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राज्य सरकार तथा अन्य राज्य प्राधिकारियों द्वारा जारी किये गये कानूनी आदेश तथा
अधिसूचनाएं।

**TRANSPORT & ROAD SAFETY DEPARTMENT
NOTIFICATION
Jaipur, March 31, 2023**

S.O.181 .-The following draft of certain rules further to amend the Rajasthan On-demand Information Technology Based Transportation by Public Service Vehicles Rules, 2016, which the State Government proposes to make in exercise the power conferred by section 93,95 & 96 read with 211 of the Motor Vehicles Act, 1988 (Central Act No. 59 of 1988), guideline issued by Ministry of Road Transport and Highways for Motor Vehicle Aggregator Guideline 2020 are hereby published as required by section 212 of the said Act, for information of the persons likely to be affected thereby and notice is hereby given to them that the said draft would be taken into consideration after the expiry of a period of 15 days from the date on which the copies of this notification as published in the Official Gazette are made available to the public.

Any objection or suggestion which may be received from any person with respect to the said draft rules before the expiry of the period as specified above shall be considered by the State Government. Such objections and suggestions should be addressed to the Commissioner, Parivahan Bhawan, Transport & Road Safety Department, Government of Rajasthan, Sahkar Marg Jaipur.

Draft Rules

- 1. Short title, commencement and application.**- (1) These rules may be called the Rajasthan Motor Vehicle Aggregator Rules, 2023.
 - (2) They shall come into force on their publication in the Official Gazette.
 - (3) They shall be applicable to aggregators operating in the State of Rajasthan.
- 2. Definitions.**- In these rules unless the context otherwise requires,-
 - (1) "Act" means the Motor Vehicles Act, 1988 (Central Act No. 59 of 1988) ;
 - (2) "Aggregator" as defined in Section 1A of the Act, refers to a digital intermediary or market place for a passenger to connect with a driver for the purpose of transportation.
 - (3) "App" means an electronic interface operated by the Aggregator or any third party on behalf of the Aggregator, which may be accessed either through a computer resource or a communication device.
 - (4) "Area of Operation" shall have the meaning ascribed to 'area' under the Act.
 - (5) "Computer resource" shall have the meaning ascribed to it under the Information Technology Act, 2000.
 - (6) "Communication device" shall have the meaning ascribed to it under the Information Technology Act, 2000.
 - (7) "Competent Authority" means the State Government or any other authority empowered by the State Government to issue licence under Section 93 of the

Act.

- (8) "Form" means a form appended to these rules;
 - (9) "Fare" means the total charges debited by the Aggregator to the Rider pursuant to the latter booking a ride through the Aggregator's App and completion of such ride.
 - (10) "Fee" means the charges in respect of a license as prescribed under of these rules.
 - (11) "Induction Training Programme" shall have the meaning ascribed under these Rules.
 - (12) "License" means a license granted or renewed under rule 6 of these rules to engage in the business of providing on-demand transportation by Public Service Vehicles, based on App for hire or reward;
 - (13) "Licensing authority" means the State Transport Authority constituted under sub-section (1) of section 68 of the Act;
 - (14) "Area of Operation" shall have the meaning ascribed to 'area' under the Act.
 - (15) "On- Boarding" means the integration of a vehicle and Driver with the Aggregator and operating such vehicle with the Aggregator.
 - (16) "Off- Boarding" means the segregation of an integrated vehicle from the Aggregator.
 - (17) "Refresher Training Programme" means an annual training session for Drivers integrated with the Aggregator, for a period of atleast two days for cumulated 10 hours, delivered physically or virtually. The session shall include but not be limited to the course mentioned under the Induction Training Programme.
 - (18) "Remedial Training Programme" means training course required to be compulsorily undertaken by Drivers whose Rating is below 2 percentiles from amongst all Drivers who are placed similarly in terms of the minimum duration of engagement with the Aggregator. Such duration shall be determined by the Aggregator.
 - (19) "Rider" means a person who books a journey through the Aggregator App for availing the transportation provided by a Driver who is integrated with the Aggregator.
 - (20) "Service Provider Contract" means the agreed and executed between the Aggregator and the Driver specifying the contractual rights and obligations of both parties.
 - (21) "State" means State of Rajasthan.
 - (22) "Surge pricing" means the output of an algorithm of an Aggregator, which automatically raises the base fare of a trip when demand outstrips supply within a fixed geographic area.
- 3. Licensing of Aggregator.-** (1) No person shall act as an aggregator without obtaining a license in Form-2 granted by the licensing authority.
(2) The existing aggregators and travel agents who are engaged in the business of providing passenger transport services through App and holding a license under provisions of rule 5.73 of the Rajasthan Motor Vehicles Rules, 1990 shall also have to apply within fifteen days from the commencement of these rules and obtain a license under these rules .
- 4. Application for grant or renewal of license.-** (1) An application for the grant or renewal of a license under rule 6 shall be made in Form-1 to the licensing authority and shall be accompanied by a fee as specified in rule 26 and a security deposit of rupees ten lakhs from scheduled bank with validity of five and half years drawn in favour of the licensing authority.

