

Registration of Vehicle Location Tracking (VLT) Devices with Emergency system for Specified Public Service Vehicles in Delhi

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By



Department of Transport
Govt. of NCT of Delhi
5/9, Underhill Road, Delhi – 110 054

Through



Delhi Integrated Multi Modal Transit System Limited (DIMTS)
(A Joint Venture of Govt. of NCT of Delhi and IDFC Foundation)
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Registration of Vehicle Location Tracking (VLT) Devices for Specified Public Service Vehicles in Delhi

1. Background, Registration Process and its Objectives

1.1. About Public Service Vehicles Online Tracking System

Transport Department, Government of National Capital Territory of Delhi (“DOT”/“Transport Department”) is desirous of implementing an online system for tracking the movement of identified Public Service Vehicles.

The system is envisaged to be made operational in the following category of vehicles - Grameen Sewa Vehicles, Phat Phat Sewa, Contract Carriage, Interstate CNG, All India Tourist, Diesel bus Interstate, RTV, Metro Feeder, Maxi Cabs, Taxis etc. (“Specified Public Service Vehicles”) for which Transport Department has issued permits and any other vehicle as identified later.

1.2. VLT Devices for Public Service Vehicles

It is expected that the above Public Service Vehicles will be fitted with a Vehicle Location Tracking (VLT) device with an Emergency system, connecting to the Control Room set up for facilitating monitoring of the movement of these vehicles.

1.3. DIMTS is carrying out this registration process for and on behalf of DOT (“Registration Process”) with an objective to evaluate and register the VLT Device(s) meeting the prescribed criteria outlined in this document (“VLT Device”), in response to the applications received in this behalf from the interested and eligible entities.

1.4. Registration Process and its Objectives

The objective of the Registration Process is to register VLT Device(s) meeting the prescribed criteria detailed in this Registration Process document.

1.5. Unless the registration of any VLT Device(s) model is revoked / cancelled by DOT/DIMTS in accordance with the Terms and Conditions Governing the Registration, the registration shall remain valid so long as such VLT Device model continues to comply with the requirements based on which the same was registered.

1.6. The Terms and Conditions Governing the Registration shall be as set out in Annexure E and elsewhere in this document.

1.7. The evaluation of Application for Registration would be carried out on a “first-come-first-serve basis” reckoned based on the order of receipt of the duly completed Applications in all respect. In case of incomplete Applications where DIMTS requires the Applicants to submit any missing/incomplete information/documents, the receipt of such clarification/documents by DIMTS shall be deemed to be the date of submission of the Application.

1.8. DOT / DIMTS reserve the right to change the Terms and Conditions Governing Registration at any point of time.

1.9. Submission of Applications seeking Registration

- (a) An Applicant can apply for registration of one or more models of VLT Device(s).
- (b) An Applicant is required to submit statement of compliance of the VLT Devices with the minimum technical specifications as set out in Annexure B and in line with notification issued by Ministry of Road Transport & Highways (MoRTH), and specified in AIS-140 specifications.
- (c) The Applicant is required to submit their Application in the form and manner prescribed in this document. The Applicant is also required to submit two VLT Devices of each of the models it desires to get registered together with their protocol and all other necessary documentation needed for integration. The VLT Device will not be returned to Applicant irrespective of the result of the assessment and evaluation of its Application and the same will be retained by DIMTS.
- (d) All notices required and all other communications, clarification, documentation and proceedings which are in any way relevant to the Registration or the Registration Process shall be in writing and in English language.
- (e) Communication seeking any clarification regarding the process/documentation should be addressed to the concerned officer as mentioned in section 4.3

2. Eligibility of Applicant for Registration

- 2.1. Applications are invited from manufacturers/suppliers of VLT Devices meeting the following qualification criteria:

The Applicant shall be a manufacturers/suppliers of VLT devices as per the Automotive Industry Standards (AIS-140 specifications) and got the submitted VLT device model with an Emergency System, tested and certified by a competent laboratory.

An Applicant can apply for registration of one or more models of VLT Devices, provided that the VLT Devices must meet the technical specifications as per AIS-140 standards in line with Ministry of Road Transport & Highways (MoRTH) directives and notifications. and tested and certified by a competent laboratory.

