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## EXTRAORDINARY

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### LEGISLATIVE SUPPLEMENT

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	Notification No. G.S.R. 88/C.A.59/1988/ Ss.93, 96, 211 and 212/2023, dated the 14th December, 2023, containing the draft rules, namely the Punjab Motor Vehicle Aggregator Rules, 2023.	.. 1361-1381
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**PART III**  
**GOVERNMENT OF PUNJAB**  
DEPARTMENT OF TRANSPORT  
(TRANSPORT-II BRANCH)

**NOTIFICATION**

The 14<sup>th</sup> December, 2023

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

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

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

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

**DRAFT RULES**

1. Short title, commencement, application and extent.-(1) These rules may be called the Punjab Motor Vehicle Aggregator Rules, 2023.
  - (2) They shall be applicable to the aggregators operating in the State of Punjab.
  - (3) They shall come into force from the date of publication of this notification in the Official Gazette.
2. **Definitions.**- In these rules, unless there is anything repugnant the subject or context,-
  - (1) "**Act**" means the Motor Vehicles Act, 1988;

- (2) “**Aggregator**”, as defined in clause (1A) of section the Act, refers to 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 be the State of Punjab;
- (5) “**CMVR**” means the Central Motor Vehicles Rules, 1989;
- (6) “**Computer resource**” shall have the meaning ascribed to it under the Information Technology Act, 2000;
- (7) “**Communication device**” shall have the meaning ascribed to it under the Information Technology Act, 2000.
- (8) “**Fare**” means the total charges debited by the Aggregator to the Rider pursuant to the latter booking a ride through the Aggregator’s App and completion of such ride;
- (9) “**Fee**” means the charges in respect of a license as prescribed under rule 20 of these rules;
- (10) “**Form**” means the form appended to these rules;
- (11) “**Induction Training Programme**” shall have the meaning ascribed under rule 6(1);
- (12) “**Licence**” means the licence issued to an Aggregator by the State Government under section 93 of the Act;
- (13) “**Licensee**” means an Aggregator who holds license issued by the State Government;
- (14) “**Competent Authority**” means the State Transport Commissioner constituted under sub-section (1) of section 68 of the Act to issue license under section 93 of the Act;
- (15) “**On-Boarding**” means the integration of a vehicle and Driver with the Aggregator and operating such vehicle with the Aggregator;
- (16) “**Off-Boarding**” means the segregation of an integrated vehicle from the Aggregator;
- (17) “**Rating**” means an assessment of the quality of a trip availed by a Rider, on the successful completion of the trip;

- (18) **“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 physically or virtually. The session shall include but not be limited to the course mentioned under the Induction Training Programme;
- (19) **“Remedial Training Programme”** means training course required to be compulsorily undertaken by Drivers whose Rating is below 2 percentiles from amongst all Drivers who are placed similarly in terms of the minimum duration of engagement with the Aggregator. Such duration shall be determined by the Aggregator;
- (20) **“Rider”** means a person who books a journey through the Aggregator App for availing the transportation provided by a Driver who is integrated with the Aggregator;
- (21) **“Security Deposit”** means the amount that shall be payable by an Aggregator applying for a license furnished as bank guarantee, unless provided otherwise;
- (22) **“Service Provider Contract”** means the agreed and executed between the Aggregator and the Driver specifying the contractual rights and obligations of both parties;
- (23) **“State”** means the State of Punjab; and
- (24) **“Surge pricing”** means the output of an algorithm of an Aggregator, which automatically raises the price of a trip when demand outstrips supply within a fixed geographic area.

**3. Applicability.-** These rules may be applicable to Aggregators on boarding transport vehicles in the Area of Operation. The vehicles that may be integrated by the Aggregator shall include all motor vehicles under the Act and e-rickshaws.

**4. Application for grant or renewal or duplicate of license and matters connected therewith.-** (1) Any person may make an application for grant of License in Form I appended to these rules, accompanied by proof of payment of appropriate fee and Security Deposit, if any.