- (2) Where the applicant, besides the principal place of business herein after referred to as main office, has branch office within the jurisdiction of the licensing authority, such places shall also be mentioned in the application.

Provided that licensee may change his main office, or any of his branches as mentioned in the license or open a new branch and intimation of such change shall be furnished within a period of fifteen days to the licensing authority. Application for such change shall be accompanied by a fee as specified in rule 26.

- (3) The list of licenses issued by the Competent Authority under rules shall be uploaded and updated by the Competent Authority on the State Transport Portal of the State Government.
- (4) On being satisfied that the applicant has complied with all the conditions specified for grant/renewal of a license under the rules, the Competent Authority shall issue a License to the applicant in Form 2 appended to these rules.

5. Scrutiny of Application.- A licensing authority shall, before granting or renewing a license, take into consideration the following, namely:-

- (i) The applicant shall be a company registered under the Companies Act 1956 or 2013 or a co-operative society registered under the Co-operative Societies Act, 1912 formed by an association of drivers or motor vehicle owners or such other association or a limited liability partnership under the Limited Liability Partnership Act, 2008.

- (ii) That the applicant is a digital intermediary / marketplace that canvasses or solicits for a passenger to connect with a driver satisfying the necessary eligibility conditions and operating a validly registered vehicle under the laws of India and complies with all applicable regulations prescribed under the Act and the Information Technology Act, 2000, (Act No. 21 of 2000) including the intermediary guidelines;

- (iii) That the applicant has a call centre for customers and drivers operating at all times of the day during which the applicant intends to provide the above services;

- (iv) That the applicant provides either a web or a App based customer service and grievance redressal mechanism having an operational telephone number and an email address of a grievance redressal officer;

- (v) That the applicant has intimated the name, address and contact information of the authorised local representative of the licensee, who is responsible for the compliance of the provisions of these rules; and

- (vi) That the applicant maintains a fleet through a written/digital agreement or memorandum of understanding with individual permit holders of at least fifty motor cabs at all times and in the case of vehicles other than motor cab, this number shall not be less than twenty five at any time.

6. Grant or Renewal of License and matters connected therewith.- (1) The licensing authority may, on receipt of an application under rule 4 and after satisfying himself that the applicant has complied with the requirements of rule 5, grant and issue the license in Form-2 after payment of fees as specified in rule 26:

Provided that in the case of renewal the licensing authority, after satisfying himself that licensee has complied with the terms and conditions as prescribed under rule 5 and rule 8, renew the license in Form-2 after payment of fees as specified in rule 26.

Provided further that no application for license shall be refused by the licensing authority unless the applicant is given an opportunity of being heard and reasons for such refusal are recorded in writing by the licensing authority.

- (2) The applicant may submit an application for renewal of license at any time after the completion of four and half years but not less than three months before the expiry of the license along with a renewed security deposit of rupees ten lakhs from scheduled bank with validity of five and half years drawn in favour of the Licensing Authority.
- (3) If application of renewal of license is made after the expiry of time prescribed under sub-rule (2), licensing authority may accept the application looking to the reasons preventing him applying in time.
- (4) The licensing authority shall keep the record of the complaints received from consumers against the licensee and shall evaluate the ability of the licensee to address such complaints at the time of consideration of renewal of the license.

7. Duration of license.- A license granted or renewed under rule 6 shall be valid for a period of five years from the date of grant or renewal.

