

Public Notice

The Chandigarh Administration Draft Motor Vehicle Aggregator Rules-2024 are available on website <www.chdtransport.gov.in>. Objections and Suggestions are invited from General Public, Aggregators and stakeholders regarding **Chandigarh Administration Draft Motor Vehicle Aggregator Rules-2024**. The Objections/Suggestions can be submitted in the office of Secretary, State Transport Authority, Sector 18,(Near Govt. Press) UT Chandigarh in written or through e-mail Id sta18-chd@nic.in.

The Objections/Suggestions must reach before 05.00 P.M on 09-08-2024.

 24-7-2024
Superintendent
STA UT Chandigarh

Chandigarh Administration Motor Vehicle Aggregator
Draft Rules, 2024



**TRANSPORT DEPARTMENT
CHANDIGARH ADMINISTRATION**

Issued on

_____, 2024

Chandigarh Administration Motor Vehicle Aggregator Rules, 2024

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CHANDIGARH ADMINISTRATION
TRANSPORT DEPARTMENT
NOTIFICATION

The _____, 2024

No. G.S.R. 88/C.A. 59/1988/Ss. 93, 96, 211 and 212/2023.-Whereas, it is necessary to promote and ensure compliance with law and safety of the passengers who use information technology based on demand transportation technology aggregator platforms and ensure a greater integrity of process and operation on demand transportation technology aggregator platforms;

Whereas, there is a requirement of regulating the business conducted by such aggregators as per the Motor Vehicles Act, 1988 and its provisions under section 93 of the said Act.

Now, therefore, in exercise of the powers conferred by section 93 and section 96 read with section 211 of the Motor Vehicles Act, 1988 (Central Act No. 59 of 1988) and all other powers enabling him in this behalf, the Administrator of UT Chandigarh is please to make rules to regulate the business of providing on demand information technology based transportation aggregators and matters connected therewith.

Notice is hereby given that any person may within a period of thirty days from the date of publication of said proposal in the Official Gazette, file objections as required under sub-section (1) and sub-section (2) of section 212 of the said Act which may be received by the O/o Secretary Transport, Chandigarh Administration U.T., Secretariat Sector-9, U.T., Chandigarh with respect to the proposal before the expiry of the period so specified and such objections shall be considered by the Transport Department, Chandigarh Administration in accordance with the provisions of the said Act, namely:-

DRAFT RULES

Short title, commencement, application and extent :-

- (i) These rules shall be called the Chandigarh Administration Motor Vehicle Aggregator Rules, 2024.
- (ii) They shall be applicable to the aggregators operating in the UT Chandigarh.
- (iii) They shall come into force from the date of publication of the notification in the Official Gazette.

1. Definitions:

- (i) "The Act" means the Motor Vehicle Act 1988.
- (ii) "Aggregator", as defined in Section 1A of the Act, refers to a digital

- (iii) “App” means an electronic interface operated by the Aggregator or any third party on behalf of the Aggregator, which shall be accessed either through a computer resource or a communication device.
- (iv) “Area of Operation” shall be the UT Chandigarh.
- (v) “Computer resource” shall have the meaning ascribed to it under the Information Technology Act, 2000.
- (vi) “Communication device” shall have the meaning ascribed to it under the Information Technology Act, 2000.
- (vii) “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.
- (viii) “Fee” means the charges in respect of a licence as prescribed under Rules 20 of these Rules.
- (ix) “Form” means the form appended to these Rules.
- (x) “Licence” means the licence issued to an Aggregator by the Chandigarh Administration under Section 93 of the Act.
- (xi) “Licensee” means an Aggregator who holds Licence issued by the U.T., Chandigarh.
- (xii) “Licensing Authority” means the Secretary STA or such other authority as may be notified by the Chandigarh Administration from time to time.
- (xiii) “Appellate Authority” means the Secretary Transport, Chandigarh Administration or such other authority as may be notified by the Chandigarh Administration from time to time.
- (xiv) “On-Boarding” means the integration of a vehicle and Driver with the Aggregator and operating such vehicle with the Aggregator.
- (xv) “Off-Boarding” means the segregation of an integrated vehicle from the Aggregator.
- (xvi) “Rating” means an assessment of the quality of a trip availed by a Rider, on the successful completion of the trip.

shall include but not be limited to the course mentioned under the Induction Training Programme.

