

**Government of Jammu & Kashmir,
Transport Department,
Civil Secretariat, Jammu.**

Subject:- Jammu and Kashmir Road Accident Victim Fund Rules, 2019.

Reference:- SAC Decision No. 161/17/2019 dated 03.07.2019.

Government Order No: - 02- JK(TR) of 2020

Dated: - 08-01-2020

Sanction is accorded to creation of Road Accident Victim Fund and issuance of Jammu and Kashmir Road Accident Victims Fund Rules, 2019 for regulating the Fund, forming annexure to this order.

By order of the Lieutenant Governor.

Sd/-

Dr. Asgar Hassan Samoon, IAS
Principal Secretary to Government
Transport Department

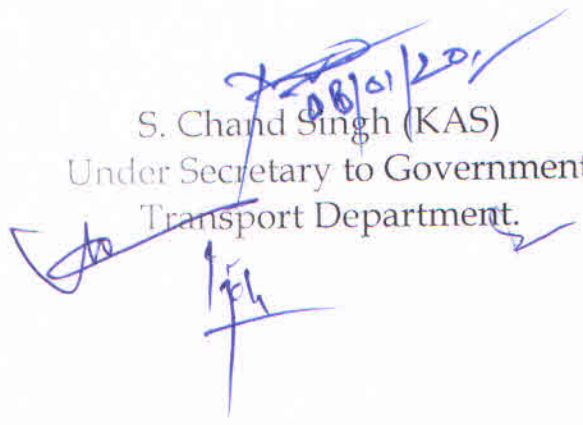
Dated:- 02 -01-2020

No:-TR-41/MVD/2007-1

Copy to the:-

1. All Financial Commissioners.
2. Director General of Police, J&K.
3. All Principal Secretaries to Government.
4. Principal Secretary to Lieutenant Governor.
5. Principal Resident Commissioner, J&K Government, New Delhi.
6. All Commissioner/Secretaries to Government.
7. Joint Secretary (J&K), Ministry of Home Affairs, Government of India.
8. Divisional Commissioner, Jammu/Kashmir.
9. Chairperson, J&K Special Tribunal.
10. Transport Commissioner, J&K
11. Director Information, J&K.

12. All Deputy Commissioners.
13. All Head of Departments/Managing
14. Directors/Secretary, Advisory Boards.
15. Secretary, J&K PSC/Vigilance Commission/Backward Classes Commission/SSB/BOPEE.
16. OSD to Advisor (S)/(F) to the Lieutenant Governor.
17. General Manager, Government Press, Srinagar/Jammu.
18. Private Secretary to Chief Secretary.
19. Private Secretary to Principal Secretary to Government, Transport Department.
20. Government Order file/Stock file/website.


S. Chand Singh (KAS)
Under Secretary to Government
Transport Department.

Annexure to Government Order No. 02-JK (TR) of 2020 dated 08.01.2020

Short title and commencement

- 1) These rules may be called the Jammu and Kashmir Road Accident Victims Fund Rules, 2019.
- 2) These shall come into force with immediate effect.
- 3) **Objectives of the fund:** - The objective of the fund is to introduce a welfare scheme so as to provide immediate succor to the dependents/ kith and kins/ legal heirs of the persons killed/ injured in road accidents of passenger cum private vehicles including the vehicles owned by Government/Corporation/Public Sector Undertaking, etc.
- 4) **"Motor vehicle" or "Vehicle"** means any mechanically propelled vehicle adapted for use upon roads whether the power of propulsion is transmitted thereto from an external or internal source and includes a chassis to which a body has not been attached and a trailer; but does not include a vehicle running upon fixed rails or a vehicle of a special type adapted for use only in a factory or in any other enclosed premises or a vehicle having less than four wheels fitted with engine capacity of not exceeding twenty-five cubic centimeters.
- 5) **Dependents:-** Means the Father, Mother, spouse, children, adopted son/daughter, Un-married sister, widowed sister, etc in chronology as defined in Jammu and Kashmir Civil Service Regulations, 1956 for grant of family pension.
- 6) **Road Accident Victim Welfare Fund:** 0.5 percent of the cost of vehicle would be charged towards this fund as a onetime contribution at the time of registration of vehicle.
- 7) **Procedure for making contribution/Corpus Fund.**
 - i. Corpus fund with a minimum balance of Rs. 1 Crore (Rs. One crore) only shall be created in the Transport Department.
 - ii. Finance Department shall provide funds for the purpose.
 - iii. Funds shall be created under Major Head:8235-General & Other Reserve Fund, Minor Head:200-Other Funds & Sub Head:2309-Passenger Welfare Fund.
- 8) **Utilization of Fund:** Funds will be specially used for payment of ex-gratia relief to the victims of road accidents in Union Territory of Jammu and Kashmir.