8. General conditions to be observed by the holder of the license .-

- (1) The licensee must ensure that every Public Service Vehicle that is operated for a journey booked via an aggregator platform should,-
 - (a) Be engaged under a written/digital agreement authorizing the licensee for the use of such vehicle as a whole;
 - (b) Be validly registered under the provisions of the Act;
 - (c) Hold a valid Fitness Certificate, issued under the provisions of the Act;
 - (d) Hold a relevant permit to ply in the given area of operation;
 - (e) Hold valid insurance covering for third party risks as prescribed from time to time under the provisions of the Act;
 - (f) Have paid all the dues payable under The Rajasthan Motor Vehicles Taxation Act, 1951 and rules made thereunder;
 - (g) Comply with the safety requirements prescribed for commercial vehicles;
 - (h) Be equipped with the applicable standard safety equipments prescribed under the Act and rules made thereunder, including the first aid box;
 - (i) Meet emission standards as specified from time to time and have a valid pollution under control certificate;
 - (j) Be equipped with emergency safety button(s) wherever mandated by the licensing authority;
 - (k) Be equipped with a device capable of tracking physical location and in case of motor cabs with a device capable of measuring the distance and time for accurate calculation of fare and time of travel. Such equipment shall be fitted by the owner of the vehicle:

Provided that the location tracking or Global Positioning System device shall comply with the specifications as laid down by the licensing authority from time to time;

- (l) Not carry advertisements to the extent that it becomes hazardous or a disturbance to the safety of traffic and must be strictly in accordance with the guidelines issued by the State Transport Authority in this regard from time to time;
- (m) Be run on such fuel which is permissible by competent authorities for

operation in National Capital Region.

- (n) Arrangement of a driving test facility with a simulator to test the driving ability of the concerned Driver with respect to the vehicle to be on boarded or outsource it to an authorized third party, and a set-up for conducting Induction Training Programme.

Explanation: Induction Training Programme refers to a compulsory (5) five-day training programme for cumulated thirty (30) hours conducted by the Aggregator prior to the commencement of on-boarding of vehicle, either independently or by liasoning with a professional institution for providing course compliant with National Skills Qualifications Framework (NSFQ). The broad details of the course Shall be made available online for information of citizens. The course shall include but not be limited to apprising, educating and training the Drivers:

- To efficiently use the Aggregator app;'
- On the provisions under the Motor Vehicles Act, 1988 and rules thereunder;
- On road safety and first responder training for six (6) hours out of the total thirty (30) hours mentioned above
- On careful driving
- On motor vehicle maintenance;
- On maintenance of health and hygiene;
- On fuel efficient driving
- On familiarization with the routes in the Area of operation;
- On the terms and conditions of the contract between the driver and the aggregator;
- On gender sensitization and safety of women and girl child.

- (o) The Aggregator shall be responsible to ensure that drivers who have been integrated with the Aggregator prior to the implementation of these rules undergo the Induction Training Programme as mentioned above.

- (p) The Rules issued by the Ministry of Health / World Health Organization / or any concerned authority/organization in the interest of public health and safety especially in regard to COVID-19 or other such pandemic for precautionary steps like sanitization of motor vehicles and appropriate social distancing etc. are to be complied with. Further that this clause is to be adhered in cases of ride-pooling in taxis also.

- (2) The licensee must ensure that:

- (a) Any driver that wishes to register with an on-demand transportation technology platform must have a driving license of the appropriate category;
- (b) Prior to permitting a driver to register with the on-demand transportation technology platform, and annually thereafter, the licensee must obtain and review a police verification report for such person, together with self- attested copy of EPIC card , PAN card , residential address proof along with contact details of two family members;
- (c) Any driver who has been convicted, within the past seven years , for offence of driving under the influence of drugs or alcohol, or who has been convicted at any time for any recognizable offence including fraud, sexual offenses, use of motor vehicle to commit a cognizable offence, a crime involving property damage, and/or theft, acts of violence, or acts of terror must not be permitted to use the licensee platform;

