

Government of India  
Ministry of Road Transport & Highways  
(Road Transport Division)

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

No. RT-11017/07/2011-MVL

Dated 5<sup>th</sup> May, 2011

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 as the policy of banning alteration in motor vehicles 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 23<sup>rd</sup> 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 work shops 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 work shops 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.

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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 permission 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 adaptation/convenience 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 ( 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 this Ministry.

Yours faithfully,



(Saroj Kumar Dash)

Joint Secretary to the Government of India  
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