

THE '[KHYBER PAKHTUNKHWA] BUS STAND AND TRAFFIC
CONTROL (PESHAWAR) ORDINANCE, 1978.

*[KHYBER PAKHTUNKHWA] ORDINANCE No. VII OF 1978.

[14 March, 1978.]

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'Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011.

*Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011.

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CONTROL (PESHAWAR) ORDINANCE, 1978.

*[KHYBER PAKHTUNKHWA] ORDINANCE No. VII OF 1978

[14 March, 1978.]

AN
ORDINANCE

to provide for measures to remove and prevent traffic congestion and to
regulate movement of vehicular traffic within the limits of Municipal
Committee, Peshawar.

WHEREAS it is expedient to provided for measures to remove and
prevent traffic congestion and to regulate movement of vehicular traffic within
the limits of Municipal Committee, Peshawar.

AND WHEREAS the Governor of the Province of the *[Khyber
Pakhtunkhwa] is satisfied that circumstances exist which render it necessary to
take immediate action;

NOW, THEREFORE, in pursuance of the Proclamation of the fifth day
of July, 1977, read with the Laws (Continuance in Force) Order, 1977 (C.M.
L.A. Order No. 1 of 1977) and in exercise of all powers enabling him in that
behalf, the Governor of the "[Khyber Pakhtunkhwa] is pleased to make and
promulgate the following Ordinance;

1. (1) This Ordinance may be called the *-[Khyber Pakhtunkhwa] Bus stand
and Traffic Control (Peshawar) Ordinance, 1978.

(2) It shall come into force on and from the 15th day of March, 1978.

2. In this Ordinance, unless the context otherwise requires,—

(a) "bus stand" means the stand provided by the Municipal Committee,
Peshawar, for halting stage carriages;

1Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011.

Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011.

3Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011.

4Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011.

5Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011.

Preamble.

Short title and
commencement.

Definition.

(b) "Commissioner" means the Commissioner, Peshawar Division, and includes an officer who may be appointed by Government to exercise the powers of Commissioner under this Ordinance;

(c) "Government" means the Government of the Province of the '[Khyber Pakhtunkhwa];

(d) "rules" means the rules made under this Ordinance ; and

(e) "stage carriage" means the stage carriage as defined in the Pakistan

Motor Vehicles Ordinance, 1965. (W. P. Ord No. XIX of 1965).

3. No person, company or association plying stage carriages to, from or through the limits of the Municipal Committee, Peshawar, shall establish or maintain within such limits any Stand (Adda) of use any place, including a highway, road or street within the said limits, for picking up or setting down the passengers of halting the stage carriage except at the place allotted for the purpose in the bus stand.

4. The Commissioner may require the Municipal Committee, Peshawar to provide and maintain within its limits bus stands at such places as may be approved by him.

5. All existing Stands (Adda) within the limits of Municipal Committee, Peshawar, shall cease to function and be shifted to the bus stand within one month of the promulgation of this Ordinance, or within such further period as may be fixed by the Commissioner.

6. Notwithstanding anything to the contrary contained in any other law for the time being in force, or any decree, judgment or order of any Court or Authority, the Commissioner, for the purposes of this Ordinance, may —

(a) acquire any land required for the bus stand, approaches and roads and eject forcibly any person in possession thereof, on payment of such compensation as may be determined by the Collector, Acquisition in accordance with the principles laid down in the Land Acquisition Act, 1894 (I of 1894); and

(b) direct the Municipal Committee, Peshawar, to regulate the administration of bus stand established under this Ordinance, in accordance with the rules framed for the purpose.

¹Substituted vide Khyber Pakhtunkhwa Act No. IV of 2011.

Prohibition of
establishing bus
stand.

Provision and
maintenance of
bus stand.

Shifting of
stands.

Power of
Commissioner.

7. Any stage carriage found plying or at halt in contravention of any of the provisions of this Ordinance or the Directions issued by the Commissioner in pursuance of this Ordinance shall be impounded by an officer, authorized by the Commissioner in this behalf, or by any Police Officer not below the rank of an Assistant Sub-Inspector

8. Any person, company or association using the bus stand or using any land belonging to the Municipal Committee, Peshawar, for running a bus stand shall pay such rent to the Municipal Committee or to any person on its behalf as may be fixed by the rules. Any arrear of rent due from any such person, company or association shall be recoverable as arrears of land revenue.

9. The Commissioner may delegate any of the powers vested in him under this Ordinance to any officer subordinate to him or to the Municipal Committee, Peshawar, or any officer thereof.

10. The Commissioner may exempt any stage carriage or class of stages from the operation of all or any of the provisions of this Ordinance.

11. Any person who contravenes or attempts to contravene or abets the contravention of any provisions of this Ordinance or any directions issued by the Commissioner in pursuance of this Ordinance or the rules, framed thereunder shall be punished with imprisonment for a term which may extend to six months, or with fine which may extend to five thousand rupees, or with both, on a complaint by the Chairman, Chief Officer or Taxation officer of the Municipal Committee, Peshawar, or by a Police Officer not below the rank of an Assistant Sub-Inspector.

12. Government may make rules to carry out the purposes of this Ordinance.

Officer
authorized to
import stage
carriage.

Payment of rent.

Delegation of
powers.

Exemption.

Penalty.

Rules.

