

Jammu and Kashmir Road Safety Fund Rules, 2018

JAMMU & KASHMIR

India

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Rule JAMMU-AND-KASHMIR-ROAD-SAFETY-FUND-RULES-2018 of 2018

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Jammu and Kashmir Road Safety Fund Rules, 2018Published vide Notification No. SRO-441, Srinagar, dated 28th September, 2018SRO-441. - In exercise of powers conferred by sections 10, 11 and 12 of Jammu and Kashmir State Road Safety Council Act, 2018 read with section 138 of Motor Vehicles Act, 1988 (Central Act 59 of 1988), the Governor is pleased to make following rules to operationalize Jammu and Kashmir Road Safety Fund, namely :-

1. Short title and commencement.

(1)These rules may be called the Jammu and Kashmir Road Safety Fund Rules, 2018.(2)These rules shall come into force from the date of their publication in the Government Gazette.

2. Definitions.

- In these rules, unless the context otherwise requires,-(a)"Act" means the Jammu and Kashmir State Road Safety Council, Act, 2018 ;(b)"Committee" means the Committee constituted under the rules for proper management of the Fund ;(c)"Council" means the Jammu and Kashmir State Road Safety Council ;(d)"Compounding fee" means fee collected by the officers authorized under Section 200 of the Motor Vehicles Act, 1988 ;(e)"Enforcement agencies" mean, officers of Transport, Traffic, Police and other Departments authorized to exercise the powers of challan under Motor Vehicles Act, 1988 and Jammu and Kashmir Motor Vehicles Rules,1989 ;(f)"Financial year" means a period of twelve months commencing on the first day of April of a calendar year ;(g)"Fund" means the Jammu and Kashmir Road Safety Fund ;(h)"Scheme" means scheme implemented to achieve the objectives of the Fund ;(i)"State" means the State of Jammu and Kashmir ;(j)"State Government" means Government of Jammu and Kashmir in the Administrative Department.

3. Budget Head of Fund and its objective.

- The expenditure shall be made for the activities strictly as defined under section 12 of the Jammu and Kashmir State Road Safety Financial Act, 2018.

4. Accounting, classification-maintenance of Fund and audit.

(1)The Grant-in-Aid (GiA) shall be released annually by the Finance Department under Public Deposit Account for which necessary classification shall be provided by the Finance Department. The expenditure shall be debited to the Deposit Head of the account so created.(2)The Deposit Account shall be maintained by the Director, Finance, FA&CAO as the case may be and all the agencies making expenditure as per the provision of these rules shall render account to the Director, Finance, FACA of the Transport Department.(3)Accounts shall be reconciled periodically with the records at Office of Accountant General (Accounts and Entitlements), Jammu and Kashmir. Before closure of Annual Accounts, orders related to reconciliation/adjustments shall be made available to the Accountant General (Accounts and Entitlements), Jammu and Kashmir, simultaneously.(4)Funds unutilized at closure of financial year shall not lapse, and shall be provided during next financial year in addition to yearly contribution as mentioned in rule 6 of these rules.(5)Accounts shall be audited by the Accountant General (Audit), Jammu and Kashmir.

5. Transfer of Fund.

- The money shall be transferred out of this Fund to concerned Head of the Department/Drawing and Disbursing Officer concerned as per Schemes sanctioned by the Committee. The executing agencies shall spend the money as per these rules and submit utilization certificate of released funds to the Member-Secretary on quarterly basis every year.

6. Sources of Fund.

- The sources of fund shall be same as defined under section 10 of the Jammu and Kashmir State Road Safety Act, 2018 the non-lapsable Road Safety Fund shall comprise of -(a)Grant-in-Aid (GiA) from the State Government shall comprise of 50% receipts collected by Motor Vehicles Department and Traffic Police through compounding of traffic rule violations during previous financial year ;(b)Grants/Loans/Advances from Central Government ;(c)Contribution from public/private institutions or voluntary organization ;(d)Special cess collected from all types of motor vehicles.

7. Fund Management Committee.

- The State Government shall constitute a Committee for Management of the Fund, consisting of-

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| 1. Administrative Secretary, Finance Department,J&K | Chairman |
| 2. Administrative Secretary, TransportDepartment, J&K | Member |
| | Member |

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| 3. Administrative Secretary to Government, Home Department (representative not below the rank of Special Secretary) | |
| 4. Administrative Secretary to Government, School Education Department (representative not below the rank of Special Secretary) | Member |
| 5. Administrative Secretary to Government, PW(R&B) Department (representative not below the rank of Special Secretary) | Member |
| 6. Administrative Secretary to Government, Health and Medical Education Department (representative not below the rank of Special Secretary) | Member |
| 7. Administrative Secretary to Government, Housing and Urban Development Department (representative not below the rank of Special Secretary) | Member |
| 8. Administrative Secretary to Government, Planning Development and Monitoring Department (representative not below the rank of Special Secretary) | Member |
| 9. Inspector General of Police, Traffic | Member |
| 10. Transport Commissioner, J&K | Member-Secretary |

All members of the Committee shall be ex-officio members. Quorum of the Committee shall be six members.