**Any person may make an application for grant of license.-**

- i) Receiving of Application by Competent Authority;
- ii) Verification by Competent Authority;
- iii) Acceptance or Rejection by Competent Authority;
- iv) Grant of License by Competent Authority;

**Any person may make an application for Renewal of license.-**

- i) Receiving of Application by Competent Authority;
- ii) Verification by Competent Authority;
- iii) Acceptance or Rejection by Competent Authority;
- iv) Grant of License by Competent Authority;

**Any person may make an application for Duplicate of license.-**

- i) Receiving of Application by Competent Authority;
- ii) Verification by Competent Authority;
- iii) Acceptance or Rejection by Competent Authority;
- iv) Grant of License by Competent Authority;

(2) A License 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 rules. However, it may be cancelled by the Competent Authority in accordance with rule 17. For the purposes of such renewal, the Competent Authority shall examine the Aggregator's records of compliance with these rules and the suspensions against such Aggregator.

(3) The list of licenses issued by the Competent Authority under these rules shall be uploaded and updated by the Competent Authority on the State Transport portal of the State Government.

(4) If any of the conditions for grant of License specified under these rules are not complied with by the applicant, the Competent Authority may reject such application after giving an opportunity of being heard.

(5) On being satisfied that the applicant has complied with all the conditions specified for grant or renewal of a license under these rules, the Competent Authority shall issue a License to the applicant in Form III appended to these rules.

(6) Where the License is lost or destroyed, an application for issue of a duplicate shall be made in Form IV appended to these rules along with the prescribed fee. A duplicate License so issued shall be marked "**Duplicate**" in red ink.

**5. Eligibility of an Aggregator.-** The applicant shall be a company registered under the 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.

- (1) The applicant shall have a registered office in India.
- (2) The applicant shall comply with all the applicable provisions prescribed under the Act and the Information Technology Act, 2000, including intermediary guidelines.

- (3) The applicant shall not integrate any driver or represent himself as an Aggregator unless he holds a valid License issued by the State Government.

**6. Conditions for grant of License for Aggregator.-** An applicant desirous of securing a License shall demonstrate compliance with the following.-

- (1) Arrangement of a driving test facility with a simulator to test the driving ability of the concerned Driver with respect to the vehicle to be on boarded or outsource it to an authorized third party, and a set-up for conducting Induction Training Programme.

*Explanation:* Induction Training Programme refers to a compulsory five-day (5) training programme 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 compliant 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 apprising, educating and training the Drivers:-

- (a) to efficiently use the Aggregator app;
  - (b) on the provisions under the Act and rules made there under;
  - (c) on road safety and first responder training for six (6) hours out of the total thirty (30) hours mentioned above;
  - (d) on careful driving;
  - (e) on motor vehicle maintenance;
  - (f) on maintenance of health and hygiene;
  - (g) on fuel efficient driving;
  - (h) on familiarization with the routes in the Area of Operation;
  - (i) on the terms and conditions of the contract between the driver and the aggregator;
  - (j) on gender sensitization and safety of women and girl child; and
  - (k) training program on sensitization towards people with disabilities, their specific needs and the nature of assistance they may require during provision of services.
- (2) The Aggregator shall be responsible to ensure that drivers who have been

integrated with the Aggregator prior to the implementation of these rules undergo the Induction Training Programme as mentioned above.

(3) The Aggregator shall be required to commence its business operations six (6) months from the grant of the License, in the absence of which the License shall be cancelled.

(4) The Guidelines issued by the Ministry of Health or the World Health Organization or any concerned authority or organization in the interest of public health and safety especially in regard to COVID-19 or other such pandemic for precautionary steps like sanitization of motor vehicles and appropriate social distancing etc. are to be complied with. Further that this rule is to be adhered to in cases of ride- pooling in taxis also.