- (xviii) “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.
- (xix) “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.
- (xx) “Security Deposit” means the amount that shall be payable by an Aggregator at the time of grant of licence for a Licence furnished as bank guarantee, unless provided otherwise.
- (xxi) “Service Provider Contract” means the agreed and executed between the Aggregator and the Driver specifying the contractual rights and obligations of both parties.
- (xxii) “State” means the Union Territory Chandigarh.
- (xxiii) “Tri-city” means Chandigarh, Mohali, Panchkula.
- (xxiv) “Surge pricing” means the output of an algorithm of an Aggregator, which automatically raises the price of a trip when demand outstrips supply within a fixed geographic area.
- (xxv) “Induction Training Programme” shall have the meaning ascribed under Rule 5(2).

2. Applicability:

The Rule shall be applicable to Aggregators On boarding transport vehicles in the Area of Operation. The vehicles integrated by the Aggregator shall include all motor vehicles under the Act and e-rickshaw/e-bikes/cabs etc.

3. Application for grant or renewal or duplicate of licence and matters connected therewith:

- 1) Any person shall make an application for grant of Licence in Form I appended to these rules, accompanied by proof of all required relevant documents as well as receipt of processing fees of Rs. 10000/- (Non-

cancelled by the Licensing Authority in accordance with Rules 16. For the purposes of such renewal, the Licensing Authority shall examine the Aggregator's records of compliance with these Rules and the suspensions against such Aggregator.

- 3) The list of licences issued by the Licensing Authority under these Rules shall be uploaded and updated by the O/o STA on the website of Transport Department U.T., Chandigarh.
- 4) If any of the conditions for grant of Licence specified under these Rules are not complied with by the applicant, the Licensing Authority shall reject such application after giving an opportunity of being heard.
- 5) On being satisfied that the applicant has complied with all the conditions specified for grant/ renewal of a licence under these Rules, the Licensing Authority shall issue a Licence to the applicant in Form III appended to these Rules.
- 6) A Licence issued under these Rules shall be transferred on a joint application being made by the transferor and transferee subject to compliance with these Rules.
- 7) Where the Licence is lost or destroyed, an application, for issuance of a duplicate licence shall be made in Form IV appended to these Rules along with the prescribed fees as per in Rule No. 20. A duplicate Licence so issued shall be marked "Duplicate" in red ink.

4. Eligibility of an Aggregator:

- 1) 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.
- 2) The applicant shall have operative registered office in India and sub office in Tri-City i.e. Chandigarh, Panchkula or Mohali.
- 3) The applicant shall comply with all the applicable provisions prescribed under the Act and the Information Technology Act, 2000, including intermediary Rules.
- 4) The applicant shall not integrate any driver or represent himself as an Aggregator unless he holds a valid Licence issued by the Licensing Authority under these Rules.

5. Conditions for grant of Licence for Aggregator:

An applicant desirous of securing a Licence shall demonstrate compliance with the following:

- 1) 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

by the Aggregator prior to the commencement of on-boarding of vehicle. Cost for such training shall be borne by the Aggregator, either independently or by liasoning with a professional institution for providing course compliant with National Skills Qualifications Framework (NSQF). 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:

- a) To efficiently use the Aggregator app;
 - b) On the provisions under the Motor Vehicles Act, 1988 and rules there under;
 - c) On road safety and first responder training for six (6) hours out of the total thirty (30) hours mentioned above;
 - d) On careful driving;
 - e) On motor vehicle maintenance;
 - f) On maintenance of health and hygiene;
 - g) On fuel efficient driving;
 - h) On familiarization with the routes in the Area of Operation;
 - i) On the terms and conditions of the contract between the driver and the aggregator;
 - j) On gender sensitization and safety of women and girl child.
 - k) Training program on sensitization towards people with disabilities, their specific needs and the nature of assistance they may require during provision of services.
- 2) 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.
 - 3) The Aggregator shall be required to commence its business operations within 6 months from the grant of the Licence, in the absence of which the Licence shall be cancelled.
 - 4) 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 Rules is to be adhered in cases of ride pooling in taxis also.