- (d) Any driver that wishes to register with an on-demand transportation technology platform must hold a Reserve Bank of India (RBI) Know Your Customer compliant bank account;
 - (e) Driver using the on-demand transportation technology platform must be permitted to log-in and log-off the on-demand technology platform at their discretion and must not be prevented from registering themselves or the vehicles they operate on multiple on-demand transportation technology platforms, unless the owners of the vehicle chooses otherwise;
 - (f) Driver using the on-demand transportation platform shall not be compelled to drive a minimum number of hours, but should follow the rules for maximum number of hours for safe driving wherever applicable. The Global Positioning System device should ensure metric recording of driving hours; and
 - (g) Driver when using on-demand transportation technology platform must not solicit or accept street hails.
 - (h) The Driver shall undergo a complete medical examination, including eye check-up, by a hospital or medical institution prescribed by the Aggregator. Costs for such medical check-up shall be borne by the Aggregator.
 - (i) Complete police verification of the identity of the Driver and his antecedents with a written record of such verification prior to fifteen days of on boarding. For facilitation of the same , the police authorities shall be provided access to the Aggregator's Application Programming Interface (API) by the Aggregator. Subsequent to such verification, the police authorities shall grant certificate of good moral character without any criminal record, to the driver.
- (3) The Aggregator shall ensure compliance with the following conditions, relevant to Drivers, during operations:
- (a) Ensuring a term insurance for each Driver integrated with the Aggregator for an amount as per Governments insurance scheme namely Cheeranjivi Swasthya Bima Yojana that means every driver shall be covered under Cheeranjivi Swasthya Bima Yojana and the premium of insurance cover shall be borne by aggregator.
 - (b) Conducting Refresher Training Programme once a year. Record of such training sessions shall be documented and preserved for at least one year. The Aggregator may be permitted to collaborate and partner with any specialized institution, as deemed fit by the Aggregator , for providing such training.
- (4) For administrative purposes, the licensee must,-
- (a) Provide an address for registered service of process along with details of Office in-charge to the licensing authority;
 - (b) Provide a list of drivers using on-demand technology transportation platform, including the full name of driver, driving license number and the vehicle registration number to the licensing authority on a quarterly basis;
 - (c) Ensure that its web or App ensures compliance with the permit conditions of the vehicle being operated by drivers using the licensees aggregator platform;
 - (d) Obtain and maintain the following up-to-date records relating to the driver :-
 - Photograph;
 - Driving license detail;
 - Badge detail;
 - Present and permanent residence address;
 - Bank details of the driver or any other legal mode of electronic transfer;

- Contact information;
 - Self attested EPIC card, PAN card; and
 - Contact details and address of two family members of driver.
the driver.
- (e) Obtain and maintain the following up-to-date records relating to the driver's vehicle:-
- (i) Certificate of registration along with the number of High Security Registration Plate as prescribed under the Act and rules made thereunder;
 - (ii) Certificate of fitness as specified and issued under the Act and rules made thereunder;
 - (iii) Permit or any other document as specified and issued under the Act and rules made thereunder, including, but not limited to, an all India Tourist Permit or a State Tourist Permit, as the case may be;
 - (iv) A copy of written/digital agreement as referred in clause (a) of sub-rule (1);
 - (v) Insurance policy covering the third party risks as specified from time to time under the Act and rules made thereunder; and
 - (vi) Certificate of fitment of device capable of tracking of physical location.
 - (vii) Fitment of AIS 140 certified Vehicle Tracking and Monitoring System with panic buttons relevant for Public Service vehicle, as specified by the Ministry of Road Transport and Highways, which shall be connected to the control room of the Aggregator.
 - (viii) Placement of a fire extinguisher;
 - (ix) Disabled a child lock mechanism;
 - (x) Display inside the vehicle, except motor cycles, containing vehicle permit (as applicable) and copy of the Driver's driving license, driver's mobile number, aggregator's call center number. The display shall be placed on the side of the passenger seat next to the Driver in printed flex of size 1 X 1 ft as shall be clearly visible to the passengers in the concerned vehicle.
- (5) In order to promote passenger safety, the licensee must,-
- (a) Ensure that the aggregators mobile application to connect drivers to riders displays for the passengers a clear picture of the driver (including license number) and a picture or description of the vehicle and such other details that allows the rider to verify that the driver of the vehicle is person whose details the rider has received via the aggregator app,
 - (b) Develop and include a feature in the App that provides riders the ability to share their location with a minimum 2 number of persons within their safety network;
 - (c) Develop and include a feature in the App that gives riders ability to contact local police in case of emergency;
 - (d) Enable data transfer of the vehicle, driver and location of the vehicle to the data network of the Central or State Government whenever demanded;
 - (e) Verify the criminal background of each driver wishing to use the on-demand transportation technology platform through police verification;
 - (f) Verify vehicle information registered on the Aggregator platform with the information available with the Ministry of Road, Transport and Highways and/or the State Transport Department on an annual basis;
 - (g) In the event of an incident of a criminal nature involving a trip booked through Aggregator platform, licensee will immediately inform and cooperate with relevant authorities upon lawful request;

