

THE [KHYBER PAKHTUNKHWA]

BUS STAND AND TRAFFIC CONTROL(PESHA WAR) ORDINANCE,

1975.

*KHYBER PAKHTUNKHWA|
ORDINANCE NO. IV OF 1975.

(24th January, 1975]

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

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THE [KHYBER PAKHTUNKHWA] BUS STAND AND
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[24th January, 1975]

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

AND WHEREAS the Provincial Assembly is not in session and the Governor of the 3[Khyber Pakhtunkhwa] Province is satisfied that circumstances exist which render it necessary to take immediate action.

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of Article 128 of the Constitution of the Islamic Republic of Pakistan, the Governor of the "[Khyber Pakhtunkhwa] Province 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, 1975. "omnes

(2) It shall come into force at once.

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

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

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

(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 [Khyber Pakhtunkhwa];

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

(e) "stage carriage" means the stage carriage as defined in the West Pakistan Motor Vehicles Ordinance, 1965 (W. P. Ord No. XIX of 1965).

3. No person, company or association plying stage carriage to, from or through the limits of the Municipal Committee, Peshawar, shall keep within such limits any Stand (Adda) or use any place, including a highway, road or street within the said limits, for picking up or setting down the passengers or 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

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Prohibition of
keeping bus
stand.

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Power of
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(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; 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.

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 stage carriages 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 there under, 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

Officer authorized to impound stage carriage.

Payment of rent.

Delegation of powers.

Exemption.

Penalty.

below the rank of an Assistant Sub-Inspector.

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