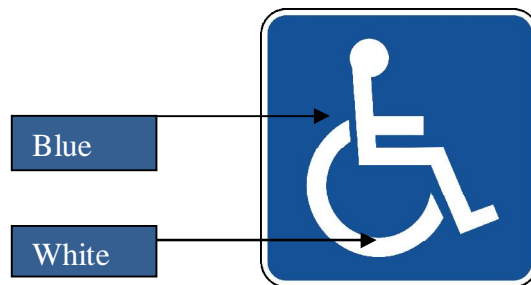
**2.4 Retro-fitment of twinned wheel kit in place of a front wheel [Provisions to be elaborated]**

- a) Design outer diameter of the tires in twinned wheel retro-fitment kit shall be same as original front wheel design outer diameter.
- b) Tire and wheel rims in twinned wheel retro-fitment kit shall be compliant with IS 15627 and AIS-073/ IS 16192.
- c) Design width of the tires in twinned wheel retro-fitment kit shall not be bigger than original front wheel tire width.
- d) Twinned wheel retro-fitment kit may have independent suspensions in case of two wheeler modification.

**4.3.1 Retro-reflective tape**, red in color and having minimum width of 20 mm, shall be affixed running across the width on the rear side of the sidecar or on the additional wheels (as the case may be) to indicate the presence of additional fitment and the width of vehicle from the rear.

**4.4 Identification Symbol**

The vehicle shall carry following symbol in the front and at rear, indicating that the vehicle is meant for driving by a physically challenged person. The symbol shall be made up of retro reflective material (tape). Wherever space constraint is there, square blue background below may be provided in circular shape having diameter 80 mm



Note: Affixing of symbol in case three wheelers and E-rickshaw shall not obstruct drivers field of vision. Size (80 X 80 mm)



For hearing impaired person using hearing aid shall affix symbol with size 80 x 80 mm

- Following aspects may be considered for certifying the person with physical disability for his driving abilities of the vehicle fitted with retro fitment kit.
- Vision , · Muscle strength, flexibility and range of motion
- Co-ordination and reaction time
- Judgment and decision making abilities
- Ability to drive with adaptive equipment as specified above.
- Medical report may contain specific recommendations on driving requirements or restrictions

## 7.0 REGISTRATION OF VEHICLE FITTED WITH RETRO FITMENT KIT AND OFFERING DRIVING LICENSE.

- Road Transport Authorities (RTO) shall register the vehicle fitted with approved retro fitment kit for a person with physical disabilities as adapted vehicle compliance to:
  - Valid certificate of retro fitment kit from authorized Test Agency.
  - Valid certificate of authorized workshop for the fitment of approved retro fitment kit.
  - Medical fitness certificate from authorized medical practitioner.
  - Driving test.
- Retro-fitment kit installer shall provide user guide (instruction manual) to vehicle owner
- involving at least following instructions:
  - Name of Retro-fitter and his contact details, including mobile No./helpline No.
  - Ways for effective use of secondary controls fitted while vehicle adaptation.
  - Remedies on possible failures.
- When person with lower limb (leg below knee) disability is using prosthetic leg and in position to operate the controls safely and can easily rest his prosthetic leg in case of temporary halting is required, fitment of side-wheels or side car is not required for vehicle adaptation.

### List of some minor allowable modifications for vehicle adaptation as per this Standard

- B 2.1.7 Fitment of mechanical lever to operate the original light control levers from left side to right side and vice versa in cases of one hand disability.
- B 2.1.18 Fitment of hand rest to bucket seat.
- B 2.1.19 Increasing seat height.
- B 2.1.20 Increasing seat cushion.

### B 2.2.4 Following modifications are permissible in the motor vehicles, subject to conditions mentioned below (only relevant criteria reproduced below)

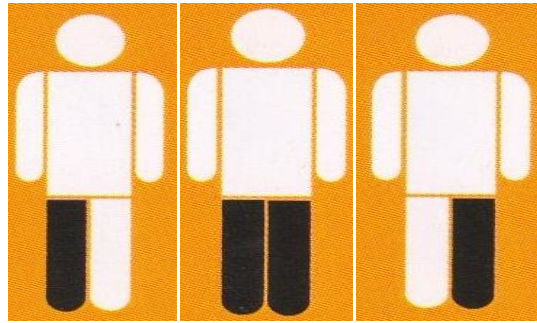
Sr No.	Changes of parameter	Subject to compliance of the following
1	Seats: A. Deletion of seats	1. Vehicle weight after the alteration / changes not to exceed the permissible Gross Vehicle Weight 2. Seating capacity to remain within the same motor vehicle category 3. Seating dimensions as per prescribed specifications. 4. Seats fitted should not obstruct other occupant(s) 5. Folding seats, if fitted, should have auto lock in both used / unused position. 6. Such seats shall be fitted in rows other than first row of the driver. 7. Such fitments shall not obstruct ingress and egress of the occupants
2	Soft top to hard top or vice versa in L5M vehicles	
3	Side door or bars in passenger area of L5M on right hand side of driver.	

- This standard specifies the overall dimensions and functional requirements for battery operated tricycle used as conveyance by invalid having disability of lower extremities. Battery operated tricycle is a new form of powered tricycle.
- For the purpose of this standard tricycles with maximum speed up to 25 km/h and operated by electric motors providing power above 250 W and up to 500 watt are considered.

**Vehicle adaptation some legal provisions made by the Central Government of India recently, facilities in India and good engineering practices**

- D 1.1 MORTH letter No. RT-11036/06/2019 dated the February, 2019 (signed on 28th Feb. 2019) regarding Alterations in Motor Vehicles which allows deletion of seats, lateral/side facing seat fitment and conversion from soft top to hard top and vice versa
- For L5M. In case of deletion of seats as specified in clause A 2.2.4 no reduction in State / Centre Tax.
- D 1.3 MORTH notification GSR 240 (E) dated 31st March 2021, regarding definitions of L1 and L2 Two wheelers, alterations in vehicle, provisions for adapted vehicles, etc.
- D 1.4 GSR 173 (E) dated 11th March 2021, regarding vehicle recall and testing of adapted vehicle, etc.
- D 1.6 MORTH notification GSR 401 (E) dated 24th, June 2020, regarding issuance of driving license to person with partial color blindness
- D 1.8 MORTH letter no. RT- 11021/40/2014-MVL dated 14th June 2016 adapted vehicle driving licence linking with type of disability.

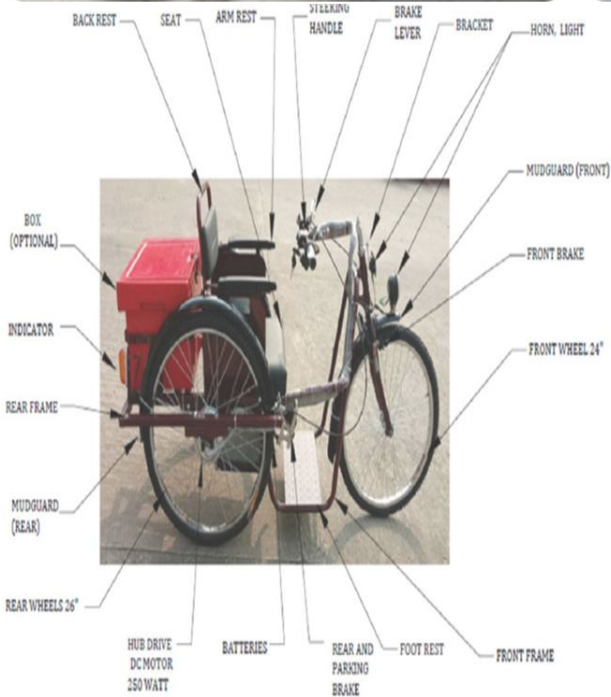
## 2 Wheeler Attachments



Vehicle Fitted with Side Car



Vehicle fitted with rear wheel with Retro-reflective Tape



Battery Operated Motorized Tricycle

Detachable Tricycle

## Chapter: 9

# Exemption for Divyangjan in Transport Sector in India

## 9.1 NHAH - Toll tax Exemption

EXEMPTIONS AND DISCOUNTS AS PER NATIONAL HIGHWAYS FEE (DETERMINATION OF RATES AND COLLECTION) RULES, 2008

As per Rule 11 of The National Highways Fee (Determination of rates and Collection) Rules, 2008 exemption from payment of fee has been extended for the following–