3. Document Cost

- 3.1. The Applicant shall, together with their Application, submit a demand draft of Rs. 2,500/- (Rupees Two Thousand Five Hundred) in favor of "DIMTS Ltd." payable in Delhi as the cost of application document for each VLT Device model. For each additional VLT Device model being submitted for registration, where applicable, the Applicant shall submit an additional cost of application document @ Rs. 2,500/- (Rupees Two Thousand Five Hundred) per additional VLT Device model by way of demand draft in the aforesaid manner.
- 3.2. The cost of application document paid to DIMTS as per section 3.1 shall be non-refundable. An Application not accompanied by the aforesaid payment shall be considered as non-responsive and the same would be liable for rejection.

4. Application Related Details

4.1. Contents of the Application

An Application needs to be accompanied by the VLT Device for which registration is being sought as per section 4.1.1 and the documents as per section 4.1.2. Any failure by the Applicant to comply with any of the aforesaid requirements would make their Application liable for rejection and the VLT Device submitted would not be considered for registration by DIMTS.

4.1.1 VLT Devices

An Applicant is required to submit two units of VLT Devices of each of the models that it desires to get registered together with their protocol and all other necessary documentation needed for integration as per Annexure C.

The VLT Device being submitted must meet the minimum technical specifications outlined in Annexure B.

Both soft copy (in CD/DVD) and hard copy of the protocol as defined in Annexure C and all other necessary documentation for each of the VLT Device model is required to be submitted together with the Application.

The VLT Device submitted with the Application would not be returned to the Applicant irrespective of the outcome of the evaluation of the Application and the same would be retained by DIMTS for record purposes.

4.1.2 Details of Documents to be Submitted

Applicants are required to submit the following documents/information in their Application:

- (a) Table of Contents listing documents and details submitted (with page referencing)
- (b) DD towards Document Cost as per section 3
- (c) Cover Letter as per the format provided in Annexure A
- (d) Documents/details sought in Annexure B
- (e) Documents/details sought in Annexure C
- (f) Power of Attorney for Signing of Application as per the format provided in Annexure F

Both soft copy (in CD/DVD) and hard copy of the above documents are required to be submitted.

4.2 Submission of Applications

An Application needs to be submitted in a sealed envelope clearly bearing the following identification:

**“Application for Registration”
Registration of VLT Devices for Specified Public Service Vehicles in Delhi
“Submitted by Name, Address and Contact Phone No. of the Applicant”**

4.3 Submission of Application

The Application as per the requirements outlined in section 4.1 and 4.2 should reach us at the following address as per the timelines specified for submission in section 7:

Project Manager [Public Service VLT]
Delhi Integrated Multi Modal Transit System Limited,
1st Floor, Maharana Pratap ISBT Building, Kashmere Gate,
Delhi – 110006
Tel: +91-11- 49378925, Fax: +91-11-23860966, E-mail: paratransit@dimts.in

4.4 Application Preparation Cost

The Applicant shall be responsible for and shall bear all costs and expenses associated with the preparation of its Application and its participation in the Registration Process. It is clarified that neither DOT nor DIMTS shall be responsible or in any way liable for such costs and expenses regardless of the conduct or outcome of the Registration Process.

5 Evaluation of Applications

- 5.1 The Applications found complete in all respects shall be considered towards processing for registration of VLT Devices on a “first come first serve” basis.
- 5.2 DIMTS, on behalf of DOT, would issue a Registration letter to the Applicant concerned, in respect of each of their VLT Device that DIMTS registers hereunder, in the form as set out in Annexure D and the details thereof would be published by DOT and DIMTS, as registered VLT Device, on their respective web sites. It is clarified that the Applicant or any of its authorized dealers can supply such registered VLT Devices to the permit holders of the Vehicles.
- 5.3 DIMTS reserves the right to verify all statements, information and documents submitted by the Applicant along with their Application in response to this Registration Process document. Any failure of DIMTS to undertake such verification shall not relieve the Applicant of their obligations or liabilities here under to submit true and correct information nor will it affect any rights of DIMTS/DOT.
- 5.4 If any information or documentation provided by an Applicant is found to be false or misleading during the Registration Process or during the Registration Period, such Application would be liable for rejection and if the VLT Device has been registered, such registration would be liable for being cancelled/withdrawn. Further, Applicant may be considered for blacklisting.

