

# THE JAMMU AND KASHMIR REGISTRATION OF TOURIST TRADE (AMENDMENT) ACT, 2011.

(Act No. V of 2011).

[8th April, 2011]

An Act to amend the Jammu and Kashmir Registration of Tourist Trade Act, 1978.

Be it enacted by the Jammu and Kashmir State Legislature in the Sixty-second Year of the Republic of India as follows :—

1. *Short title and commencement.*—(1) This Act may be called the Jammu and Kashmir Registration of Tourist Trade (Amendment) Act, 2011.

(2) It shall come into force on the date of its publication in the Government Gazette.

2. *Amendment of section 2, Act IX of 1978.*—In section 2 of the Jammu and Kashmir Registration of Tourist Trade Act, 1978 (hereinafter referred to as the principal Act),—

(i) after clause (b), the following clauses shall be inserted, namely:—

“(b-1) ‘camp hotel’ means a hotel providing boarding and lodging facilities in a tent at specified patch of land in a tourist area ;

(b-2) ‘camping site’ means a specified patch of land in a tourist area where the tentage facilities on prescribed rentals are available or, the tourists and visitors are allowed to pitch their own tents against charges payable to the prescribed authority ;” ;

(ii) clause (d-2) shall be substituted by following clause, namely :—

“(d-2) ‘guide’ means a person who engages himself as a ski, mountain, rafting, trekking or heritage guide, or functions as a paid guide for tourists ;” ;

(iii) in clause (e), for the words “bar or a tent”, the words “bar, guest house, tourist lodge, camp hotel or a tent” shall be substituted ; and

(iv) in clause (o), for the words “including pilgrims”, the words “visiting the State for pleasure, adventure, sports or pilgrimage” shall be substituted.

3. *Amendment of section 7, Act IX of 1978.*—In sub-section (1) of section 7 of the principal Act, for the words “six months”, the words “three years” shall be substituted.

4. *Amendment of section 13, Act IX of 1978.*—In sub-section (1) of section 13 of the principal Act, for the words “six months”, the words “three years” shall be substituted.

5. *Substitution of section 15, Act IX of 1978.*—Section 15 of the principal Act shall be substituted by following section, namely :—

“15. **Fixation of rates.**—The Government shall, by notification in the Government Gazette, fix the rates and service charges in respect of hotels which may be charged by the hotel-keeper for boarding or lodging or both from persons staying therein or from other customers :

Provided that such rate and service charges shall be fixed on the recommendations of a committee, the composition whereof shall be such, as may be prescribed :

Provided further that while recommending the rate and service charges, such committee shall take into account the standard of the hotel, the accommodation and services provided by and the quality of food served by it to the customers.”

6. *Amendment of section 22, Act IX of 1978.*—In sub-section (1) of section 22 of the principal Act, for the words “for such period as the prescribed authority deems fit”, the words “for a period which may extend to three months” shall be substituted.

7. *Substitution of section 24, Act IX of 1978.*—Section 24 of the principal Act shall be substituted by following section, namely :—

“24. **Fixation of rates.**—The Government shall, by notification in the Government Gazette, fix the rates which may be charged by a travel agent or guide for the services rendered by him to person engaging him as such except in case of a travel agent whose rates have been approved by a competent authority of the Central Government :

Provided that such rates shall be fixed on the recommendations of a committee, the composition whereof shall be such, as may be prescribed :

Provided further that while recommending the rate such committee shall take into account the quality of the services provided by the travel agent or the guide.”

8. *Amendment of section 28, Act IX of 1978.*—In sub-section (1) of section 28 of the principal Act, for the letters and figures “Rs. 2,000” and “Rs. 100”, the letters and figures “Rs. 5,000” and “Rs. 500” shall respectively be substituted.

9. *Amendment of section 29, Act IX of 1978.*—In section 29 of the principal Act, for the letters and figures “Rs. 500”, the letters and figures “Rs. 5,000” shall be substituted.

10. *Amendment of section 30, Act IX of 1978.*—In section 30 of the principal Act, for the letters and figures “Rs. 2,000”, the letters and figures “Rs. 10,000” shall be substituted.

11. *Amendment of section 31, Act IX of 1978.*—In section 31 of the principal Act, for the letters and figures “Rs. 500”, the letters and figures and words “Rs. 5,000” for every default shall be substituted.

12. *Amendment of section 32, Act IX of 1978.*—In section 32 of the principal Act, the words, letters and figures “three months” and “Rs. 1,000”, the words, letters and figures “one year” and “Rs. 10,000” shall respectively be substituted.

13. *Amendment of section 33, Act IX of 1978.*— In section 33 of the principal Act, for the words, letters and figures “three months” and “Rs. 100”, the words, letters and figures “one year” and “Rs. 10,000” shall respectively be substituted.

14. *Substitution of section 45, Act IX of 1978.*—Section 45 of the principal Act shall be substituted by following section, namely :—

“45. **Fixation of rates, commission and other services.**—The Government shall, by notification in the Government Gazette, fix the rates which may be charged for hiring of boats, ponies, river rafts, adventure sports equipment, guides, ski patrols, high altitude porters and trekking porters :

Provided that such rates shall be fixed on the recommendation of a committee, the composition whereof shall be such, as may be prescribed :

Provided further that while recommending the rates, such committee shall take into account the standard of the equipment and quality of the service provided by the service provider.”

15. *Amendment of section 47, Act IX of 1978.*—In section 47 of the principal Act, in sub-section (2), for the words “District Magistrate of the area”, the words “District Magistrate of the area or an officer of the Tourism Department not below the rank of Deputy Director, Tourism” shall be substituted.

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