"11(e) *Mechanical vehicles specially designed and constructed for use of a person suffering from physical disability (GSR 585(E) dated 08/06/2016)* or registered with ownership as Divyangjan under Motor Vehicle Act, 1988 and the rules made there under (GSR 804(E) dated 30/12/2020) "

## 9.2 India Motor Tariff 2002 - IMT.12 (50% Discount in vehicle insurance Premium)

- THE TARIFF ADVISORY COMMITTEE (HEREINAFTER CALLED TAC) HAVE LAID DOWN RULES, REGULATIONS, RATES, HEREIN, FOR TRANSACTION AND CONDITIONS OF MOTOR INSURANCE IN INDIA IN ACCORDANCE WITH THE PROVISIONS OF PART ii B OF THE INSURANCE ACT, 1938.
- THIS TARIFF SUPERSEDES THE PROVISIONS OF THE INDIA MOTOR TARIFF IN EXISTANCE UPTO 30TH JUNE 2002.
- THE PROVISIONS OF THIS TARIFF ARE BINDING ON ALL CONCERNED AND ANY BREACH OF THE TARIFF SHALL BE A BREACH OF THE PROVISIONS OF THE INSURANCE ACT , 1938.
- For other details and time to time updates please refer to INDIA MOTOR TARIFF available on internet TAC website [www.tac.org.in](http://www.tac.org.in) ...
- On matters relating to any of the provisions of the India Motor Tariff , clarification and interpretations given by the Tariff Advisory Committee will be final and binding on all concerned

### **IMT.12. DISCOUNT FOR SPECIALLY DESIGNED/MODIFIED vehicles FOR THE BLIND HANDICAPPED AND MENTALLY CHALLENGED PERSONS**

- Notwithstanding anything to the contrary contained in the policy it is hereby understood and agreed that the vehicles insured being specially design/modified for use of blind. Handicapped and mentally challenged persons and suitable endorsement to this effect having been incorporated in the registration book by the registering authority, a discount of 50% on the own damage premium for the vehicles insured is hereby allowed to the insured.
- Subject otherwise to the terms exceptions and limitations of the policy.



## Chapter: 10

### Additional Benefits for Divyangjan in Gujarat State

#### 10.1 Motor Vehicle tax Exemption

Notification  
PORTS AND TRANSPORT DEPARTMENT  
Sachivalaya, Gandhinagar  
Dated the 3 MAR, 2007

#### **BOMBAY MOTOR VEHICLES TAX ACT, 1958.**

No. PT/2007/25/MVD/102007/6851KH:- In exercise of the powers conferred by sub-section (1) of section 3 of the Bombay Motor Vehicles Tax Act, 1958 (Boom. LXV of 1958) and in supersession of Government Notifications, Government Notification, Home Department No. GHG /99/43 / MTN 1095/ 3290/ KH, dated the 31<sup>st</sup> March, 1999, Government Notification Home Department No. GHG/2001/83/MTA/1001/2008/KH, dated the 31/8/2001, Government Notification Ports and Transport Department No GHG / 2006/09/MVT/1006/7/KH

Dated 31<sup>st</sup> March 2006, Government Notification Ports and Transport Department No. GF1G/2006/08/MVT/1006/7/KH dated the 31<sup>st</sup> March 2006 and government Notification Ports and Transport Department No. GHG/2006/10/MVT/1006/7/KH, did 31<sup>st</sup> March 2006, the Government of Gujarat hereby fixes, on and from the 1<sup>st</sup> day of April, 2007, to levy and collect a tax at the rate specified in column 2 of the Schedule appended hereto on the motor vehicles specified in the corresponding entry in column 1 of the said Schedule used or kept for use in the slate of Gujarat.-

#### SCHEDULE

	Types of Motor Vehicle	Rate of Lump Sum tax
<b>Part-I</b>	<b>Motor vehicles registered in the State of Gujarat on or after the 1" April, 2007.</b>	
1	Motor Vehicles (other than transport vehicles)-	
(i)	<b>Motor Vehicles not exceeding 250 KG in weight, unladed adapted for use for invalids</b>	<b>NIL</b>

## NOTIFICATION

Government of Gujarat,  
Ports and Transport Department,  
Sachivalaya, Gandhinagar.

Dated the: 5 June 2007

No. PT/2007/40/MTAJI 702/1428/KH: - In exercise of the powers conferred by sub-section (2) of Section 13 of the Bombay Motor Vehicles Tax Act, 1958 (Bon. LXV of 1958) read with sub rule (6) of rule 16-A of the Bombay Motor Vehicles Tax Rules, 1959, and in supersession of Government Notification, Home Department No GH/G172/165/MTA/1769144043/E, date the 1st August 1972, the Government of Gujarat hereby exempts the motor vehicles belonging to persons physically handicapped totally from the payment of the tax leviable under the said Act of such vehicles are registered in their names and are used by them in connection with their employment, trade or business.

No exemption in respect of more than one motor vehicle shall be available to such a physically handicapped person.

By order and in the name of the Governor of Gujarat.

sd/-

Under Secretary to Govt. of  
Gujarat,  
Ports and Transport  
Department

## 10.2 Municipal Vehicle Road tax Exemption

Gujarat Provincial Municipal Corporations Act, 1949

**Section: 143 Exemptions from the tax.**

(g) Vehicles used exclusively for the conveyance of disabled person:

### 10.3 Simplification of process for issuance of Driving licence and registration

ક્રમાંક : એમવીપી/૨૮૭૨૦૧૫/૨૩/૫૧૯૦  
વાહનવ્યવહાર કમિશ્નરશ્રીની કચેરી, બ્લોક નં.-૬, ૨/૩ માળ,  
ડૉ. જીવરાજ મહેતા ભવન, ગાંધીનગર, ગુજરાત રાજ્ય,  
તારીખ. ૯-૮-૨૦૧૬

-:પરિપત્ર:-

#### આ મુખ.

દિવ્યાંગ વ્યક્તિઓ માટે ડ્રાઇવિંગ લાયસન્સ મેળવવા વાહનનું રજીસ્ટ્રેશન કરાવવા તથા મોટર વાહન વેરા સંબંધી કામગીરીઓ કરવા માટે સરળતા થાય તથા તેઓને આ કામગીરી કરવામાં કોઈ અડચણ ન ઉપસ્થિત થાય તથા વહીવટી સરળતા થાય તે માટે વાહન વ્યવહાર કમિશ્નરશ્રીની કચેરીના સ્તરેથી એક વર્કિંગ ગૃપની રચના કરવામાં આવેલ આ વર્કિંગ ગૃપે દિવ્યાંગ વ્યક્તિ સંબંધીત પ્રશ્નો ની ચર્ચા વિચારણા કરી કરેલ ભલામણ પરત્વે કાળજી પુર્વકની વિચારણા કર્યા બાદ નીચે પ્રમાણેની સૂચનાઓ આપવામાં આવે છે

#### ૧ . ડ્રાઇવિંગ લાયસન્સ-:

- ૧.૧. સામાન્ય વ્યક્તિની જેમજ દિવ્યાંગ વ્યક્તિશ્રીઓને ડ્રાઇવિંગ લાયસન્સ મેળવવા માટે સમાન કાયદાકીય જોગવાઈઓ લાગુ પડે છે. કોઈ વ્યક્તિ વિકલાંગ હોવા માત્રથી તેમને ડ્રાઇવિંગ લાયસન્સની પ્રક્રિયા માટે ગેરલાયક ઠરાવી શકાય નહીં કે, પૂર્વગ્રહ રાખી શકાય નહીં.
- ૧.૨. શિખાઉ લાયસન્સ આપતી વખતે દિવ્યાંગ વ્યક્તિશ્રીઓ પાસે તેઓની માલીકીનું વાહન હોવું જરૂરી નથી.
- ૧.૩. દિવ્યાંગ વ્યક્તિ તેમને અનુકુળ હોય તેવા તેમની માલીકીના અથવા ડ્રાઇવિંગ સ્કુલના અથવા અન્ય કોઈ સરખી વિકલાંગતા ધરાવતા વ્યક્તિના વાહન સાથે પાકા લાયસન્સનો ટેસ્ટ આપી શકે છે.
- ૧.૪. દિવ્યાંગ વ્યક્તિ ઓટોમેટેડ ડ્રાઇવિંગ ટેસ્ટ ટ્રેક પર ઓટોમેટીક ટ્રાન્સમીશન વાળા વાહન મારફતે ટેસ્ટ આપી શકશે. .
- ૧.૫ દિવ્યાંગ વ્યક્તિનાં પાકા ડ્રાઇવિંગ લાયસન્સમાં વાહન નંબર લખવાની પ્રથા આથી દુર કરવામાં આવે છે. તેની જગ્યાએ "Authorized to Drive Suitable Vehicle Only" લખવાનું રહેશે. અર્થાત આવી વ્યક્તિ પોતાની વિકલાંગતાને અનુકુળ થાય તે પ્રકારનું વાહન જ ચલાવી શકવા સક્ષમ છે. વધુ માં આવી વ્યક્તિ બીજી કોઈ સરખી વિકલાંગતા ધરાવતી વ્યક્તિનું વાહન પણ (જો વિકલાંગતાને અનુકુળ હોય તો) ચલાવી શકશે. ઉપરાંત જો

