

WEST PAKISTAN MOTOR VEHICLES ORDINANCE, 1965.

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[XIX OF 1965]¹

[18th June, 1965]

An Ordinance to amend and consolidate the law relating to Motor Vehicles in the Province of ²[Balochistan], ³[Khyber Pakhtunkhwa], ⁴[Punjab], ⁵[Sindh].

WHEREAS it is expedient to amend and consolidate the law relating to Motor Vehicles in the Province of Balochistan, Khyber Pakhtunkhwa, Punjab and Sindh; **Preamble.**

AND WHEREAS, the Provincial Assembly of West Pakistan is not in session and the Governor of West Pakistan is satisfied that circumstances exist which render immediate legislation necessary;

NOW, THEREFORE, in exercise of the powers conferred on him by clause (1) of Article 79 of the Constitution, the Governor of West Pakistan is pleased to make and promulgate the following Ordinance:

CHAPTER-I PRELIMINARY

1. (1) This Ordinance may be called the Balochistan, Khyber Pakhtunkhwa, Punjab and Sindh Motor Vehicle Ordinance, 1965. **Short title and extent.**

(2) It extends to the whole of the Province of Balochistan, Khyber Pakhtunkhwa, Punjab, and Sindh except the Tribal Areas.

2. In this Ordinance, unless the context otherwise requires, the following expressions shall have the meanings hereby respectively assigned to them, that is to say:- **Definitions.**

(1) “ambulance” means a vehicle designed for the carriage of sick, wounded or invalid persons or animals;

¹ This Ordinance was approved by the West Pakistan Assembly in pursuance of clause (3) of Article 79 of the Constitution (1962) as its meaning held on the 10th July, 1965, *vide* Notification No. PWAP. Legis (65)-58 published in Gazetted of West Pakistan, Extraordinary, 8th June, 1965 and PLD 1965 West Pak. Statute 181 and 301.

² Substituted for the words “West Pakistan” by Balochistan Adaptation of Laws Order, 1975.

³ Substituted for the words “West Pakistan” by K.P. Adaptation of Laws Order, 1975.

⁴ Substituted for the words “West Pakistan” by Punjab Adaptation of Laws Order, 1975.

⁵ Substituted for the words “West Pakistan” by Sindh Adaptation of Laws Order, 1975.

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- ¹[(1-A) “ambulance” means a vehicle designed or adapted primarily for the purpose for carriage of sick, wounded or invalid persons or animals;”];
- (2) “axle weight” means in relation to an axle of vehicle the total weight transmitted by the several wheels attached to the surface whereon the vehicle rests;
- (3) “Corporation” means the Road Transport Corporation established under Section 70;
- ²[(4) “Certificate of registration” means and includes the Security Featured Motor Vehicle Registration (MVR) Smart Card issued by the competent authority to effect that a motor vehicle has been registered in accordance with the provisions of Chapter-III;”.]
- (5) “contract carriage” means a Motor Vehicle which carries a passenger or passengers for hire or reward vnder a contract expressed or implied for the use of the vehicle as a whole at or for a fixed or agreed rate or sum and from one point to another without stopping to pick up or set down along the line of route passengers not included in the contract; and includes a motor cab not-withstanding that the passengers may pay separate fares;
- (6) “delivery van” means any goods vehicle the registered laden weight of which does not exceed 5,000 pounds avoirdupois;
- (7) “driver” includes, where a separate person acts as steersman of a Motor Vehicle, that person as well as any other person engaged in the driving of the vehicle;
- (8) “emergency vehicle” means a Motor Vehicle used solely for police, fire-brigade or ambulance purposes or to relieve distress,
- ³[(8-A) “emergency vehicle” means a motor vehicle used solely, “as a law enforcement vehicle”, fire-brigade or ambulance to relieve distress;”];

¹ Inserted sub-section by Sindh Act No. 2018, dated 29th May, 2018.

² Substituted clause by the Sindh Act No. II of 2020, S.2, dated 29th January, 2020.

³ Inserted sub-section by Sindh Act No. 2018, dated 29th May, 2018.

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- (9) “fares” includes sums payable for a season ticket or in respect of the hire of a contract carriage;
- (10) “goods” include livestock, and anything (other than equipment ordinarily used with vehicle carried by a vehicle except living person, but does not include luggage or personal effects carried in a motorcar in a trailer attached to a motorcar or the personal luggage of passengers travelling in the vehicle;
- (11) “goods vehicle” means any Motor Vehicle constructed or adapted for use for the carriage of goods, or Motor Vehicle not so constructed or adapted when used for the carriage of goods, solely or in addition to passengers;
- (12) “Government” means the Government of Balochistan/Khyber Pakhtunkhwa/Punjab/Sindh;
- (13) “heavy transport vehicle” means a transport vehicle the registered axle weight of which exceeds 10,600 pounds avoirdupois, or the registered laden weight of which exceeds 14,500 pounds avoirdupois;
- (14) “intersection” shall include the area bounded by the side lines, real or projected, of two or more public highways which meet or cross each other;
- (15) “invalid carriage” means a Motor Vehicle the unladen weight of which does not exceed five hundred weights, specially designed and constructed, and not merely adapted, for the use of a person suffering from some physical defect or disability,¹ [“including differently abled persons with hearing impairment”] and used solely by or for such a person;
- (16) “licence” means the document issued by a competent authority authorising the person specified therein to drive a Motor Vehicle or a Motor Vehicle of any specified class or description;
- (17) “licensing authority” means an authority empowered to grant licences under this Ordinance;
- (18) “light transport vehicle” means any public service vehicle other than a motor cab, or any goods vehicle other than heavy transport, vehicle or a delivery van;

¹ Inserted words by Sindh Act No. XIII of 2019, dated 2nd December, 2019.

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- (19) “locomotive” means a Motor Vehicle which is itself constructed to carry any load (other than equipment used for the purpose of propulsion), the unladen weight of exceeds 16,000 pouds avoirdupois, does not include a road roller;
- (20) “motor cab” means any Motor Vehicle constructed, adapted or used to carry not more than ten passengers excluding the driver, for hire or reward;
- (21) “motorcar” means any Motor Vehicle other than a transport vehicle:, locomotive, road roller, tractor, motorcycle or invalid carriage;
- (22) “motorcycle” means a Motor Vehicle, other than an invalid carriage, with less than four wheels, the unladen weight of which, inclusive of any sidecar attached to the vehicle, does not exceed 900 pounds avoirdupois;
- (23) “motor vehicle” means any mechanically proposed vehicle adapted for use upon road whether the power of propulsion is transmitted thereto from an external or internal source, and includes a chassisto which a body has not been attached ¹[a tractor] and a trailer; ²[a combined harvester, a rig, a fork lifter, a road roller, construction and earth moving machine such as a wheel loader, a dumper, a crane, an excavator, a grader, a dozer, a pipe layer, a road making and a road or sewage cleaning plant] but does not include a vehicle running upon fixed rails or used solely upon the premises of the owner;
- ³[(23-A) “Obstruction” means any action by a person, vehicle or otherwise that would impede the progress of another vehicle. The words “obstruct” and “obstructing” shall be construed accordingly.”].
- (24) “owner” means the person in whose name the Motor Vehicle is registered and includes:-
- (25) “permit” means the document issued by the Provincial Transport Authority or a Regional Transport Authority, authorising the use of a transport vehicle as a contract carriage

¹ Inserted for “attached” by Amendment Ordinance VIII of 1978. [PLD] 1978 Cent. St. 205]

² Inserted words by Sindh Amendment Act. XIII of 2014.

³ Inserted sub-section by Sindh Act No. 2018, dated 29th May, 2018.

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or stage, carriage or authorising the owner as a private carrier to use such vehicle;

- (26) “prescribed” means prescribed by rules made under this Ordinance;
- (27) “private carrier” means an owner of a transport vehicle other than a public carrier who uses that vehicle solely for the carriage of goods which are his property or the carriage of which is necessary for the purposes of his business not being a business of providing a transport, or who uses the vehicle for any of the purposes specified in sub-section (2) of section 44;
- (28) “public carrier” means an owner of a transport vehicle who transports or undertakes to transport goods, or any class of goods, for another person at any time and in any public place, for hire or reward, whether in pursuance of the terms of a contractor or agreement or otherwise, and includes any person, body, association or company engaged in the business of carrying of the goods of persons associated with that person, body, association or company for the purposes of having their goods transported;
- (29) “public highway” shall include any highway, road, street, avenue, alley, public place, public drive way or any other public way;
- (30) “public place” means a road, street, way or other place, whether a thoroughfare or not to which the public have a right of access, and includes any place or stand at which passengers are picked up set down by a stage carriage;
- (31) “public service vehicle” means any Motor Vehicle used or adapted to be used for the carriage of passengers for hire or reward, and includes a motor cab, contract carriage, and stage carriage;
- (32) “registered axle weight” means in respect of any vehicle the axle weight certified registered by the registering authority as permissible for that vehicle;
- (33) “registered laden weight” means in respect of any vehicle the total weight of the vehicle and load certified and registered by the registering authority as permissible for that vehicle; ipo

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- (34) “registering authority” means an authority empowered to register Motor Vehicles under Chapter III;
- (35) “school bus” means any Motor Vehicle used exclusively for the carriage of students of any educational institution, recognised by Government or the managing committee of which is a society registered under the Societies Registration Act, 1860;
- (36) “semi-trailer” means any vehicle which is so designed that when operated, the forward end of its body or chassis rests upon the body of chassis of the towing Motor Vehicle;
- (37) “stage carriage” means a Motor Vehicle carrying or adapted to carry more than six persons excluding the driver which carries passengers, for hire or reward at a separate fares paid by or for individual passengers, either for the whole journey or for stages of the journey;
- (38) “Street (road way)” means that part of the public highway which is intended for vehicular traffic;
- (39) “tractor” means Motor Vehicle which is not itself constructed to carry and load (other than equipment used for the purpose of propulsion) the unladen weight does not exceed 16,000 pounds avoirdupois;
- (40) “traffic signs” includes all signal, warning signs posts, direction posts, or other devices for the information, guidance or direction of drivers of Motor Vehicles;
- (41) “trailer” means any vehicle other than a side-car drawn or intended to be drawn by a Motor Vehicle;
- (42) “transport vehicle” means a public service vehicle, a goods vehicle, a locomotive or a tractor [***];
- (43) “unladen weight” means the weight of a vehicle or trailer, including all equipment ordinarily used within the vehicle or trailer when working, but excluding the weight of the driver or attendant; and where alternative parts or bodies are used, the unladen weight of the vehicle means the weight of the vehicle with the heaviest such alternative part or body;

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- (44) “weight” means the total weight transmitted for the time being by the wheels of a vehicle to the surface on which the vehicle rests.

