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Government of Jammu and Kashmir  
Civil Secretariat Transport Department

Notification  
Srinagar, the 11th Aug 2011

SRO 250.-In exercise of the powers conferred by Sections 28, 38, 65, 96, 107, 111 and 176 of the Motor Vehicles Act, 1988 (59 of 1988) the Government proposes to make following amendments in the Jammu and Kashmir Motor Vehicles Rules, 1991 namely:-

1. After rule 41, the following rule shall be added as rule 41-A:-

"41-A Permission to purchase any Transport Passenger vehicle:

- (a) No Transport Passenger vehicle shall be purchased without prior permission of the State Transport Authority/Regional Transport Authority in the form of Letter of Authority (LA) as per clause (b) of this sub rule.
- (b) The Letter of Authority for any transport passenger vehicle for which permit has been earmarked by the State/Regional Transport Authority having due regard to the requirement of the vehicles in any area based on survey of hungry routes and transport demand of the existing routes in their jurisdiction shall be issued by the State Transport Authority/Regional Transport Authority as the case may be.
- (c) The person intending to purchase passenger Transport vehicle shall submit an application along with below mentioned documents:

- i. Permanent Residence Certificate
- ii. Present address proof.

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- iii. Character Certificate issued by any gazetted officer
- iv. Copy of the driving licence of the applicant or driver proposed to be appointed by him.
- v. Declaration in an affidavit with regard to the number of transport vehicles with details owned by the applicant and are registered in his own name.

(d) Where a State/Regional Transport Authority earmarks a permit, in favour of any or all applicant (s), the Member Secretary of the said Authority shall issue a Letter of Authority for purchase of a vehicle subject to payment of requisite fee".

2. At the end of clause (a) of rule 55, the following provisos shall be added:-

"Provided that the vanity number as specified by the Government from time to time shall be allotted against a minimum fee of ₹ 5000/- and where the number of applications received for the same number is two or more, the Registering Authority shall conduct an open auction for such number(s) and issue the number(s) against the highest bid value received;

Provided further that the Registering Authority shall utilize the un-allotted vanity numbers of any series against normal fee only after receipt of no response from the general public after giving wide publicity and prior



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3. After clause (C) of Rule 55, the following Proviso shall be added:-

Provided that the Registration Number Plates in case of Government vehicles shall be in the form as detailed below:-

S. No	Class of Vehicles	Background Color of the Number Plate	Colors of letters and Numerals	No. of Lines	
				Front	Rear
3	VVIP Vehicles of State Motor Garages Meant for State Guests only With State Monogram in the middle of the plate.	Red	White	1 or 2	1 or 2
4	All State Government Vehicles	White	Blue	1 or 2	1 or 2

4. In clause (a) of rule 57, for the letters "JKY and JKZ" the letters "JKY,JKZ,JK01Y and JK02Z" shall be substituted.

5. Rule 58 shall be substituted by the following; namely:-

"58. Road Plant : Nothing contained in chapter IV of the Act shall apply to road rollers, graders and other vehicles designed and used solely for the construction, repair and cleaning of roads except the privately owned vehicles/ road machinery used for commercial purposes."

6. At the end of sub-rule (2) of Rule 60, the following proviso shall be added:-

"Provided that the basic nature of any vehicle shall not be changed/allowed to be changed by such alteration."

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7. In sub-rule (1) of rule 93, between the words, "another vehicle", and "he shall", the words "of the same nature" shall be inserted.
8. In sub-rule (3) of rule 97, after the words "deceased permit holder" the following shall be added:-

"and is in possession of the succession certificate in the form of a decree passed by the competent Court"

9. After sub-rule (5) of rule 108, the following sub-rule shall be added as sub-rule 5A; namely:-

"(5 A): No person under the influence of any intoxicating drug or drink shall travel in the bus."

10. In clause (iii) of sub-rule (1) of rule 110, for the words "smoke" the words "smoke or drink", shall be substituted.

11. In rule 127, the following amendments shall be made; namely:-

(I) Clause (b) of sub-rule (2) shall be substituted by the following:-

"(b) At least 10 motor vehicles in good running condition of the same nature for which the licence is sought shall be owned by the applicant / person/Firm/Company provided that this shall not apply to the existing licence holders"

(II) In Clause (c) of said sub-rule (2) for the figures "1000" the figures "2500" shall be substituted."



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(III) After said clause (c) of sub-rule (2), the following shall be added as clause (d):

"The applicant shall have sufficient space owned /on rent/lease to set up an office of Transport Company with dedicate telephone line.

(IV) In sub-rule (3) for the figures "3250" the figures "5000" shall be substituted."