આવી વ્યક્તિ વાહનમાં કોઇપણ ફેરફાર કર્યા વગરનું ઓટોમેટીક ટ્રાન્સમીશન વાળુ વાહન ચલાવવા સક્ષમ હોય તો તેવું વાહન પણ ચલાવી શકશે

નોંધ : આ બાબતે સરકારશ્રીના તાજેતરના નિયમો/પરિપત્રો ધ્યાને લેવા

- ૧.૬. ભારત સરકારનાં તા.૫-૫-૨૦૧૧ નાં પેરા-૪ મુજબ "where by a driver need to use his clutch (in case of AUTO CLUTCH KIT) or use his hand or legs or combination or his limbs to operate to break or accelerator"
- ૧.૭. દિવ્યાંગ વ્યક્તિ જો તેને અનુકુળ ફેરફાર કરાવેલ વાહન ચલાવતાં લાયસન્સ ધરાવતો હોય તેવા સરખા પ્રકારનું વાહન દેશમાં ગમે ત્યાં ચલાવી શકશે

નોંધ : આ બાબતે સરકારશ્રીના તાજેતરના નિયમો/પરિપત્રો ધ્યાને લેવા

## ૨. વાહન રજીસ્ટ્રેશન સંબંધીત

- ૨.૧. જે વાહનમાં વિકલાંગતાને અનુકુળ ફેરફાર કરાવેલ ન હોય તેવા વાહનની નોંધણી વખતે આઇસીનો (IC) ક્લાસ આપવો નહીં.
- ૨.૨. જે વાહનમાં ફેરફાર કરવામાં આવેલ હોય તે વાહનમાં જ ઇનવેલીડ કેરેજનો ક્લાસ આપવો. વાહનમાં ફેરફાર કરવા માટે અધિકૃત કીટનો ઉપયોગ કરવો.
- ૨.૩. દિવ્યાંગ વ્યક્તિની માલીકીનાં વાહનને 'આઇસી સીરીસ' માં જ નંબર આપવો આઇસી સીરીઝમાં નંબર આપવાથી દિવ્યાંગ વ્યક્તિનાં વાહનને આઇસી નો ક્લાસ આપોઆપ મળી જતો નથી. અર્થાત દિવ્યાંગ વ્યક્તિની માલીકીનાં તમામ વાહનોને આઇસી સીરીઝનો નંબર આપવામાં આવશે ટુંકમાં કહી શકાય કે પ્રત્યેક ઇનવેલીડ કેરેજને આઇસી નંબર મળશે પરંતુ આઇસી નંબર ધરાવતું દરેક વાહન ઇનવેલીડકેરેજ થશે નહીં.

## ૩. ટેક્ષ સંબંધીત

- ૩.૧. ૨૫૦ કી.ગ્રા. સુધીનાં વજનનાં ઇનવેલીડ કેરેજ વાહનનો મોટર વાહન વેરા દર '૦' છે.
- ૩.૨. ૨૫૦ કી.ગ્રામ સુધીનું વજન ધરાવતા "ઇનવેલીડ કેરેજ ને મોટર વાહન વેરામાંથી મુક્તિ ગુજરાત રાજ્ય સરકારના બંદરો અને વાહન વ્યવહાર વિભાગે ગુજરાત સરકારના બંદરો અને વાહન વ્યવહાર વિભાગે તા.૩૦-૩-૨૦૦૭ થી બહાર પાડેલા જાહેરનામા ક્રમાંક-પીટી-૨૦૦૭-૨૫-એમવીડી- ૧૦૨૦૦૭-૬૮૫-ખ, થી ૨૫૦ કી.ગ્રામ સુધીના અનલેડન વેઇટ (ખાલી વાહનનું વજન) ધરાવતા "ઇનવેલીડ કેરેજ" નો વાહન વેરાનો દર "શુન્ય " ઠરાવેલ છે. આમ આ "શુન્ય " વેરાનો લાભ વાહનના પ્રકાર પર આધારીત છે.

૩.૩. ઉપરોક્ત જોગવાઈ વાહન આધારિત છે. આ જોગવાઈ ઉપરાંત ગુજરાત સરકારે ગુજરાત મોટર વાહન વેરા અધિનિયમ,૧૯૫૮ હેઠળ તારીખ ૫ મી જુન-૨૦૦૭ ના બહાર પાડેલ જાહેરનામા ક્રમાંક-પીટી-૨૦૦૭- ૪૦-એમટીએ-૧૭૦૨-૧૪૨૮-ખ, તથા મુંબઈ મોટર વાહન વેરા નિયમો,૧૯૫૯ ના નિયમ ૧૬-ક ના પેટા નિયમ (૬) સાથે વાંચતા ગુજરાત મોટર વાહન વેરા અધિનિયમ,૧૯૫૮ (સને ૧૯૫૮ ના ૬૫ માં) ની કલમ- ૧૩ ની પેટા કલમ (૨) થી મળેલ સત્તાની રૂએ ગુજરાત સરકારે શારીરિક ખોડખાં પણ ધરાવતી વ્યક્તિના મોટર વાહનને નીચેની શરતોએ સંપૂર્ણ વેરા મુક્તિ આપેલ છે

:એ: જો આવા વાહનો દિવ્યાંગ વ્યક્તિઓના નામે નોંધાયેલા હોય અને આવી વ્યક્તિઓ ધ્વારા તેમના વેપાર અથવા ધંધાના સંબંધમાં ઉપયોગમાં લેવાતા હોય

:બી: આવી વ્યક્તિને એકથી વધુ મોટર વાહન સંબંધમાં ક્ષે મુક્તિ મળશે નહીં

નોંધનીય છે કે, વાહન જાતે ચલાવવા માંગતા અથવા જાતે ન ચલાવવા માંગતા વ્યક્તિઓને પણ આ વેરા મુક્તિનો લાભ મળી શકે છે. આ મુક્તિ દિવ્યાંગ વ્યક્તિશ્રીની માલીકીના પ્રથમ વાહન સુધી મર્યાદીત છે તેમની માલીકીના બીજા વાહનને આ મુક્તિનો લાભ મળી શકે નહીં. તદ્ ઉપરાંત આ કરમુક્તિનો લાભ જ્યાં સુધી વાહન દિવ્યાંગ વ્યક્તિને નામે હશે ત્યાં સુધી મળવાપાત્ર છે આ પ્રકારની નોંધ રજીસ્ટ્રેશન બુક તથા રેકર્ડમાં કરવાની રહેશે

ખાસ નોંધ :-દિવ્યાંગ વ્યક્તિની ઉક્ત કોઈપણ કામગીરી માટે સીવીલ સર્જનનું પ્રમાણપત્ર જરૂરી છે. આ સૂચનાઓનો અમલ કરવા જણાવવામાં આવે છે

બિડાણ:- ઉપર મુજબ

નોંધ પર કમિશ્નરશ્રીની મંજૂરી મુજબ

ખાસ ફરજ પરના અધિકારી  
વાહન વ્યવહાર કમિશ્નરશ્રીની કચેરી  
ગુજરાત રાજ્યગાંધીનગર.

પ્રતિ,

(૧) તમામ સહાયક/પ્રાદેશિક વાહન વ્યવહાર અધિકારીશ્રી/ તમામ પ્રાદેશિક/ સહાયક પ્રાદેશિક વાહન વ્યવહાર અધિકારીશ્રીની કચેરી

(૨) મોટર વાહન નિરીક્ષકશ્રી ચેકપોસ્ટ. તમામ.

(૩) ડાયરેક્ટરશ્રી, એન.આઈ.સી., આ પરિપત્ર અનુસાર સોફ્ટવેરમાં જરૂરી ફેરફાર કરવા અર્થે

(૪) કમિશ્નરશ્રી, વિકલાંગ કમિશ્નરશ્રીની કચેરી, બ્લોક નં.૧૬, જુના સચિવાલય, ગાંધીનગર.