CHAPTER II LICENSING OF DRIVERS OF MOTOR VEHICLES

3. ¹[(1)] No person shall drive a Motor Vehicle in any public place unless he holds an effective licence authorising him to drive the vehicles; and no person shall so drive a Motor Vehicle as paid employee or shall so drive a public service vehicle unless his licence specially entitles him so to do: **Prohibition on driving without licence.**

Provided that a person receiving instruction in driving a Motor Vehicle may, subject to such conditions as may be prescribed by Government in this behalf, drive a Motor Vehicle in any public place.

²[(2) No person shall drive a motor vehicle in any public place unless he has in his possession his own copy of the most recent version of the Pakistan Highway Code published by the Federal Government].

4. (1) No person shall drive in any public place:- **Age limit in connection with driving of Moto, Vehicle.**
- (i) a motorcycle or an invalid carriage, unless he has attained the age of eighteen years;
 - (ii) a motorcar, otherwise than as paid employee, unless he has attained the age of eighteen years;
 - (iii) a motorcar as a paid employee or a transport vehicle, unless he has attained the age of twenty-one years;
 - (iv) a heavy transport vehicle, unless he has attained the age of twenty-two years.

(2) (a) No person above the age of fifty years shall drive a transport vehicle in any public place unless the licence entitling him so to do bears an effective endorsement by the licensing authority that such person has furnished a certificate in Form B as set forth in the First Schedule signed by a registered medical practitioner.

¹ Substituted by Provincial Motor Vehicles (amendment) Ordinance, VIII of 1978.

² Sub-section (2) added *w.e.f.* 5.3.1978 by Provincial Motor Vehicle (Amendment) Ordinance VIII of 1978. [PLD 1978 Cent. St. 65].

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(b) The licensing authority shall not make on any licence any such endorsement as is referred to in clause (a) unless it appears from the medical certificate furnished by the holder of the licence that he is not suffering from any disease or disability in the Second Schedule or any other disease or disability which is likely to cause the driving by him of a transport vehicle to be a source of danger to the public or to the passengers.

(c) An endorsement made under the provisions of clause (a) shall be effective for a period of twelve months from the date thereof, but the said period may, from time to time, be extended by the licensing authority by a further period of twelve months at any one time, on the production by the holder of the licence of a fresh medical certificate as required under clause (a) and on being satisfied therefrom that the holder of the licence is not suffering from any disease or disability referred to in clause (b).

(3) No person shall drive a Motor Vehicle in a public place with his eyes wholly or partly covered with any cloth or opaque substance, or in such manner as to interfere in any manner with his vision.

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| 5. | No owner or person in charge of a Motor Vehicle shall cause or permit any person who does not satisfy the provisions of Section 3 or Section 4 to drive the vehicle. | Owners of Motor Vehicles not to permit contravention of Section 3 or Section 4. |
| 6. | No holder of a licence shall permit, to be used by any other person. | Restriction on use of licence by person other than holder. |
| 7. | (1) Any person who is not disqualified under Section 4 for driving a Motor Vehicle and who is not or the time being disqualified for holding or obtaining a licence, may apply to the licensing authority having jurisdiction in the area in which he ordinarily resides or carries on business or, if the application is for a licence to drive as a paid employee, in which the employer resides or carries on business for the issue to him of a licence. | Grant of licence. |
| | (2) Every application under sub-section (1) shall be in Form A as set forth in the First Schedule, shall be signed by, or bear the thumb-impression of the applicant in two places, and shall contain the information required by the form. | |
| | (3) Where the application is for a licence to drive as paid employee or to drive a transport vehicle, or where in any other case the licensing | |

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authority for reason to be stated in writing so requires, the application shall be accompanied by a medical certificate in Form B as set forth in the First Schedule signed by a registered medical practitioner.

(4) Every application for a licence to drive ¹[a motor vehicle] shall be accompanied by three copies of a recent photograph of the applicant attested by a Magistrate or ²[an Officer of Government not inferior in rank to an officer in grade 17 of National Pay Scales].

(5) If, from the application or from the medical certificate referred to in sub-section (3), it appears that the applicant is suffering from any disease or disability specified in the Second Schedule or any other disease or disability which is likely to cause the driving by him of a Motor Vehicle of the class which he would be authorised by the licence applied for to drive to be a source of danger to the public or to the passengers, the licensing authority shall refuse to issue the licence:

Provided that:-

- (a) a licence limited to driving an invalid carriage may be issued to the applicant, if the licensing authority is satisfied that he is fit to drive such a carriage;
- (b) the applicant may, except where he suffers from a disease or disability specified in the Second Schedule, claim to be subjected to a test of his fitness or ability to drive a motor vehicle of a particular construction or design, and if he passes such test to the satisfaction of the licensing authority and is not otherwise disqualified, the licensing authority shall grant him a licence to drive such Motor Vehicle as the licensing authority may specify in the licence.
- ³[(c) the applicant with hearing impairment having up to 40 DB hearing loss shall wear hearing aids and in case the hearing loss exceeds 40 DB, the applicant shall use assistive technology devices or means as per description vehicle of special type mentioned in Form-A(k) First Schedule.

¹ Substituted for "as paid employees and very application for a licence to drive a transport vehicle" by Provincial Motor Vehicles (Amendment) Ordinance, VIII of 1978.

² Substituted for "a class I officer of Government", *ibid*.

³ Added clauses & proviso by Sindh Act No. XIII of 2019, 2nd December, 2019.

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- (d) the person who will take the driving test should know sign language or should be assisted by a person who knows sign language.
- (e) no license fee shall be charged from such person.

Provided that the vehicles of such persons shall attach mandatory stickers on their vehicles, as may be prescribed”].

(6) No licence shall be issued to any applicant unless he passes to the satisfaction of the licensing authority the test of competence specified in the Third Schedule:

Provided that where the application is for a licence to drive a Motor Vehicle (not being a transport vehicle) otherwise than a paid employee, the licensing authority may exempt the applicant from the test specified in the Third Schedule, if

- (a) the applicant possesses a driving certificate issued by an automobile association recognised in this behalf by Government; or
- (b) the licensing authority is satisfied that the applicant has previously held a licence (or similar document) valid outside the Province and has had not less than twelve months recent experience of driving a Motor Vehicle of the class to which the application refers:

Provided further that where the applicant, being a serving member of the Armed Forces of Pakistan, is in possession of a valid army driving licence and has been actually driving one or more classes of Motor Vehicle for not less than three years immediately before the date of application, the licensing authority shall, subject to the prescribed conditions, exempt him from the test specified in the Third Schedule and issue to him a driving licence for the class or classes of Motor Vehicles he has been so driving.

(7) The test of competence to drive shall be carried out in a vehicle of the class to which the application refers and for the purposes of Part I of the test:-

- (a) a person who passes the test in driving a heavy transport vehicle shall be deemed also to have passed the test in driving any Motor Vehicle other than a motorcycle or a road-roller;

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- (b) a person who passes the test in driving a light transport vehicle shall be deemed also to have passed the test in driving a motorcar, or a motor cab or a delivery van.

(8) No licence shall be issued to any applicant to drive a heavy transport vehicle unless he has held for a period of not less than three years immediately preceding the making of the application an effective licence to drive a Motor Vehicle other than a motorcycle an invalid carriage or a road-roller.

(9) When an application has been duly made to the appropriate licensing authority and the applicant has satisfied such authority of his physical fitness and of his competence to drive and has paid to the authority the prescribed fee, the licensing authority shall grant the applicant a licence unless the applicant is disqualified under Section 4 for driving a Motor Vehicle or is for the time being disqualified for holding or obtaining a licence:

Provided that a licensing authority may issue a licence to drive a motorcycle or a motorcar notwithstanding that it is not the appropriate licensing authority, if the licensing authority is satisfied that there is good reason for the applicant's inability to apply to the appropriate licensing authority.

¹[(10) No licence shall be issued to any applicant unless he has in his possession his own copy of the most recent 11 version of the Pakistan Highway Code published by the Federal Government].

8. (1) Every licence, except a licence issued under Section 15, shall be in Form C as set forth in the First Schedule and shall have affixed thereto one of the signatures or thumb-impression given on the application for the licence and, ²[***] one of the photographs referred to in sub-section (4) of Section 7. **Form and contents of licence.**

(2) A licence shall specify whether the holder is entitled to drive as a paid employee and whether he is entitled to drive a public service vehicle and shall further be expressed as entitling the holder to drive a Motor Vehicle of one more of the following classes namely:-

- (a) motorcycle, (b) motorcar,

¹ Sub-section (10) added by Provincial Motor Vehicles (Amendment) Ordinance, VIII of 1978.

² Words "in the case of a licence to drive as a paid employee or to drive a transport vehicles," omitted by Provincial Motor Vehicles (Amendment) Ordinance, VIII of 1978.

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| (c) motor cab, | (d) delivery van, |
| (e) light transport vehicle, | (f) heavy transport vehicle, |
| (g) locomotive, | ¹ [(g-i) dumper; |
| (g-ii) trailer; | (g-iii) bulldozer; |
| (g-iv) crane; | (g-v) excavator; |
| (g-vi) grader;”] | (h) tractor, |
| (i) road roller, | (j) invalid carriage, |
| (k) any other Motor Vehicle of a specified description. | |

9. (1) Any person holding a licence issued under this Ordinance who is not for the time being disqualified for holding or obtaining a licence may apply in Form D as set forth in the First Schedule to the licensing authority having jurisdiction in the area in which he ordinarily resides or carries on business or, if the application relates to a licence to drive as a paid employee in which the employer resides or carries on business, for the addition of any class of Motor Vehicles to the licence as is specified in Section 8. **Additions to licence.**

(2) The provisions of Section 7 shall apply to an application under this section as if the application were for the grant of a licence under that section to drive the class of Motor Vehicle which the applicant desires to be added to his licence: Provided that the provisions of sub-sections (3) and (4) of that section shall not apply where the applicant is the holder of a licence to drive as a paid employee or to drive a transport vehicle.