6.Chandigarh Administration, U.T., Chandigarh to facilitate Implementation of Electric/Alternative fuel(such as bio-ethanol) two-wheeler taxis:

company and fulfilment of any other formalities registered for the purpose. subject to commercial insurance of the vehicle by the Aggregator company and fulfilment of any other formalities registered for the purpose

7. Compliances with regard to Drivers:

- 1) The Aggregator shall ensure compliance with the following conditions, relevant to Drivers, prior to On-boarding of such Drivers:
 - a) The Driver should hold a valid proof of identity issued by Govt. or Govt. authorised agencies like Aadhaar card/PAN/Passport/DL etc.
 - b) The Driver shall be holder of a valid driving licence to drive the relevant vehicle (as applicable) and a badge (as may be applicable).
 - c) The Driver shall have a minimum driving experience of 2 years. In case of the driving experience being less than 2 years, the Driver shall undertake a driver training facilitated by the Aggregator for a period of 15 days prior to On-boarding. This shall be in addition to the Induction Training Programme.
 - d) The Driver of the vehicle shall not have been convicted within the past 3 years, for the offence of driving under the influence of drugs or alcohol, or any cognizable offence under the Code of Criminal Procedure, 1973 or the Indian Penal Code, 1860 (as may be applicable) including fraud, sexual offences, use of a motor vehicle to commit a cognizable offence, a crime involving property damage or theft, acts of violence, or acts of terror.
 - e) 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.
 - f) 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.
 - g) Execution of a valid enforceable Service Provider Contract with the relevant Driver in English and the language understood by the Driver, specifying all necessary terms and conditions applicable for On-boarding of vehicle and operating vehicles therein.
- 2) The Aggregator shall ensure compliance with the following conditions, relevant to Drivers prior to On boarding, during operations:

- b) Ensuring a term insurance for each Driver integrated with the Aggregator for an amount not less than Rs. 10 lakhs with base year 2024-25 and increase by 5% each year.
- c) 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.
- d) Ensuring that the Driver shall not be logged in for an aggregate of twelve (12) hours on a calendar day. A mandatory break of ten (10) hours for the Driver shall be imposed subsequent to a login extending twelve (12) hours.
- e) The Aggregators to develop a mechanism on their respective App to ensure that Drivers engaged with more than one Aggregator do not drive beyond a cumulative period of 12 hours either on their or another Aggregators App so as to safeguard the Driver, passenger as well as road users.
- f) Maintaining and examining updated copies of the following records pertaining to the Drivers of vehicles (pursuant to due verification with the originals), regularly on the portal of SARATHI;
 - g) A photograph of the Driver;
 - h) Driving licence;
 - i) Present residential address alongwith proof;
 - j) RBI compliant KYC bank account details;
 - k) Self-attested copies of EIC card or Aadhaar card or PAN card.
- l) Contact details and addresses of two members from the Driver's family.
- m) Enabling the Drivers to operate with multiple Aggregators, provided each of them comply with the requirements and Driver training programmes relevant to each Aggregator.
- n) Ensuring that on termination or end of the Service Provider Contract with a Driver, all equipment or brand stickers belonging to the Aggregator is removed and identity card or authorization issued to the Driver by the Aggregator is confiscated.
- o) Implementing a mechanism in the App for rating of Driver by corresponding Rider with respect to a ride availed on the App, indicative of the Rider's experience of the ride and Driver's etiquette. The same shall be applicable to the Driver's rating for a Rider.
- p) Further, Drivers with ratings below two (2) percentiles shall be required mandatorily to undertake the Remedial Training Programme until the completion of which such Driver shall be Off-boarded.

Tourist Permit” shall also be eligible for “Web Taxi Service” in the Union Territory of Chandigarh by paying the requisite fee (payable by Taxi Owner` only) under “All India Tourist Permit Vehicles (Authorization or Permit) Rules, 2021” fixed by the Central Govt. from time to time. As regard bike taxi only Tri-city registered number will be allowed to be plied subject to the necessary permission of the State. The following compliances with regard to a vehicle shall be ensured by an Aggregator as a pre-requisite for the purposes of integration with Aggregator:

- 1) Valid registration of the vehicle;
- 2) Valid permit, as may be applicable;
- 3) Valid fitness certificate as obtained under the Act;
- 4) Requisite placement of the registration mark displayed in English and the figures in Arabic numerals displayed in such form and manner as specified in the Rules;
- 5) Valid third-party insurance;
- 6) Valid Pollution Under Control (PUC) certificate;
- 7) Compliance with emission norms of BS IV or above for motor cab and BS III or above for other vehicles;
- 8) Compliance with city specific fuel norms;
- 9) Updated payment of applicable taxes and other dues;
- 10) Clearance of pending e-challans applicable to the vehicle prior to integration of such vehicle;
- 11) Fitment of a AIS 140 Certified Vehicle Tracking and Monitoring System with panic buttons relevant for a Public Service vehicle, as specified by the Ministry of Road Transport & Highways, which shall be connected to the control room of the Aggregator;
- 12) Placement of a fire extinguisher;
- 13) Disabled child lock mechanism;
- 14) Enabled manual override for the central locking system;
- 15) Display inside the vehicle, except motor cycles, containing vehicle permit (as applicable) and copy of the Driver’s driving licence. The display shall be placed on the side of the passenger seat next to the Driver in such manner as shall be clearly visible to the passengers in the concerned vehicle.
- 16) Fitment of ‘TAXI’ roof sign visible from the front and rear on LMV, in compliance with Automotive Industry Standards (AIS) or any such standard specified.
- 17) During operations, the Aggregator shall maintain and examine digital records of all vehicles integrated with the Aggregator that shall be updated on a real time basis by the Aggregator on <https://vahan.nic.in/nrservices/>. Maintaining updated copies of the

- d) Chassis and engine numbers; and
 - e) Commercial insurance policy covering third party risks as prescribed in the Act.
 - f) Pollution under control certificate.
 - g) Clearance of pending e-challans within a period of 2 months from the issuance of such e-challans.
- 18) One vehicle will be attached with one Aggregator company only.

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

- 1) The App shall be formulated in a manner that is compliant with the applicable law.
- 2) The App shall be accessible in English and Hindi as the primary languages, for the Rider. Additionally, the App shall be accessible in such language that is understandable by the Driver.
- 3) Ensuring that the in-app vulnerabilities are revealed to Indian Computer Emergency Response Team formed under the aegis of the Ministry of Electronics and Information Technology. Safety of the App shall be certified by a recognized cyber security firm.
- 4) 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 of 24 months from the date on which such data is generated. This data shall be made available to the O/o STA, U.T., Chandigarh as per due process of law. Any data related to customers shall not be disclosed without the written consent of the customer.
- 5) Ensuring that the details of daily trips operated by each vehicle, details of passengers commuting in each vehicle, origin and destination of each journey undertaken and the fare collected, shall be undertaken by a Driver and Rider shall be accessible on the App for a period of three (3) months from the date of such trip.
- 6) 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 Chandigarh Administration, U.T., Chandigarh, by making disclosures on the Aggregator's Website and App and updating such disclosures, as per requirement.
- 7) 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.
- 8) Ensuring that the picture of each Driver integrated with the Aggregator is clearly visible on the App.
- 9) Presence of the Website comprising details of the ownership.

- 10) Implementing a zero-tolerance policy on the use of drugs or alcohol applicable to any Driver, provide notice of the zero-tolerance policy on its website, as well as the procedure to report a complaint about a Driver when a passenger reasonably suspects that the Driver is under the influence of drugs or alcohol during the course of the ride. The Aggregator shall immediately Off board such Driver upon receipt of a passenger's complaint alleging violation of the zero-tolerance policy. The suspension shall last or continue during the period of investigation by the Aggregator.
- 11) Establishing a control room with 24x7 operations and ensuring that all the vehicles, on direction of the Aggregator, maintain uninterrupted contact with the control room. The control room shall be in a position to monitor the movements of all the vehicles on the directions of the Aggregator.
- 12) Establishing call centres with valid telephone number and operational email address displayed clearly on the App with 24x7 operations wherein assistance shall be provided to the Rider and/or the Driver in English and Hindi as the primary languages, for both the Driver and the Rider. These call centres shall be responsible for the following:
 - 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-Rules 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. Provided further that, in case of complaints against the Driver concerning violation of the provisions under the Act, the Driver shall be Off-boarded for a period of 2 days from the day on which the complaint has been

a Rider's safety, which may have arisen due to action or inaction of the Driver on an assigned trip.

- 14) Ensure that city taxis, if seeking to integrate with the Aggregator, are permitted such integration. Provided these taxis are compliant to be integrated with the Aggregator as specified under Rules 7 above.

