



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

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Notification

Jammu, the 25th February, 2019

SRO 127.-In exercise of the powers conferred by section 176 of the Motor Vehicles Act, 1988 (Central Act No. 59 of 1988), the Government of Jammu and Kashmir hereby direct that after rule 310 of the Jammu and Kashmir Motor Vehicle Rules, 1991, the following shall be inserted as rule 310-A; namely

"310-A Prohibition against release of Motor Vehicle involved in accidents.-(1)No court shall release a motor vehicle involved in an accident resulting in death or bodily injury or damage to property, when such vehicle is not covered by the policy of insurance against third party risks taken in the name of registered owner or when the registered owner fails to furnish copy of such insurance policy despite demand by investigating police officer, unless and until the registered owner furnishes sufficient security to the satisfaction of the court to pay compensation that may be awarded in a claim case arising out of such accident.

(2)Where the motor vehicle is not covered by a policy of insurance against third party risks, or when registered owner of the motor vehicle fails to furnish copy of such policy in circumstance mentioned in sub-rule (1), the motor vehicle shall be sold off in public auction by the magistrate having jurisdiction over the area where accident occurred, on expiry of three months of the vehicle being taken in possession by the investigating police officer, and proceeds thereof shall be deposited with the claims tribunal having jurisdiction over the area in question, within fifteen days for purpose of satisfying the compensation that may have

been awarded, or may be awarded in a claim case arising out of such accidents."

By order of the Government of Jammu and Kashmir.

Sd.

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

No: TR- 10A /MVD/Legal/2018

Dated: 25-02-2019

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. All Principal Secretaries to Government.
5. Resident Commissioner, J&K New Delhi.
6. All Commissioners / Secretaries to the Government.
7. Transport Commissioner, J&K, Srinagar.
8. All Deputy Commissioners.
9. Director Information, J&K Srinagar with the request to kindly publish the notification in the two leading newspapers of the Jammu/Kashmir Divisions.
10. Director, State Motor Garages Department, Srinagar.
11. Regional Transport Officer, Jammu / Kashmir / Kathua.
12. General Manager Government Press Srinagar, with the request to kindly publish the notification in the extraordinary issue of the Government Gazette.
13. Assistant Regional Transport Officer _____
14. Pvt. Secretary to Principal Secretary to Government, Transport Department.
15. Stock file /Incharge website.

(Raj Mohammad Malik)KAS
Deputy Secretary to the Government
Transport Department