(3) No fee other than a fee for the test of competence to drive shall be charged for an addition to a licence under this section.

10. (1) Subject to any rules made by Government, a licence issued under the foregoing sections shall be effective throughout the Province. **Extent of validity of licence.**

(2) Subject to any rules made by Government, a licence to drive a Motor Vehicle issued by a competent authority in any part of Pakistan not included in the Province shall be valid throughout the Province as if it shall be lawful for the holder of such a licence to drive and be

¹ Inserted clauses by Sindh Amendment Act XIII of 2014.

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employed in driving in the Province a Motor Vehicle of any class or description which he is authorized by such licence to drive.

Provided that the holder of such a licence is not disqualified under any of the provisions of this Ordinance for holding or obtaining a licence in the Province.

11. A licence issued under the foregoing sections shall, subject to the provisions contained in this Ordinance as to the cancellation of licences and the disqualification of holders of licence for holding or obtaining licences, be effective without renewal for a period up to three years in the case of licence to drive a motorcar or motorcycle otherwise than a paid employee, and in any other case for a period of twelve months only from the date of issue of last renewal. **Currency of licences.**

12. (1) Any licensing authority may on an application made to it renew a licence issued under the provision of this Ordinance: **Renewal of licences.**

¹[Provided that no licence shall be renewed unless the holder thereof has in his possession his own copy of the most recent version of the Pakistan Highway Code published by the Federal Government].

(2) A licence to drive as a paid employee shall not be renewed so as to be effective for any period after the expiry of five years from the date of the medical certificate furnished by the licence holder under Section 7 unless he furnishes a fresh medical certificate in Form B as set forth in the First Schedule and signed by a registered medical practitioner in which case the period of five years shall be computed from the date of the last of such certificates.

(3) An application for the renewal of a licence shall be in Form E as set forth in the First Schedule and shall contain the declaration required by the form; provided that if the applicant does not or is unable to subscribe to the said declaration, the provisions of sub-section (5) of Section 7 shall apply.

(4) The fee payable for the renewal of a licence shall be as prescribed, and enhanced fee may be prescribed where the application for renewal is made more than thirty days from the date of expiry of the licence: Provided that if the application for renewal is made more than three years after the expiry of the licence, the licensing authority may refuse to renew the licence unless the applicant undergoes and passes to its satisfaction the test of competence specified in the Third Schedule.

¹ Proviso added by Provincial Motor Vehicles (Amendment) Ordinance, VIII of 1978.

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(5) When the authority renewing the licence is not authority which issued the licence, it shall intimate the fact of renewal to the authority which issued the licence.

13. (1) Notwithstanding anything contained in Section 11 or Section 12. any licensing authority may at any time cancel a licence or may require the holder thereof, as a condition of continuing to hold such licence, to furnish a fresh medical certificate in Form B as set forth in the First Schedule and signed by a registered medical practitioner, if the licensing authority has reasonable grounds to believe that the holder of the licence is by virtue of any disease or disability, unfit to drive a Motor Vehicle.

Cancellation of licence on grounds of disease or disability.

(2) When the authority cancelling the licence is not the authority which issued the licence, it shall intimate the fact of cancellation to the authority which issued the licence.

14. (1) Where the licensing authority refuses to issue or cancels or refuses to renew any licence, it shall do so by an order communicated to the applicant or the holder, as the case may be, giving reasons in writing for such refusal or cancellation.

Order refusing licences and appeals therefrom.

(2) Upon the issue of any such order the person affected, if he is the holder of a licence, shall forthwith surrender his licence to the licensing authority making the order if the licence has not already been surrendered, and the licensing authority shall, if no appeal is preferred against its order as provided in sub-section (3), or where any appeal has been preferred had been dismissed, destroy the licence or cause it to be destroyed.

(3) Any person aggrieved by an order referred to in sub-section (1) may, within thirty days of the service on him of the order, appeal to the prescribed authority, who shall decide the appeal after giving the authority against whose order the appeal has been preferred an opportunity of being heard and that authority shall be bound by the decision of the appellate authority.

15. (1) The authority specified in Part A of the Fourth Schedule may grant licences, valid throughout the Province, to persons who have completed their eighteenth year to drive Motor Vehicles which are the property or are for the time being under the exclusive control of the Federal Government.

Licence to drive Motor Vehicles, the property of the Federal Government.

(2) A licence issued under this Section shall specify the class or classes of vehicles which the holder is entitled to drive and the period for which he is so entitled.

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(3) A licence issued under this section shall not entitle the holder to drive any Motor Vehicle except a Motor Vehicle which the property or for the time being under the exclusive control of the Federal Government.

(4) The authority issuing any licence under this section shall at the request of Government furnish such information respecting any person to whom a licence is issued as Government may at any time require.

16. (1) If a licensing authority is satisfied after giving him an opportunity of being heard that any persons:-
- Power of licensing authority to disqualify for holding a licence.**
- (a) is a habitual criminal or a habitual drunkard, or
 - (b) is using or has used a motor vehicle in the commission of a cognizable offence, or
 - (c) has by his previous conduct as driver of a motor vehicle shown that his driving is likely to be attended with danger to the public, it may, for reasons to be recorded in writing make an order disqualifying that person for a specified period for holding or obtaining a licence.

¹[(1-A) If a licensing authority is satisfied, after giving him an opportunity of being heard, that in respect of any person an order under sub-section (1) of this section, or a declaration under sub-section (1) of Section 18, has been made on more than one occasion, it may, for reason to be recorded in writing, make an order cancelling the licence granted to that person and disqualifying him for such period as it may deem fit.]

(2) Upon the issue of any such order the person affected if he is the holder of licence, shall forthwith surrender his licence to the licensing authority making the order, if the licence has not already been surrendered, and the licensing authority shall keep it until the disqualification has expired or has been removed.

(3) Any person aggrieved by an order made by a licensing authority under this section may, within thirty days of the service on him of the order, appeal to the prescribed authority and such appellate authority shall give notice to the licensing authority and hear either party if so

¹ Sub-section 11-A) Inserted by Provincial Motor Vehicles (Amendment) Ordinance. VIII of 1978.

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required by that party and make such inquiry into the matter as it thinks fit. An order made by any such appellate authority shall be final.

17. (1) A Regional Transport Authority constituted under Chapter IV may, for reasons to be recorded in writing and subject to any prescribed conditions declare any person disqualified, for a specified period, for holding or obtaining a licence to drive a transport vehicle in the Province. **Power of Regional Transport Authority to disqualify.**

(2) A Regional Transport Authority making a declaration under sub-section (1) shall, if the person so disqualified is the holder of a licence, furnish a copy of the declaration to the licensing authority by whom the licence was granted, and if the person so disqualified is not holder of licence, to the licensing authority within whose jurisdiction he ordinarily resides.

(3) Upon the making of declaration under sub-section (1), the person affected, if he is holder of a licence shall forthwith surrender his licence to the licensing authority by whom the licence was granted, and the licensing authority shall keep it until the disqualification has expired or has been removed.

(4) Any person aggrieved by an order made under sub-section (1) may within thirty days of the receipt of intimation of such order, appeal against the order to the prescribed authority.

18. (1) Where a person is convicted of an offence under this Ordinance, or of an offence in the commission of which a motor vehicle was used, the Court by which such person is convicted may subject to the provisions of this section, in addition to imposing any other punishment authorised by law, declare the persons so convicted to be disqualified for such period as the Court may specify for holding any licence or for holding a licence to drive a particular class or description of vehicles: **Power of Court to order disqualification.**

Provided that the Court shall not order the disqualification of an offender convicted for the first or second time of an offence punishable under Section 98.

(2) The Court shall order the disqualification of an offender convicted of an offence punishable under Section 99 or Section 100 and such disqualification shall be for a period of not less than six months.

(3) The Court shall order the disqualification of an offender convicted of an offence against the provisions of clause (c) of sub-section (1) of

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Section 92 or of section 94 and such disqualification shall be for a period of not less than one month.

(4) The Court shall unless for special reasons to be recorded in writing it thinks fit to order otherwise, order the disqualification of an offender:—

- (a) who having been convicted of an offence punishable under Section 101 is again convicted for an offence punishable under that section,
- (b) who is convicted of an offence punishable under Section 103,
- (c) who is convicted of an offence under Section 106:

Provided that the period of disqualification shall not exceed, in the cases referred to in clauses (a) and (b), two years, and in the case referred to in clause (c) one year.

(5) A Court ordering the disqualification of an offender convicted of an offence punishable under Section 101 may also direct that the offender shall, whether he has previously passed the test of competency to drive specified in the Third Schedule or not, remain disqualified until he has subsequent to the making of the order of disqualification passed that test to the satisfaction of the licensing authority.

(6) The Court to which an appeal lies from any conviction of an offence of the nature specified in sub-section (1) may set aside or vary any order of disqualification made by the Court below, and the Court to which appeals ordinarily lie from any Court may set aside or vary any order of disqualification made by that Court, notwithstanding that no appeal lies against the conviction with which such order was made.

19. (1) Person in respect of whom any disqualification order is made under this Chapter shall be debarred to the extent and for the period specified in such order from holding or obtaining a licence, and the licence, if any, held by such person at the date of the order shall cease to be effective during such period. **Effect of disqualification order.**

(2) The operation of a disqualification order made under Section 18 shall not be suspended or postponed while an appeal is pending against such order or against the conviction as a result of which such order is made unless the appellate Court so directs.

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(3) Any person in respect of whom any disqualification order has been made may at any time after the expiry of six months from the date of the order apply to the Court or other authority by which the order was made, to remove the disqualification; and the Court or authority, as the case may be, may, having regard to all the circumstances of the case, remove or vary the order of disqualification:

Provided that where an application has been made under this section a second application thereunder shall not be entertained before the expiry of a further period of three months.

