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अंडमान और निकोबार प्रशासन
ANDAMAN & NICOBAR ADMINISTRATION
परिवहन निदेशालय
DIRECTORATE OF TRANSPORT

Date: October, 2024

MOTOR VEHICLE AGGREGATOR SCHEME, 2024

In exercise of the powers conferred under section 93 of the Motor Vehicle Act 1988 read with section 2(41) thereof, the Lieutenant Governor (Administrator), A & N Islands hereby proposes to frame the following Motor Vehicle Scheme for licensing and regulation of aggregators providing passenger transport service.

Objection or suggestions on this behalf should be addressed to the Secretary, State Transport Authority, Transport Department, Andaman & Nicobar Administration, Port Blair 744101 or on the email: dirtpt.and@nic.in.

DRAFT SCHEME

1) Short title, extent, and commencement:

- a. This scheme may be called the Motor Vehicle Aggregator Scheme, 2024.
- b. They shall come into force on the date of their publication in the Official Gazette.

2) Definitions:

1. **"Act"** means the Motor Vehicles Act, 1988, as may be amended from time to time.
2. **"Aggregator"**, as defined in Section 2(1A) of the Act, means "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. **"Bike Pooling"** shall have the meaning ascribed to it under Clause 16(3) of these Guidelines.
6. **"Car Pooling"** shall have the meaning ascribed to it under Clause 16(2) of these Guidelines.
7. **"Communication device"** shall have the meaning ascribed to it under the Information Technology Act, 2000.
8. **"Competent Authority"** means the State Transport Authority unless any other authority empowered by the Lt. Governor (Administrator) of Andaman & Nicobar Islands to issue Licence under Section 93 of the Act.
9. **"Comprehensive Insurance Policy with Passenger Cover"** means an insurance policy issued by an 'authorized insurer' as defined under the Motor Vehicles Act, 1988, that provides overall protection to the motor vehicle owner against damages to the motor vehicle with coverage of five lakh rupees (Rs. 5 Lakh) to insure against harm caused during an accident to rider(s) and any other person(s) in a motor vehicle, including the Driver-User.
10. **"Computer resource"** shall have the meaning ascribed to it under the Information Technology Act, 2000.
11. **"Driver"** shall have the meaning ascribed to it under the Motor Vehicles Act, 1988.
12. **"Driver-User"** means an individual holding a valid driving license to drive a non-transport motor vehicle, for personal use, who uses an Aggregator for listing of Journey to be undertaken through Car Pooling or Bike Pooling, as the case may be.
13. **"Fare"** means the total charges debited by the Aggregator to the Rider pursuant to the later booking a ride through the Aggregator's App and completing the same, excluding the cost of toll(s), tax(es) and parking fee(s), as may be applicable.
14. **"Fee"** means the charges in respect of a license as prescribed under Clause 22 of these Guidelines.
15. **"Form"** means the form appended to these Guidelines.
16. **"Grievance Officer"** means a person appointed by the Aggregator to undertake grievance redressal of any complaint submitted by either

the Driver or Driver-User or Rider, as the case may be, including the disposal of such complaint, in a time bound manner. The details of the person so appointed including its name, email id, and telephone numbers shall be displayed on the website of the aggregator and in the app with clear visibility.

17. **"Induction Training Programme"** shall have the meaning ascribed under Clause 6(2) of these guidelines.
18. **"Journey"** means a travel plan stating the date and time of travel, the place of departure, the place of arrival i.e. the destination, and type of the motor vehicle being used to undertake the travel plan.
19. **"Licence"** means the licence issued to an Aggregator by the State Government under Section 93 of the M.V.Act.
20. **"Licencee"** means an Aggregator who holds Licence issued by the State Government.
21. **"Motor Vehicle"** shall have the meaning ascribed to it under the Motor Vehicles Act, 1988.
22. **"Off-Boarding"** means the segregation of an integrated vehicle from the Aggregator.
23. **"On-Boarding"** means the integration of a vehicle and Driver with the Aggregator and operating such vehicle with the Aggregator.
24. **"Rating"** means an assessment of the quality of a trip availed by a Rider, on the successful completion of the trip.
25. **"Refresher Training Programme"** means an annual training session for Drivers integrated with the Aggregator, for a period of at least two days for cumulated 10 hours, delivered as a combination of in-person and virtual training sessions. The sessions shall include but not be limited to the course mentioned under the Induction Training Programme.
26. **"Remedial Training Programme"** means training course(s) required to be compulsorily undertaken by Driver 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.

