



GOVERNMENT OF JAMMU AND KASHMIR GOVERNMENT

DRAFT
**RADIO TAXI
SCHEME
2011**

**GOVERNMENT OF JAMMU AND KASHMIR,
CIVIL SECRETARIATE - TRANSPORT DEPARTMENT.**

Notification

In exercise of powers conferred by section 74 of Motor Vehicles Act, 1988 (59 of 1988), the Government of Jammu and Kashmir hereby makes the following scheme for operation and regulating the business of Radio Taxi Services and matters connected therewith in the State of Jammu and Kashmir:-

CHAPTER -I
PRELIMINARY

1. **Short Title, Commencement and Application:-**
 - i. This Scheme may be called Operation of Radio Taxi Scheme, 2011.
 - ii. It shall come into force from the date of its publication in the Government Gazette.

2. **Definitions:-**In this scheme unless the context otherwise requires:-
 - a. "Act" means Motor Vehicles Act, 1988
 - b. "Appellate Authority" means Minister for Transport , J&K.
 - c. "Form" means Form appended to the scheme.
 - d. "License" means a license granted or renewed under the scheme.
 - e. "Licensing Authority" means the Transport Commissioner J&K, or any other Officer appointed by the Government as such.
 - f. "Operator" means the holder of a permit issued under section 74 of the Act for not less than fifty Radio Taxis.

Provided that words and expressions not defined in this scheme shall have the same meaning as provided under Motor Vehicles Act, 1988 and the Rules framed thereunder.

CHAPTER -II
LICENCING.

3. **Grant of Licence:**
 - i) No person(s) shall engage himself in the business of Radio Taxi Operation without an effective license.
 - ii) The licences to be granted for Radio Taxi operation shall initially be only for operation in the Municipal Limits of Jammu/Srinagar and the number of licences to be granted shall be notified by the State Transport Authority.
 - iii) An application accompanied by prescribe fee for grant of the License shall be made before the Licensing Authority on the prescribed form.

- iv) Application form alongwith prescribed fee for issue of Letter of authority for purchase of not less than thirty vehicles giving also an induction schedule for operation of the Radio Taxi Scheme.
- v) The applicant shall produce a Tax Clearance Certificate from Commercial Taxes Department, J&K.
- vi) The applicant shall furnish a Bank Guarantee, in a format acceptable to the licensing authority for an amount of Rupees Two lakh, drawn in favour of the Transport Commissioner J&K, prior to the issue of temporary license.
- vii) The applicant shall produce the documentary proof that the premises proposed for main/branch office is either owned by the applicant(s) or has taken on lease/hire in his name for not less than five years.
- viii) The applicant shall furnish No Objection Certificate from the concerned local authorities for usage of proposed premises as such.
- ix) An inspection of the premises shall be conducted by the Licensing Authority or any other officer authorized by him not below the rank of Assistant Regional Transport Officer (ARTO) for ascertaining of the requirements as laid down under this scheme.
- x) The Temporary License in the prescribed form for a period of four months for operation of radio taxis shall be considered by the Licensing Authority after making necessary enquiries as may be deemed fit.
- xi) The name and style proposed by the applicant shall be approved by the Transport Commissioner.
- xii) The Licensing Authority shall grant temporary license for not less than fifteen vehicles for four months subject to the condition that the temporary licensee shall establish a Control Room fully equipped with a Radio network and GPS/GPRS tracking system and shall install three toll free dedicated telephone connections within this period;
- xiii) On completion/ compliance of all conditions prescribed in the temporary license and Rule 4, the Operator shall be issued a regular license in the prescribed form valid for a period of five years.

4. Eligibility: -

- i) The applicant must be a permanent resident of the State. However, a permanent resident may obtain a license as a franchisee of a well established/reputed Radio Taxi Operator operating in other parts of the country or in collaboration with such operator.
- ii) The applicant must possess a good moral character to be certified by the District Magistrate on verification from local concerned authorities.
- iii) The applicant must atleast have a net worth of Rupees twenty five lacs.
- iv) The applicant must possess adequate parking space for parking taxis and office space at main and branch offices for

accommodating the control room with radio communication either owned by him/her or taken on lease/or hire for at least five years.

- v) The land and building shall at all times be kept clean and in good condition;
- vi) A suggestion box shall be kept in the main office and branch office, if any.

