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separate compilation.

PART III

Laws, Regulations and Rules passed thereunder.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT—TRANSPORT DEPARTMENT
J&K, JAMMU

Notification

Jammu, the 5th of December, 2022.

SO-653.—Whereas, draft amendments in the J&K Motor Vehicles Rules, 1991 were published vide notification SO-582 dated 4th of November, 2022 as required under Sub-Section (1) of Section 212 of Motor Vehicles Act, 1988, in the Official Gazette inviting objections an

suggestions for all persons likely to be affected thereby, before the expiry of seven days from the date on which the copy of Official Gazette containing the said notification was made available to the public ; and

Whereas, objections and suggestions received from the public on the said draft amendments in the J&K Motor Vehicles Rules, 1991 were considered by the Government of J&K.

Now, therefore, in exercise of powers conferred by Sections 96, 107, 110, 111 and 213 of the Motor Vehicles Act, 1988 (as amended by Act No. 32 of 2019), the Government of UT of Jammu and Kashmir hereby amends the following rules ; namely :—

1. In rule 41-A,—

a. in clause (a), after the words “as per clause (b) of this rule”, the words and figures “Provided further that no Letter of Authority is required for a vehicle which has been approved for use as a commercial passenger vehicle under Rule 274-A, and in respect of which, an All J&K Contract Carriage Permit is sought”, as proviso, shall be added.

b. After clause (a), the following shall be inserted as clause (aa) ; namely :—

“(aa) Contract Carriage Permit shall be granted to a new vehicle which is compliant with BS-VI or the latest norms laid down by Bharat Stage Emission Standards of the Government of India. However, it shall not be applicable to :—

I. Any Vehicle for which Letter of Authority (LA) has already been issued prior to the date of issuance of this notification.

II. Any vehicle for which All India Tourist Permit has been issued and permit holder applies for its conversion to local permit after a period of twelve years.”

c. Clause (c) shall be substituted by the following ; namely :—

“(c) (1) Any person intending to purchase a Passenger Transport Vehicle, to be operated under the Stage Carriage

Permit, shall submit an application along with below mentioned documents :—

- i. Domicile Certificate ;
- ii. Present address proof ;
- iii. Character Certificate issued by any Gazetted Officer ;
- iv. Copy of the driving license of the applicant or of any person proposed to be engaged as driver by the applicant ;
- v. Declaration in an affidavit with regard to the number of transport vehicles already owned by the applicant registered in the applicant's name/firm/company/cooperative society along with their permit numbers, in case the vehicle(s) is/are already being operated under a permit.

(2) Any person intending to operate passenger transport vehicle to be operated under All J&K Contract Carriage Permit, shall submit an application along with below mentioned documents :—

- i. Domicile Certificate ;
- ii. Registration certificate of the vehicle for which the permit is sought ;
- iii. Present Address proof ;
- iv. Character Certificate to be issued by the concerned Police Station ;
- v. Copy of the driving license of the applicant or of any person proposed to be engaged as driver by the applicant ;
- vi. Declaration in an affidavit with regard to the number of transport vehicles already owned by the applicant registered in the applicant's name/firm/company/cooperative society along with their permit numbers, in case the vehicle(s) is/are already being operated under a permit ;
- vii. Declaration in an affidavit confirming the availability/arrangement of parking space, either public or private for existing fleet as well as for the new vehicle for which the applicant desires to obtain a permit."

d. following proviso shall be added to clause (d) ; namely :—

“Provided that this clause shall not be applicable in case of fresh application made before concerned Regional Transport Authority for acquiring All J&K Contract Carriage Permit.”

2. The following shall be added as proviso first and second to Sub-Rule (3) of Rule 69 ; namely :—

“Provided that the concerned Regional Transport Authority shall issue All J&K Contract Carriage Permit, without countersignature of other Regional Transport Authorities, after satisfying itself of the fulfillment of conditions laid down in Sub-Rule (2) within 30 working days from the date of receipt of application, completed in all respects. In case of rejection of the application, cogent reasons have to be recorded in writing by the concerned Regional Transport Authority :

Provided further that a permit shall be deemed to have been granted in case of failure of the concerned Regional Transport Authority to dispose off the application within the specified time.”

3. In Rule 74,—

i. for the words “Permanent resident”, wherever appearing, the words “Domiciles” with necessary grammatical variations shall be substituted ;

ii. the words “State within the meaning of Constitution of Jammu and Kashmir” shall be omitted.

4. Rule 79 shall be omitted.

5. Rule 80 shall be substituted by the following :—

80. The fees which shall be charged for various purposes under this Chapter shall be as specified in the table below :—

A. Permit fee for five years of validity :

(1) Stage	Fee
Carriages :	
(a) Big buses.	10000/-
(b) Medium buses	7000/-

(c) Mini buses for Urban 5000/-
routes

(d) Mini buses for Rural 3000/-
routes

(II) Contract Carriages :

(a) All J&K Omni Buses 100000/- for Omni buses
(Heavy/Medium). with seating capacity of
more than 12 passengers.