20. (1) The Court or authority making an order of disqualification shall endorse or cause to be endorsed upon the licence, if any, held by the person disqualified, particulars of the order of disqualification and of any conviction for an offence in respect of which an order of disqualification is made; and particulars of any removal or variation of an order disqualification made under sub-section (3) of Section 19 shall be similarly so endorsed. **Endorsement.**

(2) Any person accused of an offence specified in the Fifth Schedule or any other offence involving the driving of a motor vehicle shall, when attending the Court trying him for such offence bring with him his licence if it is in his possession.

(3) The Court by which any person is convicted of an offence specified in the Fifth Schedule or any other offence involving the driving of a motor vehicle shall, whether or not an order of disqualification is made in respect of such conviction, endorse or cause to be endorsed particulars of such conviction on any licence held by the person convicted.

21. (1) An endorsement of any licence shall be transferred to any new or duplicate licence obtained by the holder thereof until the holder becomes entitled under the provisions of this section to have a licence issued to him free from endorsement. **Transfer of endorsement and issue of licence free from endorsement.**

(2) Where a licence is required to be endorsed and the licence is at the time nor in the possession of the Court or authority by which the endorsement is to be made, then:--

- (a) if the person in respect of whom the endorsement is to be made is at the time the holder of a licence, he shall produce the licence before the Court or authority within such time as the Court or authority may fix, or

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- (b) if, not being then the holder of a licence, he subsequently obtains a licence, he shall within five days after obtaining the licence produce it before the Court or authority for the purpose of endorsement; and if the licence is not produced within the time specified the person in respect of whom the endorsement is to be made shall be deemed to have committed an offence punishable under Section 97 and the licence shall on the expiry of such time be of no effect until it has been produced for the purpose of endorsement.

(3) A person whose licence has been endorsed shall if during the period of five years since the last endorsement was made no further order of endorsement has been made against him, be entitled, on surrendering his licence and on payment of the prescribed fee, to receive a copy of the licence free from all endorsements, and if the endorsement was only in respect of exceeding a speed limit, he shall be entitled to have a copy of the licence free from endorsement issued on the expiration of one year from the date of the order directing the endorsement to be made:

Provided that in computing the said period of five years and one year respectively, the time during which the said person was disqualified for holding or obtaining a licence shall be excluded.

(4) When a licence is endorsed or an order of endorsement is made by any Court it shall send particulars of the endorsement or order, as the case may be, to the licensing authority by which the licence was last renewed and to the licensing authority which granted the licence.

(5) Where the holder of a licence is disqualified by the order of any Court for holding or obtaining a licence, the Court shall take possession of the licence and forward it to the licensing authority by which it was granted or last renewed and that authority shall keep the licence until the disqualification has expired or has been removed and the person entitled to the licence has made it deemed in writing for its return to him:

Provided that, if the disqualification is limited to the driving of a motor vehicle of a particular class or description, the Court shall endorse the licence to this effect and shall send a copy of the order of disqualification to the licensing authority by which the licence was granted and shall return the licence to the holder.

(6) Where on an appeal against any conviction or order of a Court which has been endorsed on a licence, the appellate Court varies or sets aside the conviction or order, the appellate Court shall so inform

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the licensing authority by which the licence was last renewed and the licensing authority which granted the licence, and shall amend or cause to be amended the endorsement of such conviction or order.

22. (1) Government may make rules for the purpose of carrying into effect the provisions of this Chapter. **Power to make rules.**

(2) Without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

- (a) the appointment, jurisdiction, control and function of licensing authorities and other prescribed authorities;
- (b) the conduct and hearing of appeals that may be preferred under this Chapter, the fees to be paid in respect of such appeals and the refund of such fee.; provided that no fee so fixed shall exceed two rupees;
- (c) the issue of duplicate licences to replace licence. lost, destroyed or mutilated, the replacement of photographs which have become obsolete and the issue of temporary licences to persons receiving instruction in driving and the fees to be charged therefor;
- (d) the conditions subject to which a Regional Transport Authority may disqualify a person for holding a licence to drive a transport vehicle;
- (e) the medical examination and testing of applicants for licences and of drivers and the fees to be charged therefor;
- (f) the fees to be paid for the grant and renewal of licences;
- (g) the exemption of prescribed persons, or prescribed classes of persons from payment of all or any portion of the fees payable under this Chapter;
- (h) the granting by registered medical practitioners of the certificates referred to in sub-sections (2) of Section 4, sub-section (3) of Section 7 and sub. section (1) of Section 13;

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- (i) the communication of particulars of licences granted by one licensing authority to other licensing authorities;
- (j) the control of schools or establishments for the instruction of drivers of motor vehicle:, and the acceptance of driving certificates issued by such schools or establishment as qualifying the holder for exemption from Part I of the test specified in the Third Schedule; and
- (k) the exemption of drivers of road-rollers from all or any of the provisions of this Chapter or of the rules made thereunder.

CHAPTER III REGISTRATION OF MOTOR VEHICLES

23. (1) No person shall drive any motor vehicle and no owner of a motor vehicle shall cause or permit the vehicle to be driven in any ¹[place] unless the vehicle is registered in accordance with this Chapter and the vehicle carries a registration mark displayed in the prescribed manner. **Motor vehicles not to be driven without registration.**

Explanation.-- A motor vehicle shall not be deemed to be registered in accordance with this Chapter if the certificate of registration has been suspended or cancelled.

(2) Nothing in this Section shall apply to a motor vehicle while being driven within the limits of jurisdiction of a registering authority to or from the appropriate place of registration for the purpose of being registered under section 24, 26, 40 or 41, or to a motor vehicle exempted from the provisions of this Chapter while in the possession of a dealer in motor vehicle.

24. (1) Subject to the provisions of Section 26, Section 40 and Section 41, every owner of a motor vehicle shall cause the vehicle to be registered by the registering authority of the division in which he has his residence or place of business or in which the vehicle is normally kept. **Registration where to be made.**

(2) Government may, by rules made under Section 43, require that any certificate of registration issued under the provisions of the Motor Vehicles Act, 1939, shall be presented, within a prescribed period, to a specified registering authority for entry therein of such further

¹ Substituted for "public place or in any other place for the purpose of carrying passengers or by Provincial Motor Vehicles (Amendment) Ordinance, VIII of 1978.

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particulars of the vehicle as that authority may, for the purposes of this Ordinance, deem fit to record.

25. An application by or on behalf of the owner of a motor vehicle for registration shall be in Form F as set forth in the First Schedule, shall contain the information required by that form, and shall be accompanied by the prescribed fee. **Registration how to be made.**

(2) The registering authority shall issue to the owner of a motor vehicle registered by it a certificate of registration in Form G as set forth in the First Schedule and shall enter in a record to be kept by it particulars of such certificate.

¹[(3) The registration authority shall assign to the vehicle a distinguishing mark (in this Ordinance referred to as the registration mark) consisting of a group of six numerals followed, in English and Urdu scripts, by the name of the district in which the vehicle is being registered or, in the case of a vehicle being registered in Islamabad Capital Territory, by the word "Islamabad":

Provided that any motor vehicle, whether the property of Government or not, declared by the Federal Government to be meant for the use of the President or the Prime Minister, or by a Provincial Government to be meant for the use of the Governor or the Chief Minister of the Province, shall not be assigned a registration mark, and shall instead display such other mark as may be specified by the Federal Government or the Provincial Government, as the as may be.

26. (1) Notwithstanding anything contained in Section 24, the owner of a motor vehicle may apply in the prescribed manner to any registering Authority to have the vehicle temporarily registered and thereupon such registering authority shall issue to the owner of the vehicle a temporary certificate of registration and assign to the vehicle a temporary mark of registration. **Temporary registration.**

(2) A registration made under this section shall be valid only for a period of one month, and shall not be renewable.

27. The registering authority may, before proceeding to register a motor vehicle, require the person applying for registration of the vehicle to produce the vehicle either before itself or such authority as Government may be order appoint for this purpose I order that the registering authority may satisfy itself that particulars contained in the **Production of vehicle at the time of registration.**

¹ Sub-sections (3) and (4) substituted by Provincial Motor Vehicles (Amendment) Ordinance3, XXXVI of 1981.

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application are true and that the vehicle complies with the requirements of Chapter VI and of the rules made thereunder.

28. (1) The Registering authority may, for reasons to be recorded in writing, refuse to register any motor vehicle, if-- **Refusal of registration.**
- (a) the vehicle is mechanically so defective as to render its use unsafe; or
 - (b) the vehicle does not comply with the requirements of Chapter VI, or of the rules made thereunder; or
 - (c) the applicant fails to furnish particulars of any previous registration of the vehicle; or
 - (d) the applicant fails to produce before the registering authority--
 - (i) where the vehicle has been previously registered under this Ordinance or under any other law relating to the registration of motor vehicles in force in any place in Pakistan, a letter of authority or a certificate of transfer from the person shown as owner in the last registration certificate in respect of such vehicle; or
 - (ii) where the vehicle has been imported from any place outside Pakistan and has not been previously registered in any place in Pakistan, an import licence for the vehicle.

(2) Where a registering authority refuses to register a motor vehicle, it shall furnish to the applicant free of cost a copy of the reasons for refusal.

29. (1) Subject to the provisions of Section '30, a motor vehicle registered by a competent authority in any part of Pakistan not included in the Province under the law relating to motor vehicles in force in such part, shall not be required to be registered under this Ordinance: **Effectiveness in West Pakistan registration.**

Provided that there is in force in respect of the vehicle a certificate conforming to and containing substantially the same particulars as the certificate of registration in Form G as set forth in First

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Schedule issued by such competent authority in respect of such vehicle.

(2) A certificate complying with the requirements of the proviso to the last preceding sub-section shall be effective throughout the Province as if it were a certificate of registration issued under this Ordinance and the provisions of this Ordinance shall apply thereto.

(3) Sub-section (1) shall not apply to any motor vehicle previously registered in the Province if the certificate of registration of the vehicle is, for the time being, suspended or cancelled for any reason other than that of permanent removal of the vehicle from the Province.