8. Powers of Committee.

- Delegation of Financial Powers of the Committee shall be defined by the Council from time to time.

9. Conditions for the Schemes to be financed from the Fund.

- Terms and conditions for schemes to be financed from the Fund shall be as below :- (a) Selection of schemes shall be made by Management Committee of the Fund under norms as may be determined from time to time by the State Government ; (b) Schemes/Plans shall be completed within stipulated time lines ; (c) Payment of salaries to officers/officials substantively posted in the Lead Agency and establishment/office expenditure of Lead Agency shall be made from the Fund with approval of Management Committee of the Fund ; (d) No amount from this Fund shall be invested for giving loans for earning interest ; (e) The amount sanctioned from the Fund shall be utilized only for the purpose for which it is sanctioned. (f) Work permissible under these rules can be done in entire Jammu and Kashmir State.

10. Duties of the Committee.

(1) The Committee shall meet once in every quarter of the financial year. (2) The Committee shall review physical and financial progress of sanctioned schemes. (3) The Committee shall ensure maintenance of accounts in accordance with rules. (4) All proposals and Action Plan shall be placed before the State Road Safety Council for information of the Council.

11. Schemes to be financed.

- Schemes to be financed from the Fund shall be as below :-(a)Road safety measures : i. to install and maintain mandatory/regulatory, cautionary and informative road signboards, traffic signals and signages as per immediate local needs, in the interest of public safety, wherever it is not possible for other Departments to install/ maintain them ;ii. to set up "Road Accident Data Base Management System" for gathering data related to road accidents and for analysis of road accidents data to frame policies to reduce road accidents and to take corrective/reformatory measures ;iii. to identify accident prone places/black spots ;iv. to purchase and maintain ambulances, other accessories, salaries of driver, paramedic staff and expenditure on fuel of ambulances utilized to provide immediate medical relief to persons injured in accidents wherever it is not possible to incur expenditure by other Departments ;v. to reimburse expenditure incurred on transportation of persons injured in road accidents to hospitals in case of exigencies ;vi. to purchase and maintain equipment for traffic management and road safety including cranes and weighing machines/ weigh bridges etc. ;vii. to strengthen driving training systems and setting up model driving training schools and driving test tracks and strengthening existing driving license system ;viii. to set up certification centers for checking fitness of vehicles and issuance of certificates of fitness ;ix. to provide Mobile Testing Equipment for vehicles ;x. to set up check posts, install weigh bridges and maintain parking areas for impounded vehicles ;xi. to undertake any measures related to road safety and traffic management which the Committee deems appropriate.(b)Traffic Education : i. to establish traffic education parks ;ii. for wide publicity of traffic rules ;iii. to organize competitions for imparting knowledge of traffic rules and building awareness about road safety amongst students and general public ;iv. to prepare publicity material related to traffic management and road safety ;v. to purchase and maintain equipment related to traffic education ;vi. to purchase publicity vans equipped with audio-video equipment, computers/other accessories to utilize them to impart traffic education to public at large ;vii. to organize road safety exhibitions ;viii. to organize seminars, workshops, meetings, rallies, competitions and other such programme related to road safety ;ix. to organize traffic related training for officers/staff of police, transport and Urban Local Bodies ;x. to conduct studies to improve traffic management for controlling road accidents.(c)Traffic Enforcement : i. to purchase, operate and maintain modern traffic enforcement equipment ;ii. to purchase and maintain vehicles.

12. Duties of Member-Secretary.

(1)Member-Secretary shall place "road safety Schemes received from Transport, Traffic Police, Health, PW(R&B) or any other Government Department; District Road Safety Committees and NGOs working on road safety or prepared suo moto, before the Committee after due examination."(2)He/she shall co-ordinate necessary works related to successful execution of approved schemes.(3)He/she shall submit detailed reports of receipts and expenditure from the Schemes to the State Government, as may be required from time to time.(4)He/she shall ensure maintenance of a separate account of the Scheme in accordance with the rules.

13. Responsibilities for execution of Schemes.

(1) Head of the Department concerned shall be responsible for successful execution of Schemes approved by the Committee. They shall regularly monitor construction, maintenance and repair of assets/equipment financed from the Scheme within their respective jurisdiction. They shall supervise, monitor and review physical and financial progress of schemes on monthly basis and send progress reports to the Member-Secretary. Senior most District level Officer of the respective Department shall be responsible for issuing completion certificate of the Scheme within his/ her jurisdiction. (2) For purchases, Head of Department concerned shall ensure that relevant rules and Government instructions are complied with.