## 10.4 Formation of committee to resolve issue regarding Divyangjan

વાહનવ્યવહાર કમિશ્નરશ્રીની કચેરી, બ્લોક નં.-૬, ૨/૩ માળ,  
ડો. જીવરાજ મહેતા ભવન,ગાંધીનગર, ગુજરાત રાજ્ય,  
ક્રમાંક: ૨૨૮૭૨૦૧૫/૨૩/૧૧૪૪  
તારીખ. ૨૦-૨-૨૦૧૬.

-:: ઠરાવ ::-

વંચાણે લીધા:- વર્કીંગ ગ્રુપની રચના કરવા માટે માનકમિશ્નરશ્રીએ નોંધ પર કરેલ આદેશ  
તા.૧૫-૨-૨૦૧૫.

શારિરીક રીતે ખોડખાં પણ ધરાવતી વ્યક્તિઓનાં વાહન તેમજ નામે નોંધાયેલ હોય અને તેમના ધ્વારા તે રોજગાર, વેપાર અથવા ધંધાના સંદર્ભમાં ઉપયોગમાં લેવાતાં હોય છેઆવી વ્યક્તિઓ પોતાને અનુકુળ આવે તે રીતે વાહનમાં ફેરફાર કરાવતા હોય છે. તેમજ હાલમાં નવી ટેકનોલોજી અનુસાર ઓટો ટ્રાન્સમીશન વાળા વાહનો પણ બજારમાં ઉપલબ્ધ જોવા મળે છે પરીણામે વિકલાંગ વ્યક્તિઓને આવા વાહનમાં ફેરફાર કર્યા સિવાય પણ આવું વાહન ખરીદીને પોતાના માટે વાપરતા હોય છે. આવી વ્યક્તિઓને લાયસન્સ મેળવવા, વાહનને કયા વર્ગમાં નોંધવાનું, તેમજ રજીસ્ટ્રેશન દરમ્યાનની પ્રક્રીપીઓમાં સરળતા થઈ રહે તેમજ આવી વ્યક્તિઓને કચેરીમાં કોઈ જગ્યાએ વહીવટી મુશ્કેલીઓ ન પડે તે માટે વંચાણે લીધા થી એક વર્કીંગ ગ્રુપની રચના કરવામાં આવે છે.

આ વર્કીંગ ગ્રુપનાં નીચે પ્રમાણેનાં અધિકારી/કર્મચારી/પ્રતિનિધિનો સમાવેશ કરવામાં આવે છે.

ક્રમ	નામ	હોદ્દો
૧	શ્રી એલ.સી.મહેતા	સહાયક વાહન વ્યવહાર નિયામકશ્રી
૨	શ્રીજે.વી.શાહ	મોટર વાહન નિરીક્ષકશ્રી રાજકોટ
૩	શ્રી કે.એમ.પટેલ	એઆરટીઓશ્રી વસાલ
૪	શ્રી ડી.એમ.પટેલ	મોટર વાહન નિરીક્ષકશ્રી સીઓટી કચેરી
૫	શ્રી પી.સી.ખરચરીયા	હેડક્લાર્કશ્રી સીઓટી કચેરી
૬	શ્રી હરીશકુમાર	એબીલીટી ઓન વ્હીલનાં પ્રતિનિધિ
૭	શ્રી સમીર કક્કડ	વિકલાંગ સંબંધીત વાહનની કીટનાં ઉત્પાદક

આ બાબતે આ વિષયે આપનાં સૂચનો /અભિપ્રાયો રજૂ કરવા તથા અત્રેથી વિકલાંગ . વ્યક્તિઓને માર્ગદર્શન મળી રહે તે માટેની એક પુસ્તિકા તૈયાર કરવાની હોવાથી કાયદા તથા નિયમોનુસાર તેઓને લાયસન્સ તથા વાહનના રજીસ્ટ્રેશન સંબંધી અનુકુળતા જળવાય તેનો સમાવેશ કરવાનો છે.

આ વર્કીંગ ગ્રુપે આ બાબતનો સઘન અભ્યાસ કરી સૂચનો તથા અભિપ્રાય અત્રે રજૂ કરવા

જણાવવામાં આવે છે.

વર્કીંગ ગ્રુપની મીટીંગની વિગત નીચે પ્રમાણે છે.

તારીખ :- ૨૦-૨-૨૦૧૬

સમય :- ૩-૩૦ કલાકે

સ્થળ :- મીટીંગ રુમ, વાહન વ્યવહાર કમિશ્નરશ્રીની કચેરી, ગુજરાત રાજ્યગાંધીનગર.

નોંધ પર કમિશ્નરશ્રીની મંજૂરી મુજબ

ખાસ ફરજ પરના અધિકારી  
વાહન વ્યવહાર કમિશ્નરશ્રીની કચેરી  
ગુજરાત રાજ્યગાંધીનગર.

પ્રતિ,

- |                       |                                       |
|-----------------------|---------------------------------------|
| ૧. શ્રી એલ.સી.મહેતા   | સહાયક વાહન વ્યવહાર નિયામકશ્રી         |
| ૨. શ્રી જે.વી.શાહ     | મોટર વાહન નિરીક્ષકશ્રી રાજકોટ         |
| ૩. શ્રી કે.એમ.પટેલ    | એઆરટીઓશ્રી વસાલ                       |
| ૪. શ્રી ડી.એમ.પટેલ    | મોટર વાહન નિરીક્ષકશ્રી સીઓટી કચેરી    |
| ૫. શ્રી પી.સી.ખરચરીયા | હેડક્લાર્કશ્રી સીઓટી કચેરી            |
| ૬. શ્રી હરીશકુમાર     | એબીવીટી ઓન વ્હીલનાં પ્રતિનિધિ         |
| ૭. શ્રી સમીર કક્કડ    | વિકલાંગ સંબંધીત વાહનની કીટનાં ઉત્પાદક |

## 10.5 Guideline for issuance of driving licence to persons having monocular vision

વાહન વ્યવહાર કમિશનરશ્રીની કચેરી,  
ડા.જીવરાંજ મહેતા ભવન, બ્લોક નંબર-૬ બીજો-ત્રીજો માળ  
જુના સચિવાલય ગાંધીનગર Email-cot.jdt@gmail.com ફોન.૫૧૩૬૩,૫૧૩૬૫

નં.એમવીએ/તા.૨૧-૧૨- ૨૦૧૭/અભિપ્રાય/સૂચન/ઓન/૪૨૨૦

તારીખ : ૦૨/૦૭/૨૦૧૯

પ્રતિ,

સહાયક/પ્રાદેશિક વાહન વ્યવહાર અધિકારીશ્રી

તમામ.

વિષય- એક આંખ ધરાવતી વ્યક્તિઓને નોન ટ્રાન્સપોર્ટ કાર અને મોટર સાઇકલનું લાયસન્સ આપતી વખતે ભારત સરકારના તા.૨૧/૧૨/૨૦૧૭ ના સૂચન/અભિપ્રાય ધ્યાનમાં લેવા બાબત.

અનુ-. મિનિસ્ટ્રી ઓફ રોડ ટ્રાન્સપોર્ટ એન્ડ હાઇવેઝના પત્ર નં.RT-11016/03/2017-MVL તા.21/11/2017.

ઉપરોક્ત વિષયે જણાવવાનું કે અનુસંધાનના પત્રથી ભારત સરકારના તા.૨૧/૧૨/૨૦૧૭ ના સૂચન અને અભિપ્રાયને ધ્યાને લઈ એક આંખ ધરાવતી વ્યક્તિએ સરકારી હોસ્પિટલના ઓપ્થોલ્મોલોજી વિભાગના વડા/અધિકૃત તબીબી અધિકારીનું નીચેના મુદ્દાઓ સુનિશ્ચિત કરતું પ્રમાણપત્ર રજૂ કરવું જરૂરી બને છે

- Visual acuity in the remaining or the better eye is 6/12 or better
- Horizontal Visual field is 120 degrees or more on Goldman perimeter/confrontation test.
- Sufficient time (6 months) has been allowed after the loss of eye vision in other eye for the person to adapt to loss of same.

આ પ્રમાણપત્ર રજૂ થયેથી એક આંખ ધરાવતી વ્યક્તિને શિખાઉ લાયસન્સ ટેસ્ટમાં બેસવા દઈ શકાય.

બિડાણ-ઉપર મુજબ

ખાસ ફરજ પરના અધિકારી,  
ગુજરાત રાજ્ય ગાંધીનગર.