30. (1) When a motor vehicle not required to be registered in the Province by virtue of sub-section (1) of section 29 is kept in Province for a period exceeding twelve months, the owner of the vehicle shall apply to the Registering authority within whose jurisdiction the vehicle is, for the assignment of a new registration mark and shall present the certificate of registration of the vehicle to that registering authority. **Assignment of fresh registration mark on removal to another Province.**

(2) The registering authority to which application made under sub-section (1) shall assign the vehicle a registration mark ¹[referred to in section 25] to be carried thenceforth on the vehicle and shall enter the mark upon the certificate of registration of the vehicle before returning it to the applicant and shall also, in communication with the registering authority by whom the vehicle was previously registered, arrange for the transfer of the registration of the vehicle from the records of that registering authority to its own records.

(3) Government may make rules under section 43 requiring the owner of a motor vehicle not registered within the Province, which is brought into or is for the time being in the Province, to furnish to the prescribed authority such information with respect to the motor vehicle and its registration as may be prescribed.

31. (1) If the owner of the motor vehicle ceases to reside or have shifted place of business at the address recorded in the certificate of registration of the vehicle he shall, within thirty days of any **Change of residence or place of business**

¹ Substituted for "specified in the Sixth Schedule", by the Provincial Motor Vehicles (Amendment) Ordinance, XXXVI of 1981.

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such change of address, intimate his new address to the registering authority by which the certificate of registration was issued, or if the new address is within the jurisdiction of another registering authority, to that other registering authority and shall at the same time forward the certificate of registration to the registering authority in order that the new address may be entered therein.

(2) A registering authority other than the original registering authority making any such entry shall communicate the altered address to the original registering authority.

(3) Nothing in sub-section (1) shall apply where the change of the address recorded in the certificate of registration is due to a temporary absence not intended to exceed six months duration or where the motor vehicle is neither used nor removed from the address recorded in the certificate of registration.

32. (1) Within thirty days of the transfer of ownership of any motor vehicle registered under this Chapter, the transferee shall report the transfer to the registering authority within whose jurisdiction he ordinarily resides and shall forward the certificate of registration of the vehicle to that registering authority together With the prescribed fee In order that particulars of the transfer of ownership may be entered therein.

Transfer of ownership.

(2) A registering authority other than the original authority making of ownership any such to entry the original shall communicate the transfer of ownership to the original registering authority.

¹["32-A. If the owner of a motor vehicle registered by a registering authority having jurisdiction in the Tribal Areas of the Province of Balochistan ceases to reside or to have his place of business in those areas, or sells or otherwise transfers the motor vehicle to any person who does not reside or have his place of business in those areas, the certificate of registration and registration mark of the vehicle shall stand cancelled as from the day-on which he ceases to reside or to have his place of business in these areas or, as the case may be, sells or otherwise transfers the vehicle to such person."]

Cancellation of certificate of registration of vehicles registered in the Tribal Areas of Balochistan in certain cases.

¹ Section 32-A inserted by Provincial Motor Vehicles (Amendment) Ordinance, VIII Of 1978 [PLO 1978 Cent. St. 65)

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33. (1) If a motor vehicle is so altered that the particulars contained in the certificate of registration are no longer accurate the owner of the vehicle shall within fourteen days of the making of any such alteration, report the alteration to the registering authority within whose jurisdiction he resides and shall forward the certificate of registration of the vehicle to that authority together with the prescribed fee in order that particulars of the alteration may be entered therein: **Alteration in motor vehicle.**

Provided that it shall not be necessary to report any change in the unladen weight of the motor vehicle consequent on the addition or removal of fittings or accessories, if such change does not exceed two per cent or the weight entered in certificate of registration.

(2) A registering authority other than the original registering authority making any such entry shall communicate the details of the entry to the original registering authority.

34. (1) A registering authority or any other prescribed authority may, after giving the owner an opportunity of making any representation he may wish to make, for reasons to be recorded in writing, suspend the registration certificate of a motor vehicle, if- **Suspension of registration.**
- (a) the vehicle is not insured as required by law; or
 - (b) any fees or taxes payable in respect of the Vehicle under this Ordinance or the rules framed thereunder, or the West Pakistan Motor Vehicle Taxation Act, 1958, have remained unpaid for a period exceeding three months from the date such fees or taxes were due; or
 - (c) in the case of a public service vehicle, it is not covered by a valid certificate of fitness; or
 - (d) the authority has reasons to be believed that the vehicle is in such a condition that its use in a public place would constitute a danger to the public, or that it fails to comply with the requirements of Chapter VI or of the rules made thereunder; or
 - (e) a substantially false statement has been made in the application for registration of the vehicle; or

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- (f) the registration certificate ¹[or plate] has been deliberately defaced or mutilated or unauthorised additions or alterations have made therein;

and such suspension shall remain in force till the vehicle is duly insured as required by law, or the fees or taxes have been paid, or a valid certificate of fitness ²[or plate, as the case may be] in respect of the vehicle has been obtained, or the defects are remedied to the satisfaction of such authority, or the false statement in the application for registration has been replaced by a correct statement in the prescribed manner, as the case may be.

(2) A registering authority or any prescribed authority may, after giving the owner an opportunity of making any representation he may wish to make and for reasons to be recorded in writing, suspend, for a period not exceeding six months, the certificate of registration of a vehicle, if it is satisfied that:-

- (i) the vehicle is used for subversive activities against the State; or
- (ii) the vehicle is used for hire or reward without obtaining a permit from the Provincial or a Regional Transport Authority as required under section 44; or
- (iii) the vehicle has been found by a Court to have been used by the owner of the vehicle, or with his knowledge or connivance in the commission of a cognizable offence punishable with imprisonment of not less than five years.

(3) An authority other than a registering authority shall, when making a suspension order under sub-section (1), intimate in writing the fact of suspension and the reasons therefor to the registering authority within whose jurisdiction the vehicle is at the time of suspension.

¹ Inserted words by Sindh Finance Act, VII of 1977.

² Inserted words by *ibid*.

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(4) A registering authority or other prescribed authority suspending the registration certificate of a motor vehicle under this section shall communicate the fact of suspension together with the reasons therefor in writing to the owners of the vehicle, and the owner shall thereupon forthwith surrender to that authority the certificate of registration and any token or card issued to authorise the use of the vehicle in a public place.

(5) Where the registration of a motor vehicle has been suspended under sub-section (1) for a continuous period of not less than one month, the registering authority, within whose jurisdiction the vehicle was when the registration was suspended, shall, if it is not the original registering authority, inform that authority of the suspension, and when the suspension has continued without interruption for a period of not less than six months, the registering authority within whose jurisdiction the vehicle was when the registration was suspended may, if it is the original registering authority, cancel the registration and the entry relating to the vehicle in its record, and if it is not the original registering authority, shall forward the certificate of registration and any token or card surrendered under subsection (4) to that authority which may cancel it forthwith.

(6) The certificate of registration and any token or card surrendered under sub-section (4) shall be returned to the owner when the order suspending registration is rescinded.

35. (1) a motor vehicle has been destroyed or has been rendered permanently incapable of use, the owner shall, as soon as may be, report the fact to the registering authority within whose jurisdiction he resides and shall forward to that authority the certificate of registration of the vehicle together with any token or card is used to authorise the use of the vehicle in a public place. **Cancellation of registration.**

(2) The registering authority shall, if it is the original registering authority cancel the registration and the certificate of registration, or, if it is not, shall forward the report and the certificate of registration, to the original registration authority and that authority shall cancel the registration and the certificate of registration.

(3) Any registering authority may order the examination of a motor vehicle within its jurisdiction by such authority as Government may by order appoint and, if upon such examination and after giving the owner an opportunity to make any representation he may wish to make, it is satisfied that the vehicle is

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in such a condition that its use in a public place would constitute a danger to the public and that it is beyond reasonable repair, may, for reasons to be recorded in writing, cancel the registration of the vehicle.

(4) If registering authority is satisfied that a motor vehicle has been permanently removed out of the Province, it shall cancel the registration of the vehicle.

(5) A registering authority or any prescribed authority cancelling the registration of a motor vehicle under this section shall communicate fact, together with the reasons therefor, in writing to the owner of the vehicle, and the owner of the vehicle shall thereupon forthwith surrender to that authority the certificate of registration of the vehicle and any token or card issued to authorise the use of the vehicle in a public place.

(6) A registering authority making an order of cancellation under this section shall, if It is the original registering authority cancel the certificate of registration and the entry relating to the vehicle in its records, and if it is not the original registering authority, intimate in writing the fact of cancellation and the reasons therefor, and forward the certificate of registration and any token or card surrendered to it under sub-section (6) to the original registering authority, and that authority shall cancel the certificate of registration and the entry relating to the motor vehicle In its records.

(7) The expression “original registering authority” this section and in Sections 31, 32, 33 and 34 means the registering authority whose records the registration of the vehicle is recorded.

36. (1) any owner of a motor vehicle aggrieved by an order of refusal to register a motor vehicle made under Section 28 or to issue a certificate of fitness made under sub-section (1) of Section 39 or by an order of suspension or cancellation of registration made under Section or 35 or by an order of cancellation of the fitness certificate made under sub-section (3) of Section 39 may, within thirty days of the date on which he has received notice of such order, appeal against the order in the prescribed manner to the prescribed authority. **Appeals.**

(2) The appellate authority shall give notice of the appeal to the original authority, and after giving opportunity to the original

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authority and the appellant to be heard either personally or by pleader in the appeal, pass such order as it thinks fit.

