

Government of Jammu and Kashmir,
Transport Department, Civil Secretariat,
J&K, Jammu.

NOTIFICATION

Jammu, the ^{29th} August, 2023.

S.O. 453 .- Whereas vide notification S.O 348 dated 04th of July, 2023, the draft Jammu and Kashmir Motor Vehicle Aggregator Rules, 2023, were published as required in terms of sub-section (1) of section 212 of the Motor Vehicles Act, 1988 (59 of 1988), for inviting objections and suggestions from all the persons likely to be affected thereby, before expiry of the period of thirty days from the date on which the copies of the Official Gazette containing the said notification were made available to the public;

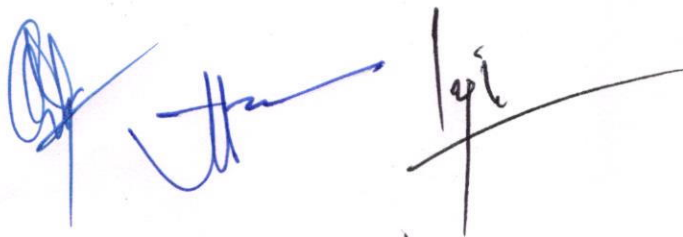
And whereas, copies of the said notification were made available to the public on 04th of July, 2023;

And whereas, the objections or suggestions received from the public/stakeholders in respect of the said draft rules have been considered by the Government of Jammu and Kashmir;

Now, therefore, in exercise of power conferred by section 93 of the Motor Vehicles Act, 1988 (59 of 1988) read with Motor Vehicle Aggregator Guidelines, 2020 issued vide notification no S.O. 4251(E) dated 26th November, 2020 by the Ministry of Road, Transport & Highways, Government of India, the Government of Jammu and Kashmir hereby make the following rules, namely:-

1. Short title, extent and commencement.--

- (1) These rules may be called the Jammu and Kashmir Motor Vehicle Aggregator Rules, 2023.
- (2) They shall be applicable to aggregators operating in the Union territory of Jammu and Kashmir.
- (3) They shall come into force from the date of publication in the Official Gazette.



2. Definitions :-

- (1) **"Aggregator"**, as defined in section 1A of the Act, refers to a digital intermediary or market place for a passenger to connect with a driver for the purpose of transportation;
- (2) **"Act"**, means the Motor Vehicles Act, 1988, including the amendments made subsequently;
- (3) **"App"** means an electronic interface operated by the aggregator or any third party on behalf of the Aggregator, which may be accessed either through a computer resource or a communication device;
- (4) **"Area of operation"** the Area of operation of a vehicle operating under these rules shall be the area / route for which the permit has been granted to it;
- (5) **"CMVR"** means The Central Motor Vehicles Rules, 1989, including the amendments made subsequently;
- (6) **"Computer resource"** shall have the meaning ascribed to it under the Information Technology Act, 2000, as amended subsequently;
- (7) **"Communication device"** shall have the meaning ascribed to it under the Information Technology Act 2000, as amended subsequently;
- (8) **"CERT-IN"** means Computer Emergency Response Team as provided in the Information Technology (Amendment) Act, 2008, wherein it has been designated to serve as the National Agency in the area of cyber security;
- (9) **"Fare"** means the total charges debited by the Aggregator to the Rider pursuant to the latter booking a ride through the Aggregator's App and completion of such ride;
- (10) **"Fee"** means the charges in respect of a license as prescribed under Rule 22 of these Rules;
- (11) **"Form"** means the form appended to these Rules;
- (12) **"Government"** means the Government of Jammu and Kashmir;
- (13) **"Licence"** means the licence issued to an Aggregator by the Licensing Authority;
- (14) **"Licensee"** means an Aggregator who holds Licence issued by the Licensing Authority notified by the Government;
- (15) **"Licensing Authority"** means the Transport Commissioner, J&K as defined in Jammu and Kashmir Motor Vehicle Rules, 1991;
- (16) **"On- Boarding"** means the integration of a Vehicle and Driver with the Aggregator and operating such Vehicle with the Aggregator;