## 10.6 Guideline for issuance of driving licence to hearing impaired persons

ક્રમાંક/એમવીપી/૧૮૧૧૨૦૧૬/૧૬/૮૩૩૦

વાહન વ્યવહાર કમિશ્નરની કચેરી

ડો. જીવરાજ મહેતા ભવન બ્લોક નંબર ૬,

બીજો માળ સચિવાલય, ગાંધીનગર.

તારીખ: ૩-૧૨-૨૦૧૬

પ્રતિ

તમામ પ્રાદેશિક વાહન વ્યવહાર અધિકારીશ્રી

તમામ પ્રાદેશિક વાહન વ્યવહાર અધિકારીશ્રીની કચેરી

વિષય સાંભળવાની ખામી ધરાવતી વ્યક્તિઓ (Hearing Impaired Persons) માટે

ડ્રાઇવિંગ લાઇસન્સ મેળવવા બાબત

સંદર્ભ ભારત સરકારના મીનીસ્ટ્રી ઓફ રોડ ટ્રાન્સપોર્ટ એન્ડ હાઇવે ન્યુ દિલ્હી ના

પત્ર ક્રમાંક આરટી-૧૧૦૨૧ ,એમવીએલ-૨૦૧૪-૪૦-તારીખ ૨૮ ૨૦૧૬-૧૦-

શ્રીમાન

ઉપરોક્ત વિષય તથા સંદર્ભે જણાવવાનું કે પીઆઈએલ નંબર ૧૮૧ ૨૦૧૩/માં બોમ્બે હાઇકોર્ટ )અમિત અશોક ત્રિભોવન વિરુદ્ધ આરટીઓ અને અન્યમાં( આપેલ આદેશ અનુસાર ઓલ ઇન્ડિયા ઇન્સ્ટિટ્યૂટ ઓફ મેડિકલ સાયન્સના તારીખ ૩૨૦૧૬-૬- ના અભિપ્રાય મુજબ ડ્રાઇવિંગ એ સાંભળવાની ઓછી પરંતુ જોવાની ક્રિયા છે સાંભળવાની ક્ષમતા ગુમાવવાથી ડ્રાઇવિંગ પર અસર પડતી નથી મોટાભાગના વિકસિત દેશો બેહરી વ્યક્તિઓને વાહન ચલાવવા માટે લાયસન્સ આપે છે આવી વ્યક્તિઓ સાંભળવાના મશીન સાથે વાહન ચલાવે તો તેને લાયસન્સ મેળવવા માંથી વંચિત રાખી શકાશે નહીં હાલમાં સાઈન ઇન્ડિકેટર નો ઉપયોગ થાય છે તેમ જ આવા દરેક અરજદારોને તેઓના રોડની પરિસ્થિતિ કે રાજ્યોમાં સામાન્ય વ્યક્તિની જેમ ટેસ્ટ લઈ શકાય છે

આથી બેરાશ ધરાવતા અરજદારોને લર્નિંગ લાયસન્સ મેળવવા અરજી કરે ત્યારે મોટર મોટર વ્હીકલ્સ એક્ટ ૧૯૮૮ ની કલમ ૮૪ હેઠળ તેઓ ડ્રાઇવિંગ માટે સક્ષમ છે કે કેમ તે મુદ્દે નિર્ણય કરતી વખતે ઉપરોક્ત વિગતો ધ્યાન ને લેવા જણાવવામાં આવે છે

નોંધ પર માનનીય કમિશનરશ્રીની મંજૂરી મુજબ

ખાસ ફરજ પરના અધિકારી

વાહન વ્યવહાર કમિશનરશ્રીની કચેરી

ગુજરાત રાજ્ય ગાંધીનગર

## 10.7 Issuance of International Driving Permit to Divyangjan

ક્રમાંકએમવીડી/૧૦૨૦૧૮/૭૩૬/ખ  
બં દરો અને વાહન વ્યવહાર વિભાગ,  
સચિવાલય, ગાંધીનગર.  
તા. ૨૬/૦૬/૨૦૧૮

પ્રતિ.

વાહન વ્યવહાર કમિશ્નરશ્રી,  
ગુજરાત રાજ્ય  
ગાંધીનગર.

વિષય:- દિવ્યાંગ વ્યક્તિને ઇન્ટરનેશનલ ડ્રાઇવિંગ પરમીટ આપવા  
બાબત.

સંદર્ભ: આપનો તા૩૦/૦૪/૨૦૧૮નો પત્ર. નં.એવીપી/દિવ્યાંગ/  
આઇડીપી/ ૪૬૮

શ્રીમાન,

ઉપરોક્ત વિષય બાબતના સંદર્ભમાં જણાવેલ આપના તા ૩૦/૦૪/૨૨૦૧૮ના પત્ર ના  
અનુસંધાને જણાવવાનું કેદિવ્યાંગ વ્યક્તિને ઇન્ટરનેશનલ ડ્રાઇવિંગ પરમીટ આપવા બાબતે  
કરેલ દરખાસ્તને અનુમોદન આપવામાં આવે છે

આથી ઉક્ત બાબતે તાત્કાલિક યોગ્ય કાર્યવાહી કરવા આજ્ઞાનુસાર વિનંતી છે

આપનો વિશ્વાસુ  
(પ્રકાશ મજમુદાર)  
નાયબ સચિવ  
બં દરો અને વાહન વ્યવહાર વિભાગ

# **Chapter: 11**

## **Miscellaneous**

### **11.1 Kerala Motor Vehicle Department - SOP for Alteration**

C1/10579/TC/09

Transport Commissioner ate, Heralarn  
Trans Towers, Thiruvananthapuram  
Dated: 24-04-2012

**From**

**The Transport Commissioner**

**To**

**All Deputy Transport Commissioners  
All Regional Transport Officers  
All Joint Regional Transport Officers**

**Sir,**

**Sub: Motor Vehicles Department-Procedure for alteration in motor vehicles to facilitate the mobility of physically challenged persons-reg**

**Ref: 1. Government Resolution NoRT-11012/12/01-MVL dated 11-08-2008**  
**2. Government Resolution No.RT-11012/12/2001-MVL dated 29-05-09**  
**3. Government Resolution No.RT-11017/07/2011-MVL dated 05-05-11**

As per reference igt cited, Central Government has prescribed the procedure to modify two wheelers to facilitate differently abled persons to drive these vehicles. However, the alteration could only be done by an authorized workshop In accordance with the manner prescribed in the instruction.

Further Vide reference 2nd cited, the Central Government has prescribed the procedure for altering four wheelers to suit the requirement of differently abled persons in which it was instructed that such modification can only be done in workshops authorized by the State Government to do so.

Later it came to the notice of the Central Government that there are no such authorized workshops in several parts of the country. In this situation, Government of India have issued direction vide reference 3 cited that in the absence of authorized workshops, the authorities in the State have to inspect the vehicles and satisfy themselves that the modified vehicles do not cause any threat to the safety of the vehicle users\_ Based on these instructions the following directions are issued for the strict compliance.

In the case of two wheelers where such modifications are not carried out in an approved workshop as prescribed in the earlier procedure, the inspection shall be done by the officers of this department irrespective of the fact that the modifications are made in a work shop which is approved or not subject to the condition that the modified vehicles will not be a threat to the safety of the person who drives the vehicles and other road users.

In the case of four wheelers, it is to be noted that the retro fitment kit/adaptation kit does not modify/change the originality of the vehicle except mere adaptation where by a driver does not use his clutch (in the case of AUTOCLISTCH Kit) or uses his hand to operate the brake or accelerator (in the case of HAND CONTROL kit). The original pedals are also not modified or removed and also none of the parameters entered in the registration certificate of the vehicle are affected or charged. In such cases the modification can be allowed by the registering authorities concerned.

While allowing the modification it is to be ensured that the modification made in the vehicle does not attract the provision of Section 52 of the Motor Vehicles Act\_ the modified vehicles shall be inspected by two technically qualified officers in which one of the officers shall not be below the rank of Motor Vehicles Inspector.

It is also instructed that necessary steps should be taken to issue driving licence to the differently abled persons to drive such modified vehicle. The details of the modified vehicle shall be entered as remarks in the printable remarks while issuing driving licenses. All concerned are directed to take all possible steps to redress the grievance of the differently abled persons regarding the modification of vehicles and issue of driving licence.