37. (1) A registering authority shall refuse to register any transport vehicle, other than a motor cab unless the application for registration is accompanied by a document in Form H as set forth in the First Schedule signed by the maker of the vehicle or an assembler duly authorised by the maker in this behalf stating the maximum laden weight and maximum axle weights for which the vehicle is and the several axles are designed. **Special requirement for registration of transport vehicles.**
- (2) Where a transport vehicle or chassis, as the case may be, has affixed to it a metal plate, bearing the stamp of the maker or assembler and identified as appertaining to the particular vehicle or chassis to which it is attached, which contains the particulars specified in sub-section (1), that plate may at the discretion of a registering authority be deemed to be the document referred to in that sub-section.
38. A registering authority, when registering a transport vehicle other than a motor cab, shall enter in the record of registration and shall also, enter in the certificate of registration of vehicle the following particulars, namely:-- **Special particulars to be recorded on registration of transport vehicles.**
- (a) the unladen weight of the vehicle;
 - (b) the number, nature and size of the tyres attached to each wheel;
 - (c) the laden weight of the vehicle and the axle weights pertaining to the several axles thereof, determined in accordance with the Tyre and Rim Manufacturers Association load ratings for tyres as revised from time to time and approved by the Provincial Transport Authority;
 - (d) if the vehicle is used or adapted to be used for the carriage of passengers-solely or in addition to goods, the number of passengers for whom accommodation is provided, and the owner of the vehicle shall have the said particulars exhibited in the prescribed manner on the vehicle.

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39. (1) Subject to the provisions of Section 40, a transport vehicle shall not be deemed to be validly registered for the purpose of Section 23, unless it carries a certificate of fitness in Form 1 as set forth in the First Schedule, issued by the prescribed authority, to the effect that the vehicle complies for the time being with all the requirements of Chapter VI and the rules made thereunder; and where the prescribed authority refuses to issue such certificate it shall apply the owner of the vehicle with its in writing for such refusal. **Certificate of fitness of transport vehicle.**

(2) Subject to the provisions of sub-section (3), a certificate of fitness shall remain effective for three years unless a shorter period; not being in any case less than six months, is specified in the certificate by the ¹[authority issuing the certificate:]

²[Provided that in case of a permit issued under Section 60(1)(a), a certificate of fitness shall remain effective for a period of six months and on the expiry of that period the permit shall be deemed to be suspended until a new certificate of fitness has been obtained.]

(3) The ³[***] prescribed authority may, for reasons to be recorded in writing, cancel a certificate of fitness at any time, if satisfied that the vehicle to which it relates no longer complies with all the requirements of this Ordinance and the rules made thereunder, and on such cancellation the certificate of registration of the vehicle and any permit granted in respect of the vehicle under Chapter IV shall be deemed to be suspended until a new certificate of fitness has been obtained.

⁴["39-A. (1) The public service vehicles and school vans, using CNG, LPG, LNG as fuel shall be examined by the prescribed authority in the manner as may be prescribed by rules and Standard Operating Procedures (SOPs). **Examination of public service vehicle by the prescribed authority.**"]

(2) The prescribed authority under sub-section (1) shall have the power to exercise the powers and perform the functions as follows:-

¹ Substituted by W.P. Motor Vehicles (Amendment) Ordinance, IX of 1970.

² Proviso added by W.P. Motor Vehicles (Amendment) Ordinance IX of 1970.

³ Words "issuing authority or other, deleted, ibid.

⁴ Inserted by Sindh Act No. XII of 2021, dated 24th May, 2021.

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- (a) to lay down the quality control and standardization the specification of CNG Cylinders Kits for the safety of human life and property in coordination with the concerned authority;
- (b) work in coordination with relevant federal, provincial and local governments departments, agencies and bodies, to achieve its objectives of this Act;
- (c) to examine all CNG cylinders and kits according to the notified standards;
- (d) to provide consultancy, advisory and laboratory services, expertise and facilities to the public and private sector organizations and companies;
- (e) to assist educational establishments in the preparation and conduct of courses and training programs for the standards of national and international level;
- (f) to conduct the functions of demonstration, training, testing, inspections, equipment, approval, data processing, technical advice, transfer of technology, refueling and vehicle conversion for use of CNG in automobiles;
- (g) to conduct inspection, certification and en-route checking along with Transport Police;
- (h) to establish laboratories, facilities and infrastructure in the Province of Sindh and to take all steps and measures which are necessary to promote, implement and undertake assignments to fulfill its objectives and functions.
- (i) to publish the instructions, guidelines or policies, for the purposes of awareness of the CNG users and general public in the leading newspapers;
- (j) to perform such other functions and exercise such other powers as may be necessary for carrying out the purposes of this Act.”.]

40. The authorities specified in Part B of the Fourth Schedule may register any motor vehicle which is the property or for the time being under the exclusive control of the Federal Government, and any vehicle so registered shall not, so long as it remains the property or under the exclusive control of the Federal **Registration of vehicles property of the Central Government.**

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Government, require to be registered otherwise than under this Ordinance.

(2) A transport vehicle registered under this section shall carry a certificate of fitness in Form as set forth in the First Schedule issued by the Authority referred to in sub-section (1).

(3) An authority registering a vehicle under sub-section (1) shall assign to it a registration mark in accordance with the provisions contained in the Fourth Schedule and shall issue a certificate in respect of the vehicle that the vehicle has been registered under this section.

(4) If a vehicle registered under this section ceases to be the property or under the exclusive control of the Federal Government, the provisions of Section 24 shall thereupon apply.

(5) The authority registering a vehicle under sub-section (1) shall furnish to Government all such information regarding the general nature, overall dimensions, and axle weight of the vehicle as Government may at any time require.

41. ¹[Notwithstanding anything contained in this Chapter and the Sixth Schedule, Government may, by rules, prescribe a special procedure for the registration of any class, or type or category of motor vehicle, or motor vehicles belong to a specified class of persons, and such rules may among other matters provide for:--
- Special registration of vehicles.**
- (a) the appointment of special registration authority for such motor vehicles; and
 - (b) a special registration mark to be carried by such motor vehicles].
42. (1) The registration mark assigned to trailer shall be displayed in the prescribed manner on the side of the vehicle.
- Application of Chapter III to trailers.**
- (2) No person shall drive a motor vehicle to which a trailer is or trailers are attached unless the registration mark of the motor vehicle so. driven is displayed in the prescribed manner on the trailer or on the last trailer in the train, as the case may be.

¹ Substituted by West Pakistan Motor Vehicles (Amendment) Ordinance, XXXIX of 1965.

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43. (1) Government may make rules of the purpose of carrying into effect the provisions of this Chapter. **Power to make rules.**

(2) Without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:--

- (a) the conduct and hearing of appeals that may be preferred under this Chapter, the fees to be paid in respect of such appeals and the refund of such fees;
- (b) the appointment, functions and jurisdiction of registering and other prescribed authorities;
- (c) the issue of certificates of registration and certificates of fitness and duplicate of such certificates to replace certificates lost, destroyed or mutilated;
- (d) the temporary registration of motor vehicles, and the issue of temporary certificate of registration and marks;
- (e) the manner in which registration marks and the particulars referred to in Section 38, and other prescribed particulars shall be exhibited;
- ¹[(ee) the authorising of suitable workshops to issue certificates of fitness, the licensing of such workshops; the equipment and apparatus to be maintained by such workshops, their inspection, the terms and conditions and the period for which and the authorities by whom, the licences may be granted and renewed, and the fees to be paid for the grant and renewal of the licences);
- (f) the fees to be charged for the issue or alteration of certificates of registration for certificates, of fitness, for registration marks, and for the examination or inspection of motor vehicles and the refund of such fees;

¹ Clause (ee) added by W.P. Motor Vehicles (Amendment) Ordinance, IX of 1970.

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- (g) the exemption of prescribed persons or prescribed classes of persons from payment of all or any portion of the fees payable under this Chapter;
- (h) the forms, other than those set forth in the First Schedule, to be used for the purposes of this Chapter;
- (i) the communication between registering authorities of particulars of certificate of registration and by owners of vehicles registered outside the Province of particulars of such vehicle and of their registration;
- (j) the particulars to be furnished by the owner of any motor vehicle to the registering authority, upon the transfer of possession of the motor vehicle under the terms of a hiring agreement;
- (k) the extension of the validity of certificates of fitness pending consideration of applications for their renewal;
- (l) the exemption the provisions of this Chapter and the conditions and fees for exemption, of motor vehicle in the possession of dealers;
- (m) the exemption of road-rollers, graders and other vehicle, designed and used solely for the construction, repair and cleaning of roads from all or any of the provisions of this Chapter and the rules made thereunder and the conditions governing such exemption of light goods vehicles from the provisions of Section 39 and the condition, governing such exemption.

CHAPTER IV CONTROL OF TRANSPORT VEHICLES

44. (1) No owner of a transport vehicle shall use or permit the use of, and no driver of it shall drive or cause or permit to be driven, the vehicle in any public place, save in accordance with permit authorising the use or driving of the vehicle in public place granted or countersigned by a Regional or Provincial transport Authority:
- Transport vehicles not to be used or driven without permit.**

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Provided that a stage-carriage permit shall, subject to any conditions that may be specified in the permit, authorise the use of the vehicle as a contract carriage:

Provided further that a stage-carriage permit may, subject to any conditions that may be specified in the permit, authorise the use of the vehicle as a goods vehicle either hen carrying passengers or not: Provided also that a public carrier's permit shall, subject to any conditions that may be specified in the permit, authorise the holder to use of the vehicle for the carriage of nods for or in connection with a trade of business carried on y him.

(2) In determining, for the purposes of this Chapter, whether a transport vehicle is or is not used for the carriage of goods for hire or reward:--

- (a) the delivery or collection by or on behalf of the owner of goods sold, used or let on hire or hire purchase in Court of any trade or business carried on by him other than the trade or business of providing transport.
- (b) the delivery or collection by or on behalf of the owner of goods which have been or which are to be subject to a process treatment in the course of a trade or business carried on by him, or
- (c) the carriage of goods in a transport vehicle by a manufacturer of or agent or dealer in such goods whilst the vehicle is being used for demonstration purposes, shall not be deemed to constitute a carrying of the goods for hire or reward; but the carriage in a transport vehicle of goods by a person not being a dealer in such goods who has acquired temporary ownership of the goods for the purpose of transporting them to another place and there relinquishing ownership shall be deemed to constitute a carrying of the goods for hire or reward.