27. **"Rider"** means a person who books a journey through the Aggregator App for availing the transportation provided by a Driver or Driver-User, as the case may be, who is integrated with the Aggregator.
28. **"Ride Pooling"** shall have the meaning ascribed to it under Clause 15(1) of these Guidelines.
29. **"Security Deposit"** means the amount that shall be Payable by an Aggregator applying for a Licence furnished as bank guarantee, unless provided otherwise.
30. **"Service Provider Contract"** means the agreed and executed between the Aggregator and the Driver specifying the contractual rights and obligations of both parties.
31. **"State"** means the Union Territory of A & N Islands.
32. **"Surge pricing/Dynamic 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.

3) Applicability:

The Guidelines may be applicable to Aggregators On-boarding motor vehicles in the Area of Operation. The motor vehicles that may be integrated by the Aggregator shall include all motor vehicles under the Act and e-rickshaw.

4) Application for Grant or Renewal of Licence and matters connected herewith:

1. Any person may make an application for grant of License in Form I appended to these Guidelines, accompanied by proof of payment of appropriate Fee and Security Deposit.
2. A single License shall be granted by the Competent Authority and such License shall be applicable throughout the respective State. Provided that a single application could be made by an Aggregator for all or any categories of motor vehicles being On-Boarded by it.
3. The Central Government shall develop a portal for Single Window Clearance on which applicant will apply with all necessary documents and proof of payment of appropriate Fee and Security Deposit.

Provided that till such time as this portal is operationalized, States shall process an application as per their existing policy.

4. An application under sub-clause (1) above shall be processed by the Competent Authority within a maximum period of sixty (60) days from the date of application in Form I.
5. A Licence granted shall be valid for a period of five (5) years from the date of its issuance, subsequent to which it shall be renewed by the Competent Authority on an application for renewal made by the Aggregator in Form II appended to these Guidelines. For the purposes of such renewal, the Competent Authority shall examine the Aggregator's records of compliance with these Guidelines and the punitive actions taken by the state in the past including suspensions against such Aggregator.
6. The list of licences issued by the Competent Authority under these Guidelines shall be uploaded and updated by the Competent Authority on the state transport portal of the State Government.
7. If any of the conditions for grant of Licence specified under these Guidelines are not complied with by the applicant to the satisfaction of the Competent Authority, the Competent Authority may reject such application after giving an opportunity of being heard and reasons recorded in writing.
8. On being satisfied that the applicant has complied with all the conditions specified for grant/ renewal of a licence under these Guidelines, the Competent Authority shall issue a Licence to the applicant in Form III appended to these Guidelines.
9. A Licence issued under these Guidelines may be transferred on a joint application being made by the transferor and transferee subject to compliance with these Guidelines.
10. Where the Licence is lost or destroyed, an application for issue of a duplicate shall be made in Form IV appended to these Guidelines along with the prescribed fee. A duplicate Licence so issued shall be marked "**Duplicate**" in red ink.

5) Eligibility of an Aggregator:

1. The applicant shall be a company registered under the Companies Act 1956 or Companies Act, 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 a registered office in India. If required by the state, the aggregator may establish a branch office within the State seeking to start its operation.
3. The applicant shall comply with the applicable law, including but not limited to, the Motor Vehicles Act, 1988 alongwith corresponding rules and regulations, Digital Personal Data Protection Act, 2023, Consumer Protection Act, 2019 and the Information Technology Act, 2000, including intermediary guidelines.
4. The applicant seeking Licence shall not integrate any driver or represent himself as an Aggregator unless he holds a valid License issued for the same.

6) Condition for grant of License for Aggregator:

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

1. Compliance with these Guidelines;
2. Arrangement of an Induction Training Programme or outsource it to an authorized third party for testing the driving ability of the concerned Driver with respect to the vehicle to be on boarded.