Yours faithfully  
Joint Transport Commissioner  
For Transport Commissioner

**Approved for issue**  
**Senior Deputy Transport Commissioner**

## 11.2 MORTH Advisory for Accessible India campaign

**No. RT-23018/1 /2016-T(Pt.111)(Vol.1)**

Government of India  
Ministry of Road Transport and Highways  
(Transport Section)

New Delhi, Dated: 28th June, 2018

### **Office Memorandum**

Sub.: Advisory to achieve targets of Accessible India Campaign.

The Accessible India Campaign was launched by Hon'ble Prime Minister on 3rd December, 2015 for creating universal accessibility for persons with Disabilities in all spheres including inter-alia Education, Transport, and Information & Communication Technology (ICT) etc. The Campaign is based on the principles of the Social Model of Disability, which proposes that disability is caused by the way society is organized, and not based on the person's limitations and impairments. The physical, social structural and attitudinal barriers prevent people with Disabilities (Divyangjan) from participating equitable in socio-cultural and economic activities.

2. A barrier-free environment would thus facilitate an independent and dignified way of life for all individuals. The Accessible India Campaign thus aims to build an inclusive society in which equal opportunities are provided for the growth and development of persons with Disabilities (Divyangjan).

3. A Meeting of the committee of Secretaries (Cos) was held on grad April 2018 to review the Accessible India Campaign. It has been decided in the meeting that 25% of the Govt. Owned Public Transport is to be made fully accessible by March, 2019. All bus stops and terminals may also be made fully Accessible for persons with disabilities.

4. In this connection, please also refer to the Minutes of the meeting held in this Ministry on 10th April, 2018 with the Principal Secretaries/ Secretary, Transport of all the States and Union Territories and the steps to be taken in this direction to achieve the Target.

5. The State Govt./ UTs are advised to undertake the following steps to achieve the targets of Accessible India Campaign: -

- i) 25% of Govt. owned public transport vehicles should be made fully accessible by March 2019.
- ii) All bus stop / terminals/ports should be made Accessible.
- iii) Facilities for speedy Licensing and registration may be provided to differently abled persons.
- iv) E- rickshaw/E-cart has been created as a separate category vehicle under MV Act and is being promoted for replacing manual labored rickshaw. The speedy process of licensing and registration would result in creating livelihood opportunities for differently abled persons.

6. The above actions may kindly be completed on priority.

(Abhay Damle)  
Joint Secretary (Transport)  
Tele No. 23719209

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**No. RT-23018/04/2019-T**

Government of India

Ministry of Road Transport and Highways  
(Transport Section)

Transport Bhawan, 1, Parliament Street, New Delhi-110001

29th July, 2019

To,

Managing Directors of all State Road Transport Undertakings

Sub: - **Advisory to achieve targets of Accessible India Campaign.**

Madam/Sir,

The Accessible India Campaign was launched by Hon'ble Prime Minister on 3rd December, 2015 for creating universal accessibility for persons with Disabilities in all spheres including Built Environment, Transport, and Information & Communication Technology (ICT) ecosystem. The Campaign is based on the principles of the Social Model of Disability, which is that disability is caused by the way society is organized, and is not based on the person's limitations and impairments. It is physical, social, structural and attitudinal barriers that prevent people with Disabilities (Divyangjan) from participating equally in socio-cultural and economic activities. In this context, a target was set to achieve accessibility in all the bus stands, and in 25% of the buses, by 31st March, 2019.

2. A barrier-free environment facilitates Divyangjan in leading an independent and dignified way of life with full participation in all activities. The Accessible India Campaign's vision is to build an inclusive society in which equal opportunities are provided for the growth and development of persons with Disabilities (Divyangjan) so that they can lead productive, safe and dignified lives.

3. The Rights of persons with Disabilities Act, 2016 mandates accessibility in all modes of transport as well as in public transport bus stops\_ The Section 41 of the Rights of persons with Disabilities Act, 2016 is reproduced as under for ready reference:

*"41. (1) The appropriate Government shall take suitable measures to provide,— (a) facilities for persons with disabilities at bus stops, railway stations and airports conforming to the accessibility standards relating to parking spaces, toilets, ticketing counters and ticketing machines; (b) access to all modes of transport that conform the design standards,*

*including retrofitting old modes of transport, wherever technically feasible and safe for persons with disabilities, economically viable and without entailing major structural changes in design; (c) accessible roads to address mobility necessary for persons with disabilities."*

4. A meeting of the Task force, formed for speedy implementation of targets set for public transport under the Accessible India Campaign, was held on 24.7.2019 to discuss issues relating to retro-fitment in the on-road old buses.

5. After detailed deliberations in the said meeting, it was decided that all the STUs may ensure implementation of the following as part of the Accessible India Campaign:

(I). All the bus stops and bus ports/ terminals should be made fully accessible.

(li). All the buses operated by the STUs/STCs may be made disabled-friendly in a time bound manner.

(lii). Sufficient number of wheelchairs for differently abled passengers may be made available at all bus ports/ terminals.

(IV). Properly visible and marked space be made available at all bus stops, ports/terminals.

(V). Proper signage's be fixed at appropriate places indicating seats for differently abled.

(VI). Adequate handrails and provision of human assistance be made available to the differently abled passengers.

(Vii). Audio-visual information systems for visually and hearing impaired Passengers may also be made available in the buses.

(Viii). Emergency button provision near the seat of the designated disabled seat may be made.

(Ix). Where ramp is not possible, provision may be made for human assistance for the differently abled passengers to facilitate to board the buses.

6. This Ministry has been communicating with the states regularly to achieve the targets of Accessible India Campaign. For ready reference the earlier communications issued to the States are listed below:

i. Letter No RT-11017/07/2011-MVL dated 5th May, 2011(copy enclosed) regarding procedure for alteration in Motor Vehicles to facilitate the mobility of physically challenged person.

ii. Letter RT-11021/40/2014- MVI, dated 14-06-2016 (copy enclosed), Ministry detailing the procedure for guidelines for grant of driving licenses & registration certificates to differently abled persons.

iii. Advisory dated 26th June, 2018 issued by this Ministry (copy enclosed) for undertaking various steps to achieve the targets of Accessible India Campaign.

- iv. Advisory dated 21.11.2017 to States/ Uts (copy enclosed) regarding procedure for providing driving license for persons having monocular visions.
  - v. Advisory dated 01.03.2019 to States/ Uts (copy enclosed) regarding Accessible India Campaign targets.
7. Accordingly, all the SRTUs are requested to ensure compliance of the points mentioned in Para 5 above and intimate the status thereon to ED, ASRTU for compilation by 01.08.2019, indicating specifically the steps already taken and proposed to be taken in this regard, along with the time frame.

**Ends. As above**

Yours faithfully  
(Paresh Kumar Gael)  
Director (Transport)  
Tele No. 01123351967

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**No. RT-23018/04/2019-T**

Government of India

Ministry of Road Transport and Highways

(Transport Section)

[Room No. 522, Transport Bhawan, Parliament Street, New Delhi-110001]

Dated: 1<sup>st</sup> March, 2019

To,

The Transport Secretaries of all State Government/ Union Territories.

Sub: - **Advisory to achieve targets of Accessible India Campaign.**

Madam/Sir,

The Accessible India Campaign was launched by Hon'ble Prime Minister on 3<sup>rd</sup> 4 December, 2015 for creating universal accessibility for persons with Disabilities in Built Environment, Transport, and Information Et Communication Technology (ICT) ecosystem. The Campaign is based on the principles of the Social Model of Disability, which proposes that disability is caused by the way society, is organized, and not based on the person's limitations and impairments. The physical, social, structural and attitudinal barriers prevent people with Disabilities (Divyangjan) from participating equally in the socio-cultural and economic activities.

2. A barrier- free environment facilitates Divyangjan in equal participation in all the activities and promotes an independent and dignified way of life. Accessible India Campaign has the vision to build an inclusive society in which



equal opportunities are provided for the growth and development of persons with Disabilities (Divyangjan) so that they can lead productive, safe and dignified lives.

3. Recently in the meeting of Committee of Secretaries held on 21<sup>st</sup> January 2019 it was decided that the Mob Road Transport and Highways may ensure that at least 25% of Government owned public transport is made fully accessible by March 2019. All bus stops and terminals may also be made accessible in coordination with States/ UTs. In this regard, Secretaries of Morth and Dewed would also be conducting a joint video conferencing with MD of SRTUs and concerned officials of States/ UTs for follow up.