(3) Sub-section (1) shall not apply:--

- (a) to any transport vehicle owned by or on behalf of the Central or any Provincial Government and used

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for public purpose unconnected with any commercial enterprise;

- (b) to any transport vehicle owned by a local authority or by a person acting under contract with a local authority and used solely for road cleaning, watering or conservancy purposes;
- (c) to any emergency vehicle;
- (d) to any transport vehicle used for any other public purpose prescribed in this behalf;
- (e) to any transport vehicle used solely for conveyance of corpses;
- (f) to any transport vehicle used for towing a disabled vehicle or for removing goods from a disabled vehicle to a place of safety;
- (g) ¹[***]
- (h) to any trailer used for any purpose other than the carriage of goods for hire or reward when drawn by a motor vehicle constructed for the carriage of not more than six passengers excluding the driver.

(4) Subject to the provisions of sub-section (3). Sub-section (1) shall, if Government by rules made under Section 69 so prescribes, apply to any motor vehicle adapted to carry more than nine passengers excluding the driver.

45. (1) Government having regard to:--

- (a) The advantages offered to the public trade and industry by the development of motor transport, and
- (b) The desirability of—
 - (i) Co-ordinating road and rail transport,

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¹ Omitted by Sindh Act No. XII of 2021, dated 24th May, 2021.

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- (ii) preventing the deterioration of the road system, and
- (iii) preventing uneconomic competition among transport vehicles, and after having heard the representatives of the interest affected and having consulted the Provincial and Regional Transport Authorities concerned, b may, for reasons to be recorded in writing by a notification in the official Gazette--
 - (i) prohibit or restrict throughout the Province or t in any area or on any route within the Province, subject to such conditions as it may think desirable, the conveying of long distance goods traffic generally or of prescribed classes of goods, by private or public carriers; or
 - (ii) fix maximum or minimum fares or freights for stage-carriages and public carriers to be applicable throughout the Province or within any area or on any route within the Province.

(2) Notwithstanding anything in sub-section (1), Government may, by notification under this sub-section, cancel generally or in relation to a specified area any permit or class of permits granted under this Chapter in respect of transport vehicles in order to enable the Corporation constituted under Section 70 to use its transport vehicles on the routes thus rendered vacant:

Provided that the provisions of Section 22 of the West Pakistan General Clauses Act, 1956 as to previous publication shall apply to a notification under this sub-section, and for the purposes of the said section, a notification under this sub-section shall be deemed to be a rule made under an Act.

(3) Government may direct the Provincial Transport Authority or a Regional Transport Authority not to grant or issue any permit (if already granted but not issued) or to restrict the grant of fresh permit to a specified number on any route or routes or part of a

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route on which the Corporation is already operating motor transport or intends to do so.

Explanation.—For the purpose of this sub-section “route” includes any combination of routes or longation of a route.

¹[“45-A. (1) Government may regulate stage carriages on a route or in an area for the purposes of-- **Power to regulate stage carriages.**

- (a) reducing traffic congestion;
- (b) providing an efficient, adequate, reliable dignified, safe, integrated economical and properly coordinated road transport system;
- (c) providing adequate seating arrangements for women and disabled ; and
- (d) satisfying any other requirement for proper transportation system. conduct or cause to be conducted a periodical survey m order to determine all or any of the following:-
 - (i) the need for alignment or realignment of a route or routes;
 - (ii) the particular type or kind of motor vehicle (including nature, capacity, quality and age) which can be used as a stage carriage on the route;
 - (iii) the number of permits for the stage carriages requires to be issued for the route;
 - (iv) the measures to control and reduce environmental pollution and traffic congestion;
 - (v) the need for preservation and future expansion of road and commuter demands.

¹ Inserted new section by Sindh Act No. XIII of 2014.

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46. (1) Government shall by notification in the official Gazette, **Transport authorities.** constitute--
- (i) a Provincial Transport Authority to exercise and discharge throughout the Province the powers and functions specified in sub-section (6), and
 - (ii) Regional Transport Authorities to exercise and discharge throughout such area (in this Chapter referred to as regions) as may be specified in the notification, in respect of each Regional Transport Authority, the powers and functions by or under this Chapter on such authorities:

Provided that the area specified as the region of a Regional Transport Authority shall in no case be less than an entire District.

(2) The Provincial Transport Authority or a Regional Transport Authority shall consist of such number of ¹[Government officers] as Government may think fit to appoint, but no person who has any financial interests whether as proprietor, employee or otherwise in any transport undertaking shall be appointed or continue as a member of the Provincial or a Regional Transport Authority.

Explanation.-- A person shall not be deemed to have any financial interest in a transport undertaking for the purposes of this section merely by reason of the fact that he is a member or an employee of the Railway Board or is a person in the service of Pakistan or serving under the Corporation.

(3) If any person is appointed as a member of the Provincial or a Regional Transport Authority has any such interest in a transport undertaking as is referred to in sub-section (2), he shall forthwith give notice of the same in writing to Government.

(4) If any member of the Provincial or a Regional Transport Authority during his term of office acquires any such interest in a transport undertaking as is referred to in sub-section (2), he shall within four weeks of acquiring such interest give notice of the

¹ Substituted for the words "officials and non-officials" by W.P. Motor Vehicle (Amendment) Ordinance IX of 1970.

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same in writing to Government, and shall on the giving of such notice cease to be such member.

(5) If any person becomes a member or continues to remain as a member of the Provincial or a Regional Transport Authority in contravention of the provisions of this section he shall be deemed to have committed an offence against this Ordinance.

(6) The Provincial Transport Authority shall exercise and discharge the following powers and functions, namely:

- (i) to co-ordinate and regulate the activities and policies of the Regional Transport Authorities;
- (iii) to perform the duties of a Regional Transport Authority—
- (iv) to settle all disputes and decide all matters on which differences of opinion arise between the Regional Transport Authorities; and
- (v) to discharge such other functions as may be prescribed.

(7) The Provincial Transport Authority may, subject to such conditions as may be prescribed, issue to a Regional Transport Authority such orders and directions of a general character in respect of road transport as it may deem necessary, and Regional Transport Authority shall give effect to all such orders and directions.

(8) The Provincial Transport Authority and any Regional Transport Authority, if authorized in this behalf by rules made under Section 69, may delegate such of its powers and functions to such authority, or person and subject to such restrictions, limitations and conditions as may be prescribed by the said rules.

¹[No.S.O(T-II)1-12/2014:- In exercise of the powers conferred by the Section 46 of the Motor Vehicle Ordinance, 1965 and in supersession of all previous notifications in this regards, the Government of Sindh is pleased to constitute the District Regional Transport Authorities in Sindh and determine the areas of their jurisdiction with immediate effect:-

¹ Substituted by Sindh Notifi. No. S.O (T-II)1-12/2014, dated 15th September, 2014.

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S.NO	NAME OF AUTHORITY	MEMBERS		AREA OF JURISDICTION
01.	District Regional Transport Authority Karachi.	1. Commissioner Karachi.	Chairman	Karachi Division
		2. Deputy Inspector General of Traffic Police, Karachi.	Member	
		3. Deputy Commissioner (concerned)	Member	
		4. S.S.P (Traffic) of the concerned districts	Member	
		5. Secretary, D.R.T.A, Karachi.	Member/Secy	
02.	District Regional Transport Authority Hyderabad.	1. Deputy Commissioner Hyderabad.	Chairman	District Hyderabad
		2. S.S.P. Hyderabad.	Member	
		3. Addl. Deputy Commissioner-I	Member	
		4. Executive Engineer Roads.	Member	
		5. Secretary, D.R.T.A.	Member/Secy	
03.	District Regional Transport Authority Tando Allahyar.	1. Deputy Commissioner Tando Allahyar.	Chairman	District Tando Allahyar
		2. S.S.P. Tando Allahyar .	Member	
		3. Addl. Deputy Commissioner-I	Member	
		4. Executive Engineer Roads.	Member	
		5. Secretary, D.R.T.A.	Member/Secy	
04.	District Regional Transport Authority, Tando Muhammad Khan.	1. Deputy Commissioner Tando Muhammad Khan.	Chairman	District Tando Muhammad Khan
		2. S.S.P. Tando Muhammad Khan.	Member	
		3. Addl. Deputy Commissioner-I	Member	
		4. Executive Engineer Roads.	Member	
		5. Secretary, D.R.T.A.	Member/Secy	
05.	District Regional Transport Authority, Matiari.	1. Deputy Commissioner Matiari .	Chairman	District Matiari
		2. S.S.P. Matiari.	Member	
		3. Addl. Deputy Commissioner-I	Member	
		4. Executive Engineer Roads.	Member	
		5. Secretary, D.R.T.A.	Member/Secy	
06.	District Regional Transport Authority, Thatta.	1. Deputy Commissioner Thatta.	Chairman	District Thatta
		2. S.S.P. Thatta.	Member	
		3. Addl. Deputy Commissioner-I	Member	
		4. Executive Engineer Roads.	Member	
		5. Secretary, D.R.T.A.	Member/Secy	
07.	District Regional Transport Authority, Sujawal.	1. Deputy Commissioner Sujawal.	Chairman	District Sujawal
		2. S.S.P. Sujawal.	Member	
		3. Addl. Deputy Commissioner-I	Member	
		4. Executive Engineer Roads.	Member	
		5. Secretary, D.R.T.A.	Member/Secy	
08.	District Regional Transport Authority, Badin.	1. Deputy Commissioner Badin.	Chairman	District Badin
		2. S.S.P. Badin.	Member	
		3. Addl. Deputy Commissioner-I	Member	
		4. Executive Engineer Roads.	Member	

