

[THE SIND PUBLIC CONVEYANCES ACT, 1920.]

[17th June, 1920]

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

^{5 and 6}
^{5, C.}
^{61.} 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 [Sind] Public Conveyances Act, 1920. Short title and extent.

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

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

(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;

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

(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.

1. For Statement of Objects and Reasons, see B. G. G., 1919, Pt. V, p. 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.

2. 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".

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

4. Subs. *ibid.*, for the original, c, (a).

5. Subs. by Sind 7 of 1920, s. 2, for the original cl (c).

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

7. Subs. by W. P. Laws (Adaptation) Order, 1964, Article 2 (f), Sch. for "the Province of Sind".

Public conveyances to be licensed.

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

(2) On every public conveyance—

(a) the number of the conveyance as entered in the licence 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.

Licences for public conveyances.

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

(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;

(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 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.

Grounds on which licence may be refused or cancelled.

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

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

- (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 ¹[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 ¹[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. Number, etc., to be inscribed on conveyance licence.

(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 ¹[Superintendent] inscription is made at any other time ¹[the licensee shall pay such sum towards the cost of such inscription as the ¹[Superintendent] shall by rules direct].

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

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

Licensing of horses.

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

(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 ¹[Superintendent] may prescribe:

- the full name and address of the licensee;
- the date on which the licence was granted and the date on which it will expire by efflux of time;
- the local area for which the licence is granted;
- a description of the horse for which the licence is granted and the marks of identification of the same;
- the class of conveyance to draw which the horse may be used.

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 fee 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.

[(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.]

Branding
of horses.

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

Grounds
on which
licence for
horse may
be refused
or cancelled
and exami-
nation by
a veterinary
practitioner

10. (1) The '[Superintendent]' may refuse to grant or renew, and may at any time suspend, a licence for a horse if in his opinion such horse is in any way unfit for use in a public conveyance [:]

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

(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 '[Superintendent]' shall grant or renew the licence or cancel the order of suspension.

Licensing of Drivers.

Drivers to
be licensed.

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

(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 is 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.

3. Subs. by *ibid.*, s. 5, for "shall".

4. Proviso added by Ord. XI, II of 1984, s. 1.

12. (1) The [Superintendent] may refuse to grant a licence to a driver if in his opinion such driver [is not competent and careful or] is unfit on account of youth, infirmity, bad character or any other reason to pursue the occupation of driver of a public conveyance. Grounds on which drivers' licence may be refused or 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) 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] shall provide him with a metal badge bearing the number of the licence. Drivers' badges.

(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 at such rate as the [Superintendent] shall prescribe. Fees for drivers' licences.

(2) For the renewal of such licence a fee at one-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 returned by the licensee to the [Superintendent] within twenty-four hours after the suspension or cancellation thereof. Licences when suspended or cancelled to be returned.

16. Whenever a licensee shall change his residence he shall within one week thereafter give notice thereof in writing 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. XLII of 1984, s. 4.

Licensee to report name of person left in charge of conveyance during his absence.

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

Public conveyance or horse to be produced for inspection when required.

17. Every licensee of a public conveyance or horse shall produce such conveyance or horse for inspection whenever the [Superintendent] shall require him to do so.

Fares and stands

Rates of Fares.

18. The [Superintendent] shall, subject to the conditions of previous publication and the previous sanction of the [Provincial Government], fix the legal rates of fares for public conveyances.

Stands.

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

Driver to have his licence as driver and list of fares.

20. (1) Every driver of a public conveyance shall have with him when pursuing his occupation as driver the licence granted to him under section 11 of this Act and a clean and legible list, in English and such vernacular language or languages as the [Superintendent] may 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 licence 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, Renewal 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.

21. Lists of the fares fixed for public conveyances, as for the time being in force, together with the abstract, referred to in the preceding section, shall be prepared by the [Superintendent] and sold to the public at a reasonable price.

Book of fares to be issued.

Offences and punishments.

22. Any person who shall—

- (a) keep or let for hire any public conveyance without a licence granted by the [Superintendent] in this behalf and for the time being in force, or
- (b) who shall keep or let for any public conveyance on which the number and other particulars required by section 3 are not clearly inscribed in such manner as the [Superintendent] directs,

Keeping public conveyance without licence.

shall be punishable with fine which may extend to one hundred rupees.