- 5.5 Decision of DIMTS/DOT regarding registration/ rejection of the VLT Devices submitted by Applicants seeking registration under this process shall be final and binding upon Applicants and no correspondence in this regard will be entertained by DIMTS/ DOT.

6 Right to Accept or Reject any of the Applications

- 6.1 Notwithstanding anything contained in this document, DIMTS/DOT reserves the right to accept or reject any Application and to annul the Registration Process and reject all the Applications, at any time without any liability or any obligation for such acceptance, rejection or annulment, and without assigning any reasons thereof. DIMTS/DOT reserves the right to reject any Application if:
- (a) At any time, a material misrepresentation and/or concealment of any facts / materials is made or discovered, or
 - (b) The Applicant does not respond promptly and diligently to requests for supplementary information required for the evaluation of the Application and/or integration of their VLT Device submitted therewith, or
 - (c) If the Applicant engages in a corrupt, fraudulent, coercive, undesirable or restrictive practices as defined in Annexure E - Terms and Conditions Governing Registration.

Annexure A

Application Cover Letter

(On the Official Letter Head of the Applicant)

Date:

Project Manager [Public Service VLT]
Delhi Integrated Multi Modal Transit System Limited,
1st Floor, Maharana Pratap ISBT Building,
Kashmere Gate,
Delhi – 110006

Sub: Registration of VLT Device for the Specified Public Service Vehicles in Delhi

Sir,

We have reviewed and fully understood the requirements of the process for “Registration of VLT Device for the Specified Public Service Vehicles in Delhi” and are submitting our Application for registration of the following VLT Device(s) being supplied/manufactured by us together with the required details and other information as per the Registration Process document:

VLT Device Model Number(s) to be registered	
Manufactured By	
Manufactured at (address of manufacturing facility)	

In relation to our Application, you may also note the following:

1. Our Application is unconditional.
2. All information provided in the Application is true and correct.
3. We hereby declare that the VLT Device(s) being submitted for registration complies with the specifications as set out in the Registration Process document.
4. We shall make available to DIMTS/DOT any additional information that they may find necessary or require to clarify, supplement or authenticate the Application.
5. We acknowledge the right of DIMTS/DOT to reject our Application without assigning any reason.
6. We understand that you may cancel the Registration Process at any time and that you are not bound to accept any Application that you may receive without incurring any liability to the Applicants.
7. We declare that we satisfy and meet the requirements as specified in the Registration Process document and are eligible to submit Application in accordance with the terms of the said Registration Process document.

8. We undertake that in case due to any change in facts or circumstances during the Registration Process, we are attracted by the provisions of disqualification; we shall intimate DIMTS/DOT of the same immediately.
9. We represent and confirm that neither we nor any of our promoters/directors are barred by DOT or Government of National Capital Territory of Delhi or blacklisted by any state government or central government / department / agency in India from participating in bids, as on the date of submission of this Application.
10. We agree to keep and confirm that our Application is valid up to _____ [*minimum One Hundred and Eighty (180) days from the date of submission of Application*].

Sincerely,

[Name and Designation of the Authorized Signatory]

[Signature of the Authorized Signatory]

[Contact address including phone, fax and E-mail]

Annexure B

Technical Integration Requirements Specifications

The VLT Device shall be a stand-alone VLT Tracking Device with an Emergency system, as per the AIS-140 specifications.

1. Technical Integration Requirement Specifications for the VLT Devices

The Technical Integration requirement specifications of the vehicle mounted VLT Devices with Transport Department (DoT) /DIMTS back-end are as follows:

- 1.1. Compliance by the Applicant against the below requirement needs to be submitted together with documentary evidence as listed against each parameter:

Sl	Specifications of VLT Devices	Validation Process
1.	VLT devices compliant as per Automotive Industry Standards (AIS-140) in line with Ministry of Road Transport & Highways (MoRTH) directives and notifications.	Self-certification by Applicant together with supporting document as under: - AIS 140 Certification / Test Report from a competent laboratory.

