

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 03 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 able 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 apprised 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:
- 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.
  - 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.
  - Divyangjan may buy in-use vehicle auctioned by Government, whose ownership type is Government in the registration certificate.
  - 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. This issues with the approval of the Competent Authority.



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Copy to:

1. DDG NIC
2. Toll Division, MoRTH