



न्यायालय मुख्य आयुक्त दिव्यांगजन

COURT OF THE CHIEF COMMISSIONER FOR PERSONS WITH DISABILITIES (DIVYANGJAN)
 दिव्यांगजन सशक्तिकरण विभाग/Department of Empowerment of Persons with Disabilities (Divyangjan)
 सामाजिक न्याय और अधिकारिता मंत्रालय/Ministry of Social Justice & Empowerment
 भारत सरकार/Government of India
 5वाँ तल, एन.आई.एस.डी. भवन, जी-2, सेक्टर-10, द्वारका, नई दिल्ली-110075; दूरभाष : (011) 20892364
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Case No: 13849/1141/2023

In the matter of -

Shri Aman Mangla

... Complainant

Versus

The Director, (MVL & IT),
 Ministry of Road Transport &
 Highways,
 New Delhi

... Respondent No. 1

The Under Secretary (MVL),
 Ministry of Road Transport &
 Highways,
 New Delhi

... Respondent No. 2

1. Gist of the Case:

1.1 Mr. Aman Mangla, a person with 60% locomotor disability (Cerebral Palsy), filed a complaint on 13.02.2023 regarding the non-availability of the LMV (Light Motor Vehicle) option while applying for a driving licence under the differently-abled category on the SARATHI Parivahan portal, despite owning an unmodified auto gear shift LMV deemed suitable for use by persons with disabilities as per Ministry of Road Transport & Highways notifications dated 13.11.2020 and 03.02.2023. He requested the Court to direct the Ministry to include LMV as a selectable vehicle type for such applicants. In response to a notice issued under Sections 75 and 77 of the RPWD Act, 2016, the Ministry replied on 04.07.2023, stating that persons with disabilities can apply under the normal category if they can drive an automatic vehicle and pass the required competence test, citing relevant laws and an advisory dated 20.06.2023. In his rejoinder dated 03.09.2023, Mr. Mangla pointed out that when he attempted to apply under the normal category, the system forced him into the adapted vehicle category after disclosing his

disability in Form S1, highlighting a technical issue in the portal he had already flagged in a representation dated 02.03.2023. He prayed that the Court recommend necessary software modifications and issue a nationwide clarification allowing disabled persons using unmodified auto gear shift LMVs to apply for licences under the normal category.

2. HEARING:

A hearing in hybrid mode (online/offline) was conducted on 28.02.2025. The following parties/representatives were present during the hearing:

S. No.	Name of the Parties/Representatives	Parties	Mode
1.	Mr. Aman Mangla	Complainant	Online
2.	Mr. Sandeep Kumar Singh, Under Secretary, Ministry of Road Transport & Highways, MVL Section	Respondent No. 2	Online
3.	Mr. Sushil Kumar Geeva, Under Secretary, Ministry of Road Transport & Highways, MVL Section	Respondent No. 2	Online

3. Observation and Recommendations:

3.1 At the outset, the Complainant reiterated the facts and contentions set forth in his original complaint and rejoinder, highlighting persistent technical difficulties in obtaining a driving licence for an unmodified auto gear shift LMV, despite being eligible under applicable notifications.

3.2 The Respondent submitted that the SARATHI portal was updated in July 2023 to include a new vehicle class, "LMB AUG" (automatic gear), and clarified that the Complainant's February 2023 application predated this update. It was further submitted that over 3,800 licences had already been issued under this class, which becomes visible on the portal when "Divyang" is selected.

3.3 The Respondent reiterated that persons with disabilities capable of operating automatic vehicles may apply under the normal category, subject to satisfying prescribed competency norms. The Court took note of relevant advisories and notifications issued by the Ministry and

advised the Complainant to take cognisance of the same. However, the Complainant submitted that despite applying under the normal category with the appropriate notification, his application was denied by the transport authority.

3.4 Upon consideration, the Court observed that the Respondent has taken remedial action by updating the portal to address the issue. The Court recommended that the Complainant reapply through the updated system and report the outcome, allowing for reasonable processing time. In case of further denial or inaction, the Complainant shall be at liberty to seek further recourse.

3.5 This Court further recommended that the Ministry ensure dissemination of updated guidelines and technical changes to all state governments and direct Regional Transport Offices (RTOs) to implement them to avoid hardship to eligible persons with disabilities.

3.6 This Court emphasized that administrative notifications must be effectively implemented to ensure the benefit of law reaches the intended beneficiaries. The Court expressed confidence that necessary action will be taken and held that no further proceedings are warranted at this stage.

3.7 In terms of Section 76 of the Rights of Persons with Disabilities Act, 2016, the respondents are recommended to submit the Action Taken Report on this Order within 3 months from the date of this Order.

3.8 Accordingly, the case is disposed of.

(S. Govindaraj)

Commissioner for Persons with Disabilities