Note: Please note that the above mentioned specifications will not be tested by DIMTS and the Application for registration will be processed based on the representation by the Applicant. The correctness of submissions for all these specifications is solely the responsibility of the Applicant. DIMTS/DOT does not bear any responsibility on the authenticity of any result or correctness of specifications whatsoever.

- 1.2. Compliance against the technical specification below needs to be submitted by Applicant. The same shall be subjected to demonstration by the Applicant and/or testing by DIMTS for validation, as mentioned below.

Sl.	Specifications of VLT Device	Validation Process
1.	Communication Protocol as per AIS140 standards in line with Ministry of Road Transport & Highways (MoRTH) directives and notifications.	Device functionalities to be demonstrated by the Applicant at the time of submission.
2.	Demonstration of test server configuration in the VLT device submitted	Acknowledgement of test command given to device and display of Tracking message at Test server
3.	Fitment of the VLT device with Emergency system, in a test passenger vehicle	Demonstration and connection , in the test vehicle provided
4.	Demonstration of Emergency message as per AIS-140, when the emergency switch is pressed	Demonstration of the emergency message at back-end test server and emergency server (2 messages at two different servers)

Annexure C

List of Submissions

Application needs to contain the information / documents listed hereunder in a sealed envelope bearing the identification “Registration of VLT Devices for Specified Public Service Vehicles in Delhi” along with the name of the Applicant:

- (a) Details of the Applicant
 - (i) Name
 - (ii) Place of incorporation
 - (iii) Date of incorporation and/ or commencement of business
 - (iv) Address of the corporate headquarters and its branch office(s), if any
 - (v) Details of the VLT device manufacturing facilities (also mention whether – owned or contracted its capacity, third party etc.)
 - (vi) Details of Applicant’s authorized dealers who will sell its registered VLT Devices in Delhi
 - (vii) Certifications of company, manufacturing facility (Like ISO, CE, etc.).
 - (viii) Brief description of the Applicant including details of its main lines of business.
 - (ix) Website URL
 - (x) Particulars of the Authorized Signatory of the Applicant:
 - (A) Name:
 - (B) Designation:
 - (C) Address:
 - (D) Phone Number:
 - (E) Mobile Number:
 - (F) Fax Number:
 - (G) Email Address:

- (b) Documents in support of compliance of the Applicant with regard to criteria mentioned in this document.

Sl.	Supporting Documents Provided with the application	Format
1.	Power of Attorney (POA) in original for the person signing the Application	Annexure F
2.	<ul style="list-style-type: none"> • Certificate of Incorporation of the Applicant issued by Competent authority • Certificate for Commencement of Business of the Applicant issued by Competent authority, as applicable 	
3.	DD towards Document Cost	
4.	VLT Device and related details <ul style="list-style-type: none"> • Two samples of each of the models of VLT Device applied for registration. • VLT Device brochure(s). • Do's / Don'ts and user manual. • VLT Device Protocol(s) / API Document explaining all the messages, fields and their values. • Other certifications for VLT Device standard's compliance (CE, FCC, RoHS, PTCRB etc.). 	
5.	Statement of compliance of the VLT Devices being submitted with the minimum technical specifications together with the following documents, as applicable: <ul style="list-style-type: none"> • Self-certification by Applicant together with supporting document as under: • AIS 140 Certification / Test Report from a competent laboratory.VLT 	Annexure B
6.	Registration Process document together with any addendum issued, duly signed by the authorized signatory of the Applicant on each page.	

Annexure D

Format of Registration Letter

Date:

To,

The Applicant

Sub: Registration of VLT Device for the Specified Public Service Vehicles in Delhi

Sir,

This has reference to your Application seeking registration of your VLT Device(s) for the Specified Public Service Vehicles in Delhi.

We have examined your Application and are pleased to inform that the following VLT devices has been registered as per the details below:

VLT Device Model Number(s) Registered	
Name and Address of the Applicant	
Name of Manufacturer & its Registered Office Address	
Address of Manufacturing unit	
Name and Address of Dealers	
Registration valid Till	
Registration valid for (Vehicle type)	

The aforesaid registration shall be governed by the terms and conditions as detailed in the Registration Process document dated _____ issued by DOT/DIMTS for the process.

