

# **The Jammu and Kashmir Highways Act, 2007 (1950 A. D.)**

JAMMU & KASHMIR

India

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### **Rule**

### **THE-JAMMU-AND-KASHMIR-HIGHWAYS-ACT-2007-1950-A-D of 1800**

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The Jammu and Kashmir Highways Act, 2007 (1950 A. D.)(Act No. 27 of Svt. 2007)(Promulgated by Shree Yuvaraj under section 5 of the Jammu and Kashmir Constitution Act, 1996, and published in the Government Gazette dated 23rd Chet, 2007).An Act for the regulation of traffic on Government roads and placesPreamble. - Whereas it is expedient to make provision for the regulation of traffic on Government roads and places in the Jammu and Kashmir State for the purpose hereinafter mentioned ;Now, therefore in exercise of the powers reserved under section 5 of the Jammu and Kashmir Constitution Act, 1996, read with the proclamation issued by His Highness and published in an Extraordinary issue of the Government Gazette dated 7th Har, 2006, Yuvaraj Shree Karansingh ji Bahadur is pleased to enact as follows :-

### **1. Short title, extent and commencement.**

(1)This Act may be called the Jammu and Kashmir Highways Act, 2007.(2)It shall extend to the whole of the Jammu and Kashmir State.(3)It shall come into force on such date as the Government may, by notification, direct.

### **2. Definition.**

- In this Act, unless there is anything repugnant in the subject or context,-"Government road or place" means a road, street, way or other place, whether a thoroughfare or not, in charge of or maintained by the Government and notified by it as such road or place.

### 3. Power to make rules.

(1)The Government may make rules for the regulation of traffic on Government roads or places.(2)In particular and without prejudice to the generality of the foregoing power the Government may make rules for all or any of the following matters, namely:-(a)prohibiting or restricting the use of vehicles of any particular class or description considered likely to cause obstruction on a Government road or place and where a berm or side-track is provided, confining such vehicles to the berm or side-track(b)prohibiting or restricting the use of vehicles not provided with brakes of such character as may be required by the rules ;(c)prohibiting or restricting the use of vehicles or animals which are of such a nature or in such a condition as to be likely to cause annoyance, inconvenience or danger to the public ;(d)prohibiting the leaving of vehicles or animals unattended or in the charge of persons incapable of controlling them ;(e)the speed at which vehicles or animals may be driven or ridden;(f)the rule of the road ;(g)prohibiting the driving or riding of vehicles or animals on foot ways or other places where their use may be attended with danger to the public;(h)prohibiting the halting of vehicles or animals at places other than the proper camps or refugees, if such halting is likely to cause obstruction to traffic ;(i)the carrying and use on vehicles or animals of a bell or other instrument for giving audible and sufficient warning of their approach or position;(j)the stoppage of vehicles or animals when required by the police for the regulation of traffic or for other reasonable purpose ;(k)the maximum weight or the number of passengers to be carried on each description of vehicle plying for hire or animal;(l)empowering specified officers to issue notices requiring owners or occupier of land -(i)to loop the branches of any trees growing on such land or overhanging a Government road so as to cause obstruction or danger;(ii)to cut or trim any hedges or noxious vegetation growing on such land, which may be considered likely to intercept a view of approaching traffic on a Government road, or on any side-road or other approach thereto; and(iii)to remove from a Government road any branches, trimmings and vegetation lopped or cut by such owners or occupiers ;(m)imposing on such owners or occupiers of land the duty to comply with such notices within a reasonable time and authorising such officers to loop, cut or trim such trees, hedges and vegetation in a case of default;(n)regulating the driving or riding of animals after dusk and before day-break;(o)the use of nose-ropes for animals ;(p)the minimum age-limit of drivers of vehicles ; and(q)generally the prevention of obstruction to traffic and of annoyance, danger or injury to the public.(3)A rule may be general for all Government roads or places, vehicles or animals or may be special for a particular Government road or place, vehicle or animal or class of vehicles or animals.(4)All rules shall be subject to the condition of previous publication.(5)In making any rule the Government may direct that a breach thereof shall be punishable with fine which may extend to twenty five rupees or in the case of a second or subsequent breach, to fifty rupees.