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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ CONT.CAS(C) 643/2015

ASSOCIATION OF RADIO TAXIS

..... Petitioner

Through: Mr. Udayan Jain with Mr. Sonal Jain,  
Ms. Heena Sharma, Ms. Anju Thomas and Mr.  
Manas Gaur, Advocates for Association of Radio  
Taxis

versus

BHAVISH AGGARWAL & ORS

..... Respondents

Mr. Vijay Sondhi with Mr. Faisal Shejwani, Mr.  
Abhishek E. Kisku, Mr. Aranyak Pathak and Mr.  
Gupreet Singh Kahlon, Advs.

Mr. Sanjoy Ghose with Mr. R. Jatley, Advs. for  
GNCTD

SI Ram Tirth, Pairvi Officer, Traffic

WITH

+ CONT.CAS(C) 136/2016

ANI TECHNOLOGIES PRIVATE LIMITED

..... Petitioner

Through: Mr. Vijay Sondhi with Mr. Faisal  
Shejwani, Mr. Abhishek E. Kisku, Mr. Aranyak  
Pathak and Mr. Gupreet Singh Kahlon, Advs.

versus

GAGAN BHATIA & ANR

..... Respondents

Through: None

AND

+ W.P.(C) 6000/2015 & CM Appls. 10885, 19928, 26581, 30771,  
30772/2015, 9559, 32213/2016

ASSOCIATION OF RADIO TAXIS ..... Petitioner  
Through: Mr. Udayan Jain with Mr. Sonal Jain,  
Ms. Heena Sharma, Ms. Anju Thomas and Mr.  
Manas Gaur, Advocates for Association of Radio  
Taxis  
Mr. Sanjoy Ghose with Mr. R. Jatley, Advs. for  
GNCTD  
Mr. Arjun Mitra with Ms. Jaskaran Kaur, Advs.  
for R-13

versus

UNION OF INDIA AND ORS. .... Respondents  
Through: Mr. Manish Mohan, CGSC with Mr.  
Shivam Chanana and Ms. Manisha Saroha, Advs.  
for R-1 and 2/UOI  
Mr. Vijay Sondhi with Mr. Faisal Shejwani, Mr.  
Abhishek E. Kisku, Mr. Aranyak Pathak and Mr.  
Gupreet Singh Kahlon, Advs. for R-7 and 10  
Mr. Rajiv Nayar and Mr. Dayan Krishnan, Sr.  
Advocates with Mr. Susmit Pushkar, Mr. Abhijeet  
Swaroop and Mr. S. Naushad, Advs. for R-8,9  
SI Ram Tirth, Pairvi Officer, Traffic

AND

+ W.P.(C) 6668/2015 & CM Appl. 13052/2015

ANI TECHNOLOGIES PVT. LTD. .... Petitioner  
Through: Mr. Vijay Sondhi with Mr. Faisal  
Shejwani, Mr. Abhishek E. Kisku, Mr. Aranyak  
Pathak and Mr. Gupreet Singh Kahlon, Advs.

versus

GOVERNMENT OF NCT OF DELHI & ORS..... Respondents  
Through: Mr. Sanjoy Ghose with Mr. R. Jatley,  
Advs. for GNCTD  
Mr. Kirtiman Singh, CGSC with Mr. Brajesh  
Kumar, GP and Mr. Waize Ali Noor, Adv. for  
UOI  
SI Ram Tirth, Pairvi Officer, Traffic

AND

+ W.P.(C) 3114/2016 & CM Appls. 13281, 18921, 25980, 43173/2016  
MAGIC SEWA PVT LTD AND ANR ..... Petitioners  
Through: None

versus

GOVT OF NCT OF DELHI ..... Respondent  
Through: Mr. Sanjoy Ghose with Mr. R. Jatley,  
Advs. for GNCTD  
Mr. Vijay Sondhi with Mr. Faisal Shejwani, Mr.  
Abhishek E. Kisku, Mr. Aranyak Pathak and Mr.  
Gupreet Singh Kahlon, Advs. for R-2  
Mr. Sumit Kumar, Adv. for applicant/iimpleader  
in CM Appl. 43173/2016

