

THE SIND PUBLIC CONVEYANCES ACT, 1920.

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[17% June, 1920]

An Act to amend the Law relating to the regulation of public conveyances.

WHEREAS it is expedient to amend the law relating to the regulation of public conveyances; And whereas the previous sanction of the Governor General required by sub-section (2) of section 79 of the Government of India Act, 1915, has been obtained for the passing of this Act; It is hereby enacted as follows:-

1. (1) This Act may be called the 2[Sind] Public Conveyances Act, 1920.

3[(2) This section and sections 36 and 38 extend to the whole of 7[Sind.]

Short title and extent.

2. In this Act, unless there is anything repugnant in the subject or context—

A[(a) “Superintendent” means the Superintendent of Police and includes any person authorised by him to exercise or perform any power or duty conferred or imposed on the Superintendent by this Act:]

(6) “public conveyance” means a wheeled vehicle, drawn by one or more horses or other animals or by hand, which is used for the purposes of plying for hire for the conveyance of persons or goods;

S[(c) “licensing year” means the year commencing on such date as the §[Superintendent shall, subject to the condition of previous publication, fix for the purpose of licences granted under this Act.]

(d) “driver” includes a conductor, attendant or other person in charge of a public conveyance;

(e) “licensee” means the holder of a licence granted under this Act for a public conveyance or horse or a driver or a public conveyance.

Definition.

1. For statement of Objects and Reasons, see B.G.G., 1919, Pt. V, 9.945; for the Report of Select Committee, see ibid., 1920, Pt. V, P. 51; and for Proceedings in Council, see ibid., 1919, Pt. V, p. 1092, ibid., 1920, p. 265.

Subs. by the Sind Laws (Adaptation, Revision, Repeal and Declaration) Ordinance, 1955 (Sind 5 of 1955), s. 3. (i) (w.e.f. 30th May, 1951) for "Bombay".

Subs. *ibid*, s. 7, Sch. III, for the original sub-section (2).

Subs. *ibid*, for the original, cl. (a).

Subs. by Sind 7 of 1928, s. 2, for the original cl. (c).

Subs. by the Sind Laws (Adaptation, Revision, Repeal and Declaration) Ordinance, 1955 (Sind 5 of 1955), s. 7, Sch. III, for "Commissioner of Police".

Subs. by W.P. Laws (Adaptation) Order, 1964, Article (I), Sch, for "the Province of Sind".

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Public Conveyances. [1920: Sind VII

3. (1) | No person shall keep or let for hire any public Public conveyance without a licence granted by the 4[Superintendent] in lobe this behalf. licensed.

(2) On every public conveyance—

(a)the number of the conveyance as entered in the license granted for the same, and

(b)where the conveyance is licensed to carry passengers, the number of passengers which it is licensed to carry, shall be clearly inscribed in such manner as the '[Superintendent] may direct.

4. (1) | Such licences shall remain in force for the licensing | Licences for year unless sooner determined under the provisions of this Act, and public shall be renewable. conveyances.

(2) | Such licences shall contain the following and such

other particulars and conditions as the '[Superintendent] may prescribe:

(a) the full name and address of the licensee;

(6b) the date on which the licence was granted and the

date on which it will expire by efflux of time;

(c) the local area for which the licence is granted;

(d) the number and class of the conveyance;

(e) the number of horses or other animals (if any) by

which it is to be drawn;

(f) the number of passengers (if any) which it may carry.

(3) | Such licences shall not be transferred by the licensee

to any other person without the sanction of the '[Superintendent] and if transferred without such sanction shall thereupon become void. Such sanction when granted shall be endorsed on the licence.

5. (1) The '[Superintendent] may refuse to grant to license | Grounds on for a public conveyance if in his opinion the conveyance is | Which licence insufficiently found or is otherwise unfit for the purpose for which it is any oe or intended. cancelled.

(2) The '[Superintendent] may refuse to renew, and may at any time suspend or cancel, a licence for a public conveyance on either of the foregoing grounds; or if in his opinion—

(i) the licensee has committed a breach of any provision of this Act or of a rule made under this Act or of a condition of the licence, or

1. Subs. by the Sind Laws (Adaptation, Revision, Repeal and Declaration) Ordinance, 1955 (Sind 5 of 1955), s. 7, Sch. III, for "Commissioner of Police".

