



**THE
JAMMU & KASHMIR GOVERNMENT GAZETTE**

Vol. 131] Srinagar, Mon., the 27th Aug., 2018/5th Bhad., 1940. [No. 21-c

Separate paging is given to this part in order that it may be filed as a
separate compilation.

PART III

Laws, Regulations and Rules passed thereunder.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT—TRANSPORT DEPARTMENT

Notification

Srinagar, the 27th August, 2018.

SRO-360.—In exercise of the powers conferred by section 176 read with section 212 of the Motor Vehicles Act, 1988 (Central Act No. 59 of 1988), the Government of Jammu and Kashmir hereby adds rule 310A after Rule 310 of the J&K Motor Vehicles Rules, 1991, 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.”

Any person who desires to object to the aforesaid proposal/amendment may submit his/her objections in writing to the Secretary to Government, Transport Department in Civil Secretariat in a period of six weeks from the date of publication of this notification. Any objection/suggestion received after the expiry of the said period shall not be entertained.

By order of the Government of Jammu and Kashmir.

(Sd.) DR. ASGAR HASSAN SAMOON, IAS,

Principal Secretary to Government,
Transport Department.