[Name and Designation of the Authorized Signatory]

[Signature of the Authorized Signatory]

[Contact address including phone, fax and E-mail]

Annexure E

Terms and Conditions Governing Registration

1. Validity of Registration

- 1.1. The registration of Applicant's VLT Device model(s) is carried out by DIMTS based on the submissions and representations made by the Applicant towards compliance with the requirements outlined in the Registration Process document.
- 1.2. The VLT Device registration by DIMTS is valid for a particular VLT Device model and its specification (including the specification of its components) submitted by the Applicant along with its Application and is not valid for any other VLT Device model or the same VLT Device model having specifications (including the specification of its components) different from the one which was registered by DIMTS.
- 1.3. In the event of there being any change in VLT Device model or specification (including the specification of its components) of the VLT Device, which has been registered by DIMTS, on account of any change in design/component or otherwise, the registration will no longer be valid and, the Applicant will have to submit a fresh application as per the then applicable terms and conditions seeking fresh registration.
- 1.4. DOT/GNCTD/DIMTS reserves the right to extend the validity of registration to other class of vehicles or to remove the validity of registration from any class of vehicles, if it so desires. Applicants shall have no objection or any claim to any such act of DOT/GNCTD/DIMTS and DOT/GNCTD/DIMTS shall not be liable for any such act.
- 1.5. The VLT Device registration shall be valid for all the following together as outlined in the registration letter issued by DIMTS on behalf of Department of Transport, GNCTD (DOT):

VLT Device Model Number(s) Registered	
Name and Address of the Applicant	
Name of Manufacturer & its Registered Office Address	
Address of Manufacturing unit	
Name and Address of Dealers	
Registration valid Till	
Registration valid for (vehicle types)	

2. Obligations of Applicant

Applicant shall, at its own cost and expense, observe, undertake, comply with and perform, in addition to and not in derogation of its obligations elsewhere set out in the Registration Process document including the Terms and Conditions Governing Registration, the obligations set forth in this clause:

- (a) The Applicant shall submit to DIMTS all VLT Device(s) related documents, specifications, information, data sheets, brochure and the like together with the Application or upon

request from DIMTS, in order for DIMTS to be able to process the Application submitted by the Applicant for registration of the VLT Device(s) .

- (b) The Applicant shall provide protocol integration support to DIMTS, as required and towards this depute its team of competent personnel led by a designated single point of contact to interact with DIMTS. In case DIMTS/DOT requires Applicant for any upgrades on firmware / OTA changes, the same has to be provided without any charges.
- (c) The Applicant shall pay required fee and charges as outlined in the Registration Process document and the Terms and Conditions Governing Registration. In the event any VLT Device is required to be re-processed for its compliance due to any change in design/component or any other reasons attributable to the Applicant, the Applicant shall, submit fresh application seeking registration of the VLT Device as per the then applicable terms and conditions.
- (d) The Applicant shall comply with all applicable laws and sell (where applicable) only the registered VLT Device to permit holders of the vehicles in compliance of the notifications from DOT.
- (e) The Applicant shall ensure and procure that its dealers (where applicable) comply with all applicable laws and sell only the registered VLT Device to permit holders of the vehicles in compliance of the notifications from DOT.
- (f) The Applicant whose VLT Devices have been registered shall ensure that such VLT Devices when sold are activated through the central control system of DIMTS/DOT as per the process set out by DIMTS. The applicant shall be provided a web based interface for the same. The Applicant shall provide all necessary resources and infrastructure for carrying out the device activation immediately upon sale and installation of the VLT Device.
- (g) The Applicant shall be responsible for proper installation of permit holder's SIM card in the VLT devices and ensuring proper configuration of the device to send data to DIMTS control center.

3. Registration Period

Unless the registration of any VLT Device model is revoked or cancelled by DOT/DIMTS, the registration shall remain valid so long as such model continues to comply with the requirements based on which the same was registered by DIMTS ("Registration Period")

4. Commercial arrangement between Applicants and permit holders

- 4.1. Any commercial or other arrangements between the Applicant and the permit holders shall be as mutually agreed between them. The prices of the registered VLT Device(s) and all other terms and conditions including those related to warranty, AMC, nature and scope of free servicing during warranty period, VLT Device uptime and other performance and service related terms and conditions etc. shall be as mutually agreed by and between the Applicant

concerned and the permit holders. DIMTS/DOT shall have no role, responsibility and liability in relation to the same.