(b) All J&K Tourist Taxi/ All J&K Tourist Taxi/
Maxi cabs Maxi Cabs 150000/-

(c) Taxi/Maxi Cabs Taxi/Maxi Cabs 150000/-

(d) Luxury (AC) Omni Buses Rs. 200000/- for Omni
buses with seating
capacity of more than
12 passengers.

(e) Three-Wheelers
(Auto Rickshaws) :

(i) City routes. 25000/-

(ii) Rural routes. 5000/-

(III) Goods Carriages :

(a) Goods Carriages 10000/-
including goods
carriages (Trade
and Business)

(b) Goods Carriages 10000/-
for National
Permits

(IV) Private service vehicle :

(a) Private Service 50000/-
Vehicles

(b) School buses 10000/-

(B) Fee for altering route :

Stage Carriages

1. Stage carriage 1500/-
(Big buses)
Medium Passenger

2. Buses :

- (i) Rural routes 1750/-
- (ii) Urban routes 3000/-

Stage Carriages

Mini Buses :

- (i) Rural routes 500/-
- (ii) Urban routes. 750/-

- (c) Goods Carriages 500/-
(Trade and
Business)

(C) Fee for temporary permits :

- (i) For light transport Rs. 50/- per day
vehicles (Goods/
Passenger)

- (ii) For medium transport Rs. 50/- per day
vehicles (Goods/
Passenger)

- (iii) For heavy transport Rs. 100/- per day
vehicles (Goods/
Passenger)

(D) Fee for countersignature of permits :

- (i) For light transport On substantive basis=1/2
vehicles (Goods/ of the amount
Passenger) prescribed for grant of
fresh permit.

- (ii) For medium transport On temporary basis=
vehicles (Goods/ Rs. 20/- per day or
Passenger) Rs. 100/- per week

- (iii) For heavy transport Vehicles (Goods/ Passenger) or Rs. 250/- per month or part thereof up to a maximum of four months.
- (iv) For Taxi/Maxi Cab holding national permit and after completion of twelve years to be converted into local permits. Rs.150000/-
- (v) For buses holding national permits and after completion of twelve years to be converted into local permits. Rs. 200000/-

(E) Renewal of permits for five years :

- (i) Heavy and Medium transport Vehicles 2025/-
- (ii) Light Motor Vehicles 1025/-

(F) Fee for replacement of permits :

- (i) Light Transport Vehicles 500/-
- (ii) Heavy Goods Vehicles 800/- and others

(G) Additional fee for belated applications for renewal of permits :

In respect of belated applications for renewal of all categories of permits additional fee chargeable shall be as under :—

- (i) Rs. 10/- per day for 45 days ; and
- (ii) Rs. 20/- for each subsequent day :

Provided that the concerned State Transport Authority or Regional Transport Authority, as the case may be, has

condoned the delay in making the application for renewal of a permit after the last date specified for the same.

[(11) (a) The Consolidated fee in respect of Goods Carriages having National Permits granted by different States/Union Territories for purpose of plying in the UT of Jammu and Kashmir shall be Rs. 16,500/- per annum ;

(b) The Consolidated fee as aforesaid shall be collected on yearly basis. In case of failure to deposit the fee within the said period, an additional amount of Rs. 100/- per month or part thereof shall also be recoverable as penalty in addition to the fee ; and

(c) The Consolidated fee in respect of goods carriages which have National Permits granted by the State Transport Authority, (Jammu and Kashmir) for purpose of plying in any State and Union Territory other than UT of Jammu and Kashmir shall be collected by the State Transport Authority (Jammu and Kashmir) at the rate of Rs. 16,500/- per annum and shall also collect Rs. 1,000/- as authorization fee towards the UT of Jammu and Kashmir.]

Note :—The fee notified above shall be subject to the changes as notified by MoRTH from time to time and will be collected on Vahan Portal.

- I. The Government may at any time, fully waive off /partially reduce the permit fee, in any case.
6. In rule 83, after Sub-Rule (4), the following shall be added as Sub-Rule (5) ; namely :—

“(5) An All J&K contract carriage vehicle shall have a yellow strip of 10 centimeter width running laterally along its entire length in the middle on the exterior of the body of the vehicle painted on both sides. In the middle of yellow strip, on both the sides, “All J&K Contract Carriage” shall be written in black letters in a clearly visible and rectilinear manner.”

7. In Rule 274-A, in Sub-Rule (1) the words, sign and figures "and Form 22" and in Sub-Rule (2) (b) the words, sign and figures "along with Form 22" shall be omitted.

By order of the Government of Jammu and Kashmir.

(Sd.) G. PRASANNA RAMASWAMY, IAS,

Secretary to the Government.