5. Renewal of Radio Taxi License:

- i) The license initially granted for a period of five years shall be renewable for a further period of upto five years subject to the satisfactory performance of the license holder as per terms and conditions of the scheme, and the eligibility criteria laid down in Rule 4 of the scheme.
- ii) The applicant may submit an application for renewal of license at any time after completion of four years but not less than three months before the expiry of the license with a renewed/fresh bank guarantee of Rupees two lakhs and the prescribed renewal fee.
- iii) On receipt of the application for renewal of license, an inspection of the business premises of the licensee shall be carried out, and performance of the licensee shall be evaluated as per the terms and conditions of the scheme. The Competent Authority shall keep in view the past conduct and performance of the licensee at the time of granting renewal of license.
- iv) The applicant shall produce a fresh 'No Objection Certificate' at the time of renewal from the concerned local authorities.
- v) Documentary proof with regard to payment of all applicable taxes including VAT etc to be produced before the licensing authority.
- vi) The licensing authority at the time of renewal may call for any other document as deemed necessary for grant of such renewal.

6. Issue of duplicate license:

- (i) Where a license holder has lost/destroyed the license to run the radio taxi operation, he shall report the fact to the Licensing Authority immediately and shall apply for the duplicate license alongwith the fee prescribed and the following documents:-
 - (a) Copy of FIR.
 - (b) Copy of News paper containing public notice.
- (ii) The licensing authority may seek any other information as deemed proper before issuance of Duplicate License.
- (iii) The duplicate license so issued shall have to be marked as 'DUPLICATE'.

7. Change of address of license holder:-

- i) The license holder shall in no case shift the principal place of business without prior permission of the licensing authority.
- ii) The application for change of place of business shall be given to the licensing authority along with justified grounds and fees prescribed besides documentary proof with respect to other requirements of the premises to be shifted upon.
- iii) The applicant shall have to produce the documentary proof that the proposed premises/place of business is owned by him or taken on lease or hire.
- iv) The applicant shall also produce NOC of the concerned local authorities with regard to use of the proposed space as such.

CHAPTER –III **FLEET OF CABS**

8. Fleet Size :

- i) The minimum fleet size per license shall be not less than thirty motor cabs, which must be achieved by the licensee within one year of the commencement of the operation. All the vehicles shall be as per the specifications prescribed in Rule 9 (iii) of the Scheme.
- ii) On grant of Temporary License the operator shall register/induct the minimum of fifteen vehicles of the prescribed specification during the validity period of the temporary license.

9. Cab Specifications

- i) The license holder shall not be allowed to attach vehicle (s) owned by other person(s) unless transferred in the name and style of the Company under a proper control.
- ii) Every motor cab at the time of induction shall be preferably brand new or else not more than two year old.
- iii) The vehicle should be of Engine Capacity of 999 CC or above approved by the State Transport Authority. However, Jeep type vehicles like Gypsies etc is prohibited.
- iv) The vehicle must be equipped with temperature control devices such as air conditioning and heating and maintained in proper working order at all times.
- v) The motor cab shall be fitted with electronic fare meters on the front panel (dashboard) and maintained in a proper working order capable of giving a printed receipt to the commuter with details of boarding place, destination, Kms run and fair to be paid.

- vi) On the roof of the vehicle there should be an LCD board to display that the vehicle is a radio taxi and shall be capable of displaying distinctly TAXI, NOT FOR HIRE, HIRED, ON CALL, BUSY etc.
- vii) The vehicle shall not carry any advertisement except the name of the Radio Taxi Operator and its call Nos. .
- viii) The vehicle should meet emission standards as prescribed from time to time.
- ix) The vehicle must be fitted with GPS/GPRS based tracking devices which must be in constant communication with the Central Control unit.
- x) The vehicle must be equipped with a mobile radio fitted in the front panel for communication between driver and the main control room of the licensee.
- xi) Provision for Mobile Charger, Water Bottle holder etc shall also provided.
- xii) The vehicle must be equipped with the first aid box containing material as specified in Rule-244 of J&K Motor Vehicles Rules 1991.
- xiii) The vehicle should be replaced on completion of eight years with a brand new vehicles meeting the prevailing emission standard.
- xiv) Photograph of the driver, particulars of his licence and details of the licensee will have to be displayed on the dashboard of the vehicle.
- xv) The operator may choose from the following colour schemes:-
 - i) White
 - ii) Red
 - iii) Black
 with different color strip of one foot on both of the panels of the car differentiating each licensee as assigned by the Transport Commissioner.
- xvi) Transport Department help line number shall be prominently displayed inside and outside of motor cab as prescribed.