4. Accordingly, the State Govt. / UTs are requested to undertake the following steps to achieve the targets of Accessible India Campaign:

- (i) 25% of Govt. owned public transport vehicles as well as all the private passenger vehicles should be made fully accessible by March 2019.
- (ii) Immediate actions to be taken to make all bus stops/ terminals/ports Accessible for the use of Persons with Disabilities.
- (iii) Explore feasibility and take immediate steps for retro-fitment of buses including innovative solutions such as providing wooden or metallic plank to provide easy access to wheel chaired passengers.
- (iv) Facilities for speedy Licensing and registration may be provided to differently abated persons.

5. The achievements of targets of Accessible India Campaign made by STUs/ SRTUs are enclosed at Annexure.

6. This Ministry has been communicating with the states regularly to achieve the targets of Accessible India Campaign. For ready reference these are listed below:

- (i) Letter No RT-11017/07/2011-MVL dated 5<sup>th</sup> May, 2011(copy enclosed) regarding procedure for alteration in Motor Vehicles to facilitate the mobility of physically challenged person.
- (ii) Further vide letter RT-11021 /40/2014-MVL dated 14-06-2016 (copy enclosed). Ministry had circulated procedure for guidelines for grant of driving licenses a registration certificates to differently able persons.
- (iii) An advisory dated 26<sup>th</sup> June, 2018 issued by this Ministry (copy enclosed) vide which State Governments! UTs were advised to undertake various steps to achieve the targets of Accessible India Campaign.
- (iv) Advisory dated 21.11.2017 to States/ UTs (copy enclosed) regarding procedure for providing driving license for persons having monocular visions.

7. This Ministry has also notified BUS BODY CODE: A1S:052 vide notification GSR 287 (E) dated 22-04-2014, which contains special provisions for Disabled Passengers.

8. The Ministry has from time to time been reminding all the State Road Transport Undertakings (SRTUs) to furnish the status of accessible buses. The progress is listed in the Annexure to this letter. The progress of the SRTUs of your state may please be seen and corrective action may please be taken at the earliest to achieve the targets of 25%.

**Encls. As above**

Yours faithfully  
(Abhay Damle)  
Joint Secretary (Transport)  
Tele No.23719209

### **11.3 Vehicle Selection for Adaption - Parameters (AIS-169 & AIS-178)**

**(AIS –169 Code not yet notified by MORTH, AIS – 178 Code under draft in MORTH)**

#### **For Vehicle Category L1, L2, L5M & M1**

1. In a family multiple persons who drives vehicle (driver) may be Person with Disability and using wheel chair or may have reduced upper limb function,
2. To have vehicle with provision for mobility of passenger with reduced mobility (wheel chair user or elderly people without limb disability);
3. Combination of above 1 and 2;
4. Elderly person may be requiring additional space facilitating boarding and alighting vehicle. For them priority seat option is provided;
5. Few optional features are recommended instead of mandatory keeping cost involved in adaptations;
6. Intended occupants viz. person with disability and/or with reduced mobility can have entry from side or rear of vehicle

#### **Additional Parameters for category M1**

1. Air suspensions are generally found more in buses; however high-end luxury M1 category vehicles may have these systems. Air suspensions & kneeling systems are costly option, however to avoid any restriction while converting vehicles as adapted vehicle, these provisions are mentioned as optional provisions (at choice of manufacturer), however when these systems are provided compliance to this standard is required;

### **D3.0 Panel's recommendations by AIS: 169 & Draft AIS: 178**

- D 3.1 For automatic transmission vehicles which is suitable to be driven by Person with disability having particular type of disability and in which no further modifications are required, Person with disability shall be issued driving license.
- D 3.2 As per present CMVR provisions for adapted vehicles, driving licence has vehicles registration number endorsed on it, which restricts him/her from driving other adapted vehicles suitable for his/her type of disability. Driving licence shall be issued for type of disability of the person, so that person with particular type of disability can drive other adapted vehicles suitable for the type of disability.
- D 3.3 Adapted vehicles shall be allowed to be driven by person without disability as well. This is required in following cases as example:
  - In a family one person is with disability however other member(s) is/are without disability, the family shall not be required to purchase extra vehicles.
  - In case of repairing, servicing of Adapted vehicles, it can be driven by person without disability
- D 3.4 Adapted vehicles suitable for multiple limb disability shall be registered mentioning its suitability for those types of disabilities. This is required in following case as example but not limited to:
  - In a family with more than one person with disability who want to drive vehicles however other member(s) is/are with different type of limb disability, however with introduction of flexible system enabling suitability of adapted vehicles to be driven by two or more types of disabilities is possible. This will safeguard the family from undue burden to purchase other vehicles at their wish.

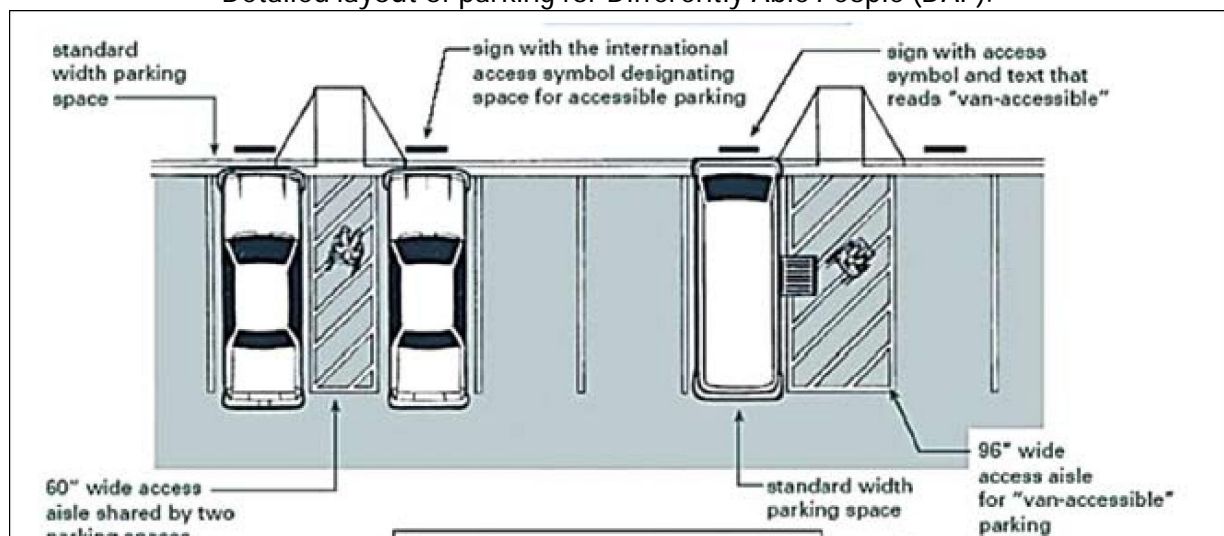
## 11.4 Guidelines for parking facilities design for Divyangjan (IRC: SP: 12:2015)

### 6.7. Parking Design for Differently Able People

In order to ensure universal accessibility, it is essential to provide appropriate parking facilities for persons with disabilities and reduced mobility. Following guidelines will be adopted while designing parking for people with disabilities:

- Sign with the international symbol of accessibility mounted high enough so it can be seen while a vehicle is parked in the space.
- If the accessible route is located in front of the space, install wheel stops to keep vehicles from reducing width below 90 cms.
- Boundary of the access aisle must be marked. The end may be a squared or curved shape.
- Two parking spaces may share an access aisle.
- For parking facilities of less than 50 cars, at least one accessible parking space should be provided in every parking facility.
- For parking facilities of a maximum number of 400 spaces, accessible parking spaces should at least be provided in the ratio of 1:50.
- For parking facilities of more than 400 spaces, at least 8 accessible parking spaces should be provided plus 1 space for each additional increment of 100 cars over 400.

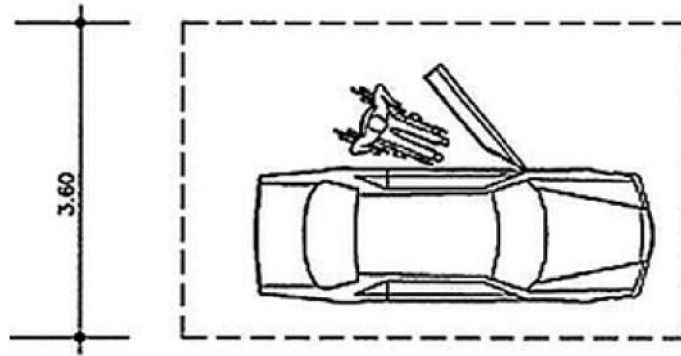
Detailed layout of parking for Differently Able People (DAP).