10. Compliances to Ensure Safety:

- 1) Ensuring appropriate functioning of the GPS installed in the vehicle and provide efficient resolution for any issues that may develop in its functioning. The aggregator shall ensure for installation of VLTD Devices in vehicles from other States also for the safety of passengers as per MoRTH guidelines.
- 2) 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;
- 3) 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.
- 4) Enforcing a mechanism on the App to ensure that the identity of the Driver undertaking a trip is same as the one enlisted with the Aggregator requiring verification every time a trip is accepted.
- 5) 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.
- 3) The pooling facilities shall be available within certain kms of detour from the route assigned to be undertaken for a destination specified by the first Rider in such vehicle.
- 4) Chandigarh Administration, U.T., Chandigarh may, by way of notification, relax the above mentioned detour specifications in order to provide accessibility in urban agglomerations and areas beyond the limits of municipal corporations.

13. Regulation of fares:

- 1) The city taxi fare indexed by Wholesale Price Index (WPI) for the current year shall be the base fare chargeable to customers availing Aggregator service. Taxi fare shall be notified by the Chandigarh Administration from time to time.
- 2) The base minimum fare chargeable to customers availing Aggregator services shall be, for a minimum of 3 kilometres to compensate for dead mileage and distance travelled and fuel utilized for picking up the customers.
- 3) 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 Rules 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.
- 4) The U.T., Chandigarh may by way of a notification direct 2% of the total fare for each ride 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. From the remaining amount of total fare, 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. Any other taxes viz GST or otherwise imposed by the Central / State Govt. shall be borne by the Aggregator.
- 5) For the purposes of motor cabs, fare regulation under this Rules 12 shall only be applicable for motor cabs not exceeding 4 meters of length of below engine capacity of 1500cc diesel or petrol. Fare regulation provided under this Rules 12 shall not be applicable to electric vehicles.
- 6) No passenger shall be charged for dead mileage (except when the distance for availing the ride is less than 3 kms as mentioned under Rules 13(2) hereinabove) and the fare shall be charged only from the point of boarding to the point of alighting.

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 Rules 13(4) hereinabove.

15. Aggregation of non-transport vehicles by Aggregators:

Four wheelers and Two wheelers (non-transport) shall be prohibited under these rules. The companies who have already been granted aggregator licence under Motor Vehicle Aggregator Guidelines, 2020 implemented in letter and spirit and notified by the Chandigarh Administration on 17.11.2022 would be deemed to have been granted licence under the said Chandigarh Motor Vehicle Aggregator Rules 2024 shall be bound to fulfill the terms and conditions of the Chandigarh Administration Motor Vehicle Aggregator Rules, 2024.

16. Suspension of Aggregator Licence:

- 1) Suo moto or on a complaint made to the Licensing Authority, subsequent to providing the Aggregator with an opportunity of being heard within fifteen (15) days from date of such complaint or Suo moto action, the licence shall be suspended for a period, by way of a reasoned order in writing, which shall not be less than 10 days and which shall not exceed 6 months at a time (“Suspension Order”) if :-
 - a) There exists a systemic failure by the Aggregator to ensure safety of the Rider and/or the Driver and the same may be evidenced by an analysis of quarterly Ratings with regard to the relevant parameter;
 - b) 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 U.T., Chandigarh under Rules 18(1);
 - c) The Aggregator fails to comply with the contractual obligations towards the Drivers;

U.T., Chandigarh while categorising the offences of non-compliance with these Rules:

- e) Effect on health and safety of Riders and/or Drivers which may have been averted by complying with these Rules;
- f) Number of deaths or sever injuries to Riders and/or Drivers caused due to violation of safety standards by the Aggregator;
- g) Effect on Driver welfare and livelihood due to violation of contractual obligations;
- h) Severity of financial swindling;
- i) And such other parameters as the Chandigarh administration, U.T., Chandigarh may deem fit and appropriate.

PROVIDED that where the Aggregator is liable to be suspended and the Licensing Authority is of the opinion that having regard to the circumstances of the case it would not be necessary or expedient to suspend the Licence, the Aggregator may pay a sum as decided by the States. This is notwithstanding the fine imposed against the Aggregator under Section 193 (2).