- (h) Establish a policy of zero tolerance for discrimination or discriminatory conduct while a driver is logged into the Aggregator App. Discriminatory conduct may include,-
- (i) Refusal of service;
 - (ii) Using derogatory or harassing language directed at passenger, or
 - (iii) Rating a passenger on the basis of sex, race, caste, creed, religion, or nationality; and
- (i) Be held liable if the licensee fails to exercise due diligence and responsible care in accrediting drivers or does not comply with terms of these rules or the license.
- (6) After upon receiving a written complaint from a passenger submitted through regular mail or electronic means containing a reasonable allegation that the driver using the on-demand transportation technology platform has violated the zero tolerance policy as referred in clause (h) of sub-rule (4) of rule 8 for discrimination the driver shall be immediately deactivated from the platform, for the duration of the investigation (by the licensee);
- (7) A driver shall not refuse to provide service to an individual with a disability solely because the individual's disability results in appearance or involuntary behavior that may offend, annoy or cause inconvenience to the driver or any other person;
- (8) The licensee must implement the zero tolerance policy on the use of drugs or alcohol by its driver and publish the notice of the zero tolerance policy on its website and App as well as the procedures to report a complaint about a driver with whom the passenger was matched and for whom the passenger reasonably suspects was under the influence of drugs or alcohol during the course of the ride, and immediately deactivate said driver's access to the platform upon receipt of a passenger complaint alleging a violation of the zero tolerance policy. The deactivation shall last the duration of the investigation by the license;
- (9) The Aggregator App shall inform the licensing authority if there is a change in control or ownership of the license and shall seek a fresh/ new license under the provisions of these rules within fifteen days of such change;
- (10) The licensee must publish its policy on fare which shall be with reference to the base fare rates specified by the State Government, registration of vehicles fare and drivers with its platform/ application, sharing of fares with vehicles owners and drivers, safety of passengers, mechanism for grievance redressal etc. It must also follow these policies meticulously and transparently;
- (11) The licensee shall conduct structured refresher training programs for its drivers including but not limited to safe driving skills, gender sensitization passenger etiquette and ensure that the driver shall undertake such refresher course at least once in a calendar year. Such training programs should be duly documented by the licensee;
- (12) The licensee shall endeavor to register as many motor cabs having woman drivers as may be feasible;
- (13) Shall display prominently the license issued under these rules on the app as well as any television or print advertisements and;
- (14) The licensee shall follow all the conditions as may be specified and directions issued by the State Transport Authority or any competent court, from time to time.

9. Compliance with regard to the Aggregator's App and Website:

- (1) Ensuring that the data generated on the App is stored on a server in India and that such stored data shall be for a minimum of 3 months and maximum 24 months from the date on which such data is generated. This data shall be made available to the State Government as per due process of law. Any data related to customers shall not be disclosed without the written consent of the customer.
- (2) Ensuring transparency in its operations, including but not limited to functioning of the App algorithm, proportion of fare payable to the Driver, incentives given to the Drivers, charges received from the Driver and such other information as may be

notified by the State Government, by making disclosures on the Aggregator's Website and App and updating such disclosures, as per requirement.

- (3) Inclusion of a feature enabling the Rider to share the live location and status of his/her ride after the ride booked through the App has commenced.
- (4) Ensuring that the picture of each Driver integrated with the Aggregator is clearly visible on the App.
- (5) Presence of App comprising details of the ownership, registered address, fare structure, services offered, consumer services telephone number and email address and such other details as may be needed.
 - (a) To enable the Rider and/or Driver to contact the Aggregator's call centre in relation to issues concerning the ride, while the ride is in progress or after the completion of the ride for a period of 3 months as specified under sub-clause 4 above, by inclusion of a call feature on the App. The Aggregator shall also provide for the assigned Driver's direct contact number, to be available to the Rider and accessible for a period of 24 hours from when the ride was availed.
 - (b) To ensure timely and effective redressal of the Riders' grievances on receipt of any complaint concerning the ride/ the Driver/ the condition of the vehicle. Rider concerns pertaining to a ride and the Driver may be reported not beyond a period of 24 hours from when the ride was availed.

