

[29" July 1973]

An Act to amend the West Pakistan Highways

Ordinance, 1959, in its application to the Province of Sind.

WHEREAS it is expedient to amend the West Pakistan Preamble Highways Ordinance, 1959, in its application to the Province of Sind, in the manner hereinafter appearing:

It is hereby enacted as follows:— Short title and commencement.

1. (1) This Act may be called the West Pakistan Highways

(Sind Amendment) Act, 1973.

(2) It shall come into force at once.

2. In the West Pakistan Highways Ordinance, 1959, in Amendment of its application to the Province of Sind, hereinafter called the section 2 of West said Ordinance, in section 2, after clause (d), the following rowwen ordinance of 1959.

new clause shall be added:-

“(dd) „Super Highway“ means the highway known as such and constructed between Karachi and Hyderabad via Bahram Goth from mile 8 to mile 97:”

3. In section 8 of the said Ordinance, in sub-section Amendment of

(1), for clause (b), the following clause shall be substituted:— section 8 of west Pakistan Ordinance

“(b) to construct any permanent or temporary XXXII oF 1959 structure within—

(i) two hundred and twenty feet from the middle of a highway; and

(ii) | four hundred and fifty feet from the middle of the Super Highway on its right and two hundred and twenty feet on its left.”.

4. In the said Ordinance, after section 22, the Insertion section 22-A following new section shall be inserted: — in West Pakistan Ordinance XXXII of 1959.

Ban on commission

of certain acts. 22-A. No person shall commit any act (including of discharge of water from the lands under cultivation or any other source and draining of diesel oil, mobile oil or other lubricating oils from vehicles) within the highway that damages or is likely to cause damage to the road, its sub-grade, surface, berm or any of its structures, or which causes or is likely to cause obstruction to the traffic on the highway, and no person shall,

except under permission of the Highway Authority, damage or cut the trees along or within the limits of the highway.”.

5. In the said Ordinance, for section 24, the following Substitution of Section 7 H 7 24 of West Pakistan

section shall be substituted: Ordinance XXXII of 1959.

Constituted “24. (1) Government may constitute Mobile Courts of of Mobile | Special Magistrates having jurisdiction over a particular counizancee | Highway or part thereof, and cognizance of any offence and mal of | under this Ordinance or rules made thereunder shall only be taken by such Court either suo moto or on complaints

made to it.

(2) Except where the Mobile Court deems it desirable that an offence be tried otherwise all offences under this Ordinance or the rules made thereunder shall be tried summarily.

For the purposes of preventing offences under this Ordinance and trying them on the spot the Mobile Court may as often as it deems fit patrol the highway under its jurisdiction.”

6. In the said Ordinance, in section 25, in sub-section Amendment of (1j— section 25 of West Pakistan Ordinance

(i) for the words “one hundred rupees”, the words XXII of 1959.

“one thousand rupees” shall be substituted; and

(ii) for the words “with tine which may extend to two hundred rupees”, the words “with imprisonment of either description for a term which may extend to six months or with fine which may extend to three thousand rupees or with both” shall be substituted.

7. The West Pakistan highways (Sind Amendment) Repeal Sind Ordinance, 1973 is hereby repealed. Ordinance III of 1973.