Explanation: Induction Training Programme refers to a compulsory five (5) day training programme made available through a combination of in-person and virtual training sessions, 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 complaint 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 appraising, 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 and observing traffic rules;
 - (e) On motor vehicle maintenance;
 - (f) On maintenance of health and hygiene while driving the motor vehicle;
 - (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 good conduct with passengers;
 - (k) On gender sensitization and safety of women and girl child;
 - (l) On sensitization towards people with disabilities, their specific needs and the nature of assistance they may require during provision of services.
 - (m) On familiarization with the Places of Interest such as tourism, eateries, marketplaces, recreational centers, parks, hotels etc.
3. The Aggregator shall be responsible to ensure that drivers who have been integrated with the Aggregator prior to the implementation of these Guidelines undergo the Induction Training Programme as mentioned above.
4. 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 by the Competent Authority.

5. The Guidelines issued by the Ministry of Health / World Health Organization / or any concerned authority / organization in the interest of public health and safety for precautionary steps like sanitization of motor vehicles and appropriate social distancing etc. are to be complied with. Further, this Clause shall be strictly adhered to in case of ride-pooling, car-pooling and bike-pooling also as mentioned in subsequent paragraphs of these Guidelines.

7) State Governments Support for Integrating Alternative Fuel and Zero Emission Vehicles, and Ensuring Accessibility for Differently Abled Riders in Aggregator Fleets:

(1) This Ministry has taken following steps for promotion and adoption of Alternative Fuel and Zero Emission Vehicles in the country which are listed as under:

- (a) Granted exemption from the requirements of permit to the Battery Operated Transport Vehicles and Transport Vehicles running on Ethanol and Methanol fuels vide S.O. 5333(E) dated 18th October, 2018.
- (b) Exempted Battery Operated Vehicles from the payment of fees for the purpose of issue or renewal of registration certificate and assignment of new registration mark vide GSR 525(E) dated 2nd August, 2021.
- (c) Issue of All India Tourist Permit for battery operated vehicles without payment of any permit fee vide GSR 302(E) dated 18th April, 2023.
- (d) An advisory dated 17th July, 2019 has been issued to all States and Union Territories regarding incentivization of electric vehicles and induction of electric vehicles in shared mobility and public transport operations.
- (e) An advisory dated 12th August, 2020 has been issued to all States and UTs regarding sale and registration of Electric Vehicles without batteries.

The State Governments will facilitate operations of such vehicles.

The States shall also promote/mandate aggregators to incrementally increase the percentage of motor vehicles in their fleet that operate on alternative fuels or exhibit zero tailpipe emissions.

- (2) The State Government will also facilitate the induction of motor vehicles by the aggregators that ensures the accessibility requirements of differently abled riders, including wheelchair accessibility.

8) Compliances with regard to Drivers:

1. The Aggregator shall ensure compliance with the following conditions, relevant to Drivers, prior to and during the On-Boarding of such Drivers:

- (a) The Driver should hold a valid proof of any identity document enlisted under Rule 4 of the Central Motor Vehicle Rules, 1989.
- (b) The Driver shall be holder of a valid driving Licence issued to him to drive the vehicle (as applicable).
- (c) The Driver seeking to be On-Boarded by an Aggregator shall have an experience of driving a light motor vehicle for atleast one year prior to such On-Boarding, in accordance with Section 7(1) of the Act.
- (d) The Driver shall be a holder of a bank account or holder of Jan-Dhan account under the Pradhan Mantri Jan-Dhan Yojana, in accordance with the norms prescribed by Reserve Bank of India.
- (e) The Driver of the vehicle shall not have been convicted within the past three (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.
- (f) 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.

- (g) Complete police verification of the identity of the Driver and his antecedents with a written record of such verification prior to fifteen (15) 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.
 - (h) Execution of a valid enforceable Service Provider Contract with the relevant Driver in English, Hindi or the official language of the relevant State, 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, during operations:
- a. Ensuring a health insurance for each Driver integrated with the Aggregator for an amount not less than Rs. 5 Lakhs with base year 2023-24 and increased by 5% each year. The provisions made under Social Security Code, 2020 will prevail upon this requirement once notified and implemented.
 - b. Ensuring a term insurance for each Driver integrated with the Aggregator for an amount not less than Rs. 10 lakhs with base year 2023-24 and increase by 5% each year. The provisions made under Social Security Code, 2020 will prevail upon this requirement once notified and implemented.
 - c. Conducting Refresher Training Programme as a combination of in-person and virtual training sessions once a year. Record of such training sessions shall be documented and preserved. 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. The provision made under the relevant category in Rule 25 of the Occupational Safety, Health and Working Conditions Code, 2020 will prevail upon this requirement once notified and implemented.