**7. State Government to facilitate Implementation of Electric or Alternative fuel (such as bio-ethanol) two-wheeler taxis.-**

The department will comply with the notification of Ministry of Road Transport and Highways (MoRTH) from time to time.

**8. Compliances with regard to Drivers.-** The Aggregator shall ensure compliance with the following conditions, relevant to Drivers, prior to On-boarding of such Drivers:-

- (a) The Driver should hold a valid proof of identity being an Electoral Identity Card (EIC) Card or Aadhaar card or Permanent Account Number (PAN) card;
- (b) The Driver shall be holder of a driving license to drive the relevant vehicle (as applicable) and a badge (as may be applicable);
- (c) The Driver shall have a minimum driving experience of two (2) years. In case of the driving experience being less than two (2) years, the Driver shall undertake a driver training facilitated by the Aggregator for a period of fifteen (15) days prior to On-boarding. This shall be in addition to the Induction Training Programme;
- (d) The Driver shall be a holder of Know Your Customer (KYC) compliant 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 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 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 and the language understood by the Driver, specifying all necessary terms and conditions applicable for On-boarding of vehicle and operating vehicles therein.
- (2) The Aggregator shall ensure compliance with the following conditions, relevant to Drivers, during operations:-
- (a) Ensuring a health insurance for each Driver integrated with the Aggregator for an amount not less than rupees five 5 lakhs with base year 2023-24 and increased by 5% each year;
  - (b) Ensuring a term insurance for each Driver integrated with the Aggregator for an amount not less than rupees ten 10 lakhs with base year 2023-24 and increase by 5% each year;
  - (c) Conducting Refresher Training Programme once a year. Record of such training sessions shall be documented and preserved for at least one year. The Aggregator may be permitted to collaborate and partner with any specialized institution, as deemed fit by the Aggregator, for providing such training;
  - (d) Ensuring that the Driver shall not be logged in for an aggregate of twelve (12) hours on a calendar day. A mandatory break of ten (10) hours for the Driver shall be imposed subsequent to a login extending twelve (12) hours;
  - (e) The Aggregators to develop a mechanism on their respective App to ensure that Drivers engaged with more than one Aggregator do not drive beyond a cumulative period of twelve (12) hours either on their or another Aggregator's App so as to safeguard the Driver, passenger as well as road users;

- (f) Maintaining and examining updated copies of the following records pertaining to the Drivers of vehicles (pursuant to due verification with the originals), regularly on the portal of SARATHI;
- (g) a photograph of the Driver;
- (h) driving license;
- (i) present residential address along with proof;
- (j) Reserve Bank of India (RBI) compliant Know Your Customer ( KYC) bank account details;
- (k) Self-attested copies of Electroal Identity Card (EIC) or Aadhaar card or Permanent Account Number ( PAN ) card;
- (l) contact details and addresses of two members from the Driver's family;
- (m) Enabling the Drivers to operate with multiple Aggregators, provided each of them comply with the requirements and Driver training programmes relevant to each Aggregator;
- (n) Ensuring that on termination or end of the Service Provider Contract with a Driver, all equipment or brand stickers belonging to the Aggregator is removed and identity card or authorization issued to the Driver by the Aggregator is confiscated.
- (o) Implementing a mechanism in the App for rating of Driver by corresponding Rider with respect to a ride availed on the App, indicative of the Rider's experience of the ride and Driver's etiquette. The same shall be applicable to the Driver's rating for a Rider; and
- (p) 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.-** The following compliances with regard to a vehicle shall be ensured by an Aggregator as a pre-requisite for the purposes of integration with Aggregator:-

- (1) Valid registration of the vehicle;
- (2) Valid permit, as may be applicable;
- (3) Valid fitness certificate as obtained under the Act;
- (4) Requisite placement of the registration mark displayed in English and the figures in Arabic numerals displayed in such form and manner as specified in the rules;