- 4.2. The Applicant shall be under obligation at all times to comply with Terms and Conditions Governing Registration and adherence to all aspects of fair trade practices in its dealing with the permit holders.
- 4.3. In case the Applicant is found to be in breach of any of the condition(s) of the Registration Process document or Terms and Conditions Governing Registration at any stage during the Registration Period, the registration of its VLT Devices may be withdrawn and DIMTS/DOT may, in addition, consider debarring and blacklisting the Applicant concerned for such period as deemed fit. Additionally, legal action, as per rules/laws, shall be initiated against the Applicant.

5. Volume of VLT Devices

- 5.1. DOT/DIMTS do not make any express or implied representations to the Applicant as to the volume of business that any or all of the Applicants may get.
- 5.2. By seeking to register their VLT Devices, the Applicants shall be deemed to have made careful examination of all the relevant factors, nature of enterprise, the quantum of business and its likelihood. DOT/DIMTS shall not be liable for any omission or mistake or error or neglect by the Applicants.

6. Monitoring and Audit

- 6.1. During the Registration Period, DOT/DIMTS shall have right, without being obliged, to monitor/audit the registered VLT Device of the Applicants with a view to ascertain their continued compliance with the Terms and Conditions Governing Registration.
- 6.2. The Applicant of registered VLT Device shall be under obligation to provide all reasonable support, information like technical documentation, change of office/ dealers/service center addresses (including addition and discontinuation of the same) etc. and extend other reasonable cooperation to DOT/DIMTS for them to effectively monitor its performance and compliance of the registered VLT Device during the Registration Period.

7. Revocation/Cancellation of Registration

If as an outcome of any monitoring and/or audit conducted, or, as otherwise reasonably determined by DOT/DIMTS, the Applicant of registered VLT Device has failed to perform its obligations and/or has failed to comply with the Terms and Conditions Governing Registration in any material respect, DIMTS/DOT shall be within its rights to revoke and cancel, in its sole and absolute discretion, the registration of all the VLT Devices of the Applicant or the VLT Device that no longer complies with the requirements outlined in the Terms and Conditions Governing Registration.

Provided that prior to revocation/cancellation of the Registration, DIMTS/DOT may, if it deems necessary, ask the Applicant to explain the reasons of its failure in complying with the Terms and Conditions Governing Registration and thereupon take any decision that DIMTS/DOT may consider appropriate.

8. Liability

The registration under the Registration Process is not to be construed in any way as diminishing or substituting the mutual contractual responsibilities/ obligations between the Applicant and the permit holders purchasing VLT Devices from them. DOT/DIMTS in no way guarantee the performance of or by the registered VLT Device(s) or the Applicant(s). Applicant will be liable and responsible for performance of the VLT Device(s) supplied to the permit holders.

9. Continued Compliance of the Registered VLT Devices

- 9.1. At the end of a period of one year from the date of VLT Device registration letter issued by DIMTS to the Applicant, the Applicant shall submit a written undertaking to DIMTS/DOT stating the continued compliance of the VLT Device concerned as per the requirements of the Registration Process document accompanied by the supporting documents.
- 9.2. Applicant shall be under an obligation to immediately inform in writing to DOT/DIMTS in the event of the following:
- (a) Any of its registered VLT Device(s) no longer complies with the requirements of the Registration Process document based on which the VLT Device was registered; or
 - (b) Any of the component/module which was part of the VLT Device model at the time of grant of registration has been changed/alterd due to change in design; or
 - (c) There is any change in design of the VLT Device or any component thereof post the registration of the same; or
 - (d) Any other factors that would have the effect of changing the VLT Device design or any component thereof post its registration.
- 9.3. Based on the submissions made by the Applicant or otherwise reasonably determined by DOT/DIMTS, if the VLT Device does not continue to meet the prescribed criteria as per the requirements outlined in the Registration Process document, DIMTS/DOT shall be within its rights to revoke and cancel the registration of the VLT Device concerned.
- 9.4. In the event the Applicant or the concerned division of the Applicant is taken over /bought over by another company, the Applicant must ensure that company taking over or buying it complies with the Terms and Conditions Governing Registration in respect of all the registered VLT Devices.