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ii) A conveyance licensed for carrying goods has been used for carrying passengers:

[Provided that no order shall be passed under the foregoing sub-sections unless the person likely to be affected thereby is given an opportunity of being heard.]

3) When refusing to renew, or suspending or cancelling a licence for a public conveyance, the 2[Superintendent] may erase the inscription made thereon in accordance with this Act.

6. 1) When granting or renewing a licence for a public conveyance and at other times when necessary, the ?[Superintendent] shall cause the particulars required by clauses (a) and (b) of sub-section (2) of section 3 to be painted or otherwise clearly inscribed upon the conveyance.

(2) No fee shall be charged for any inscription made under the foregoing sub-section when it is made at the time when the licence is granted or at the annual renewal of the licence, but when such sum towards the cost of such inscription as the 2[Superintendent] inscription is made at any other time 3[the licensee shall pay such sum towards the cost of such inscription as the 2[Superintendent] shall by rules direct].

Number, etc.,
to be
inscribed on
conveyance.

7. (1) For the grant of licence for a public conveyance a fee shall be charged at such rate as the 2[Superintendent] shall prescribe.

(2) For the renewal of such licence a fee at one-half of the rate chargeable under the foregoing sub-section shall be charged.

Fees for
public
conveyance
licences.

Licensing of horses.

8. 1) No horse shall be used for drawing a public conveyance except under a licence granted by the 2[Superintendent] in respect of such horse.

2) Such licences shall remain in force for the licensing year unless sooner determined under this Act, and shall be renewable.

3) Such licences shall contain the following and such other particulars and conditions as the 2[Superintendent] may prescribe:

a) the full name and address of the licensee;

- b) the date on which the licence was granted and the date on which it will expire by efflux of time;
- c) the local area for which the licence is granted;
- d) a description of the horse for which the licence is granted and the marks of identification of the same;
- e) the class of conveyance to draw which the horse may be used.

Licensing of
horses.

1. Proviso added by Ord. XLIII of 1984, s.2.
2. Subs. by the Sind Laws (Adaptation, Revision, Repeal and Declaration) Ordinance, 1955 (Sind 5 of 1955), s. 7, Sch. III, for "Commissioner of Police".
3. Subs. By Sind 7 of 1928, s. 3, for "a feet at one-half of the rate chargeable for the grant of a licence for a public conveyance under section 7, sub-section (1), shall be charged".

(4) Such licences may not be transferred by the licensee to any person without the sanction of the '[Superintendent] and if transferred without such sanction shall thereupon become void. Such sanction shall be endorsed on the licence.

2[(5) Such licences shall if so directed by the '[Superintendent] be carried in the public conveyance for drawing which the horse is being used and shall be produced for inspection whenever required by any police officer.]

9. When granting a licence for a horse the '[Superintendent] 3[may, | Branding of if he thinks it necessary] brand such horse on the hoof in such manner | horses. that it may be easily identified.

10. (1) ~The '[Superintendent] may refuse to grant or renew, and | Grounds on : . wee . we which license may at any time suspend, a licence for a horse if in his opinion such | gor horse may horse is in any way unfit for use in a public conveyance [:] be refused or cancelled
4[Provided that no order shall be passed unless the person likely to Son bya. be affected thereby is given an opportunity of being heard.] veterinary practitioner.

(2) In case of such refusal or suspension the owner of the horse or licensee, as the case may be, may require that such horse be examined by a veterinary practitioner of the Government or of a local authority, and, if in the opinion of such practitioner the horse is fit for use in a public conveyance, the 1[Superintendent] shall grant or renew the licence or cancel the order of suspension.

Licensing of Drivers.

11. (1) No person shall act as driver of a public conveyance puivers to be without a licence granted by the ![Superintendent] in this behalf. licensed.

(2) | Such licences shall remain in force for the licensing year unless sooner determined under this Act, and shall be renewable.

(3) | Such licences shall contain the following and such other particulars and conditions as the '[Superintendent] may prescribe:-

(a) the full name and address of the licensee;

(b) the date on which the licence was granted and the date on which it will expire by efflux of time;

(c) the local area for which the licence is granted;

(d) the class of public conveyance which the licensee licensed to drive.

1. Subs. By the Sind Laws (Adaptation, Revision, Repeal and Declaration) Ordinance, 1955 (Sind 5 of 1955), s. 7, Sch. III, for "Commissioner of Police".

2. Sub-section (5) added by Sind 7 of 1928, s. 4.

Subs. By *ibid.*, s. 5, for "shall".

