

40

F. No. RT-11036/64/2017-MVL
Government of India
Ministry of Road Transport and Highways
(MVL Section)
Transport Bhawan, 1, Parliament Street, New Delhi-110001

Dated, the 17th of December, 2018

To

1. Principal Secretaries/ Secretaries, Department of Transport of all States/ UTs;
2. Directors General Police of all States/ UTs;
3. Transport Commissioners of all States/ UT Administrations

Subject: Acceptance of Driving Licence, Registration Certificate and other transport related information presented in Electronic form.

Madam/ Sir,

I am directed to refer to this Ministry's letter dated 8th August, 2018 and 19th November, 2018, and to say that this Ministry has received a number of representations about the mechanism to be adopted by traffic/ transport related enforcement agencies to validate or impound documents in case the citizens produce documents in an Electronic Form.

2. In view of the above, a Standard Operating Procedure (SOP), as annexed, may be adopted for ensuring compliance with the provisions of rule 139 of the Central Motor Vehicles Rules, 1989.
3. This issues with the approval of the Competent Authority.

Yours faithfully,



(Dharkat R. Luikang)

Under Secretary to the Govt. of India

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Encls: As above

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Send with Fwd
18/12/18*



Government of India
Ministry of Road Transport and Highways
Transport Bhawan, 1, Parliament Street, New Delhi-110001

Dated, the 17th of December, 2018

Subject: Standard Operating Procedure (SOP) for validation of Driving Licence, Registration Certificate and other transport related documents/ information presented in Electronic form through IT or mobile app platform

1. Introduction:

The Ministry of Road Transport & Highways has issued an amendment in Rule 139 of the Central Motor Vehicles Rules vide its Notification bearing No. G.S.R. 1081(E) dated the 2nd November 2018, enabling production of requisite documents such as certificate of registration, insurance, fitness and permit, the driving licence, certificate for pollution under check and any other relevant documents in electronic form with a view to ease of living for the people. It has been considered necessary to prescribe a Standing Operating Procedure (SOP) for the same so as to ensure its seamless implementation.

2. Legal Provisions under the Motor Vehicles Act 1988 and the Information Technology Act, 2000

- (i) As per recent amendment dated 2nd Nov 2018 of Rule 139 of the CMVR, 1989 -
Production of licence and certificate of registration -

*'The driver or a conductor of a motor vehicle shall produce certificates in physical or **electronic form** certificate of registration, insurance, fitness and permit, the driving licence, certificate for pollution under check and any other relevant documents on demand by any police officer in uniform or any other officer authorised by the State Government in this behalf, and if any or all of the documents are not in his possession, he shall produce in person an extract or extracts of the documents duly attested by any police officer or by any other officer or send it to the officer who demanded the documents by registered post within 15 days from the date of demand'.*

- (ii) As per section 4 of the IT Act 2000 i.e. **Legal recognition of electronic records-**

'Where any law provides that information or any other matter shall be in writing or in the typewritten or printed form, then, notwithstanding anything contained in such law, such requirement shall be deemed to have been satisfied if such information or matter is - (a) rendered or made available in an electronic form; and (b) accessible so as to be usable for a subsequent reference'.

- (iii) Further, '**electronic form**' has been defined in Section 2 (r) of the IT Act 2000 as:

"electronic form" with reference to information, means any information generated, sent, received or stored in media, magnetic, optical, computer memory, micro film, computer generated micro fiche or similar device.

3. Clarifications:

- (i) As per the provisions of the Motor Vehicles Act 1988, and the Central Motor Vehicles Rules 1989, the owner/ driver has to produce the documents to the authority on



42

Government of India
Ministry of Road Transport and Highways
Transport Bhawan, 1, Parliament Street, New Delhi-110001

demand.

- (ii) The data related to the insurance of new vehicles and renewal of insurance of vehicles is being uploaded by the Insurance Information Board (IIB) on the VAHAN database on a daily basis now and the validity of the insurance is reflected on the mParivahan/ eChallan app.
- (iii) The mParivahan mobile app is being provided by this Ministry through NIC. The Driving Licence, Registration certificate, Fitness validity, Insurance validity, Permit validity of the citizen are available on real time basis on this mobile app by entering the Driving Licence Number in case of the Driving Licence details or the Registration Number for Details pertaining to the vehicles.
- (iv) mParivahan is available to each citizen and eChallan to only enforcement officers from the Transport Department or the Police Department.
- (v) The DigiLocker platform of the Ministry of Electronics and Information Technology, Government of India, has the facility to pull a citizen's Driving Licence or the Certificate of Registration details from VAHAN and make it available in the DigiLocker App in an electronic form.
- (vi) These electronic records available on DigiLocker or mParivahan are deemed to be legally recognised at par with the original documents as per the provisions of the Information Technology Act, 2000.
- (vii) If the online virtual copy of DL/RC (along with QR Code) or any other updated validity status (like Insurance, Tax, Permit, PUC etc.) is not available on mParivahan or DigiLocker app carried by the user, then the relevant paper documents will be required to be carried.

