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PART I

Acts, Ordinances, President's Orders and Regulations
NATIONAL ASSEMBLY SECRETARIAT

Islamabad, the 12th April, 1975

The following Acts of Parliament received the assent of the President on the 8th April, 1975, and are hereby published for general information:—

An Act 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 prevent traffic congestion and to regulate movement of vehicular traffic within the limits of Municipal Committee, Peshawar ;

AND WHEREAS the Proclamation of Emergency referred to in Article 280 of the Constitution is in force ;

It is hereby enacted as follows :—

1. Short title and commencement.—(1) This Act may be called the North-West Frontier Province Bus Stand and Traffic Control (Peshawar) Act, 1975.

(2) It shall come into force at once.

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

- (a) “bus stand” means the stand provided by the Municipal Committee, Peshawar, for halting stage carriages ;
- (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 Act ;
- (c) “Government” means the Government of the North-West Frontier Province ;
- (d) “rules” means rules made under this Act ; 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. Prohibition of establishing bus stand, etc.—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) 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. **Provision and maintenance of bus stand.**—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. **Shifting of stands.**—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 commencement of this Act, or within such further period as may be fixed by the Commissioner.

6. **Power of Commissioner.**—Notwithstanding anything to the contrary contained in any other law for the time being in force, or any decree, judgement or order of any Court or Authority, the Commissioner, for the purposes of this Act, 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; and
- (b) direct the Municipal Committee, Peshawar, to regulate the administration of bus stand established under this Act, in accordance with the rules framed for the purpose.

7. **Officer authorised to impound stage carriage.**—Any stage carriage found plying or at halt in contravention of any of the provisions of this Act or the directions issued by the Commissioner in pursuance of this Act shall be impounded by an officer authorised by the Commissioner in this behalf, or by any Police Officer not below the rank of an Assistant Sub-Inspector.

8. **Payment of rent.**—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, and any arrear of rent due from any such person, company or association shall be recoverable as arrears of land revenue.

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

10. **Exemption.**—The Commissioner may exempt any stage carriage or class of stage carriages from the operation of all or any of the provisions of this Act.

11. **Penalty.**—Any person who contravenes or attempts to contravene or abets the contravention of any provisions of this Act or any directions issued by the Commissioner in pursuance of this Act or the rules, 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. **Rules.**—Government may make rules to carry out the purposes of this Act.

13. **Repeal.**—The North-West Frontier Province Bus Stand and Traffic Control (Peshawar) Ordinance, 1975 (N.W.F.P. Ordinance No. IV of 1975), is hereby repealed.

M. A. HAQ.

Secretary.