

NOTIFICATION

Jammu, the 5th of December, 2022.

S.O. 653 :- Whereas draft amendments in the J&K Motor Vehicles Rules, 1991 were published vide notification S.O 582 dated 4th of November, 2022 as required under sub section (1) of section 212 of Motor Vehicles Act, 1988, in the Official Gazette inviting objections and suggestions for all persons likely to be affected thereby, before the expiry of seven days from the date on which the copy of Official Gazette containing the said notification was made available to the public; and

Whereas objections and suggestions received from the public on the said draft amendments in the J&K Motor Vehicles Rules, 1991 were considered by the Government of J&K;

Now, therefore, in exercise of powers conferred by Section 96, 107, 110, 111 and 213 of the Motor Vehicles Act, 1988 (As Amended by Act No. 32 of 2019), the Government of UT of Jammu and Kashmir hereby amends the following rules; namely:-

1. In rule 41-A;
 - a. in clause (a), after the words "as per clause (b) of this rule", the words and figures "Provided further that no Letter of Authority is required for a vehicle which has been approved for use as a commercial passenger vehicle under Rule 274-A, and in respect of which, an All J&K Contract Carriage Permit is sought", as proviso, 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."

...e substituted by the following; namely:-

...person intending to purchase a Passenger Transport Vehicle, operated under the Stage Carriage Permit, shall submit an application along with below mentioned documents:-

- Domicile Certificate;
- Present address proof;
- Character Certificate issued by any Gazetted officer;
- 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

of conditions laid down in sub rule (2) within 30 days from the date of receipt of application, completed in respects. In case of rejection of the application, cogent reasons 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:

| A. Permit fee for five years of validity: | |
|---|---|
| (I) Stage Carriages: | Fee |
| (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 J&K Omni Buses (Heavy/ Medium). | 100000/- for Omni buses with seating capacity of more than 12 passengers. |
| (b) All J&K Tourist Taxi/Maxi Cabs. | All J&K Tourist Taxi/ Maxi cabs 150000/- |
| (c) Taxi/Maxi Cabs. | Taxi / Maxi cabs 150000/- |
| (d) Luxury (AC) Omni Buses | Rs. 200000/- for Omni buses with seating capacity of more than 12 passengers. |
| (e) Three-Wheelers (Auto Rickshaws): | |
| (i) City routes. | 25000/- |
| (ii) Rural routes. | 5000/- |
| (III) Goods Carriages: | |

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|--|---|--|
| | Goods Carriages including goods carriages (Trade and Business) | 10000/- |
| | (b) Goods Carriages for National Permits | 10000/- |
| 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 2. Buses: (i) Rural routes (ii) Urban routes | 1500/- 1750/- 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) | 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. |
| | (iii) For heavy transport vehicles (Goods/Passenger) | |
| | (iv) For Taxi / Maxi Cab holding national permit and after completion of twelve years to be converted into local permits. | Rs.150000/- |
| | (v) For buses holding | Rs.200000/- |

national permits and after completion of twelve years to be converted into local permits.

Renewal of permits for five years:

(i) Heavy and Medium transport Vehicles 2025/-

(ii) Light Motor Vehicles 1025/-

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.

Provided that the concerned State Transport Authority or Regional Transport Authority, as the case may be, has condoned the delay in making the application for renewal of a permit after the last date specified for the same.

[(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. 16,500/- per annum;

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. 16,500/- per annum and shall also collect Rs. 1,000/- as authorization fee towards the UT of Jammu and Kashmir.]

Note: The fee notified above shall be subject to the changes as notified by MoRTH from time to time and will be collected on Vahan Portal.

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) An All J&K Contract carriage vehicle 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

"All J&K Contract Carriage" shall be written in black
a clearly visible and rectilinear manner."

4-A, In Sub-Rule (1) the words, sign and figures "and Form22" and
Rule (2) (b) the words, sign and figures "along with Form 22" shall be

By order of the Government of Jammu and Kashmir.

Sd/=

(G. Prasanna Ramaswamy), IAS
Secretary to the Government.

No :- TRPT-MVD0N/59/2022-02-TPT

Dated: 05.12.2022

Copy to the:-

1. All Financial Commissioners (Additional Chief Secretaries).
2. All Administrative Secretaries.
3. Joint Secretary (J&K), Ministry of Home Affairs, Government of India.
4. Joint Secretary, Department of Road, Transport and Highways, Government of India.
5. Divisional Commissioner, Jammu/Kashmir.
6. Transport Commissioner, J&K Jammu.
7. All Deputy Commissioners.
8. Managing Director, JKRTC, Jammu.
9. Director, State Motor Garages, J&K.
10. OSD to Advisor (B) to Hon'ble Governor.
11. Pvt. Secretary to Chief Secretary.
12. Private Secretary to Secretary to the Government, Transport Department.
13. Government Press, Jammu for publication in extra ordinary issue of Government Gazette.
14. In-Charge Website.
15. S.O file.

05/12/22

(Nighat Parveen)

Under Secretary to the Government.