In order to safeguard the Driver, passenger as well as road users, the Central Government in coordination with the State Governments and aggregators shall develop a web-portal for regulation of the maximum working hours of a driver as per Occupation Safety, Health and Working Conditions Code, 2020.

- e. Maintaining a digital/physical record of the following documents pertaining to the Drivers of a vehicle duly verified from original documents/ SARATHI or VAHAN portal;
 - i. A photograph of the Driver;
 - ii. Driving licence;
 - iii. Present residential address along with proof;
 - iv. RBI compliant KYC bank account details;
 - v. self-attested copies of any valid proof of identity document enlisted under Rule 4 of the Central Motor Vehicle Rules, 1989.
 - vi. Contact details and addresses of two members from the Driver's family.
- f. Enabling the Drivers to operate with multiple Aggregators, provided each of them comply with the requirements and Driver training programmes relevant to each Aggregator.
- g. Ensuring that on termination or end of the Service Provider Contract with a Driver, all equipment or brand stickers belonging to the Aggregators is removed and identity card or authorization issued to the Driver by the Aggregator is confiscated.
- h. 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.

- i. 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.

9) Compliances with regard to vehicles:

- (1) The Aggregator shall ensure compliance with the following conditions for On-Boarding of all motor vehicles:
 - a) Valid registration of the vehicle;
 - b) Valid permit, in case of a transport vehicle;
 - c) Valid fitness certificate as obtained under the Act;
 - d) 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 Central Motor Vehicle Rules, 1989;
 - e) Comprehensive Insurance Policy with Passenger Cover;
 - f) Valid Pollution Under Control (PUC) certificate;
 - g) Compliance with emission norms of atleast BS III or above for three wheeled vehicles and motor cycles, and BS IV or above for other motor vehicles. However the city/state specific guidelines shall be adhered if they mandate better emission norms or impose some restrictions;
 - h) Compliance with city specific fuel norms;
 - i) Updated payment of applicable taxes and other dues;
 - j) Clearance of pending e-challans imposed on the vehicle prior to integration of such vehicle;
 - k) 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;
 - l) 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/>. Following records pertaining

to the Driver's vehicle (pursuant to due verification with the original), shall be maintained and updated annually from the time of On-Boarding:

- (i) Certificate of Registration;
- (ii) Certificate of Fitness, as obtained under the Act;
- (iii) Permit of the vehicle, in case of transport vehicles;
- (iv) Chassis and engine numbers;
- (v) Commercial insurance policy covering third party risk as prescribed in the Act;
- (vi) Pollution under control certificate; and
- (vii) No pending e-challans at the time of On-Boarding and Clearance of pending e-challans within a period of 2 months from the issuance of such e-challans.

- m) Fitment of a functional AIS 140 Certified Vehicle Tracking and Monitoring System with panic buttons relevant for a Public Service vehicle, as specified in Rule 125H of the Central Motor Vehicle Rules, 1989, which shall be connected to the control room of the Aggregator. (Except for motor cycle and for Three-wheeler vehicles as per applicable law);
- n) Disabled child lock mechanism (Except for three-wheeled vehicle, motor cycle, buses as applicable);
- o) Enabled manual override for the central locking system (Except for three-wheeled vehicle, motor cycle, buses as applicable);
- p) Placement of a fire extinguisher of suitable capacity (except motor cycles);

10) Compliances with regard to App, Website, and Technology:

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 along with one official language of the relevant state where the official language is not Hindi. 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 or utilized in compliance with the Digital Personal Data Protection Act, 2023.
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 State Government, 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 App is accessible by people suffering with disabilities seeking to be Riders, with special regard to the nature of assistance they may require during provision of services.
9. Ensuring clear & high – resolution visibility of each integrated drivers picture with Aggregator on the App.
10. Presence of the Website 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.