10. Compliance with Applicable Laws

- 10.1. The Applicant of registered VLT Device shall be responsible to comply with all Applicable Laws.

11. Indemnity

The Applicant agrees to indemnify and hold harmless DOT/DIMTS, their officers, directors, agents and the consultants from and against:

- (a) All third party claims of infringement of patent, trademark/copyright or industrial design rights arising from the use of the supplied software/ hardware and related services or any part thereof.
- (b) All consequences and liabilities arising out of or in any way connected with the Applicant's negligence, fault, nuisance, breach and failure to perform its obligations under or pursuant to the Registration Process.
- (c) Any accident, death, loss of property, damages suffered/caused, injury caused or suffered, or any other claim/s, suit/s or legal proceedings initiated by any person arising out of or in relation to the registered VLT Devices supplied or related services provided by the Applicant.
- (d) The use or misuse by or on behalf of the Applicant/its dealers of the trademark, symbol, logo, or icon of DIMTS/DOT otherwise than in accordance with the Terms and Conditions Governing Registration.

12. Dispute Resolution

In case of any dispute of technical nature the decision of DIMTS shall be final and binding on Applicant.

Subject to the preceding, any / all disputes arising out of or in any way relating to or concerning this Registration or the Registration Process shall be amicably and promptly settled between the parties. The parties agree that if the efforts of the parties to amicably resolve such differences or dispute(s) fail and no settlement is reached despite such efforts of the parties, then, except where the decision of certain person/DIMTS/DOT has been made final and binding between the parties, the dispute shall be referred to the sole arbitration of the Secretary cum Commissioner, DOT or any other person appointed / nominated by him in this regard. There will be no objection to any such appointment on the ground that the arbitrator so appointed is a Government servant or that he has to deal with matters to which this registration pertains or that in the course of his duties as Government servant, he has expressed views on all or any of the matters in dispute. The decision of the Arbitrator so appointed will be final and binding on both the parties. The venue of Arbitration shall be Delhi and the proceedings shall be held in English under the Arbitration and Conciliation Act 1996.

13. Jurisdiction

The registration and the process shall be governed by the laws of India and the Courts at Delhi shall have exclusive jurisdiction to adjudicate upon any / all matter(s) arising from the registration or the process of registration.

14. Notice

Any notice or other communication to be given by a party to the other under, or in connection with the matters contemplated by or under the registration shall be in writing and shall be delivered by hand/ registered post/ courier at the notified address of the party concerned.

15. Prohibition of Assignment

The registration of VLT Device under this process is not assignable by the Applicant to any third party. If found doing so, it shall result in termination of registration of all its VLT Devices.

16. Language

All notices required and all other communications, documentation and proceedings which are in any way relevant to the Registration or the Registration Process shall be in writing and in English language.

17. Fraud and Corrupt Practices

17.1. The Applicants and their respective officers, employees, agents and advisers shall observe the highest standard of ethics during the Registration Process. Notwithstanding anything to the contrary contained herein, DOT/DIMTS may (a) reject an Application, and/or (b) cancel the VLT Device Registration, without being liable in any manner whatsoever to the Applicant if it determines that the Applicant has, directly or indirectly or through an agent, engaged in corrupt practice, fraudulent practice, coercive practice, undesirable practice or restrictive practice during or in relation to the Registration Process.

17.2. Without prejudice to the rights of the DIMTS/DOT under this clause, if an Applicant is found by the DOT/DIMTS to have directly or indirectly or through an agent, engaged or indulged in any corrupt practice, fraudulent practice, coercive practice, undesirable practice or restrictive practice during the Registration Process, DOT/DIMTS may black list such Applicant and in such event the Applicant shall not be eligible to participate in any tender or RFQ or Registration Process document issued by or on behalf the DOT/DIMTS during the period specified by DOT/DIMTS in this behalf.