- (5) Valid third-party insurance;
- (6) Valid Pollution Under Control (PUC) certificate;
- (7) Compliance with city specific fuel norms;
- (8) Updated payment of applicable taxes and other dues;
- (9) Clearance of pending e-challans applicable to the vehicle prior to integration of such vehicle;
- (10) Fitment of a Automotive Industry Standards (AIS) 140 Certified Vehicle Tracking and Monitoring System with panic buttons relevant for a Public Service vehicle, as specified by the Ministry of Road Transport and Highways, which shall be connected to the control room of the Aggregator;
- (11) Placement of a fire extinguisher;
- (13) Disabled child lock mechanism;
- (14) Enabled manual override for the central locking system;
- (15) Display inside the vehicle, except motor cycles, containing vehicle permit (as applicable) and copy of the Driver's driving license. The display shall be placed on the side of the passenger seat next to the Driver in such manner as shall be clearly visible to the passengers in the concerned vehicle;
- (16) Fitment of 'TAXI' roof sign visible from the front and rear on light Motor Vehicles (LMV), in compliance with Automotive Industry Standards (AIS) or any such standard as specified; and
- (17) During operations, the Aggregator shall maintain and examine digital records of all vehicles integrated with the Aggregator that shall be updated on a real-time basis by the Aggregator on <https://vahan.nic.in/nrservices/>. Maintaining updated copies of the following records pertaining to the Driver's vehicle (pursuant to due verification with the originals), regularly:-
  - (a) Certificate of Registration;
  - (b) Certificate of Fitness;
  - (c) Permit of the vehicle;
  - (d) Chassis and engine numbers; and
  - (e) Commercial insurance policy covering third party risks as prescribed in the Act;
  - (f) Pollution under control certificate; and
  - (g) Clearance of pending e-challans within a period of two (2) months from the issuance of such e-challans.

**10. Compliances with regard to the Aggregator's App and Website:** The Aggregator shall comply with the following, namely.-

- (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 Punjabi as the primary languages, for the Rider. Additionally, the App shall be accessible in such language that is understandable by the Driver.
- (3) Ensuring that the in-app vulnerabilities are revealed to Indian Computer Emergency Response Team formed under the aegis of the Ministry of Electronics and Information Technology. Safety of the App shall be certified by a recognized cyber security firm.
- (4) Ensuring that the data generated on the App is stored on a server in India and that such stored data shall be for a minimum of three (3) months and maximum of twenty four (24) months from the date on which such data is generated. This data shall be made available to the State Government as per due process of law. Any data related to customers shall not be disclosed without the written consent of the customer.
- (5) Ensuring that the details of daily trips operated by each vehicle, details of passengers commuting in each vehicle, origin and destination of each journey undertaken and the fare collected, shall be undertaken by a Driver and Rider shall be accessible on the App for a period of three (3) months from the date of such trip.
- (6) Ensuring transparency in its operations, including but not limited to, functioning of the App algorithm, proportion of fare payable to the Driver, incentives given to the Drivers, charges received from the Driver and such other information as may be notified by the 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 or her ride after the ride booked through the App has commenced.
- (8) Ensuring that the picture of each Driver integrated with the Aggregator is clearly visible on the App.
- (9) Presence of the Website comprising details of the ownership, registered address, fare structure, services offered, consumer services telephone number and email address and such other details, as may be needed.

- (10) Implementing a zero-tolerance policy on the use of drugs or alcohol applicable to any Driver, provide notice of the zero-tolerance policy on its website, as well as the procedure to report a complaint about a Driver when a passenger reasonably suspects that the Driver is under the influence of drugs or alcohol during the course of the ride. The Aggregator shall immediately Off board such Driver upon receipt of a passenger's complaint alleging violation of the zero-tolerance policy. The suspension shall last or continue during the period of investigation by the Aggregator.
- (11) Establishing a control room with 24x7 operations and ensuring that all the vehicles, on direction of the Aggregator, maintain uninterrupted contact with the control room. The control room shall be in a position to monitor the movements of all the vehicles on the directions of the Aggregator.
- (12) Establishing call centres with valid telephone number and operational email address displayed clearly on the App with 24x7 operations wherein assistance shall be provided to the Rider and/or the Driver in English and Punjabi as the primary languages, for both the Driver and the Rider. These call centres shall be responsible for the following:-
- (a) to enable the Rider and/or Driver to contact the Aggregator's call centre in relation to issues concerning the ride, while the ride is in progress or after the completion of the ride for a period of 3 months as specified under sub-rule(4) above, by inclusion of a call feature on the App. The Aggregator shall also provide for the assigned Driver's direct contact number, to be available to the Rider and accessible for a period of 24 hours from when the ride was availed; and
- (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 twenty four (24) hours upto a maximum of seventy two (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.