9) **Power to grant the relief:** The committee for sanction of the relief shall be as under:-

- | | |
|---|---|
| i. Administrative Secretary Transport | Chairman |
| ii. Transport Commissioner | Member |
| iii. Representative of Finance Department
(not below the rank of Additional Secretary) | Member |
| iv. Additional Secretary (Technical) | Member Secretary
(Road safety Council) |

The committee shall meet immediately after occurrence of accident.

10) **Payment of relief to the dependents:** The following amount shall be payable to the dependants:-

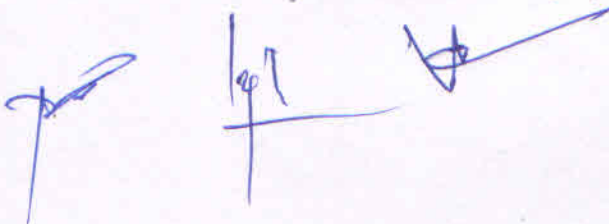
- Rupees One Lac in case of Death.
- Rupees Seventy five thousand in case of permanent disability.
- Rupees Fifty thousand in case of grievous Injuries.
- Rupees Ten thousand for minor injury.

11) **Miscellaneous:-**

- The relief sanctioned by the appropriate authority shall be in addition to any other relief, if any, to be sanctioned by the Government or by any other authority under any law for the time being in force;
- These rules shall be applicable to Hit and Run cases also.
- In addition to the passenger victims, these rules shall be applicable to road users/pedestrians also.

12) **Procedure for Payment of Relief:-**

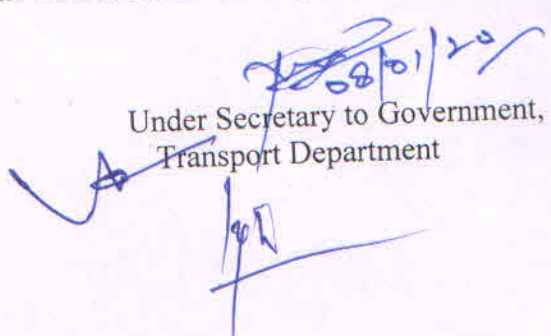
- Transport Commissioner shall compile the list of Road accident Victims received from Deputy Commissioner of the concerned district comprising of the information of Road accident Victim alongwith details of medical report.
- NoKs of the victim with residential proof and bank account details shall be placed before the committee for accord of sanction and further disbursement. The committee shall after proper verification, sanction the amount of ex-gratia/relief to the legal heirs of deceased Road Accident Victim, and persons with permanent disability, serious injury, Minor injury as the case may be.



- c. In case of beneficiaries being domicile of any district other than the district where accident occurs, a proper verification of legal heirs of deceased shall be done by Deputy Commissioner of that District and thereafter on the recommendation of Deputy Commissioner concerned, ex-gratia amount shall be paid.
- d. In case a beneficiary is a non-resident of Union Territory of Jammu and Kashmir, the amount shall be paid only after proper verification report received from District Magistrate of the concerned district of that State/UT of which the beneficiary is a domicile.

13) **Payment of relief:**

The relief as sanctioned by the Committee shall be taken up with Finance Department who in turn shall authorize the Department to make the payments. Director Finance/FA&CAO Transport Department shall release the payment to the dependants, kiths and kins/ legal heirs of the deceased or injured person, as the case may be, through DBT mode.


Under Secretary to Government,
Transport Department