11. 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 rider 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 Rider's complaint alleging violation of the zero-tolerance policy. The suspension shall last or continue during the period of investigation by the Aggregator.
12. 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 motor vehicles On-Boarded by the Aggregator on the directions of the Aggregator.
13. Establishing call centre covering every state where the Aggregator Operates with valid telephone number and operational email address displayed clearly on its website and 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 along with the option of an official language of the relevant state. 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 ride is in progress or after the completion of the ride for a period of 3 months as specified under sub-clause 5 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 up to 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 made.

14. 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.
15. Ensure that motor vehicle with valid contract carriage permit, if seeking to integrate with the Aggregator, are permitted such integration. Provided such motor vehicles are complaint to be integrated with the Aggregator as specified under relevant Clause.
16. Ensure that there shall be a Grievance Officer appointed by the Aggregator while applying for the Licence so the grievances or complaints of Riders or any other persons received by him shall be attended by the Grievance Officer and be made available to the inspecting authorities on demand. Details of Grievance Officer shall be made available on the Aggregator's App and website.

17. Enforcing mechanism on the App to ensure that at transportation hubs like airports, bus terminal, train stations, market places, exhibition, events etc., the deliberate attempt by Drivers to maximize surge price by going offline to create demand supply imbalance, is thwarted.

11) Compliances to Ensure Safety:

1. Ensuring appropriate functioning of the GPS installed in motor vehicles, and provide efficient resolution for any issues that may develop in its functioning;

Explanation: For the purposes of these Guidelines, GPS shall also include in-App GPRS for motor cycles as well as three-wheeled motor vehicles, where applicable.

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 and Riders 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.

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. The base fare chargeable to customers availing Aggregator service shall be required to comply with the Order(s) of State Transport Authority as may be notified from time to time.
2. The base minimum fare chargeable to Riders availing Aggregator services shall be, for a minimum of three (3) kilometers to compensate for dead mileage and distance travelled and fuel utilized for picking up the rider(s).
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 sub-clause (1). This will enable and promote asset utilization which has been the fundamental concept of transport aggregation and also substantiate the surge/dynamic pricing principle, which is pertinent in ensuring asset utilization in accordance with the market forces of demand and supply.
4. The Driver of a vehicle integrated with the Aggregator shall receive 80% of the Fare applicable on each ride and the remaining charges for each ride shall be received by the Aggregator. This may be settled weekly or fortnightly as per the mutual agreement between the Driver and the Aggregator. The penalty, if any, on the driver or the Aggregator, shall be deducted from their respective share in the fare.
5. 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.

6. The base fare chargeable to customers availing Aggregator service shall be required to comply with the Order(s) of State Transport Authority as may be notified from time to time.
7. No Rider shall be charged for dead mileage (except when the distance for availing the ride is less than three (3) kilometers as mentioned under sub-clause (2) above) and the fare shall be charged only from the point of boarding to the point of alighting.

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) above.

15) Ride Pooling:

1. For the purposes of these Guidelines, Ride Pooling shall mean an on demand transportation by a transport motor vehicle, involving bundling of travel requests from different Riders who are willing to travel in a similar direction with multiple origin and destination points in the same transport motor vehicle driven by a Driver.
2. Aggregators may facilitate Ride Pooling for such Riders who have agreed to avail Ride Pooling under a virtual contract through the Aggregator App, through a mechanism on the Aggregator App.
3. The Aggregator shall ensure that the compliances under Clause 8, Clause 9, Clause 10 and Clause 11 of these Guidelines are adhered to.

4. Female Riders seeking to avail ride pooling shall also be provided the option to pool only with other female Riders.
5. The pooling facilities shall be available within certain kilometers of detour from the route assigned to be undertaken for a destination specified by the first Rider in such vehicle.
6. State Government may, by way of notification, relax the detour specified under sub-clause 5 above, in order to provide accessibility in urban agglomerations and areas beyond the limits of municipal corporations.