Source: *The Center for Universal Design, College of Design, NC State University, North Carolina.*

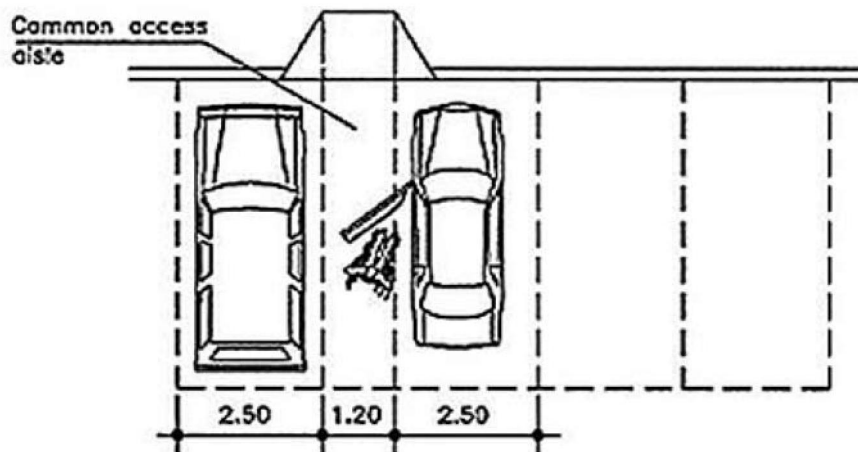
#### Design of Parking Layout for DAPs

Dimensions for parking shall be as prescribed here below. The minimum width of parking space shall be 3.60 m. However, recommended width is 3.90 m.



Width of Accessible Parking

- Access aisle 1.20 m wide located between two ordinary parking spaces.
- In case of indoor parking, the minimum height clearance is 2.40 m.
- For angled parking spaces, the extra space at the end of a row can be used as a parking aisle for disabled persons.
- If a curb exists, curb ramps should be provided to link accessible parking spaces to accessible pathways.



Common Access Aisle

If no curb exists, textured surface at least 0.60 m wide must separate the pathway from the vehicular area; or else bollards should be used. Pre-cast wheel stops can be used to create a passage of at least 0.90 m wide.

## 11.5 Suggested list of approved retro-fitment kit manufacturers or authorized workshops for vehicle adaptations

**(Note:** This list is inserted to give information on such facilities available in India, as a quick reference to **Person with disability** for his vehicle adaptation. Also it is to be noted that following retro-fitters/workshops may or may not have approval for all type of disabilities mentioned in this standard.

Sr. No.	Workshop Name & Address	State
1	M/s. Vir Easy Drivers, B 62C Shabad Daulatpur, Main Bawana Road, Opposite Arya Samaj Mandir, Delhi – 42	DL
2	M/s. Power Link Automation B165, Electronic Estate, Sector – 25, Gandhinagar – Pin-code 382024, Gujarat	GJ
3	M/s. SAIKA, 25-Goyal Park, Opposite Goyal Park, Premchand Nagar Road, Ahmedabad – 380007, Gujarat E-mail : <a href="mailto:samirkakkad@gmail.com">samirkakkad@gmail.com</a>	GJ
4	M/s. DECCAN MOTOR CYCLE & SCOOTER GARAGE Opp. R. K. S. Motors or Dunlop Company, Nampally, Hyderabad – T. S.E-mail <a href="mailto:deccanmotorcycle@gmail.com">deccanmotorcycle@gmail.com</a>	TS
5	Mr. Biju Varghese Purayadathil House, Venkuringi, Mukkoottuthara, Kottayam (Via), Kerala – 686 510	KL
6	M/s. Perfect Vehicle Care Centre Thanikkal. P.O. Kodur Malappuram, Kerala Pin code - 676504	KL
7	M/s. FORECH ENGINEERS, EQUIPMENT AND ACCESSORIES 848/1 Gala No 1,A Ward, Kalamba, Indira Tower, Gargoti Road, Kolhapur - 416000	MH
8	M/s. Ferro Equip Jay Nagar Coop. Hsg. Society Ltd., Wing, Flat No. 85, JanakalyanNagar, Kharodi, Malad (W), Mumbai – 400 095. E-mail : <a href="mailto:ferdirodicks@gmail.com">ferdirodicks@gmail.com</a> <a href="mailto:ferdi@ferroequip.com">ferdi@ferroequip.com</a>	MH
9	M/s. Laxmi Equipments & Accessories B-1/4, Best Rajhans Co-operative Housing Society, Ghatkopar (E), Mumbai - 400075	MH
10	M/s. Volkswagen India Pvt. Ltd.E1, MIDC Industrial Area (Phase III), Village Nigoje Mhalunge, Kharabwadi, Tal. Khed, Chakan, Pune – 410 501	MH
11	M/s. Automate India, 10, Aasawari, 21, Bhosale Nagar, PUNE – 411007, Maharashtra. E-mail: <a href="mailto:ceo@automateindia.in">ceo@automateindia.in</a>	MH
12	M/s. Auto Buddy India 504 B, Shaniwar Peth Pune - 411030. E-mail : <a href="mailto:gaikwadyr@gmail.com">gaikwadyr@gmail.com</a>	MH
13	M/s. Kotkar Energy Dynamics Pvt. Ltd... Rhudayaniwas, Kotkar Lane, Bhau Patil Marg 40, B, Aundh Road, Khadki, Pune - 411020. E-mail <a href="mailto:atul.kotkar@kotkar.com">atul.kotkar@kotkar.com</a>	MH
14	M/s. Anand Motors 8 Krishna Colony, Naya Khera Ambabari, Jaipur, Rajasthan Pin code – 302039	RJ
15	M/s. Tirupati Car Modifier, 22 Gupteshwar Nagar, Sector No. 7, Hiran Magari Udaipur, Rajasthan. E-mail : <a href="mailto:ravi_lovina@rediffmail.com">ravi_lovina@rediffmail.com</a>	RJ

## **Important note for Divyangjan Driver**

- For Divyangjan, It is compulsory to have a disability certificate while registering a vehicle or obtaining a driving license.
- Vehicles driven by a Divyang driver should have the logo affixed as per the rule on the front and rear of the vehicle.
- Retro-reflective tape should be affixed on the front and rear of the vehicle as per rules.
- The same motor vehicle rules and traffic regulations apply to Divyangjan while driving adapted vehicles as a normal driver like helmet, seat belt, one way etc. (Helmet for 2-Wheeler and Seat belt for 4-Wheeler compulsory for all)
- Divyangjan can register one or more adapted and/or normal vehicles in his name (Road Tax will be applicable as per concern state rule)
- Divyangjan can make alterations (modification of vehicle according to his disability as per rule) in new and old vehicles at authorized workshops.
- Divyangjan can apply for ADPVEH category license to drive an adapted vehicle.
- After obtaining approval from the concern Registration Authority (RTO), alterations made by a Divyangjan in a new or old vehicle must be reported to the insurance company.

Government of India has taken many steps to make Divyang self-reliant and give them equal opportunities. The Government of India is making great efforts to make vehicles registration and driving license easy for Divyang by modifying their vehicles according to their disabilities.

So it's Our duty to implement in true spirit for betterment of Divyangjan

दिव्यांगों को आत्मनिर्भर बनाने और उन्हें समान अवसर देने के लिए भारत सरकार ने कई कदम उठाए हैं। भारत सरकार दिव्यांगों के वाहनों को उनकी दिव्यांगता के अनुसार संशोधित कर उनके लिए वाहन पंजीकरण और ड्राइविंग लाइसेंस को आसान बनाने के लिए बहुत प्रयास कर रही है।

इसलिए हमारा कर्तव्य है कि हम दिव्यांगजनों की बेहतरी के लिए सच्ची भावना से अमल करें

ભારત સરકારે દિવ્યાંગોને આત્મનિર્ભર બનાવવા અને તેમને સમાન તકો આપવા માટે ઘણાં પગલાં લીધાં છે. ભારત સરકાર દિવ્યાંગો માટે તેમની વિકલાંગતા અનુસાર તેમના વાહનોમાં ફેરફાર કરીને વાહનોની નોંધણી અને ડ્રાઇવિંગ લાયસન્સ સરળ બનાવવાના ભરપૂર પ્રયાસો કરી રહી છે

તેથી દિવ્યાંગજનોની ઉન્નતિ માટે સાચી ભાવનાથી અમલ કરવાની આપણી ફરજ છે

**DISABILITY | ACCEPTABILITY | ACCESSEBILITY**