23. Any licensee of a public conveyance who shall without sufficient reason fail to cause such conveyance to ply for hire when required to do so by a police officer and any driver of a public conveyance who shall without sufficient reason fail duly to pursue his occupation when required to do so by a police officer, shall be punishable with fine which may extend to fifty rupees.

Failure to cause public conveyance to ply when so required by the police.

24. Any licensee of a public conveyance who shall, when the same is used for the purpose of a public conveyance, permit any person to act as driver thereof other than a driver duly licensed under this Act, or who shall, when such conveyance is used for the purpose aforesaid, permit the same to be drawn by a horse other than a horse for which a licence is in force under this Act shall be punishable with fine which may extend to fifty rupees.

Licensee of public conveyance permitting unlicensed driver to use the same or permitting the same to be drawn by unlicensed horse.

25. Whoever, being the licensee of a public conveyance or horse, shall fail to produce such conveyance or horse for inspection when required to do so by the [Superintendent] shall be punishable with fine which may extend to twenty rupees.

Failure to produce public conveyance or horse for inspection.

26. (1) Whoever shall act as driver of a public conveyance without a driver's licence granted by the [Superintendent] in this behalf and for the time being in force or [without a badge, if he has received a badge from the [Superintendent] or, when acting as such driver, shall fail to wear a badge so received] on a conspicuous part of his dress; and

Offences by drivers of public conveyances.

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

2. Subs. by the Sind 7 of 1928, s. 8 (a). For "without a badge granted to him by the Commissioner of Police or, when acting as such driver, shall fail to wear such badge".

- (2) Whoever being the driver of a public conveyance, shall—
- (a) permit any other person to use his licence or badge;
 - (b) permit more passengers to be carried in a public conveyance than it is licensed to carry;
 - (c) conceal or permit to be concealed from public view the inscription made on a public conveyance in accordance with this Act, or prevent or attempt to prevent any person taking note of such inscription;
 - (d) permit any person to be carried, without the express consent of the hirer, in a public conveyance the whole of which has been hired by any person;
 - (e) fail to produce, on demand by a police officer, the licence, [if any], granted to him under [section 8 or section 11] or a list of the legal rates of fares as required by this Act;
 - (f) fail to produce, on demand by a hirer of, or passenger travelling in, a public conveyance a list of the legal rates of fares for such conveyance as required by this Act;
 - (g) refuse or neglect to give way, if he conveniently can, to any private conveyance, or obstruct or hinder the driver of any other public conveyance in taking up or setting down any person into or from such other public conveyance;
 - (h) be intoxicated at any time while pursuing his occupation as driver;
 - (i) make use of insulting or abusive language or gesture;
 - (j) refuse to obey the reasonable orders of any person hiring a public conveyance of which he is in charge;
 - (k) when acting as driver, permit the inside of a public conveyance of which he is in charge to be dirty; or
 - (l) when in charge of a public conveyance other than a cart used for conveyance of goods,—
 - (i) demand prepayment of his fare, or
 - (ii) refuse without reasonable cause to carry any person desiring to hire the conveyance, or

1. Ins. by the Sind 7 of 1928, s. 8 (b).

2. Subs. *ibid.*, for "section 11".

- (iii) refuse or delay to proceed with reasonable expedition,
or
- (iv) demand for the hire of the conveyance more than the
legal fare; or
- (v) stand to ply for hire at any place other than a stand
or place appointed under this Act or loiter for the
purpose of being hired in or upon any public street
road or place;

be punishable with fine which may extend to thirty rupees.

27. Any licensee—

- (a) who shall fail to return a licence which has been suspended
or cancelled to the '[Superintendent] within twenty-
four hours after the suspension or cancellation thereof;
or
- (b) who, after changing his residence, shall fail to give notice
thereof in writing signed by himself to the '[Superin-
tendent] within one week after such change has taken
place; or
- [(bb) who, before leaving the 'address shown in his licence,]
for a period exceeding fifteen days shall fail to give
notice thereof in writing signed by himself to the
'[Superintendent], or]
- (c) who shall contravene any condition of his licence,
shall be punishable with fine which may extend to
twenty rupees.