- 2) On completion of period specified in the Suspension Order the Aggregator shall by way of an undertaking in writing acknowledge the reasons for suspension as specified in the Suspension Order and undertake that the same stands rectified and will be there from complied with. Subsequent to this, the Licensing Authority shall pass an order acknowledging the satisfaction of the Suspension Order and receipt of the undertaking and grant the Aggregator temporary permission to continue operations for a period which shall not be less than 2 months but not more than 6 months (“Probationary Period”) while still withholding the Aggregator’s Licence.
- 3) During the Probationary Period, the Aggregator shall continue operations and rectify the reasons causing the former suspension while ensuring compliance with these Rules in its entirety. Subsequent to the expiry of the Probationary Period, the Licensing Authority shall examine the operations of the Aggregator to ensure compliance with these Rules and rectification of the issues causing the former suspension.
- 4) If the Licensing Authority stands satisfied pursuant to the examination at the end of the Probationary Period, the Licensing Authority shall issue a no objection certificate (NOC) to the Aggregator and return the Licence, subsequent to which the Aggregator shall continue operations. If unsatisfied, a second Probationary Period of seven (7) days shall be granted for implementing the requisite rectifications.
- 5) If satisfied, a NOC shall be granted to the Aggregator subsequent to

a period which shall not be less than forty-five days and not more than three months, specifying the reasons for continued suspension by way of a written order (“Continuing Suspension Order”). On receipt of a Continuing Suspension Order, the same procedure shall be followed as specified in this Rules 16(2), 16(3) and 16(4) above.

- 6) Without prejudice to an order of suspension passed by the Licensing Authority, the security provided by way of bank guarantee 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 Licence again and not during either of the Probationary Period.
- 7) Where a Licence is suspended, the Aggregator shall immediately stop all operations under the Licence till the time such suspension is revoked.

17. Cancellation of Aggregator Licence:

- 1) A show cause notice shall be issued to the Aggregator for cancellation of the Aggregator’s Licence, if the Aggregator:
 - a) has received more than three (3) suspensions within one financial year; or
 - b) has failed to receive its Licence and NOC pursuant to a second examination of the Continuing Suspension Order; or
 - c) is responsible for the commission of a gross offence as categorized by the Chandigarh Administration, U.T., Chandigarh under Rules 16(1)(d) above.
- 2) The Licensing Authority shall within two days of issuing the show cause notice provide an opportunity of hearing to the Aggregator and thereafter cancel the licence.
- 3) Where a licence is cancelled, the Aggregator shall immediately stop all operations under the licence.
- 4) Without prejudice to an order of cancellation passed by the Licensing Authority, the security provided by way of bank guarantee shall be forfeited in full.
- 5) The Aggregator may, at any time, voluntarily surrender the licence for cancellation. On such surrender of the licence, the security by way of bank guarantee if any shall be returned to the Aggregator after the payment of outstanding dues if any.

18. Appeal:

- 1) The Aggregator aggrieved by any order passed by the Licensing

- 2) An appeal shall be in the form of a memorandum in duplicate setting forth the grounds for the appeal and shall be accompanied by the requisite fee and the certified copy of the order passed by the Licensing Authority.

19. Powers and Responsibilities of the Chandigarh Administration:

- 1) The Licensing Authority shall be empowered to call for such information and documents from the Aggregator, as deemed fit to ensure compliance by the Aggregator with these Rules pursuant to prior written notice. This shall also include the power to investigate about the Drivers who have been Off boarded at more than one instance;
- 2) The Licensing Authority 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;
- 3) The Licensing Authority shall ensure complete confidentiality and secrecy of the documents and information obtained from the Aggregator under Rules 19(1) above and any such other information which it may call for.

20. Fee for Aggregator:

S. No.	Particulars	Amount in Rupees
1.	Grant of licence	5,00,000
2.	Renewal of licence	5,000
3.	Issue of duplicate licence	5,000
4.	For noting change of address of the Licensee	5,000

21. Security Deposit for Aggregator:

S. No.	Particulars	Amount in Rs.
1.	Upto 100 buses or 1000 other motor vehicles	1,00,000
2.	Upto 1000 buses or 10000 other motor vehicles	2,50,000
3.	More than 1000 buses or 10000 other motor vehicles	5,00,000

Note:- Licence fee as per Rule 20 and amount of Security deposit as per Rule 21 shall be charged only at the time of grant of licence, if Aggregator is found eligible.