- (13) 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.
- (14) Ensure that city taxis, if seeking to integrate with the Aggregator, are permitted such integration. Provided these taxis are compliant to be integrated with the Aggregator as specified under rule 9 above.

**11. Compliances to Ensure Safety.** - The Aggregator shall comply with the following, namely:-

- (1) Ensuring appropriate functioning of the *Global Positioning System*(GPS) installed in the vehicle and provide efficient resolution for any issues that may develop in its functioning;
- (2) Ensuring that the Driver plies the vehicle on the route assigned on the App and in non-compliance of the same, developing a mechanism wherein the app device indicates the fault to the Driver and the control room of the Aggregator immediately communicates with the Driver with regard to the same;
- (3) Ensuring safety of women employees and Drivers by introducing mechanisms to protect their rights, in compliance with the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013;
- (4) Enforcing a mechanism on the App to ensure that the identity of the Driver undertaking a trip is same as the one enlisted with the Aggregator requiring verification every time a trip is accepted; and
- (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 city taxi fare indexed by Wholesale Price Index (WPI) for the current year shall be the base fare chargeable to customers availing Aggregator service.

(2) Taxi fare shall be notified by the concerned department separately from time to time.

(3) For the purposes of motor cabs, fare regulation under this rule shall only be applicable for motor cabs not exceeding 4 meters of length of below engine capacity of 1500cc diesel or petrol. Fare regulation provided under this rule shall not be applicable to electric vehicles.

(4) No passenger shall be charged for dead mileage (except when the distance for availing the ride is less than 3 kms as mentioned under this rule 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 rupees 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 rupees 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 rule 13.

**15. Aggregation of non-transport vehicles by Aggregators.-** Four wheelers and Two wheelers (non-transport) are prohibited under these rules, as it would be difficult on the part of administration to have a control over those vehicles.

**16. Suspension of Aggregator License.-**

(1) Suo moto or on a complaint made Competent Authority may, subsequent to providing the Aggregator with an opportunity of being heard within fifteen (15) days from date of such complaint or suo moto action, suspend the license for a period, by way of a reasoned order in writing, which shall not be less than ten (10) days and which shall not exceed six (6) months at a time (“**Suspension Order**”) if,-

(a) there exists a systemic failure by the Aggregator to ensure safety of the Rider and/or the Driver and the same may be evidenced by an analysis of quarterly Ratings with regard to the relevant parameter;

(b) there exists repetitive instances of financial inconsistencies with regard to the fares charged to Riders, unjustified imposition of Surge Pricing, non-compliance with the proportionate division of fares between the

Drivers and the Aggregator, unsubstantiated imposition of charges on the Drivers, all of which may be determined by Ratings and/or examination of the financial records pertaining to the Aggregator's operations, in compliance with powers granted to the State Government under sub-rule(1)of rule 18;

- (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 rules 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 rules:-
  - (i) effect on health and safety of Riders and/or Drivers which may have been averted by complying with these rules;
  - (ii) number of deaths or sever 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) and such other parameters, as the State Governments may deem fit and appropriate.