17.3. For the purposes of this clause, the following terms shall have the meaning hereinafter respectively assigned to them:

- (a) “corrupt practice” means the offering, giving, receiving, or soliciting, directly or indirectly, of anything of value to influence the actions of any person connected with the Registration Process;
- (b) “fraudulent practice” means a misrepresentation or omission of facts or suppression of facts or disclosure of incomplete facts, in order to influence the Registration Process;
- (c) “coercive practice” means impairing or harming or threatening to impair or harm, directly or indirectly, any person or property to influence any person’s participation or action in the Registration Process;
- (d) “undesirable practice” means establishing contact with any person connected with or employed or engaged by the DIMTS/DOT with the objective of canvassing, lobbying or in any manner influencing or attempting to influence the Registration Process; and
- (e) “restrictive practice” means forming a cartel or arriving at any understanding or arrangement among Applicants with the objective of restricting or manipulating a full and fair competition in or pursuant to the Registration Process.

18. Waiver

- 18.1. Waiver by DOT/DIMTS of any default by the Applicant in the observance and performance of any provision of or obligations of or under the Registration Process or the Terms and Conditions Governing Registration:
- (a) shall not operate or be construed as a waiver of any other or subsequent default hereof or of other provisions of or obligations under this process;
 - (b) shall not be effective unless it is in writing and executed by a duly authorized representative of the DOT/DIMTS; and
 - (c) shall not affect the validity or enforceability of the Terms and Conditions Governing Registration in any manner.
- 18.2. Neither the failure by DIMTS/DOT to insist, on any occasion, upon the performance of the terms, conditions and provisions of this Registration Process or any obligation hereunder nor time or other indulgence granted by DIMTS/DOT to the Applicant shall be treated or deemed as waiver of such breach or acceptance of any variation or the relinquishment of any such right hereunder.

19. Severability

If for any reason whatever any provision of the Terms and Conditions Governing Registration is or becomes invalid, illegal or unenforceable or is declared by any court of competent jurisdiction or any other instrumentality to be invalid, illegal or unenforceable, the validity, legality or enforceability of the remaining provisions shall not be affected in any manner, and DOT/DIMTS would at its option either work out new provision to replace such invalid, unenforceable or illegal provision, as nearly as is practicable to such invalid, illegal or unenforceable provision or delete the invalid, illegal or unenforceable provisions and the rest of the terms and conditions shall continue to remain valid and enforceable.

20. Use of Trademark / Logo of DIMTS/DOT/GNCTD

Applicant shall not use the DIMTS/DOT/GNCTD logo or any other trademark, symbol, logo, or icon on or in connection with the registered VLT Devices including those on its packaging, manuals, promotional and/or advertising materials, or for any other purpose without an express written permission from DIMTS/DOT/GNCTD.

21. Successors and Assigns

This arrangement shall be binding upon and inure to the benefit of DIMTS/DOT and the Applicant being the parties to this arrangement.

Annexure F

Format for Power of Attorney for Signing of Application

(On Non – judicial stamp paper of Rs 100/- or such equivalent document duly attested by notary public)

Power of Attorney

Know all men by these presents, we (name and address of the registered office) do hereby constitute, appoint and authorise Mr. / Ms..... (name and residential address) and holding the position of as our attorney, to do in our name and on our behalf, all such acts, deeds and things necessary in connection with or incidental to our Application, in response to the Registration Process being conducted by DOT, Government of NCT of Delhi (“DOT”) through Delhi Integrated Multi-Modal Transit System Limited (“DIMTS”), seeking **Registration of VLT Devices for Specified Public Service Vehicles in Delhi**, including signing and submission of Application, all documents and providing information / responses to DOT / DIMTS, representing us in all matters before DOT/ DIMTS, and generally dealing with DOT/ DIMTS in all matters in connection with our aforesaid Application.

We hereby agree to ratify all acts, deeds and things lawfully done by our said attorney pursuant to this Power of Attorney and that all acts, deeds and things done by our aforesaid attorney shall and shall always be deemed to have been done by us.

For

(Signature)
(Name, Title, Address and Date)

Accepted

(Signature)
(Name, Title, Address of the Attorney and Date)

Notes:

1. To be executed by the Applicant.
2. The mode of execution of the Power of Attorney should be in accordance with the procedure, if any, laid down by the applicable law and the charter documents of the executant(s) and when it is so required the same should be under common seal affixed in accordance with the required procedure.
3. In case the Application is signed by an authorized Director of the Applicant, a registered copy of the appropriate resolution/ document conveying such authority may be enclosed in lieu of the Power of Attorney.