FORM I
[See Rule 3(1)]

Application for the Grant of Licence for Aggregator under the Chandigarh
Administration Motor Vehicle Aggregator Rules, 2024

To,
The Secretary,
State Transport Authority,
U.T., Chandigarh

I, the undersigned, hereby apply for grant of a Licence for operation as an Aggregator under the Chandigarh Administration Motor Vehicle Aggregator Rules, 2024.

1.	Name in full	
2.	Address of the main office	
3.	Number of branches and addresses, if any	
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.	Name and contact details of Key Managerial Personnel or Authorized Signatory	
6.	Telephone number, website address and Email ID	
7.	Number of (type of vehicle) proposed to be operated. (Enclose a separate list containing vehicle numbers and permit particulars of each vehicle)	
8.	Details of GPS/ GPRS facility	
9.	Details of other infrastructure	
10.	Details of returns filed in the last three years. Enclose copies of financial statements of last three years	
11.	Details of processing fee (Non-Refundable) paid	

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 Licence granted to me is liable to be cancelled, besides initiating other legal action/actions against me. I have gone through the Chandigarh Administration Motor Vehicle Aggregator Rules, 2024, I accept and agree to abide by the same and the reference statues and rules mentioned herein.

FORM II
[See Rule 3(2)]

Application for the Renewal of Licence for aggregator under the Chandigarh
Administration Motor Vehicle Aggregator Rules, 2024

To,
The Secretary,
State Transport Authority,
U.T., Chandigarh

I, the undersigned, hereby apply for the renewal of Licence for operation as Aggregator under the Chandigarh Administration Motor Vehicle Aggregator Rules, 2024.

1.	Name in full	
2.	Address of the main office	
3.	Number of branches and addresses, if any	
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.	Name and contact details of Key Managerial Personnel or Authorized Signatory	
6.	Telephone number, website address and Email ID	
7.	Number of (type of vehicle) proposed to be operated. (Enclose a separate list containing vehicle numbers and permit particulars of each vehicles)	
8.	Details of GPS/ GPRS facility	
9.	Details of other infrastructure	
10.	Details of returns filed in the last three years. Enclose copies of financial statements of last three years	
11.	Details of Licence: a) Licence Number b) No. of Suspensions, if any, and details thereof	
12.	Details of processing fee paid	

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 Licence granted to me is liable to be cancelled, besides initiating other legal action/actions against me. I have gone through the Chandigarh Administration Motor Vehicle Aggregator Rules, 2024, I accept and agree to abide by the same and the reference statues and

FORM III
[See Rule 3(5)]
Licence for an Aggregator

Mr./Mrs./M/s [_____] is hereby licenced to operate as an Aggregator under the Motor Vehicles Act, 1988 in compliance with directions stipulated under the Chandigarh Administration Motor Vehicle Rules, 2024.

1.	Name of the Aggregator (in full)	
2.	Address of the main office	
3.	Addresses of the branches, details of key managerial i.e. Director or authorized person with in Tri-city.	
4.	Telephone number, website address and email id	
5.	Number of Auto Rickshaw / e-Rickshaw / Motor Cab / Motor Cycle or Bus (as per the list enclosed by the Aggregator in Form I/II, as may be applicable)	
6.	Particulars of the manner in which the Aggregator shall function	
7.	Details of processing fee paid	
8.	Details of fees paid for Aggregator licence	
9.	Details of Security Deposit by way of Bank Guarantee in favour of Competent Authority	

The Licensee shall abide by all the terms & conditions contained in the Chandigarh Administration Motor Vehicle Aggregator Rules, 2024.

Place:
Date:

Signature of the Competent Authority

FORM IV
[See Rule 3(7)]
Application for the issue of Duplicate Licence

To,
The Secretary,
State Transport Authority,
U.T., Chandigarh

Sir/Madam,

The Licence issued to [Name of the Licensee] under Rule 3(5) of the Chandigarh Administration Motor Vehicle Aggregator Rules, 2024 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 Certificate of registration is enclosed/ Copy of the FIR filed against the loss of the Licence is enclosed.

Detail of duplicate licence fee paid :

Place:

Signature of the Applicant/ Authorized Signatory

Date:

(along with company seal, as applicable)