PROVIDED that where the Aggregator's licence 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 State Government. This is notwithstanding the fine imposed against the Aggregator under Section 193 (2) 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 there from 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 two (2 ) months but not more than six (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 rules 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 rules 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 No Objection Certificate (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 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 rule 16(2),(3) and (4).
- (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 receiving the License again and not during either of the Probationary Period.
- (7) Where a License is suspended, the Aggregator shall immediately stop all operations under the License till the time such suspension is revoked.

**17. Cancellation of Aggregator License.**- 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 No Objection Certificate (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 rule 16(1)(d);
- (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 license 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 license 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.

**18. Appeal.-** (1) The Aggregator aggrieved by any order passed by the Competent Authority may, within thirty 30 days of receipt of the order, appeal to the Principal Secretary or Secretary to the Government of Punjab, Department of Transport.

(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.

**19. Powers and Responsibilities of the State Government.-** (1) The State Transport Commissioner, Punjab shall be empowered to call for such information and documents from the Aggregator, as deemed fit to ensure compliance by the Aggregator with these rules pursuant to prior written notice. This shall also include the power to investigate about the Drivers who have been Off boarded at more than one instance;

(2) The State Transport Commissioner, Punjab shall have the power to conduct search and investigation of the Aggregator's premises, as specified in Form 1 of these rules, for the effective implementation of these rules;

(3) The State Transport Commissioner, Punjab shall ensure complete confidentiality and secrecy of the documents and information obtained from the Aggregator under sub-rule (1) of rule 19 and any such other information, which it may call for.

**20. Fee for Aggregator.-**

Serial number	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/-

**21. Security Deposit for Aggregator.-**

Serial number	Particulars	Amount (in Rupees)
1.	Upto 100 buses or 1000 other motor vehicles	1,00,000/-
2.	Upto 1000 buses or 10,000 other motor vehicles	2,50,000/-
3.	More than 1000 buses or 10,000 other motor vehicles	5,00,000/-

1378 PUNJAB GOVT. GAZ. (EXTRA), DECEMBER 19, 2023  
(AGHN 28, 1945 SAKA)

FORM I

[See rule 4(1)]

Application for the Grant of License for Aggregator under the Punjab Aggregator Rules, 2023

To,  
The State Transport Commissioner, Punjab,

SCO 177-178, Sector 17-C, Chandigarh

I, the undersigned hereby apply for grant of a License for operation as an Aggregator under the Punjab Aggregator Rules, 2023.

1.	Name in full	
2.	Address of the main office	
3.	Number of branches and addresses, if any	
4.	a. If a registered company, enclose a copy of certificate of incorporation / registration along with a copy of memorandum of association. b. If a firm, enclose a copy of certificate of registration of the firm.	
5.	Name and contact details of Key Managerial Personnel or Authorized Signatory	1. 2. 3.
6.	Telephone number, website address and Email ID	
7.	Number of (type of vehicle) proposed to be operated. (Enclose a separate list containing vehicle numbers and permit particulars of each vehicle)	
8.	Details of GPS/ GPRS facility	
9.	Details of other infrastructure	
10.	Details of returns filed in the last three years. Enclose copies of financial statements of last three years	
11.	Details of fee paid	Rs. 5,00,000/-
12.	Details of Security Deposit by way of Bank Guarantee in favour of Competent Authority	

I hereby declare that the information given above and other documents enclosed herewith are true to the best of my knowledge. I understand that if any information is found to be incorrect at any point of time, the License granted to me is liable to be cancelled, besides initiating other legal action or actions against me. I have gone through the provisions of the Punjab Aggregator Rules, 2023, I accept and agree to abide by the same and the reference statutes and rules mentioned herein.

Place:

Date:

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

PUNJAB GOVT. GAZ. (EXTRA), DECEMBER 19, 2023 1379  
(AGHN 28, 1945 SAKA)

**FORM II**  
[see rule 4(2)]

**Application for the Renewal of License for Aggregator under the Punjab Aggregator Rules, 2023**

To,  
The State Transport Commissioner, Punjab,  
SCO 177-178, Sector 17-C, Chandigarh

I, the undersigned hereby apply for grant of a License for operation as an Aggregator under the Punjab Aggregator Rules, 2023.

