

Govt unlikely to make changes to Radio Taxi Scheme; web-based companies seek separate law

ET Bureau Dec 31, 2014, 03.32AM IST

NEW DELHI/BENGALURU: The government seems in no mood to accommodate app-based applications like **Uber** any further with a senior government official telling ET on Tuesday that the onus was now on Uber and other app-based aggregators to fulfill the requirements of the amended Delhi **Radio Taxi** Scheme to come back on the road in the national capital.

"They (Uber) should appreciate that the government has acted with lightening speed and amended the Radio Taxi Scheme in Delhi within three weeks to bring them under the regulatory ambit. These new rules are more or less final and there is minimal chance of any further change," the official said.

He added that the ball was now in Uber's court to "comply for the same or stay banned" in Delhi. "They will have to come under the ambit of the Motor Vehicles Act and take accountability for their drivers and vehicles. The government is clear," this official told ET.

Independent lawyers also say that the government has the right to regulate any business if in their view it is in public interest to do so. "That said, these aggregators maybe able to challenge in the high court on the need to own a minimum number of cabs to be an aggregator but they may not able to successfully challenge that they would not come under the regulation if government has made a provision to cover aggregators," said Vaibhav Parikh partner at law firm Nishith Desai Associates.

While **OlaCabs** is learnt to be contemplating to comply with the new licence arrangement in Delhi, Uber and **TaxiForSure** have strongly denied that they are transport companies and the new rules do not suit them. While Ola-Cabs declined to comment for this story, it is the only company which has obtained a stay order on the ban and can legally continue operations in Delhi.

A TaxiForSure spokeswoman said that the company is in talks with government officials to look for separate guidelines just for the web-based aggregators. "We are not a radio taxi player. We want guidelines which are drafted solely for us," she said.

"We are reading each part of the new rules line by line. We were never consulted to be a part of the formation of these new guidelines and were never even called. The new rules suit the radio taxi players more than us," official of one of the web based companies said on condition of anonymity. Meanwhile experts said that web-based aggregators may be forced to comply with the laws in Delhi but can start lobby with state and Central govt to prepare separate guidelines for aggregator on national level.

"The new licensing will be bad for drivers as they will lose the freedom to work with multiple operators. Also they can not work in the city on part time basis," said a lobbyist with one of the firms on condition of anonymity.