Provided that the complaint registered with the grievance redressal centre is criminal in nature, then the limitation period for filing such complaint shall be extended beyond the specified limit of 24 hours upto a maximum of 72 hours. In such scenario, the concerned Driver shall be Off-boarded from the Aggregator till such issue is not resolved.

- (6) Extending utmost cooperation with investigating authorities in relation to any untoward accident or incident involving jeopardizing a Rider's safety, which may have arisen due to action or inaction of the Driver on an assigned trip.

10. Compliances to Ensure Safety:

- (1) Ensuring that the Driver plies the vehicle on the route assigned on the App and in non-compliance of the same, developing a mechanism wherein the app device indicates the fault to the Driver and the control room of the Aggregator immediately communicates with the Driver with regard to the same;
- (2) Ensuring safety of women employees and Drivers by introducing mechanisms to protect their rights, in compliance with the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013
- (3) Ensuring regular spot checks of vehicles integrated with the Aggregator by personnel authorized by such Aggregator.

11. Ride Pooling:

- (1) Aggregators may provide pooling facilities to Riders whose details and KYC are available who shall be travelling along the same route but with varied stoppages from one point to another under a virtual contract through the App.
- (2) Female passengers seeking to avail ride pooling shall also be provided the option to pool only with other female passengers.

12. Non-discrimination policy to be followed by the Aggregator:

The Aggregator shall ensure that vehicles actually owned by the Aggregator are treated at parity with those vehicles which are not Aggregator owned, once such vehicles are integrated with the Aggregator.

13. Regulation of fares:

- (1) Where the city taxi fare has not been determined by the State Government, an amount of Rs 25/30 shall be the base fare for the purposes of regulation under this

Clause 13. Similar fare fixation shall be done by the State Government of other vehicles integrated by Aggregators within the State from time to time.

- (2) The Aggregator shall be permitted to charge a fare 50% lower than the base fare and a maximum Surge Pricing of 1.5 times the base fare specified under 13(1) hereinabove. This will enable and promote asset utilization which has been the fundamental concept of transport aggregation and also substantiate the dynamic pricing principle, which is pertinent in ensuring asset utilization in accordance with the market forces of demand and supply.
- (3) The Driver of a vehicle integrated with the Aggregator shall receive at least 80% of the fare applicable on each ride and the remaining charges for each ride shall be received by the Aggregator. The State Government may by way of a notification direct 2% over and above the fare towards the state exchequer for amenities and programmes related for Aggregator operated vehicles, which have been helpful in reducing traffic congestion to a great extent and subsequently reducing pollution. These amenities and programmes may include but not be limited to, state sponsored driver welfare programmes, road safety awareness workshops and activities, pollution control programmes, allotment of parking spaces in certain proportion of large parking areas for vehicles integrated with an Aggregator, electric charging infrastructure for electric vehicles and related matters.

14. Cancellation of Rides:

- (1) On cancellation of a booking by a Driver, subsequent to accepting a ride on the App, a penalty of 10% of the total fare not exceeding Rs. 100, shall be imposed, when such cancellation is made without such valid reason that shall be stipulated by the Aggregator on its Website and on the App.
- (2) On cancellation of a booking by a Rider, subsequent to booking a ride on the App, a penalty of 10% of the total fare not exceeding Rs. 100, shall be imposed, when such cancellation is made without such valid reason that shall be stipulated by the Aggregator on its Website and on the App. The said amount shall be divided between the Driver and the Aggregator in the same proportion as Clause 13(4) hereinabove.

15. General conditions to be observed by the Passenger. While travelling or riding in the public service vehicle the passenger or rider,-

- (1) shall not smoke and drink;
- (2) shall behave in civil and orderly manner towards driver and co-passenger;
- (3) shall not willfully or negligently damage the public service vehicle or any of its fittings;
- (4) shall not cause a driver to drive the vehicle in contravention of the provisions of the notified speed limits

16. Transparency:- (1) The Rajasthan Motor Vehicle Aggregator App must provide a feature to convey to the rider the distance and time travelled (based on the metering indicated by the device) and consideration to be paid by a passenger /rider for the trip undertaken and upon completion of a trip, shall transmit or cause to be transmitted an electronic receipt to the passenger's email address or mobile phone or mobile application or in hard copy documenting the origination and destination of the trip and a description of the total amount paid, if any and the name of the person or entity on whose behalf the receipt is issued.