16) Car Pooling and Bike Pooling

1. In furtherance of the objectives of the improvement in last mile connectivity, better utilization of non-transportation assets, increase in the accessibility and mobility of the people, protection and enhancement of the environment, promotion of energy conservation and improvement of quality of life, State Government may promote aggregation of motor cars and motor cycles in the form of Car Pooling and Bike Pooling, respectively.
2. For the purposes of these Guidelines, Car Pooling refers to the Journey undertaken using a motor car driven by a Driver-User for private purpose, alongwith the Rider(s), with origin and destination points being determined by the Driver-User.
3. For the purposes of these Guidelines, Bike Pooling refers to the Journey undertaken using a motor cycle driven by a Driver-User for private purpose, alongwith the Rider(s), with origin and destination points being determined by the Driver-User.
4. For the purposes of Car Pooling or Bike Pooling, the Aggregator shall enforce a mechanism where the Driver-User of the motor vehicle shall be registered with the Aggregator pursuant to payment of such fee or charge, required to be paid in such mode and manner, as may be notified by the State Government.
5. A Driver-User shall ensure a third party insurance certificate, Comprehensive Insurance Policy certificate with add-on cover for the motor car or motor cycle has been obtained with an insurance

of at least Rs. 5 lakhs for the Riders in the vehicle, other than the Driver-User or owner integrated with the Aggregator.

6. The Driver-User through the Aggregator app shall charge only the operational charges for the trip and shall not make any profit out of these trips.
7. The Aggregator may charge a fee for usage of its App for facilitating Car Pooling or Bike Pooling. Provided that such fee must be mentioned as an additional component to the cost for each Journey on the aggregator App before the Rider and Driver-User agree to undertake Car Pooling or Bike Pooling, as the case may be, through the aggregator App.
8. The Rider shall agree with the Driver-User with regard to the pickup and drop off point, journey time, fare, any stopping point (if any) during the Journey.
9. The Rider shall be provided with the name and address of the Driver-User.
10. To ensure safety of the Rider, the App shall provide the feature for sharing live location to the Rider.
11. A maximum of two ride-sharing intra-city trips on a calendar day shall be permitted for each vehicle with the Driver-User, integrated with the Aggregator.
12. Aggregator shall ensure that it displays details of its registered office, service offerings, customer service contact details and any other information, relevant for the facilitation of a Car Pooling or Bike Pooling between Driver-Users as well as Riders, on its App.
13. Aggregator shall ensure that the terms and conditions associated with Car Pooling or Bike Pooling are easily accessible to all Driver-Users as well as Riders.
14. Aggregator shall have a mechanism to block Driver-User and Rider(s), who are reported to have violated the Terms and Conditions as displayed on the Aggregator App.
15. Aggregator shall ensure that Car Pooling and Bike Pooling facilitated through its Aggregator App is not being used for commercial transportation.

16. Aggregator shall ensure that the Aggregator App is not used to undertake Journeys that require special permits under the Act.
17. Mandatory Compliances for Carpooling, Bike Pooling.
 - a. The Driver-User should hold a valid proof of identity document enlisted under Rule 4 of the Central Motor Vehicle Rules, 1989;
 - b. The Driver-User should hold a valid driving license issued to drive the vehicle (as applicable);
 - c. The Driver-User of the vehicle shall submit a self-undertaking that he/she have not 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;
 - d. The Driver-User shall undergo a complete medical examination, including eye check-up, by a hospital or medical institution;
 - e. The Aggregator shall develop a mechanism for background verification of the Driver-User and Rider and perform such checks before On-Boarding Riders. A record shall be maintained by the Aggregator for such background checks;
 - f. Valid registration of the motor vehicle;
 - g. Comprehensive Insurance Policy with Passenger Cover;
 - h. Valid Pollution Under Control (PUC) certificate;
 - i. Compliance with emission norms of atleast BS III or above for motor cycles, and BS IV or above for other motor vehicles. However the city/state specific guidelines shall be adhered if they mandate better emission norms or impose some restrictions;
 - j. Compliance with city specific fuel norms;
 - k. Updated payment of applicable taxes and other dues; and
 - l. Clearance of pending e-challans applicable to the vehicle prior to on-boarding of such vehicle.

17) Aggregation of non-transport vehicles by Aggregators:

1. Aggregators by offering innovative solutions in different sectors, such as passenger mobility and hyperlocal delivery, retail, personal and home care, have been able to create livelihood opportunities for any willing individual, be it students, home makers, store owners or even those already engaged in the informal sector. Benefits of low entry barriers, along with the flexibility to hold multiple jobs, grant the economy an immense potential to leverage India's demographic dividend.
2. In furtherance of sub-clause (1) above and the overall objective of reduction in traffic congestion and automobile pollution, and increased effective utilization of non-transport vehicles, the State Government may allow aggregation of non-transport motor cycles.
3. This may be allowed pursuant to payment of such appropriate daily/weekly/ fortnightly fee or charge, required to be paid in such mode and manner, as may be notified by the State Government. Subject to such payment and compliance with sub-clause (4), the State Government shall issue an authorization for the non-transport motor cycle to undertake operations with an Aggregator on a daily/weekly/fortnightly basis.
4. The Aggregator as well as the Driver seeking to On-Board the non-transport motor cycle with such Aggregator shall be required to satisfy the compliances stipulated under Clause 8, Clause 9, Clause 10 and Clause 11 of these Guidelines.

