

GOVERNMENT OF WEST BENGAL  
TRANSPORT DEPARTMENT  
WRITERS' BUILDINGS  
KOLKATA

No.46-WT/3M-91/2007

Dated 2<sup>nd</sup> January 2008

MEMORANDUM

Sub: **SCHEME FOR OPERATION OF RADIO TAXI  
SERVICE IN THE STATE OF WEST BENGAL**

Applications have been received in the Transport Department for operation of Air-conditioned Metered Taxi service with Radio Network in and around Kolkata under brand name. It has since been learnt that the Transport Department, Government of NCT of Delhi has formulated a scheme for operation of such service in Delhi.

With the introduction of modern luxury type of vehicles in the city, it has been observed that there is demand for such service which may be obtained on call by a passenger. The following scheme is, therefore, formulated for operation of such Air-conditioned Metered Taxi service with Radio Network in Kolkata and in other areas of the State in the interest of the customers of a different category who seek for such luxury taxi service.

S C H E M E

**I. Eligibility of the applicants:**

1. The applicant shall be a Company registered under the Companies Act or a Society registered under the Registration of Societies Act, 1957 or a Cooperative Society registered under the Cooperative Societies Act, 1957;
2. The applicant company shall have to obtain a licence from the Transport Department, Government of West Bengal for operation of such service, the fleet size of which shall not be less than 200 numbers of motor cabs;

3. The applicant company shall have the financial and organizational capacity to run such Air-conditioned Taxi Service with Radio Network in Kolkata;
4. The applicant company shall have the knowledge of operation of transport service.

## **II. Infrastructure required:**

1. The applicant company should have adequate parking space and office space for parking of such vehicles including garage space for accommodating such fleet;
2. The applicant company shall have a duly licensed Wireless / Radio Communication Network between the headquarter in Kolkata and the cab and shall have one helpline or any such similar networking system;
3. Minimum number of telephone lines in the possession of the applicant company shall be 10 (ten).

## **III. Vehicle profile:**

1. The vehicle, which may be included in the fleet, should fall within the category of motor cab and should be new one at the time of induction. Each cab should be a BS-III emission norms compliant luxury air-conditioned one having engine capacity of not less than 1000 cc. Preference may be given to the LPG operated vehicles;
2. The vehicles under the control of the applicant shall be of a particular type / model of a particular vehicle manufacturing company and in no case, the fleet size for a particular model shall be less than 100. The applicant may possess 2 to 3 types of cabs of a particular manufacturer / different manufacturers. The vehicles so placed shall be replaced after 8 years;
3. Jeep type vehicles are not allowed;

4. Each motor cab should be fitted with duly calibrated electronic meters certified by the ETDC (Electronics Test & Development Corporation, Government of India);
5. Each cab should be fitted with GPS / GPRS based tracking device having constant communication with the Central Control Unit in Kolkata and equipped with a mobile radio connected with the network system of the applicant;
6. The colour of the cab should be white / cream white / ivory / silver with different colour strips of 1' (foot) wide on both the panels of the car with "Radio Taxi" inscribed therein, which may be different for different type of applicants or as may be approved by the Transport Department;
7. There should be one Display LCD Board on the roof of each cab as may be prescribed by the licensing authority;
8. Advertisement, if any, on the cab should be as per specification given by the Licencing Authority.

#### IV. Driver profile:

1. The driver must have a driving license of the appropriate category for at least five years issued by an authority in the State of West Bengal;
2. The driver should at least be a matriculate (namely, passed board examination of 10<sup>th</sup> or equivalent);
3. The driver shall be required to successfully pass a special driving test as and when prescribed by the Government;
4. The applicant company shall be responsible for quality of drivers, their police verification, employee control and supervision of drivers, employee behaviour etc. The employers shall also ensure that the drivers are totally safe, reliable and trustworthy;
5. 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 herein, the licensee / driver shall be jointly and severally responsible for any offence or crime which has been committed by a person, including driver, using the said vehicle.

#### V. Statutory obligations:

1. The applicant company should obtain license from the Transport Department, Government of West Bengal, and each of the vehicles should be covered by permit to be issued by the STA, West Bengal under Section 74 of the Motor Vehicles Act;
2. Each of the vehicles covered by such permit shall pay all taxes and fees regularly and should be duly insured as per law;
3. The applicant company should maintain the vehicles under its control in the manner as provided by the Motor Vehicles Act, 1988 and the Rules framed thereunder, i.e. C. M. V. Rules, 1989 and W. B. M. V. Rules, 1989;
4. Motor Transport Workers' Act, 1961 and Rules framed thereunder shall be applicable in respect of the crew members engaged by the applicant company for running such service;
5. Other statutory provisions as regards PF, ESI, Minimum Wages, Bonus etc. should have to be observed by the applicant company in respect of its employees;
6. The maintenance of the cabs if done by the applicant company in a central workshop, the same should conform to the pollution norms of the WBPCB;
7. The applicant company shall obtain license for such Radio Network if required under any statute.