CHAPTER -IV **Driver Profile**

10. Requirement of drivers

- i) The driver must have an effective driving license of not less than three years old of the appropriate Class of vehicle issued by a competent authority.
- ii) The minimum qualification of the driver shall be Matric Pass through State/Central Board of School Education.
- iii) The driver must at all times be in uniform to be approved by the Transport Commissioner J&K.
- iv) The driver must be of good character without any criminal record.
- v) The driver must be medically fit.

- vi) The radio taxi licensee shall be responsible for the conduct of drivers and seeking their police verification.

CHAPTER –V

11. TERMS AND CONDITIONS

- i) On grant of temporary license, the Operator shall get the minimum fifteen vehicles prescribed in the temporary license registered and establish a Control Room fully equipped with a Radio network and GPS/GPRS tracking system within a period of four months.
- ii) In the event that a holder of temporary license fails to induct the vehicles and comply with the above stipulations within the prescribed period as applicable, his temporary license shall automatically stand cancelled and the performance guarantee forfeited .
- iii) If the radio taxi licensee uses or causes or allows a vehicle to be used in any manner not authorized by the permit or provisions mentioned therein, the licensee/driver shall be jointly and severally responsible for any offence or crime which has been committed by any person, including driver, using the said vehicle.
- iv) The licensee must adhere to the provisions of Motor Vehicle Act, 1988, Rules framed thereunder and the terms and conditions prescribed by the transport department from time to time.
- v) Working hours of drivers shall be regulated in accordance with the Motor Transport Workers Act, 1961/Labour Act.
- vi) The license holder shall keep the premises and all the records open for inspection at all reasonable times by the licensing authority or by any person not below the rank of Assistant Regional Transport Officer as may be authorized in this behalf by the Licensing Authority.
- vii) Maintain a compliant book with serially numbered pages in three foils in all its motor vehicles covered under this license as well as at principal place of Business and other branch offices and shall dispatch a copy of the foil to Licensing Authority immediately and in any case not later than two days along with action taken on such complaint.
- viii) The Radio Taxi Service shall operate 24 X 7.
- ix) All kind of taxes including road tax and permit tax etc shall be paid by the operator in time.
- x) Submission of any information as may be called for by the licensing authority at any time.

CHAPTER -VI
MISCELLENOUS

12. FARE:

Fare charged by the Operator shall be as prescribed, from time to time, by the State Transport Authority.

- i. The State Transport Authority may allow additional charges over and above the normal fare during the night hours from 11:00 pm to 5:00 am upto a maximum of 25%.
- ii. The Operator shall in no case charge the fare higher than the prescribed one. However, he is at liberty to charge less than the fare fixed.
- iii. The Operator shall display fare structure in its main and branch offices, if any, besides on the dash board of the Radio Taxi.

13. INDUCTION SCHEDULE

- i) An applicant must submit an induction schedule in respect of not less than thirty vehicles at the time of making an initial application for grant of temporary license.
- ii) The competent authority may approve the schedule with or without modification, or may require the applicant to submit a modified induction schedule, prior to the issue of temporary license.
- iii) The licensee shall submit a compliance report of each stage of the approved schedule to the competent authority.
- iv) The failure by the licensee to induct the motor cabs as per the schedule is liable to result in cancellation of the license and as well as forfeiture of bank guarantee.

14. Powers of Licensing Authority to cancel or suspend the license;

- i) The licensing Authority may suspend the license for a specified period or cancel the license in case of following defaults:-
 - a) Fails to maintain the motor cab in compliance with the provisions of the Motor Vehicles Act or rules framed there-under.
 - b) Fails to maintain cleanliness and other facilities in the premises.
 - c) For charging any extra amount from any commuter than the fare fixed by the competent authority.
 - d) Any employee of the licensee is guilty of misbehavior with commuters.
 - e) For any complaint proved beyond any reasonable doubt on an enquiry by the Licensing Authority or an Officer authorized by him in this behalf.

- f) Where the licensee agrees to pay the fine of not less than ₹10,000/- imposed by the Licensing Authority, the license so suspended may not be cancelled.
- g) In the event of the license being suspended or cancelled the licensee shall surrender the license before the Licensing Authority immediately on receipt of the order of suspension or cancellation and shall clear all the dues .

