



e-90213/2019

2/13/19 C1

No.RT-11036/06/2019-MVL

Government of India

Ministry of Road Transport & Highways

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

Dated, the 28<sup>th</sup> February, 2019

To

1. Principal Secretaries/ Secretaries, Department of Transport of all States and UTs
2. The Transport Commissioners of all the States/UT Administrations.

**Subject: Alterations in Motor Vehicles - reg.**

Madam/ Sir,

Your kind attention is drawn to Section 52 of the Motor Vehicle Act, 1988 regarding alteration of motor vehicles. While considering the issue in the matter of *Regional Transport Officer and others etc. Vs. K. Jayachandra and Anr. etc.* in Civil Appeal Nos. 219-222 of 2019, the Hon'ble Supreme Court has maintained vide its order dated 9<sup>th</sup> January, 2019 that the particulars in the Certificate of Registration cannot be changed except to the extent of entries made in the same as per the specifications originally made by the manufacturer.

2. The issue has been deliberated with various agencies and stakeholders with regard to the provisions of Section 52 and the orders of the Hon'ble Supreme Court and it has been observed that a motor vehicle, modified by incorporating optional components offered by its manufacturer or otherwise modified so that it continues to comply with the manufacturer's specifications, may not require further certification.

3. However, it has been observed that there is need for clarity on the issue as to what kind of alternations are permissible and those which are not permissible so that the enforcement agencies take action accordingly on a uniform basis. In view of the above and after detailed deliberations, it is hereby being prescribed that the modifications that can be carried out by the vehicle owner and would not entail further certification are:

- (a) Replacement of parts or components by the identical parts or components.
- (b) Replacement parts or components with parts or components with equivalent functional performance.
- (c) Optional parts or components as prescribed by the vehicle's manufacturer.
- (d) Following alterations are permissible in the motor vehicles, subject to the conditions mentioned below:

Sr. No.	Changes of parameter	Subject to compliance of the following
1.	Seats	1. Vehicle Weight after the alteration/ changes

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Sr. No.	Changes of parameter	Subject to compliance of the following
	A. Lateral/ Side facing seat fitment or alteration in 4 Wheelers B. Deletion of seats*	not to exceed the permissible Gross Vehicle Weight. 2. Seating capacity to remain within the same motor vehicle category.
2.	Soft Top to Hard Top or vice versa in L-5 and M-1 vehicles [L-5 means three-wheeled motor vehicle, and M-1 means a Motor Vehicle for carriage of passengers, comprising not more than eight seats in addition to driver's seat.]	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.
3.	Side door or bars in passenger area of L5M on right hand side of driver. [L5-M three wheeled passenger carrier (Auto-Rickshaw)]	6. Such seats shall be fitted in rows other than 1 <sup>st</sup> row of the driver. 7. Such fitments shall not obstruct ingress and egress.
* No reduction in State/ Centre Tax		

4. Subject to above, the vehicle owner is not required to get the permissible alterations, as mentioned above; recorded in the Registration Certificate. Suitable action may be taken accordingly. However, it is also requested that the States may take necessary action against other unauthorized modifications on the motor vehicles.

Enddt No. CI/41/19/TC dated 21/3/19

copy furnished to all DTCS  
RTOs & JT RTOs for information and  
necessary action.

Copy to:- E Section

Copy to:

- All the testing agencies [ARAI, ICAT, CIRT, VRDI etc.]
- Director General, Society of Indian Automobile Manufacturers (SIAM) Core 4-B, 5th Floor, India Habitat Centre Lodhi Road, New Delhi, Delhi 110003
- Secretary, Automotive Component Manufacturers Association of India (ACMA), Automotive Component Manufacturers Association of India, The Capital Court 6th Floor, Palme Marg Munirka, New Delhi 110 067
- Secretary, Federation of Automobile Dealers Associations (FADA), 804-805, Surya Kiran Building, 19, Kasturba Gandhi Marg, New Delhi, 110001

Yours faithfully,

28/2/2019  
R.R. Meena

Under Secretary to the Government of India

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Jt. Transport Commissioner (E)

Jt. Transport Commissioner

21/3/19