1.	Name in full	
2.	Address of the main office	
3.	Number of branches and addresses, if any	
4.	a. If a registered company, enclose a copy of certificate of incorporation / registration along with a copy of memorandum of association.  b. If a firm, enclose a copy of certificate of registration of the firm.	
5.	Name and contact details of Key Managerial Personnel or Authorized Signatory	1. 2. 3.
6.	Telephone number, website address and email id	
7.	Number of (type of vehicle) proposed to be operated. (Enclose a separate list containing vehicle numbers and permit particulars of each vehicle)	
8.	Details of GPS/GPRS facility	
9.	Details of other infrastructure	
10.	Details of returns filed in the last three years. Enclose copies of financial statements of last three years	
11.	Details of License: a. License Number b. No. of suspensions, if any, and details thereof	
12.	Details of fee paid	
13.	Details of Security Deposit by way of Bank Guarantee in favour of Competent Authority	

I hereby declare that the information given above and other documents enclosed herewith are true to the best of my knowledge. I understand that if any information is found to be incorrect at any point of time, the License granted to me is liable to be cancelled, besides initiating other legal action/actions against me. I have gone through the provisions of the Punjab Aggregator Rules, 2023, I accept and agree to abide by the same and the reference statutes and rules mentioned herein.

Place:  
Date:

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

**FORM III**  
[see rule 4(5)]

**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 directions stipulated under the Punjab Aggregator Rules, 2023.

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 auto rickshaw/ e- rickshaw/ motor cab/ motor cycle or bus (as per the list enclosed by the Aggregator in Form I/II, as may be applicable)	
6.	Particulars of the manner in which the Aggregator shall function	
7.	Details of fee paid	
8.	Details of bank guarantee	

The Licensee shall observe all the conditions contained in the Punjab Motor Vehicle Aggregator Rules, 2023.

Place: Chandigarh

Date:

State Transport Commissioner, Punjab

**Form IV**

[see rule 4(7)]

**Application for the issue of Duplicate License**

To,  
The State Transport Commissioner, Punjab,  
SCO 177-178, Sector 17-C, Chandigarh

Sir/Madam,

The License issued to [Name of the Licensee] under rule 4(5) of the Punjab Motor Vehicle Aggregator Rules, 2023 bearing No. [ ] has been lost/ destroyed/completely written off/soiled/torn/mutilated in the following circumstances.

[ ]

I/We hereby declare that to the best of my/our knowledge the License has not been suspended or cancelled under the provisions 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 License.

The written off/soiled/torn/mutilated Certificate of registration is enclosed/ Copy of the FIR filed against the loss of the License is enclosed.

Place:

Date:

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

**DILRAJ SINGH,**  
Administrative Secretary to Government  
of Punjab, Department of Transport.

**PART IV**

**HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH**

**CORRECTION SLIP**

The 15th December, 2023

**No. 192 Rules/II.D.4.**—Sub-rule (c) in Rule 26 and Rule 27-A are inserted in Chapter-16, Part-F of the High Court of Punjab and Haryana Rules and Orders, Volume- IV, qua District Courts of Punjab, in the following manner:-

(c) “The casual leave application record be preserved for 3 years from the end of relevant calendar year and the casual leave application register be preserved for 3 years from the end of the calendar year of its completion and shall be destroyed after retaining the scanned copies thereof.”

27-A. “**Diary Receipt Registers/Dispatch Registers**:- All the administrative diary Receipt Registers/Dispatch Registers shall be preserved for 5 years from the end of Calendar Year of its completion and thereafter, be destroyed after retaining the scanned copies thereof.”

**BY ORDER OF HON’BLE THE CHIEF JUSTICE AND JUDGES.**

**ARUN KUMAR AGGARWAL,**  
Registrar (Rules)  
for Registrar General.