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PART IV

PROVINCIAL ASSEMBLY OF SIND

NOTIFICATION

Karachi, dated the 28th June, 1973.

No. PAS/Legis-B-1/73.—The West Pakistan Highways (Sind Amendment) Bill, 1973 having been passed by the Provincial Assembly of Sind on the 4th June, 1973 and assented to by the Governor of Sind on the 8th June, 1973 is hereby published as an Act of the Legislature of Sind:—

THE WEST PAKISTAN HIGHWAYS (SIND AMENDMENT) ACT, 1973.

Sind Act No. II of 1973.

(First published after having received the assent of the Governor of Sind in the Gazette of Sind (Extra Ordinary) dated 28th June, 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 Highways Ordinance, 1959, in its application to the Province of Sind, in the manner hereinafter appearing; Preamble

It is hereby enacted as follows:—

Short title
and com-
mencement.

1. (1) This Act may be called the West Pakistan Highways (Sind Amendment) Act, 1973.

(2) It shall come into force at once.

Amendment
of section 2
of West
Pakistan Or-
dinance
XXXII of
1959.

2. In the West Pakistan Highways Ordinance, 1959, in its appli-
cation to the Province of Sind, hereinafter called the said Ordinance,
in section 2, after clause (d), the following 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:” ✓

Amendment
of section 8
of West
Pakistan Or-
dinance
XXXII of
1959.

3. In section 8 of the said Ordinance, in sub-section (1), for clause
(b), the following clause shall be substituted:—

✓“(b) to construct any permanent or temporary 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.” ✓

Insertion of
section 22-A
in West
Pakistan Or-
dinance
XXXII of
1959.

4. In the said Ordinance, after section 22, the following new
section shall be inserted:— ✓

Ban on commission
of certain acts. ✓ “22-A. No person shall commit any act (including
discharge of water from the lands under cultiva-
tion 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 permis-
sion of the Highway Authority, damage or cut the trees along or with-
in the limits of the highway.” ✓

5. In the said Ordinance, for section 24, the following section shall be substituted:—

Substitution
of section 24
of West
Pakistan Or-
dinance
XXXII of
1959.

Constitution of Mobile
Courts and cognizance
and trial of offences.

“24. (1) Government may constitute Mobile Courts of Special Magistrates having jurisdiction over a particular highway or part thereof, and cognizance of any offence 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.

(3) 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 (1)—

Amendment
of section 25
of West
Pakistan Or-
dinance
XXXII of
1959.

(i) for the words “one hundred rupees”, the words “one thousand rupees” shall be substituted; and

(ii) for the words “with fine 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) Ordinance, 1973, is hereby repealed.

Repeal of
Sind
Ordinance
III of 1973.

By Order of the Speaker,
Provincial Assembly of Sind

JAMALUDDIN ABRO,
Secretary,
Provincial Assembly of Sind.