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PART-IV

PROVINCIAL ASSEMBLY OF SINDH NOTIFICATION KARACHI, THE 17TH OCTOBER, 2016.

NO.PAS/Legis-B-22/2014-The Sindh Mass Transit Authority Bill, 2014 having been passed by the Provincial Assembly of Sindh on 29th September, 2016 and assented to by the Governor of Sindh on 06th October, 2016 is hereby published as an Act of the Legislature of Sindh.

THE SINDH MASS TRANSIT AUTHORITY ACT, 2014.

SINDH ACT NO. XXIX OF 2016.

AN ACT

to provide for the establishment of an Authority known as the Sindh Mass Transit Authority in the Province of Sindh.

WHEREAS it is expedient to establish and empower the Sindh Mass Transit Authority for the purpose of, *inter alia*, planning, coordinating, constructing, developing, operating, maintaining, monitoring and regulating mass transit systems in the Province of Sindh and carrying out all ancillary functions thereto for providing safe, efficient, comfortable, affordable, sustainable and reliable forms of mass transit systems and to make provisions for matters connected therewith or ancillary thereto.

Preamble.

CHAPTER-I PRELIMINARY

It is hereby enacted as follows:-

1. (1) This Act may be called the Sindh Mass Transit Authority Act, 2014. **Short title, extent and Commencement.**
- (2) It extends to the whole of the Province of Sindh.
- (3) It shall come into force at once.
2. In this Act, unless there is anything repugnant in the subject or context - **Definitions.**

- (a) "Act" means The Sindh Mass Transit Authority Act, 2014;
- (b) "assets" means the moveable and immovable properties (including intangible assets);
- (c) "Authority" means the Sindh Mass Transport Authority established under section 4 of the Act;
- (d) "Board" means the Board constituted under this Act;
- (e) "Bus Rapid Transit" means a mode of mass transit where specialized buses are operated on dedicated or semi-dedicated lanes;
- (f) "Chairperson" means the chairperson of the Board;
- (g) "constituent body" means any such local authority or department of the Government as the Government may, by notification in the Official Gazette, declare to be a constituent body, and constituent bodies shall be construed accordingly;
- (h) "contract" means any kind of agreement, undertaking, contract, deed or instrument, whether written, expressed or implied for any matter falling within the ambit of this Act or ancillary thereto, including the development, construction, operations, management, planning or maintenance of Mass Transit systems, and ancillary matters thereto, and the facilities thereon for the supply of materials or for the performance of any service in connection therewith;
- (i) "depot" means a space or an area provided for parking, repair, maintenance, fueling, servicing and cleaning vehicles for the purpose of a project;
- (j) "Developer" means a person, party, syndicate, consortium or a firm to whom a contract is awarded by the Authority for the development of a scheme or project or parts thereof, or any ancillary matters pertaining to Mass Transit systems;
- (k) "fares" means the amount prescribed by the Authority to be charged for a journey(s) from passengers travelling by any mode of Mass Transit through mandatory ticketing system, e-ticketing system or any fare collection mechanism as the case may be;
- (l) "feeder service" means the services of various modes of transport integrated with the Mass Transit systems;
- (m) "Fund" means the Sindh Mass Transit Authority Fund established under section 23;
- (n) "Government" means the Government of Sindh;
- (o) "Internal Controls" means the systems and procedures controlling or mitigating the risks associated activities permitted to be carried out by the Authority;
- (p) "license" means a license granted by the Authority to various operators, or to any party for the performance of functions in respect of a scheme or project;

(q) "Managing Director" means the managing director (by whatever name called) appointed under section 16 of the Act;

(r) "Mass Transit" means all types of mass transit including, but not limited to, rail and road-based mass transit facilities, circular railway, Bus Rapid Transit, light rail transit, Mass Rapid Transit systems, Mono Rail, feeder services, and any other modes notified by the Government from time to time to comprise Mass Transit;

(s) "Member" means a member of the Board;

(t) "Mono Rail" means gliding guide-way system using single pier;

(u) "operator" means a person, whether private or otherwise, entrusted with the functions, duties and responsibilities of operating a scheme or project (or any part(s) thereof) pursuant to a contract;

(v) "person" means -

- (i) an individual;
- (ii) a company or association of persons incorporated, formed, organized or established in Pakistan or elsewhere;
- (iii) the Federal Government;
- (iv) a Provincial Government;
- (v) a local authority in Pakistan;
- (vi) a corporation or any other body formed pursuant to a statute; or
- (vii) a foreign government, a political sub-division of a foreign government, or public international organization;

(w) "project" means the planning, construction, development, implementation, operation and maintenance of a Mass Transit system, alongwith all ancillary and related aspects thereof;

(x) "Regulations" means Regulations made under this Act;

(y) "right of way" means the land or an area reserved for roads or transit ways, or such land for the purpose of construction of transit ways, roads, projects or schemes which have been granted to or acquired by the Authority;

(z) "road" means a road or part thereof, including land within the right of way and all works such as carriage ways, cart ways, footpaths, berms, traffic signals, side-drains, culverts, bridges, tunnels and works of every description built on, under or across any road which has been constructed or are maintained by the Government or a constituent body and are designated and intended for, or used by general public for the passage of vehicles and pedestrians;

(aa) "Rules" means the Rules made under this Act;

(bb) "Secretary" means Secretary of the Board appointed under section 18 of this Act;

(cc) "scheme" means a scheme or plan pertaining to Mass Transit systems, prepared, undertaken or executed under this Act;

(dd) "station" means a place earmarked where modes of Mass Transit may stop for a specified duration to allow passengers to board or alight from the vehicle; and