4. Standard operating Procedure (SoP) for validating information or impounding the document(s) in Electronic Form by the enforcement agencies:

4.1 Validation of documents produced in an Electronic form:

- (i) The citizens can produce the documents or other information either through the DigiLocker app or the mParivahan app.
- (ii) The citizen can download the Driving Licence or the Certificate of Registration through these apps and store on their mobile devices.
- (iii) The Citizen can also show particulars relating to the Driving Licence or the Vehicle through the mParivahan app on the mobile through the Internet Connectivity.
- (iv) In eChallan app facility, two modes of login credentials have been made available to the enforcement officers. The login authentication is decided by the concerned



43

Government of India
Ministry of Road Transport and Highways
Transport Bhawan, 1, Parliament Street, New Delhi-110001

competent authority in the State Government/ UT Administration.

- (a) In one mode, only limited privilege of on-line verification of vehicle / license status and also off-line verification of mParivahan QR Code are available. Transport Enforcement/ Traffic Police officer can use normal android mobile apps for this purpose. This is irrespective of whether the state has implemented Vahan/ Sarathi or not, provided the data from these states are regularly updated in the National Register.
- (b) In the other mode, the officer can carry out complete challaning operation including tagging of the Driving Licence or the Certificate of Registration for impounding or suspension.
- (v) The Enforcement officer can enter the details of driving licence (DL) or the Certificate of Registration (RC) in their eChallan or mParivahan application to validate the information provided for the Driving Licence, Certificate of Registration, Fitness, Insurance, Tax etc. This would be done on an online basis using the Internet.
- (vi) The Enforcement officer can scan the QR code of the documents produced through the Digilocker based app by scanning through the QR code scanner in the Digilocker app to verify the document. The QR code in Digilocker document is encrypted and can be validated only by Digilocker app. Internet connectivity is not required for scanning the QR code and validating the documents.
- (vii) The Enforcement officer can scan the QR code of the documents produced through the mParivahan based app by scanning through the QR code scanner in the eChallan app to verify the document. The QR code in mParivahan base document is encrypted and can be validated only by eChallan app. This is an additional security feature provided by the Ministry of Road Transport and Highways. Internet connectivity is not required for scanning the QR code and validating the documents.
- (viii) If the vehicle registration details on the mParivahan / eChallan app contain the date of the validity of the insurance policy, fitness, tax etc. which is in-force then the requirement of a physical copy of the insurance certificate or other such document is not required.
- (ix) There would be no requirement of seizure / impounding of the documents in cases where there is no traffic related violation but validation of information can be ensured through mParivahan or eChallan or Digilocker.



44

Government of India
Ministry of Road Transport and Highways
Transport Bhawan, 1, Parliament Street, New Delhi-110001

4.2 The process flow under the eChallan app for generating challan and further action:

- (i) In cases where there is an offence made out necessitating seizure/ impounding of such documents in available electronic form, the States have been provided with the facility to make appropriate updation in VAHAN/ SARATHI database, on an on-line basis, against the Driving Licence or the Vehicle Registration details through eChallan system of this Ministry.
- (ii) In cases where the States are using any other database or web/mobile utility of their own, then they need to update the VAHAN/ SARATHI database through a weblink.

4.3 Generating Challans for violations:

The competent authority should have provided the authorization in the eChallan app for the facility to the concerned enforcement officer to make a challan.

- (i) When an offence is made out against the citizen, the enforcement officer can create a challan using an on-line Point of Sale (PoS) or CCTV eChallan facility. An option to create a challan using the real-time database of VAHAN and SARATHI has been provided.
- (ii) After creating a challan, offence history will get registered in the database in VAHAN for the vehicle and SARATHI for the driver respectively.
- (iii) All offence data is available in real time online basis and easily available to the enforcement officers throughout the country.
- (iv) Enhanced penalties for repeat violations is reflected and the action against the violator can be initiated accordingly as the past offence history is available to the enforcement officers through the database.
- (v) Violator can pay the penalty or the compounding amount on-line and the citizens need not worry for physical document collection. After the payment or compounding, the case is disposed and data reflected in the Database.
- (vi) If a challan is pending or has not been disposed, then all transactions involving the vehicle i.e. NOC, Fitness, Tax etc. and for the Driving License i.e. the renewal, address change etc. are not permitted and are reflected to the traffic enforcement agencies across India.
- (vii) The violators are required to compound and close pending cases as early as possible to start or avail services like tax payment, NOC, fitness etc.



45

Government of India
Ministry of Road Transport and Highways
Transport Bhawan, 1, Parliament Street, New Delhi-110001

4.4 Online recommendation for suspension

- (i) The Driving Licence or the Certificate of Registration can be recommended for suspension/ blocking by the competent enforcement officer.
- (ii) This recommendation will be reflected in the home page of the competent officer i.e. the Licensing Authority/ Regional Transport Authority page on real time basis and based on law, further decision for suspension/ blocking can be taken.
- (iii) This will reflect in all echallan app implemented across all States/ UTs enforcement officer's device in real time. Based on the information they can take suitable action as enshrined in Law.

5. Benefits of adopting eChallan:

- (i) Enforcement agencies need not physically handle any document.
- (ii) Office need not maintain any inventory or record.
- (iii) No harassment for citizens to collect document after the payment of compounding fees as the challan when disposed would automatically update the record in the Database.
- (iv) Real time offence status is available to the transport and traffic enforcement officers and to the citizens.
- (v) Fast, transparent and accountable system.

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