**CORAM:**  
**HON'BLE MR. JUSTICE MANMOHAN**

**ORDER**  
% **21.12.2016**

In pursuance to the order dated 11<sup>th</sup> August, 2016, the Committee chaired by the Secretary, Ministry of Road Transport and Highways, has submitted its report. The key recommendations of the

Committee are reproduced hereinbelow:-

*“The key recommendations made by the committee are summarised hereunder:*

*1. There is a need for national level policy intervention to promote shared mobility over private vehicle ownership to reduce congestion and pollution in urban agglomerations.*

*2. States should facilitate unhindered grant of permits for City Taxi and AITP without any restrictions on numbers.*

*3. The City Taxis may continue as street hailing taxis. However, they may also be allowed to ply on the aggregator platform, if they so desire.*

*4. To reduce delays and to embrace digital technology online grant of the permits is recommended. It is further recommended to allow online conversion of compliant personal vehicles to commercial taxis on payment of requisite charges so as to facilitate use of idle assets.*

*5. The AITP taxis may be allowed to operate for all purposes except as street hailing taxis. These vehicles would have to comply with the fuel specified for the city while operating for aggregators for intra city transport on long term hiring/leasing, for ferrying employees of IT Companies and call centres.*

*6. Taxis must comply to the stipulations laid down by the transport department with regard to safety & security of the passengers. The drivers' photo identity along with the registration number of*

*the taxi should be clearly visible to the passengers. The taxis must also have a valid permit, insurance, fitness certificate and PUC at all times. The Taxis must also be fitted with GPS.*

*7. The committee strongly recommends to avoid unreasonable restrictions that will make taxi operations economically unviable,, thereby causing inconvenience to the citizens and increased use of personalised vehicles.*

*8. There should be no restrictions on the choice of the operator or aggregators with regard to composition of the fleet, i.e. deluxe and economy.*

*9. The Aggregators should get the App validated from Standardisation Testing and Quality Certification (STQC) or any other agency authorised by Ministry of Electronic and Information Technology (MEITY). Aggregators should take measures including a firewall for the security of the personal data of the passengers.*

*10. Based on the Excise duty criteria and the fact that over 87% of the cars are less than 4 metres length, the Taxis may be segregated into Economy (less than 4m) and deluxe (more than 4 m) categories. The Committee strongly recommends that the tariffs of Deluxe Taxis should not be regulated and be allowed to be determined by market dynamics.*

*11. The committee recommends range bound dynamic pricing to be allowed to effectively match demand and supply. It is felt that the maximum tariff may be permitted up to three times the minimum tariff. To increase the availability of taxis during the night time, the committee recommends that*

*maximum tariff may be allowed up to four times that of minimum tariff from 12 midnight to 5 am in morning. This would ensure adequate supply during peak hours and at night. Alternatively, the aggregators may be asked to provide the minimum fare that would be charged from the customers and the State Transport Department may fix a multiplier to cap the maximum fare. This would help in meeting the peak load requirements of the taxi users.*

*12. The Aggregators should have a physical presence in the respective State of operations.*

*They should provide a grievance redressal mechanism and should also have an emergency response centre to handle SOS alerts by passengers. The App should also have adequate safety features for the passengers such as sharing the ride details.*

*13. In order to provide cheaper travel solutions and to reduce the number of cars on road, sharing of seats may be allowed on aggregator based taxis with express consent of the passengers.*

*14. States may place appropriate cap on the duty hours of drivers in the interest of road safety and in consonance with labour laws.*

*15. The states should promote bike sharing and e-rickshaws for last mile connectivity.*

*The Committee is of the opinion that the above policy guidelines would help in healthy growth of the taxi industry. It will reduce congestion and pollution in cities, help in creating a safe and secured passenger transport eco-system for urban mobility and stimulate employment and investment.*

*The Committee recommends that these guidelines should be reviewed periodically to keep pace with the technology and innovations in the taxi industry.”*

Learned counsel for the parties pray for some time to obtain instructions with regard to the aforesaid report.

Let the needful be done within a period of four weeks.

List the matters for further hearing on 06<sup>th</sup> February, 2017.

**MANMOHAN, J**

**DECEMBER 21, 2016**  
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