Failure to
return
licence
or to notify
address.

28. Any person using a public conveyance who shall wilfully
or negligently injure the same shall be punishable with fine which
may extend to twenty rupees, and shall also pay the owner of such
conveyance such compensation as the Magistrate may direct, and
such compensation shall be leviable as a fine.

Injury to
public
conveyance.

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 the Sind 7 of 1928, s.9.

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

Compensation payable by driver causing damage.

29. The driver of any public conveyance who shall by negligence or misconduct, cause any hurt or damage shall, in addition to any punishment to which he may be liable by law, pay the complainant such reasonable compensation as the Magistrate may direct, and such compensation shall be leviable as a fine.

Procedure.

Arrest by police.

30. Any police officer may arrest without warrant any person who has committed any offence under this Act, and may seize and detain any conveyance or horse in relation to which such offence has been committed.

Procedure in case of dispute.

31. (1) In case of any dispute between the hirer and driver of a public conveyance, either party may require the other to proceed forthwith to the nearest Magistrate's Court, where the dispute shall be determined in a summary manner by the Magistrate then sitting.

(2) If no Magistrate is then sitting, either party may require the other to proceed to the [officer in charge of the nearest police station] who shall, if necessary, arrange for the hearing of the case at the next sitting of the Court.

(3) On failure of either party to appear before the Magistrate in pursuance of a requisition under sub-section (1) or sub-section (2) or to attend the Court at any subsequent sitting to which the case may be adjourned, the Magistrate may decide the case *ex-parte*, and his decision shall be binding on both parties.

(4) * * * * * if the hirer is about to leave the [place where the dispute arises], a police officer to whom reference has been made under sub-section (2) may, after hearing both parties, require the hirer to deposit such sum, if any, as appears to be due by him, and, if any compensation appears to be due under section 28, an additional sum of ten rupees, and the hirer shall not be required to attend the Magistrate's Court. The police officer shall report the dispute to the Magistrate and the Magistrate may award the driver such sum, if any, not being in excess of the amount deposited by the hirer, as he considers just, and if any offence appears to have been committed, shall inquire into the same according to law. In either case where any surplus remains of the deposit made by the hirer, the Magistrate shall give notice hereof to the hirer and return it to him on demand.

1. Subs. by Sind 7 of 1928, s. 10, for "nearest police officer of rank not below that of inspector".

2. The words "Provided that" rep. by the Sind Laws (Adaptation, Revision, Repeal and Declaration) Ordinance, 1955 (Sind 5 of 1955) s. 6, Sch. II.

3. Subs. [ibid., s. 7, Sch. III, "for City of Bombay".

(5) Where the Magistrate is satisfied that one party had no reasonable ground for requiring the other party to proceed to his Court or to the nearest police officer, he may direct the former party to pay to the latter such compensation not exceeding fifty rupees as he thinks fit, and such compensation shall be leviable as a fine.

32. (1) When a complaint is made before a Magistrate against a driver of a public conveyance under this Act, the Magistrate may, if the driver fails to appear, summon the licensee of such conveyance to appear and produce the driver. Licensee may be required to produce driver.

(2) If the licensee after being duly summoned fails without reasonable excuse to appear or to produce the driver he shall be punishable with fine not exceeding fifty rupees. Penalty.

33. If any person who has hired a public conveyance refuses to pay the legal fare thereof, the Magistrate may order payment of such fare and also of reasonable compensation for loss of time; such fare and compensation shall be leviable as a fine. Refusal to pay fare.

Miscellaneous.

34. (1) All property left in any public conveyance shall be forthwith deposited by the licensee or driver of such conveyance at the nearest police station. Disposal of property penalty.

(2) The [Superintendent] shall cause such property to be returned to such person as shall prove to his satisfaction that he is entitled to the same, on payment by such person of all expenses reasonably incurred and of such compensation to the driver of the public conveyance as the [Superintendent] may consider just.

(3) Any licensee or driver failing to deposit any property as required by sub-section (1) shall be punishable with fine which may extend to fifty rupees.

35. [(1) The [Superintendent], subject to the condition of previous publication, may make rules not inconsistent with this Act,— Rules.