18) Suspension of Aggregator Licence:

1. Suo moto or on a complaint made to the Competent Authority, the licence granted to an Aggregator may be suspended by such Competent Authority by way of a reasoned order made in writing for a period of atleast ten (10) days but not exceeding 6 months, pursuant to providing the Aggregator with an opportunity of being heard within fifteen (15) days from the date of such complaint or action taken suo moto action- ("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 State Government under Clause 21(1);
- c. The Aggregator fails to comply with the contractual obligations towards the Drivers;
- d. The Aggregator fails to comply with any of the requirements or conditions of these Guidelines amounting to minor, moderate or gross offences, as may be determined by the State Government. The following parameters may be considered by the State Government while categorizing the offences of non-compliance with these Guidelines:
 - i. Effect on health and safety of Riders and/or Drivers which may have been averted by complying with these Guidelines;
 - ii. Number of deaths or severe injuries to Riders and/or Drivers caused due to violation of safety standards by the Aggregator;
 - iii. Effect on Driver welfare and livelihood due to violation of contractual obligations;
 - iv. Severity of financial swindling; and
 - v. such other parameters as the State Governments may deem fit and appropriate.

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) of the Act.

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 therefrom complied with. Subsequent to this, the Competent 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 License.
3. During the Probationary Period, the Aggregator shall continue operations and rectify the reasons causing the former suspension while ensuring compliance with these Guidelines in its entirety. Subsequent to the expiry of the Probationary Period the Competent Authority shall examine the operations of the Aggregator to ensure compliance with these Guidelines and rectification of the issues causing the former suspension.
4. If the competent Authority stands satisfied pursuant to the examination at the end of the probationary period, the Competent Authority shall issue a no objection certificate.(NOC) to the Aggregator and return the License, 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 investigation after the expiry of seven (7) days and the License shall be returned. If the requisite rectifications remain unsatisfied, the Competent Authority may within fifteen (15) days, after giving an opportunity of being heard to the Aggregator, suspend the License for a period which shall not be less than forty-five (45) 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 Clause 18(2), 18(3) and 18(4) above.

6. Without prejudice to an order of suspension passed by the Competent 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 to the Aggregator on 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 License till the time such suspension is revoked.

19) Cancellation of Aggregator Licence:

1. A show cause notice shall be issued to the Aggregator for cancellation of the Aggregator's License, if the Aggregator:
 - a) has received more than three (3) suspensions within one financial year; or
 - b) has failed to receive its License 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 State Government under Clause 15(1)(d) above.
2. The Competent Authority may within two (2) days of issuing the show cause notice provide an opportunity of hearing to the Aggregator and thereafter cancel the license.
3. Where a Licence is cancelled, the Aggregator shall immediately stop all operations under the license.
4. Without prejudice to an order of cancellation passed by the Competent 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 license, the security by way of

bank guarantee if any shall be returned to the Aggregator after the payment of outstanding dues if any.

20) Appeal:

1. The Aggregator aggrieved by any order passed by the Competent Authority may, within 30 days of receipt of the order, appeal to the State Government or such other agency as may be notified by the Transport Department, A & N Administration.
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 Competent Authority.

21) Powers and Responsibilities of the State Government:

1. The State Government shall be empowered to call for such information and documents from the Aggregator, as deemed fit to ensure compliance by the Aggregator with these Guidelines 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 State Government shall have the power to conduct search and investigation of the Aggregator's premises, as specified in Form I of these Scheme, for the effective implementation of these scheme;
3. The State Government shall provide access to the VAHAN and SARATHI portal operated by the Ministry of Road Transport and Highways, Government of India to enable the Aggregator to update the details of vehicles, and Drivers integrated with them.
4. The State Government shall ensure complete confidentiality and secrecy of the documents and information obtained from the Aggregator under sub-clause (1) above and any such other information which it may call for.