12. After Rule 127, the following shall be added as rule 127-A; namely:-

"127 -A Maintenance of Reserve vehicles: For maintaining the normal operation of the services provided by the licence holder when any vehicle is provided on special occasions or when it meets any mechanical breakdown, the number of reserve vehicles to be maintained with valid permits for such use shall be as specified in the table below;

<u>No. of permits</u>	<u>Maximum No. that can be maintained</u>
Up to 4	1
5 to 10	2
11 to 20	3
21 to 30	4
31-40	5
Above 41	not less than 10% of the fleet strength."

13. In rule 128, the following amendments shall be made;

i) After the clause (ii) of sub-rule (1), the following clauses shall be added; "

iii) "The licence holder shall be responsible for maintaining the reserve vehicles in accordance with the Rule 127-A.

iv) The licence holder shall ply the vehicles on all the routes as per the time table fixed by the RTA.

v) Every route shall be numbered and each passenger vehicle shall carry Route Board in front of the vehicle.

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- vi) The licence holder shall have to make the strict adherence to the time table so fixed by the RTA.
- vii) The Licence holder shall have to provide a route chart of vehicles for every next 15 days in advance to the concerned Regional Transport Authority along with vehicle Registration numbers and the time table."

II) After clause (g) of sub-rule (3) of Rule 128, the following sub-rules shall be added: "

- (4) The time table fixed by RTA shall be made public and every bus stop shall have the copy of time table along with route chart of vehicles pasted for information of general public;
- (5) Where a complaint has been made by any person against any licence holder the authority shall immediately ascertain the fact and on enquiry if found correct suspend the licence of the licence holder and appoint any person/official to manage the operation of the area as if he is the licence holder for the time being.
- (6) After an opportunity of being heard is provided to the licence holder, the licence may be cancelled or a composition up to ₹5000/ but not less than ₹3000/ shall be recovered for missing service/ unfair trade."

14. At the end of (1) of rule 171, the following proviso shall be added:

"Provided that the notification for the urban areas other than Jammu/Srinagar cities



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shall be issued by the concerned Regional Transport Authority."

15. At the end of clause (iv) of sub rule (1) of rule 223, the following proviso shall be added:-

" Provided that the permit of any passenger vehicle shall remain suspended till the seating arrangement/specification of seats is got corrected in case any vehicle during inspection is found in violation of the specifications provided for seating arrangement.

16. At the end of rule 231, the following proviso shall be added:-

" Provided that where the seats in any passenger vehicle are found not in clean and sanitary condition, the permit of the vehicle, shall be seized and placed under suspension till such time the seat covers are cleaned/ replaced."

17. After rule 274, the following shall be added rule 274-A; namely :-

"274-A: Approval of newly introduced models by vehicle manufacturers: (1) No vehicle shall be sold by any trade certificate holder (authorized dealer) unless the model of the vehicle is introduced into the transport system of the J&K State duly approved by an Empowered Committee to be appointed by the Government. The said committee shall hold regular meetings and proceedings thereof shall be communicated to the Government;

Provided that where any Trade Certificate Holder is found to have sold any vehicle which has not been introduced in the transport system of the State, the registering authority shall suspend the trade certificate of the Certificate holder forthwith and recover a composition fee of ₹1.00 lac per vehicle from the certificate holder and the trade certificate shall remain suspended till the composition fee is deposited.

- (1) The vehicle manufacturer or any authorized person on his behalf shall submit an application



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for each model to the Empowered Committee through Transport Commissioner for seeking introduction of the vehicle/model along with certificate of any testing agency of Government of India ( Like ARAI, ICAT etc) besides approved auto Code/schematic drawings and following fee:-

i)	Two wheelers	₹ 2000/-
ii)	Light Motor Vehicles	₹ 5000/-
iii)	Medium Motor Vehicles	₹ 7000/-
iv)	Heavy Motor Vehicles	₹ 10000/-

Now, therefore, the aforesaid proposed amendments are hereby published as required under sub-section (1) of Section 212, of the Motor Vehicles Act, 1988 for information of all persons likely to be effected.

Any person who desires to object/suggest to the aforesaid proposed amendments may submit his/her objections/suggestions in writing to the Commr/Secretary to Government, Transport Department, Civil Secretariat, Srinagar within a period of one month from the date of issue of this notification.

By order of the Government of Jammu of Kashmir.

Sd/-

Commr/Secretary to Government

Transport Department,

No:- TR-91/MVD/2010

Dated 11-08-2011

Copy to the :-

1. Commr/Secretary to Govt, General Administration Department.
2. Secretary to Govt, Law, Justice & PA Department.