- (a) fixing the sum to be paid towards the cost of an inscription under sub-section (2) of section 6;

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. Subs. by Sind 7 of 1928, s. 11(a), for the original sub-section (1).

(b) generally for the regulation of public conveyances]

(2) Such rules shall be published in the '[Official Gazette].

[(3) Such rules may provide that a contravention thereof shall be punishable with fine which may extend to thirty rupees].

Extension of
Act.

36. (1) The '[Provincial Government]' * * * * * may by notification in the '[Official Gazette]' extend this Act or any specified provisions thereof to any area within '[its * * *]' jurisdiction from a date to be stated in such notification.

(2) Where this Act or any portion thereof is extended to any such area, the '[Provincial Government]' * * * * * ,...

(a) shall by notification appoint some person to perform the functions assigned by this Act to the '[Superintendent]', and

(b) may by notification direct that any particular Magistrates or classes of Magistrates shall exercise jurisdiction under this Act, and

[(c) may by notification direct that any class of vehicles shall be exempt from all or any of the provisions of this Act.

(3) A notification under this section extending this Act or any portion thereof to any area shall be published at least thirty days before the date fixed for its coming into effect.

“(3A) * * * * *”

(4) When this Act or any portion thereof is extended to any area, the powers of fixing fees and of appointing “[and abolishing] stands and of making rules shall be exercised subject to the approval of the '[Provincial Government]’.

1. Subs. by the A.O., 1937, for “B.G.G”.

2. Ins. by Sind 7 of 1928, s. 11 (b).

3. Sub s. by the A.O., 1937, for “Commissioner in Sind.”

4. The words “or the Commissioner of a division” rep by the Sind Laws (Adaptation, Revision, Repeal and Declaration) Ordinance, 1955 (Sind 5 of 1955) s. 6, Sch. II.

5. Subs. by the A.O., 1937, for “his”.

6. The words “or his” rep by the Sind Laws (Adaptation, Revision, Repeal and Declaration) Ordinance, 1955 (Sind 5 of 1955) s. 6, Sch. II.

7. The words “or the Commissioner of the division, as the case may be” rep. *ibid*, s. 6, Sch. II.

8. Subs. by *ibid*, s. 7, Sch. III, for “Commissioner of Police”.

9. Subs. by Sind 7 of 1928, s. 12 (a), for the original (c).

10. Sub-section (3-A), rep. by the Sind Laws (Adaptation, Revision, Repeal and Declaration) Ordinance, 1955 (Sind 5 of 1955) s. 6, Sch. II.

11. Ins. by Sind 7 of 1928, s. 12 (e).

(5) * * * * *

137. The [Provincial Government], * * * in any area to which this Act or any specified provisions thereof have been extended under section 36 * * * * *

may, by notification in the [Official Gazette], apply or adapt all or any of the provisions of this Act, except those which relate to plying for hire, or any part of any such provision, to vehicles or to any class of vehicles which are kept, or ordinarily let, for hire, but which are not used for the purpose of plying for hire.

Power to apply or adapt certain provision to vehicles not used for the purpose of plying for hire.

Explanation.—A vehicle shall not be deemed to be kept for hire if it is let for hire only occasionally by private agreement.

38. All powers conferred by this Act may be exercised from time to time as occasion requires.

Powers may be exercised from time to time.

39. *Rep. by the Sind Laws (Adaptation, Revision, Repeal and Declaration) Ordinance, 1955 (Sind 5 of 1955) s.6, Sch. II.*

[THE SCHEDULE.] [Rep. by the Sind Laws (Adaptation, Revision, Repeal and Declaration) Ordinance, 1955 (Sind 5 of 1955), s. 6, Sch. II.]

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1. Sub-section (5) omitted by the A.O., 1937.
 2. Subs. by the Sind 7 of 1928, for the original s. 37.
 3. Subs. by the A.O., 1937, for "G. in C."
 4. The word "or" rep. by the Sind Laws (Adaptation, Revision, Repeal and Declaration) Ordinance, 1955 (Sind 5 of 1955), s. 6, Sch. II.
 5. The words "the Provincial Government, or the Commissioner of the division, as the case may be," rep. *ibid.*
 6. Subs. by the A.O. 1937, for "B.G.G."