15. Conduct and hearing of appeals: -

- i) Any person aggrieved by any order of the Licensing Authority may within thirty days of the receipt of the order, make an appeal to the Minister for Transport J&K.
- ii) An appeal shall be preferred in duplicate in the form of memorandum setting forth the grounds of appeal against the order of the Licensing Authority and shall be accompanied by fee prescribed under the Scheme.
- iii) The Appellate Authority may, after giving an opportunity of hearing to the parties and after such enquiry as it may be deem fit pass appropriate order.

16. Fee

- i) Application fee for Temporary License ₹1000(One Thousand).
- ii) Temporary License Fee ₹10000 (Ten Thousand)
- iii) Fee for Regular License ₹50000 (Fifty Thousand)
- iv) Renewal Fee Per Annum ₹10000 (Ten Thousand)
- v) Duplicate License Fee ₹2000 (Two Thousand)
- vi) All other Fees like Registration of Vehicles, Letter of Authority/ Permit Fee, fitness fees and other applicable fees shall be same as prescribed under Motor Vehicle Act 1988 and Rules framed thereunder.

Now, therefore, the aforesaid proposed Scheme is hereby published as required under sub-section (1) of Section 212 of the Motor Vehicles Act, 1988 for information of all persons likely to be effected. Any person who desires to object/suggest to the aforesaid proposed scheme may submit his/ her objections/suggestions if any, in writing to the Commr/Secretary to Govt, Transport Department Civil Secretariat, Srinagar within a period of two weeks from the date of issue of this notification.

By order of the Government of Jammu & Kashmir.
Commr/Secretary to Govt,
Transport Department

FORM 1
[See Rule3 (iii)]
Application for grant of Radio Taxi Service licence (Temporary)
(Main/Branch office)

To
The State Transport Authority
Jammu & Kashmir,
Srinagar/ Jammu.

Attested copy
of the Latest
Photo graph of
the applicant

In accordance with the provisions of the Radio Taxi Scheme-2011,

I-----S/O,D/O,W/O-----
-----R/O-----

hereby apply for grant/renewal of Licence for operation of Radio Taxi Services.

1. Name and Style of the company proposed-----
2. (a) Place where the applicant proposes his main office with detailed address.-----

(b) Area of Land -----(c) Nature of ownership
Owned/ hired/leased.
3. (a) Place where the applicant proposes his branch office with detailed address.-----

(b) Area of Land -----(c) Nature of ownership
Owned/ hired/leased
4. The number of motor cabs intended to be inducted-----.
5. Nature and extent of financial resources of the applicant.-----

6. Experience in the management of transport business-----
7. Particulars of Driving Licence held.-----
8. Particulars of motor vehicles owned alongwith details of Registration Mark-----

9. PAN No.-----
10. Telephone No.-----Cell No.-----

11. The prescribed application fee of ` 1000 in the form of -----is enclosed along with below mentioned documents:-

- a) .
- b) .
- c) .

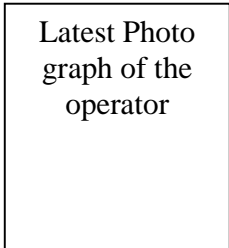
I am conversant with the terms & conditions of the Radio Taxi Scheme and hereby declare that to the best of my knowledge and belief the particulars given above are correct and true.

Place:
Date:

Signature of Applicant

FORM 2
[See Rule3(xi)]
Temporary Licence for Radio Taxi Service

1. Name & style of Radio Taxi Service: -----
2. Name of the operator:-----
3. Son/wife/daughter of:-----
4. R/O :-----
5. Full address of the place of Main Office:-----
6. No. of Radio Taxies Permitted:-----

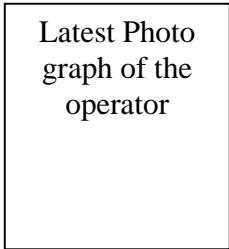


This Temporary licence is issued on.....and is valid up to.....
(as per conditions detailed Overleaf)

State Transport Authority
J&K Srinagar/Jammu.

FORM 3
[See Rule3(xiv)]
Licence for Radio Taxi Service

1. Name & Style of Radio Taxi Service:-----
2. Name of the operator:-----
3. Son/wife/daughter of:-----
4. R/O :-----
5. Full address of the place of Main Office:-----
6. No. of Radio Taxies Permitted:-----



This licence for main office is issued on.....and is valid up to.....

(as per conditions detailed Overleaf)

State Transport Authority
J&K Srinagar/Jammu