4. Proviso added by Ord. XLII of 1984, s. 3.

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12, (1) The [Superintendent] may refuse to grant a licence to a | Grounds on ; driver if in his opinion such driver 2[is not competent and careful or] which drivers is Unfit on account of youth, infirmity, bad character or any other he refused vr reason to pursue the occupation of driver of a public conveyance. | cancelled.

(2) The [Superintendent] may refuse to renew, and may at any time suspend or cancel, a driver's licence on the foregoing grounds or if the holder has committed a breach of any provision of this Act or of a rule made under this Act or of a condition of the licence.

3["(3) Before any order is made by the Superintendent under this section, the person likely to be affected thereby shall be given an opportunity of being heard."]

13. (1) When granting a licence to a driver the [Superintendent] | Drivers' shall provide him with a metal badge bearing the number of the | badges. licence.

(2) Every driver who has received such badge shall wear the same on a conspicuous part of his dress at all times when pursuing his occupation as driver.

(3) No driver who has received such badge shall permit any other person to wear the same : provided that any person other than the driver to whom a badge has been given by the [Superintendent] , who shall wear such badge shall be presumed, until the contrary is proved, to wear it with such driver's permission.

14, (1) For the grant of a licence to a driver a fee shall be charged | Fees for at such rate as the [Superintendent] shall prescribe. drivers licenses.

(2) For the renewal of such licence a fee at once-half of the rate chargeable under the foregoing sub-section shall be charged.

Provisions relating to licensees.

15. Every licence which has been suspended or cancelled shall be | Licences when

returned by the licensee to the [Superintendent] within twenty-four hours after the suspension or cancellation thereof.

suspended or
cancelled to
be returned.

16. Whenever a licensee shall change his residence he shall within one week thereafter give notice thereof in within signed by himself to the [Superintendent].

Change of
address of
licensee to be
reported.

1. Subs. By the Sind Laws (Adaptation, Revision, Repeal and Declaration) Ordinance, 1955

(Sind 5 of 1955), s.7, Sch. III, for Commissioner of Police".

2. Ins. by Sind 2 of 1924, s. 2.

3. Added by Ord. XL II of 1984, s.4.

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1[16A. Whenever the licensee of a public conveyance shall be | licensee to absent from the 2[address shown in his licence,] for a period exceeding report name fifteen days he shall, if the public conveyance is used for the purposes et in of plying for hire, give, previous to his departure notice thereof in writing | charge of signed by himself to the 3[Superintendent]. Such notice shall state the | conveyance name of the person left in charge of the public conveyance. Such | during his person shall, until the return of the licensee, perform all the duties of a | absence. licensee of a public conveyance and be liable to penalties to which

such licensee is liable under this Act.]

17. Every licensee of a public conveyance or horse shall produce | Public

such conveyance or horse for inspection whenever the cr horete.
[Superintendent] shall require him to do so. be
produced
for
inspection
when
required.

Fares and stands

18. The '[Superintendent] shall, subject to the conditions of previous Rates of publication and the previous sanction of the 4[Provincial Government], _ | Fares-fix the legal rates of fares for public conveyances.

19. The '[Superintendent] shall appoint stands or places, at which Stands. alone public conveyances may stand to ply for hire 5[and may, at any time, abolish any such stand or place].

20. (1) Every driver of a public conveyance shall have with him | Driver to when pursuing his occupation as driver the licence granted to him | have his

. . . wae . licence as
under section 11 of this Act and a clean and legible list, in English and | giver and such vernacular language or languages as the 3[Superintendent] may | fist of fares. direct, bearing the name in full of the licensee of the conveyance and showing the rates of fares fixed for the time being for the hire of the conveyance, with an abstract of the law relating to public conveyances.

(2) Every such driver shall on demand by a police officer produce for inspection such license and list.

(3) | Every such driver shall on demand produce such list for the information of any hirer of, or passenger travelling in, the conveyance

1. Ins. by Sind 7 of 1928, s. 6.

2. Subs. by the Sind Laws (Adaptation, Revision, Repeal and Declaration) Ordinance, 1955 (Sind 5 of 1955), s. 7, Sch. III, for "City of Bombay".

3. Subs. *ibid.*, s. 7, Sch. III, for "Commissioner of Police."

4. Subs. by the A.O., 1937, "G, in C."

5. Added by the Sind 7 of 1928, s. 7.