- (2) The rider must be facilitated either via the web or on App or through a customer service telephone number and an email address to submit their grievances or difficulties faced during travel.

- (3) The licensee shall be permitted to digitally provide for all features mandated physically by any applicable rules or rule or permit condition made by the State Government.

17. Suspension of Aggregator License:

- (a) There exists repetitive instances of financial inconsistencies with regard to the fares charged to Riders, unjustified imposition of Surge Pricing, non-compliance with the proportionate division of fares between the Drivers and the Aggregator, unsubstantiated imposition of charges on the Drivers, all of which may be determined by Ratings and/or examination of the financial records pertaining to the Aggregator's operations, in compliance with powers granted to the State Government under Clause 25(1);
Provided that where the Aggregator is liable to be suspended and the Competent Authority is of the opinion that having regard to the circumstances of the case it would not be necessary or expedient to suspend the License, the Aggregator may pay a sum as decided by the States. This is notwithstanding the fine imposed against the Aggregator under Section 193(2).
- (b) Without prejudice to an order of suspension passed by the Competent Authority, the security provided by way of security deposit may also be forfeited in part, depending upon the extent of the violation. It may be noted that if the security is forfeited, the same shall only be returned on the Aggregator receiving the License again and not during either of the Probationary Period.
- (c) The licensing authority may suspend the license which shall not be less than 10 days and which shall not exceed six months at a time. When the license is suspended or cancelled under sub-rule (1) the holder of the license shall surrender the license to the licensing authority and discontinue the service.

18. Cancellation of Aggregator License:

- (1) The Competent Authority may within two (2) days of issuing the showcause notice provide an opportunity of hearing to the Aggregator and thereafter cancel the license.
- (2) Where a license is cancelled, the Aggregator shall immediately stop all operations under the license.
- (3) Without prejudice to an order of cancellation passed by the Competent Authority, the security provided by way of security deposit shall be forfeited in full.
- (4) The Aggregator may, at any time, voluntarily surrender the license for cancellation. On such surrender of the license, the security by way of security deposit if any shall be returned to the Aggregator after the payment of outstanding dues if any.

19. Forfeiting of Security deposit. If the holder of a license fails to comply with the conditions and terms as mentioned under these rules or any employee of licensee is guilty of any misbehavior or misconduct with any passenger travelling then the licensing authority will be free to suspend or revoke the license or/and forfeit the security deposit of rupees ten lakhs or appropriate portion looking to the seriousness of offence.

20. Area of Operation.- Area of operation of vehicles (Other than Motor Cab) plying under these rules shall be as referred in sub-rule (v) of rule 1.2 of the Rajasthan Motor Vehicles Rules, 1990.

21. Issue of duplicate license and transfer of license.- (1) If at any time the license is lost or destroyed, the holder shall report to the police station in the jurisdiction of which the loss or destruction has occurred and intimate the fact in writing to the licensing authority and apply in Form-3 to the said licensing authority for a duplicate license accompanied by the fees as specified in rule 26.

- (2) On receipt of an application along with the specified fee in sub-rule (1), the licensing authority may issue a duplicate license clearly marked "Duplicate".

(3) If after the issue of a duplicate license the original is traced, the same shall be surrendered forthwith to the licensing authority.

(4) A license issued or renewed under these rules may be transferred to the legal heir in case of death of licensee on an application made by legal heir. In other cases, license may be transferred on a joint application made by the transferor and transferee accompanied by the fees as specified in rule 18 and subject to fulfillment of all the conditions prescribed under these rules by the transferee.

22. Appeal.- Any person aggrieved by any order of the licensing authority under rule 6, 17,18 or 20, may file within thirty days of the receipt of the order, appeal to the State Transport Appellate Tribunal.

23. Procedure for appeal.- (1) An appeal under rule 23 shall be preferred in two copies in the form of a memorandum setting forth the ground of objection, to the order of the licensing authority and shall be accompanied by a fee as specified in rule 26.

(2) The State Transport Appellate Tribunal may after giving an opportunity to the parties to be heard and after such enquiry as it may deem necessary, pass appropriate orders.

(3) The State Transport Appellate Tribunal shall dispose of an appeal filed under rule 23 within a period of ninety days from the date on which such appeal is filed.

24. Voluntary surrender of the license.- The holder of a license may at any time surrender the license issued to him by the licensing authority which granted the license and on such surrender the licensing authority shall cancel the license.

