

Government of Jammu and Kashmir,
Transport Department,
Civil Secretariat, Jammu / Kashmir

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Notification

Jammu, the 27th February, 2018

SRO 108 :-whereas, vide notification 501 of 2017 dated 12-12-2017, objections/suggestions were invited from the general public regarding the amendment in sub-rule (1) of rule 5 and sub-rule (1) of rule 44 of Jammu and Kashmir Motor vehicles rules, 1991.

Whereas, no objection/suggestions were received in this behalf within the prescribed time;

Now, therefore In exercise of the powers conferred by section 213 of the Motor Vehicles Act, 1988 (Central Act No. 59 of 1988), the Government of Jammu and Kashmir hereby intends to make the following amendments in the Jammu and Kashmir Motor Vehicles Rules, 1991; namely:-

1. Sub- rule (1) of rule 5 shall be substituted by the following:-

"(i) The test of competence to drive as prescribed by the Central Government shall be conducted by not less than two members (Assistant Regional Transport Officer concerned and one Motor Vehicle Inspector) nominated by the Transport Commissioner J&K."

Provided that it shall be competent for the licensing authority to have more than one test of competence to drive.

2. sub rule (1) of rule 44 shall be substituted by the following:-

"(1) Certificate of fitness shall be issued or renewed by a Board of Inspection with jurisdiction as may be determined by the Transport Commissioner or an authorized testing station specified by the Registering authority under sub- section (2) of section 56 of the Act.

The Board of Inspection shall consist of.

- (i) The Assistant Regional Transport Officer concerned.
- (ii) One Motor Vehicle Inspector who shall be technically qualified.

Provided that the Board of Inspection for District Srinagar/Jammu shall consist of one additional Motor Vehicle Inspector.

In the event of difference of opinion between the members of the Board of Inspection regarding fitness of the vehicle, it shall be deemed that the vehicle is not fit and an order shall be made in the name

of the Board of Inspection refusing to grant or renew the certificate of fitness or cancelling the certificate of fitness:

Provided further that inspection for fitness of public service vehicle plying on hilly roads of Jammu and Kashmir and of those public service vehicle whose age is more than 15 years from the date of the manufacture shall be carried out twice in a year (half yearly).

Provided also that no inspection for fitness shall be carried outside the state."

By order of the Government of Jammu and Kashmir.


Sd/-
(M. Raju) IAS
Secretary to Government
Transport Department

Dated: 27 - 02 - 2018

No:TR-145/MVD/2017

Copy to the:

1. Joint Secretary, Ministry of Road, Transport and Highways, Government of India, New Delhi.
2. All Financial Commissioners.
3. Principal Secretary to Hon'ble Governor, J&K State.
4. Principal Secretary to Hon'ble Chief Minister, J&K State.
5. All Principal Secretaries to Government.
6. Resident Commissioner, J&K New Delhi.
7. All Commissioners / Secretaries to Government.
8. Transport Commissioner, J&K Jammu.
9. All Deputy Commissioners.
10. Director Information, J&K Jammu with the request to kindly publish the notification in the two leading newspapers of the Jammu/Kashmir Divisions.
11. Director, State Motor Garages Department, Jammu.
12. Regional Transport Officer, Jammu / Kashmir / Kathua.
13. Special Assistant to Hon'ble Minister of State (Independent Charge) for transport.
14. General Manager Government Press Jammu with the request to kindly publish the notification in the extraordinary issue of the Government gazette.
15. Assistant Regional Transport Officer _____
16. Pvt. Secretary to Secretary to Government, Transport Department.
17. Stock file /Incharge website.


(R.S. Charak) KAS
Deputy Secretary to Government
Transport Department