#### VI. Issue, Duration of License and Renewal of License:

1. Transport Department, Government of West Bengal, after scrutiny of application and inspection of the premises, would issue Letter of Interest (LOI) in favour of the applicant for purchase of a minimum two hundred number of vehicles of the prescribed category along with a temporary license valid for a period of four months. The power to issue such license shall rest with the Transport Department of the State Government only;
2. The applicant shall be required to furnish a Bank Guarantee, in a format acceptable to the Transport Department for an amount of Rupees Five Lakh, drawn in favour of the Transport Department, Government of West Bengal prior to the issue of temporary license and LOI;
3. On grant of temporary license, the Operator shall get the minimum two hundred vehicles prescribed in the temporary license registered, and establish a Control Room fully equipped with a Radio network and GPS / GPRS tracking system in Kolkata within a period of four months of the issue of LOI. On production of such newly registered vehicles (at least 200 nos. initially), the State Transport Authority (STA), West Bengal shall issue requisite permit covering each of such vehicles on realization of Application Fees / Permit Fees and Security Deposit etc. as per rules, to such applicant company within the period of validity of the temporary license;
4. In the event that a holder of a temporary license fails to fulfil these conditions in four months, a further extension of two months may be considered to be granted to such holder of a temporary license on his making an application giving reasons for delay. The application must be accompanied with a penalty of Rs.10,000/- (Rupees ten thousand) to be paid through Demand Draft drawn in favour of Transport Department, Government of West Bengal;

5. In the event that a holder of temporary license fails to register compliance with the above stipulations within the prescribed period as applicable, his temporary license shall automatically stand cancelled;
6. Alternatively, on completion / compliance of all conditions prescribed in the temporary license, the Operator shall be issued a regular license valid for a period of five years;
7. The license initially granted for a period of five years shall be renewable for a further period of five years subject to the satisfactory performance of the license holder as per terms and conditions of the scheme, the desirability of the scheme and any other condition prescribed. 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 renewed / fresh bank guarantee of Rupees Five Lakhs;
8. 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 the complaints received against the licensee in view of the time of granting renewal of license;
9. Plying of motor cabs by a licensee in the absence of a valid license shall not be permitted under any circumstances.

#### **VII. General conditions of licence:**

1. The holder of a license shall
  - a) Not shift the principal place of business mentioned in the license without prior approval, in writing of the licensing authority;
  - b) Keep the premises and all the records and register maintained and motor cabs open for inspection at all reasonable times by the licensing authority or by any person not below the rank of Motor Vehicles Inspector

as may be authorized in this behalf by the Licensing Authority;

- c) Submit from time to time to the Licensing Authority such information and return as may be called for;
  - d) Display at a prominent place in its main office the license issued in original and certified copies as attested by the Licensing Authority;
  - e) Maintain a complaint book with serially numbered pages in triplicate in all its motor vehicles covered under this license and as well as at principal place of business and other branch offices;
  - f) Dispatch the duplicate copy of the complaint book, if any, to the Licensing Authority by registered post expeditiously and in any case not later than seven days, and
  - g) Maintain a suggestion box in the main office and branch office, if any, and forward their suggestions received with their comments, if any, to the Licensing Authority once a month.
2. The license shall not be transferred without the prior written permission of the Licensing Authority.

#### VIII. Fare:

- 1. Fare chart for such operation shall be as fixed by the State Government from time to time, in respect of Air-conditioned Taxi Service or as may be approved by the State Government;
- 2. Reservation charge for such metered taxi cab shall be Rs.25/-
- 3. During night hours i.e. between 10 PM and 5 AM, additional night charges @ 20% over and above the normal rate shall be charged.

IX. Power of Licensing Authority to suspend or cancel the license:

1. If the Licensing Authority after giving the Licensee an opportunity of being heard, is of the opinion that –

- i) A licensee has failed to comply with any of the terms and conditions as detailed herein, or;
- ii) A licensee has failed to maintain the motor cab in compliance with the provisions of the Motor Vehicles Act and or Rules framed thereunder, or;
- iii) An employee of licensee is guilty misbehaviour with customers, or;
- iv) A complaint against the licensee by any hirer has been proved beyond reasonable doubt,

The Licensing Authority may suspend the license for a specified period or cancel the license.

2. Where Licensing Authority of the opinion that having regard to the circumstances of the case it would be necessary to cancel or suspend the license, and if the holder of the license agrees to pay a fine that may be imposed by the Licensing Authority, then notwithstanding anything contained in the Para above, the Licensing Authority may instead of canceling or suspending the license as the case may recover from the holder of a license the set fine;

3. When the license is suspended or cancelled as per paragraph 1 above, the holder of the license shall surrender the license to the Licensing Authority;

4. A Licensee may at any time surrender the license issued to him of the Licensing Authority, and on such surrender the Licensing Authority shall cancel the license. The holder of the license shall clear all dues before surrendering the license and seeking release of Bank Guarantee.



#### X. Appeal:

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 Principal Secretary of the Transport Department, Government of West Bengal.

#### XI. Procedure for appeal:

1. An appeal shall be preferred in duplicate in the form of memorandum setting forth the grounds of objections to the order of the Licensing Authority and shall be accompanied by fee as may be specified by the Government;
2. The Appellate Authority may, after giving an opportunity of hearing to the parties and after such enquiry, as it may deem fit, pass appropriate order.

Additional Chief Secretary to the  
Government of West Bengal  
Transport Department