25. Powers and Responsibilities of the State Government:

(1) The State shall have the power to conduct search and investigation of the Aggregator's premises, as specified in Form I of these rules for the effective implementation of these rules;

(2) The State Government shall ensure complete confidentiality and secrecy of the documents and information obtained from the Aggregator under Clause 25(1) above and any such other information which it may call for.

26. Fees. The fees which shall be charged under the provisions of these rules shall be as specified in the Table below :-

Serial Number	Purpose	Amount (in Rupees)	Rule
1	2	3	4
1	In respect of application renewal of license	Five Thousand	4
2	In respect of change of address of the main office or permission to open a new branch	Two thousand five hundred	4
3	In respect of grant of license	5 lakh	6
4	In respect of issue of duplicate license	Ten thousand	21
5	In respect of transfer of license	A. Five thousand (in case of death of individual licensee) B. Fifteen thousand (in other cases)	21
6	Appeal	Two thousand five hundred	22

27. Refund of Fees: Method and procedure for refund of fee and security as laid down under the Rajasthan Motor Vehicles Rules, 1990 shall be applicable.

[S.No. F7(495)/pari/trans/hq/2013/6111]

By the order of Governor,

Mahendra Kumar Khinchi,
Joint Secretary to the Government.

FORM-1

[see rule 4]

Application for the grant/renewal of Aggregator's license under the Rajasthan Motor Vehicle Aggregator Rules 2023.

To,
The Transport Commissioner,
Rajasthan , Jaipur.

I, the undersigned hereby apply for grant/renewal of a license for operation as an aggregator under the Rajasthan Motor Vehicle Aggregator Rules 2023.

1	Full Name	
2	Address of the main office	
3	Number of branches and their addresses	
4	(a) If a registered company, enclose a copy of certificate of incorporation/registration along with a copy of memorandum of association. (b) If a firm, enclose a copy of certificate of registration of the firm.	
5	Telephone number, web address and email-id	
6	Number of public service vehicles proposed to be operated (Enclose a separate list containing vehicle numbers and permit particulars of each vehicle)	
7	Details of GPS/GPRS facility	
8	Details of other infrastructure	
9	Details of Financial Condition	
10	Details of fee paid	
11	Details of Security Deposit	

I hereby declare that the information given above and other documents enclosed herewith are true to the best of my knowledge. I understand that if any information is found to be incorrect at any point of time, the license granted to me is liable to be cancelled, besides initiating other legal action/actions against me, I have gone through the provisions of the Rajasthan Motor Vehicle Aggregator Rules 2023. I accept the same and agree to abide by the said rules.

Signature of the Applicant/
Authorized Signatory

Place:

Date:

FORM-2
[See rule 4]
License for an Aggregator

Mr./Mrs./Msrs.....is hereby licensed to function as an Aggregator under the Rajasthan Motor Vehicle Aggregator Rules 2023, subject to the conditions contained in these rules.

1	Name of the aggregator in full	
2	Addresses of the main office	
3	Addresses of branches	
4	Telephone Number, web address and e-mail-id	
5	Number of public service vehicles (As per the list enclosed)	
6	Particulars of the network through which the operator shall function	
7	Details of fee paid	
8	Details of security deposit	

The License shall observe all the conditions contained in the Rajasthan Motor Vehicle Aggregator Rules 2023.

This licence is valid from.....to.....

Place:

Date:

State Transport Authority, Rajasthan

FORM-3
Application for the issue of Duplicate Licence
[See Rule 21]

To,
State Transport Authority,
Rajasthan, Jaipur

Sir/ Madam,
The Licence issued to under rule 4 of the Rajasthan Motor Vehicle Aggregator Rules 2023 bearing No. has been lost/destroyed/completely written off/soiled/torn/mutilated in the following circumstances.(.....)

I/We hereby declare that to the best of my/our knowledge the Licence has not been suspended or cancelled under the provisions of the Act or rules made thereunder and the circumstances explained above are true.

I/We do hereby apply for the issue of a duplicate Licence.

The written off/soiled/torn/mutilated Licence is enclosed/ Copy of the FIR filed against the loss of the Licence is enclosed.

Place:

Date:

Signature of the Applicant/ Authorized Signatory
(alongwith company seal, as applicable)

Government Central Press, Jaipur.