22. Fee for Aggregator:

S.No.	Particulars	Amount in Rupees
1.	Grant of License	5,00,000
2.	Renewal of License	2,500
3.	Issue of Duplicate License	2,500
4.	For noting change of address of the licensee	2,500

23. Security Deposit for Aggregator:

S.No.	Particulars	Amount in Rupees
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

By order and in the name of Lieutenant Governor

Vishwendra

(Vishwendra)

Secretary (Transport)

राधिव, (परिवहन/)

Secretary, (Transport/)

अण्डमान तथा निकोबार प्रशासन

Andaman and Nicobar Administration

पोर्ट ब्लेयर / Port Blair

FORM-I

[See Clause 4(1)]

Application for the Grant of License for Aggregator

To,
The State Transport Authority,
Directorate of Transport
A & N Administration, Port Blair

I, the undersigned hereby apply for a grant of a Licence for operation as an Aggregator under the Motor Vehicle Aggregator Scheme, 2024 in the State of Andaman & Nicobar Islands.

S.No.		Self-Attested Copy(Y/N)
1.	Name in full	
2.	Address of the main office	
3.	Number of branches and addresses (in A & N Islands), if any	
4.	A. If a registered company, enclose a copy of the certificate of incorporation/registration along with a copy of the memorandum of association. B. If a firm, enclose a copy of the 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 last three years. Enclose copies of financial statement of last three years.	
11.	Details of fee paid	

12.	Details of Security Deposit by way of Bank Guarantee in favor of the Competent Authority	
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I hereby declare that the information given above, and other documents enclosed herewith are true to the best of my knowledge. I understand 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 provisions of the Motor Vehicle Aggregator Scheme, 2024, I accept and agree to abide by the same and the reference statutes and scheme mentioned herein.

Place:

Date:

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

FORM-II
[See Clause 4(5)]
Application for the Renewal of License for Aggregator

To,
The State Transport Authority,
Directorate of Transport
A & N Administration, Port Blair

I, the undersigned hereby apply for a grant of a Licence for operation as an Aggregator under the Motor Vehicle Aggregator Scheme, 2024 in the State of Andaman & Nicobar Islands.

S.No.		Self-Attested Copy(Y/N)
1.	Name in full	
2.	Address of the main office	
3.	Number of branches and addresses (in A & N Islands), if any	
4.	A. If a registered company, enclose a copy of the certificate of incorporation/registration along with a copy of the memorandum of association. B. If a firm, enclose a copy of the 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 last three years. Enclose copies of financial statement of last three years.	
11.	Details of fee paid	

12.	Details of Security Deposit by way of Bank Guarantee in favor of the Competent Authority	
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I hereby declare that the information given above, and other documents enclosed herewith are true to the best of my knowledge. I understand 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 provisions of the Motor Vehicle Aggregator Scheme, 2024, I accept and agree to abide by the same and the reference statutes and scheme mentioned herein.

Place:

Date:

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

FORM-III
[See Clause 4(8)]
License for an Aggregator

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

1.	Name of the Aggregator (in full)	
2.	Address of the main office	
3.	Addresses of the branches	
4.	Telephone number, website address and Email-ID	
5.	Number of different types of vehicle (as per the list enclosed by the Aggregator in Application Form).	
6.	Particulars of the manner in which the Aggregator shall function.	
7.	Details of fee paid	
8.	Details of Security Deposit by way of Bank Guarantee in favor of the Competent Authority.	

The Licensee shall observe all the conditions contained in the Motor Vehicle Aggregator Scheme, 2024.

Place:

Date:

Secretary (STA)

FORM-IV
[See Clause 4(10)]
Application for the issue of Duplicate License

To,

The State Transport Authority,

Directorate of Transport

A & N Administration, Port Blair

Sir/Madam,

The Licence issued to [Name of the Licencee] under the Clause 4(8) of the Motor Vehicle Aggregator Scheme, 2024 bearing no. [] has been lost/destroyed/completely written off/soiled/torn/mutilated in the following

[]

I/We hereby declare that to the best of my/our knowledge the licence has not been suspended or cancelled under the provision of the Act or Rules made there under 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.

Place:

Date:

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