

**Government of West Bengal
Transport Department
Paribahan Bhaban
12, R. N. Mukherjee Road, Kolkata - 700 001**

No. 2576-WT/TR/3M- 92/2009

Date- 30.06.2016

This draft notification is being issued for information of all concerned including public at large with a request to send suggestion for modification / insertion / deletion to it within 15 (fifteen) days of its publication in the Official Gazette. [email for communication: transportdeptt.wb@gmail.com]

NOTIFICATION

WHEREAS, the State Government has been receiving proposals for allowing use of two-wheelers as bike-taxis in this State;

And WHEREAS, specific proposal has been received for introduction of such bike-taxis in the areas under New Kolkata Development Authority (hereinafter termed as NKDA);

And WHEREAS, in terms of section 2(47) of that Act, "Transport Vehicle", *inter alia*, means a "public service vehicle";

And WHEREAS, in terms of section 2(35) of that Act "Public Service Vehicle" means any motor vehicle used or adapted to be used for the carriage of passengers for hire or reward.

And WHEREAS, the Government of India has, vide no. S. O. 1248(E) dated 05/11/2004 allowed registration of "Motor Cycles" both under transport and non-transport categories;

And WHEREAS, the State Government has allowed registration of two wheelers as a 'contract carriage' for use in terms of provisions of the "Rent A Motor Cycle Scheme, 1997" only, vide 3867-WT/3M-92/2009 dated 14/10/2015;

And WHEREAS, the matter has since been further considered by the State Government;

NOW, THEREFORE, the Governor is pleased to allow registration of two wheelers as 'Contract Carriage' in terms of Section 2(7) of the Motor Vehicles Act, 1988 for operation as "Bike-Taxi" in the State subject to strict observance / adherence of the following conditions / guidelines:

1. "Conditions governing operation of Bike-Taxi services:

- a. *Any service provider desirous of providing such service shall register their credentials with the Regional Transport Authority having jurisdiction and obtain prior area-based 'Letter of Intent (LoI)' for such operations.*

- b. The service provider must own a minimum of 15 (fifteen) motorcycles to undertake commencement of such services.*
- c. Registration of such 'Bike-taxi' shall not be allowed for motorcycles unless the area-specific Lol is obtained and subject to issuance of "Offer Letters" for each such motor cycle from the competent authority, i.e the Regional Transport Authority (RTA) having jurisdiction.*
- d. Contract Carriage Permits for the specified area, for which Lol has been issued, shall be issued by the RTA having jurisdiction.*
- e. Details of all such registered motor cycles shall be shared with the local administration including the concerned RTA along with their driver's details.*
- f. Daily log for each motorcycle shall be kept and made available for scrutiny by the Law enforcing authorities.*
- g. Adequate facility for garage/parking of all such motorcycles along with provision for their reasonable maintenance shall be a pre-condition.*

2. Guidelines for operation of bike-taxis.

- a. Bike-taxis shall be used as a "Contract Carriage" as defined in section 2(7) of the Motor Vehicles Act, 1988. The service provider shall develop an "app" for the use of the hirer which should be informative in all respects and transparent.*
- b. Operational area shall be limited, for the time being to areas under NKDA, as a pilot project. Permission for implementation in such other defined areas shall be accorded on a case to case basis by the RTA having jurisdiction, after obtaining prior concurrence from the Transport Department.*
- c. Use of such vehicles shall be restricted on the main thoroughfares, except for the purpose of crossing over, or, for a limited length of not more than 500 meters.*
- d. Various measures on safety and security of the passenger as may be enumerated from time to time by Transport Department shall be complied with by the Service Providers.*
- e. The driver appointed by the service provider shall have Driving Licence authorising him/her to drive a Bike-taxi.*
- f. Antecedents of all appointed drivers shall be thoroughly checked physically by the service provider through any registered / accredited security agency engaged by them and share the data with Law Enforcement authorities, as and when required,*

unless otherwise decided. Records of such reports and appointments shall be kept for scrutiny. Women drivers may be encouraged.

- g. Drivers shall wear smart and conspicuous light jackets lined with reflective colour with markings as 'Bike-Taxi'.*
- h. Conduct of the Drivers towards passengers shall be courteous at all times and shall be considered as primary criterion for the service providers.*
- i. Journeys preferred by any hirer shall be offered on a direct and shortest route basis only.*
- j. GPS tracking of the driver / vehicle along with the rider shall be put in place along with backend command and control structure for real time monitoring by the service provider. Links or feeds shall be shared with administrative / police authorities, as may be required by local administration.*
- k. Urgent contact facility shall be provided by the service provider, in case of emergencies, to the hirer to send distress signal -
 - i. to the service provider;*
 - ii. to the local administrative / police authorities;*
 - iii. to at least two persons of the hirer's choice.**
- l. Carriage of minors as hirers shall not be allowed.*
- m. More than one pillion rider shall not be allowed.*
- n. Crash proof helmets for riders, in a clean condition, shall be provided by the service provider.*
- o. Carriage of personal effects by the hirer will be allowed on a very limited basis, like a normal size backpack or handheld briefcase, etc. of reasonable weight.*
- p. For conspicuity - colour of all such bike-taxis shall be painted in white overall. The words "Bike-Taxi" shall be painted prominently in blue, using reflective colour only, on the two sides of the fuel tank and also on additional plates with base colour as white to be fitted at the front and the back of the concerned "Bike-Taxi".*

3. Fees and Taxes:

Fees for Permit as well as the rates of Tax/es, as may be applicable, for Bike-taxi shall be notified separately.

Sd/
(B Dasgupta)
Special Secretary
to the Government of West Bengal

ORDERED THAT

The Notification be published in the Official Gazette.

Sd/-
(B Dasgupta)
Special Secretary
to the Government of West Bengal

No. 2576/1(1)-WT/TR/3M- 92/2009

Date- 30.06.2016

Copy of the Notification forwarded to the Superintendent, West Bengal Government Press, 38, Gopal Nagar Road, Alipore, Kolkata- 700 027 with the request to arrange to publish this Notification in the Official Gazette.

Sd/-
Special Secretary
to the Government of West Bengal

No. 2576/2(80)-WT/TR/3M- 92/2009

Date- 30.06.2016

Copy forwarded for information and necessary action to:

1. Additional Chief Secretary, Urban Development Department, Govt of West Bengal.
2. DM & Chairman, RTA, (All)
3. Director, PVD, Kolkata
4. ADG & IGP (Traffic), WBP
5. Commissioners of Police, (All)
6. Secretary, West Bengal State Legislative Assembly
7. The Secretary, STA, West Bengal
8. Librarian, West Bengal State Secretariat Library
9. Regional Transport Officer (All)
10. Additional Regional Transport Officer (All)
11. Dr. T. K. Das, TD, NIC, WBSC, with a request to upload the Notification in Departmental website.


Special Secretary
to the Government of West Bengal