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as a 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 4th of November, 2022.

S.O. 582.—In exercise of powers conferred by Section 96, 107, 110, 111, 212 and 213 of the Motor Vehicles Act, 1988 (59 of 1988), the Government of Jammu and Kashmir hereby proposes to make the following amendments in the Jammu and Kashmir Motor Vehicles Rules, 1991 which are published for the information of all persons likely to be affected thereby ; and

Notice is hereby given that the said draft of proposed amendments to the rules shall be finalized after the expiry of a period of six weeks from the date on which the copies of the Official Gazette in which this notification is published are made available to the public.

Objections and suggestions, if any, may be addressed to Administrative Secretary, Transport Department, Room No. 41, Civil Secretariat, Jammu or by e-mail at secretarytransportdepartment@gmail.com.

The objections and suggestions which may be received from any person before the expiry of the period specified above shall only be considered.

(1) In Rule 41-A—

(a) in clause (a), after the words “as per clause (b) of this rule”, the words and figures “except any vehicle which has been approved for use as a commercial passenger vehicle under Rule 274-A, for which All J&K Contract Carriage Permit is sought” 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 :—

Permit fee for 1st year of validity :		
(I) Stage Carriages :		Fees in Rupees
	(a) Big buses	10000/-
	(b) Medium buses	7000/-
	(c) Mini buses for Urban routes	5000/-
	(d) Mini buses for Rural routes	3000/-

(II) Contract Carriages :		
	(a) All India Omni Buses (Heavy/Medium).	100000/- for Omni buses with seating capacity of more than 12 passengers.
	(b) All India Tourist Taxi Cabs.	All India Tourist Taxi/Maxi cabs 150000/-
	(c) Taxi Cabs.	Taxi/Maxi cabs 150000/-
	(d) Luxury (AC) Omni Buses	Rs. 200000/- for Omni buses with seating capacity of more than 12 passengers.
(d) Three-Wheelers (Auto Rickshaws) :		
	(i) City routes.	25000/-
	(ii) Rural routes.	5000/-
(III) Goods Carriages:		
	(a) Goods Carriages including goods carriages (Trade and Business)	10000/-
	(b) Goods Carriages for National Permits	10000/-
(IV) Private service vehicle :		
	(a) Private Service Vehicles	50000/-
	(b) School buses	10000/-
(B) Fee for altering route :		
	Stage Carriages	
	1. Stage carriage (Big buses) Medium Passenger.	1500/-
	2. Buses :	
	(i) Rural routes	1750/-
	(ii) Urban routes	3000/-

	Stage Carriages Mini Buses : (i) Rural routes (ii) Urban routes	500/- 750/-
	(c) Goods Carriages (Trade & Business)	500/-
(C) Fee for temporary permits :		
	(i) For light transport vehicles (Goods/Passenger)	Rs 50/- per day
	(ii) For medium transport vehicles (Goods/Passenger)	Rs 50/- per day
	(iii) For heavy transport vehicles (Goods/Passenger)	Rs 100/- per day
(D) Fee for countersignature of permits :		
	(i) For light transport vehicles (Goods/Passenger)	On substantive basis = 1/2 of the amount prescribed for grant of fresh permit.
	(ii) For medium transport vehicles(Goods/Passenger) (iii) For heavy transport vehicles (Goods/Passenger)	On temporary basis = Rs. 20/- per day or Rs. 100/- per week 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 nine years to be converted into local permits].	For Taxi/Maxi Cab holding national permit and after completion of twelve years to be converted into local permits with a fees of Rs. 150000/-

	(v) For buses holding national permits and after completion of nine years to be converted into local permits	For buses holding national permits and after completion of twelve years to be converted into local permits with a fees of Rs.200000/-
(E) Renewal of permits :		
	(i) Heavy and Medium transport Vehicles	1000/-
	(ii) Light Motor Vehicles	750/-
(F) Fee for replacement of permits :		
	(i) Light Transport Vehicles	500/-
	(ii) Heavy Goods Vehicles and others	800/-
(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.		
Subject to the maximum amount of fee prescribed for grant of fresh permit for such vehicles.		Subject to the maximum fee to the amount of Rs.35000/-
[(H) (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. 15,000/- per annum ; and		
(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. 15,000/- per annum and shall also collect Rs. 1,000/- as authorization fee towards the UT of Jammu and Kashmir.]

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) All J&K Contract carriage vehicles 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 (2), A 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.