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		5. Secretary, D.R.T.A.	Member/Secy	
09.	District Regional Transport Authority, Dadu.	1. Deputy Commissioner Dadu.	Chairman	District Dadu
		2. S.S.P. Dadu.	Member	
		3. Addl. Deputy Commissioner-I	Member	
		4. Executive Engineer Roads.	Member	
		5. Secretary, D.R.T.A.	Member/Secy	
10.	District Regional Transport Authority, Jamshoro.	1. Deputy Commissioner Jamshoro.	Chairman	District Jamshoro
		2. S.S.P. Jamshoro.	Member	
		3. Addl. Deputy Commissioner-I	Member	
		4. Executive Engineer Roads.	Member	
		5. Secretary, D.R.T.A.	Member/Secy	
11.	District Regional Transport Authority, Sanghar.	1. Deputy Commissioner Sanghar.	Chairman	District Sanghar
		2. S.S.P. Sanghar.	Member	
		3. Addl. Deputy Commissioner-I	Member	
		4. Executive Engineer Roads.	Member	
		5. Secretary, D.R.T.A.	Member/Secy	
12.	District Regional Transport Authority, Tharparkar @ Mithi.	1. Deputy Commissioner Tharparkar @ Mithi.	Chairman	District Tharparkar @ Mithi.
		2. S.S.P. Tharparkar @ Mithi.	Member	
		3. Addl. Deputy Commissioner-I	Member	
		4. Executive Engineer Roads.	Member	
		5. Secretary, D.R.T.A.	Member/Secy	
13.	District Regional Transport Authority, Shaheed Benazirabad.	1. Deputy Commissioner Shaheed Benazirabad.	Chairman	District Shaheed Benazirabad
		2. S.S.P. Shaheed Benazirabad.	Member	
		3. Addl. Deputy Commissioner-I	Member	
		4. Executive Engineer Roads.	Member	
		5. Secretary, D.R.T.A.	Member/Secy	
14.	District Regional Transport Authority, Naushehroferoze.	1. Deputy Commissioner Naushehroferoze.	Chairman	District Naushehroferoze
		2. S.S.P. Naushehroferoze.	Member	
		3. Addl. Deputy Commissioner-I	Member	
		4. Executive Engineer Roads.	Member	
		5. Secretary, D.R.T.A.	Member/Secy	
15.	District Regional Transport Authority, Khairpur.	1. Deputy Commissioner Khairpur.	Chairman	District Khairpur
		2. S.S.P. Khairpur.	Member	
		3. Addl. Deputy Commissioner-I	Member	
		4. Executive Engineer Roads.	Member	
		5. Secretary, D.R.T.A.	Member/Secy	
16.	District Regional Transport Authority, Sukkur.	1. Deputy Commissioner Sukkur.	Chairman	District Sukkur.
		2. S.S.P. Sukkur.	Member	
		3. Addl. Deputy Commissioner-I	Member	
		4. Executive Engineer Roads.	Member	
		5. Secretary, D.R.T.A.	Member/Secy	
17.	District Regional Transport Authority, Ghotki.	1. Deputy Commissioner Ghotki.	Chairman	District Ghotki.
		2. S.S.P. Ghotki.	Member	
		3. Addl. Deputy Commissioner-I	Member	

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		4. Executive Engineer Roads.	Member		
		5. Secretary, D.R.T.A.	Member/Secy		
18.	District Transport Authority, Larkana.	Regional Authority,	1. Deputy Commissioner Larkana.	Chairman	District Larkana.
			2. S.S.P. Larkana.	Member	
			3. Addl. Deputy Commissioner-I	Member	
			4. Executive Engineer Roads.	Member	
			5. Secretary, D.R.T.A.	Member/Secy	
19.	District Transport Authority, Qambar @ Shandadkot.	Regional Authority, @	1. Deputy Commissioner Qambar @ Shandadkot.	Chairman	District Qambar @ Shandadkot.
			2. S.S.P. Qambar @ Shandadkot.	Member	
			3. Addl. Deputy Commissioner-I	Member	
			4. Executive Engineer Roads.	Member	
			5. Secretary, D.R.T.A.	Member/Secy	
20.	District Transport Authority, Shikarpur.	Regional Authority,	1. Deputy Commissioner Shikarpur.	Chairman	District Shikarpur.
			2. S.S.P. Shikarpur.	Member	
			3. Addl. Deputy Commissioner-I	Member	
			4. Executive Engineer Roads.	Member	
			5. Secretary, D.R.T.A.	Member/Secy	
21.	District Transport Authority, Kashmir @ Kandhkot.	Regional Authority, @	1. Deputy Commissioner Kashmir @ Kandhkot.	Chairman	District Kashmir @ Kandhkot.
			2. S.S.P. Kashmir @ Kandhkot.	Member	
			3. Addl. Deputy Commissioner-I	Member	
			4. Executive Engineer Roads.	Member	
			5. Secretary, D.R.T.A.	Member/Secy	
22.	District Transport Authority, Jacobabad.	Regional Authority,	1. Deputy Commissioner Jacobabad.	Chairman	District Jacobabad.
			2. S.S.P. Jacobabad.	Member	
			3. Addl. Deputy Commissioner-I	Member	
			4. Executive Engineer Roads.	Member	
			5. Secretary, D.R.T.A.	Member/Secy	
23.	District Transport Authority, Umerkot.	Regional Authority,	1. Deputy Commissioner Umerkot.	Chairman	District Umerkot.
			2. S.S.P. Umerkot.	Member	
			3. Addl. Deputy Commissioner-I	Member	
			4. Executive Engineer Roads.	Member	
			5. Secretary, D.R.T.A.	Member/Secy	
24.	District Transport Authority, Mirpurkhas.	Regional Authority,	1. Deputy Commissioner Mirpurkhas.	Chairman	District Mirpurkhas.
			2. S.S.P. Mirpurkhas.	Member	
			3. Addl. Deputy Commissioner-I	Member	
			4. Executive Engineer Roads.	Member	
			5. Secretary, D.R.T.A.	Member/Secy	

47. (1) Every application for a permit shall be made to the Regional Transport Authority of the region or of one of the regions in which it is proposed to use the vehicle or vehicles and, if the applicant resides or has his principal place of business in any one of those regions, to the Regional Transport Authority of that region.
- General provisions as to applications for permits.**

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(2) Nothing in sub-section (1) shall apply to road transport services operated by the Corporation.

48. ¹[(1) An application for permit to use a motor vehicle as a stage carriage (in Chapter referred to as a stage carriage permit) shall contain the following particulars, namely:-- **Application for stage carriage permits.**]

- (a) The name and address of the applicant;
- (b) The registration number, type, model and seating capacity of the vehicle in respect of which the application is made;
- (c) The route or routes on which or the area within which it is intended to use the vehicles; and
- (d) such other matters as may be prescribed.]

(2) An application for a permit shall be accompanied by affidavit of the applicant to the effect that he is the actual owner of the motor vehicle in respect of which the application made.

Explanation.--For the purposes of this Chapter, "actual owner" means a person or a body of persons having proprietary rights in a motor vehicle, acquired by way of purchase, gift, inheritance, or under a hire-purchase agreement, or as a result of the settlement of a lawful claim.

²[49. (1) Where an application for stage carriage permit conforming to the provisions of Section 48 has been received by the Regional Transport Authority, it shall, on the payment of the prescribed fee, and on the applicant furnishing to the Regional Transport Authority, ³["a certificate of Group Insurance issued by an Insurance Company, duly registered with the Securities and Exchange Commission of Pakistan and approved and notified in the official Gazette by Government"] of the prescribed sum as security for payment of any compensation that the applicant may be required to pay under the provisions of Section 67, grant a permit to applicant in the prescribed form in respect of the motor vehicle specified in the application]: **Procedure for grant to applications for stage carriage permits.**

¹ Substituted by W.P. Motor Vehicles (Amendment) Ordinance, In of 1970.

² Section 49 substituted by W.P. Motor Vehicles Ordinance, IX of 1970.

³ Substituted words by Sindh Act No. V of 2017, dated 22nd march, 2017.

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Provided that where any such permit granted in respect of the vehicle for which the permit granted in respect of the vehicle for which the permit is applied for has been suspended or cancelled, the Regional Transport Authority—

- (a) shall not, during the period of suspension of the previous permit, grant a permit in respect of the vehicle;
- (b) may, in case of a previous permit, for reasons to be recorded in writing, a copy whereof shall be granted to the applicant free of cost, refuse to grant a permit for a period not exceeding three months whereafter the applicant may make a fresh application for the grant of stage carriage permit.

¹“(2) No Certificate, as contemplated by sub-section (1) shall be required in respect of a stage carriage permit authorizing the playing of a stage carriage exclusively in an urban area.

(3) In case the certificate, as required under sub-section (1), is withdrawn by the Insurance Company, the permit shall stand cancelled.

(4) The permits issued before the coming into force of this amendment shall not remain valid after the expiry of 45 days of the coming into force of this amendment, if the certificate, as required by sub-section (1), is not filed with the Regional Transport Authority within the stipulated time.”]

50. ²[(1) A condition shall be inserted in every stage carriage permit that in case of death or, injury to, a passenger in the vehicle to which the permit relates arising of the use of the vehicles, there shall be paid by the permit holder as compensation:

Conditions for grant of stage carriage permit.

- (a) In case of death of passenger, a sum of rupees ³[fifteen thousand] to the legal representatives of the deceased passenger; and

¹ Substituted sub-section by Sindh Act No. V of 2017, dated 22nd march, 2017.

² Substituted by W.P. Motor Vehicles (Amendment) Ordinance, IX of 1970.

³ Substituted words by Sindh Act. No. XVI of 1976.

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- (b) In case of any injury to a passenger, the amount specified in the thirteenth Schedule to the injured passenger.

(2) A Regional Transport Authority may attach to a stage carriage permit any prescribed condition or any or all of the following conditions, namely:--

- (i) that the service specified in the permit date and be commenced not later than a specified date and be continued for a specified person;
- (ii) that a specified number in return trips of daily service shall be maintained on the route or routes specified in the permit and that they may be varied only in accordance with the specified conditions;
- (iii) that the stage carriage shall be used only on specified routes or in specified areas;
- (iv) that copies of the fare-table and time-table approved by the Regional Transport Authority shall be exhibited on the stage carriage and at its stand and stops on the route, and that the time table and fare-table so exhibited shall be observed;
- (v) that not more than a specified number of passengers and not more than a specified amount of luggage shall be carried on any stage carriage at any one time;
- (vi) that within Municipal limits and in such other areas and place as may be prescribed, passengers shall not be taken up or set down except at specified places;
- (vii) that the permit holder shall maintain such accounts and records of the operation of the services and shall submit such financial and statistical returns as may Provincial T be required by the Regional or P ' that the records and accounts shall be produced ransport Authority, and for inspection before the person or persons authorised in this behalf .by the Regional or Provincial Transport thorny; and

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(viii) that tickets shall be issued to passengers for the fare paid.

(3) The Provincial Transport Authority may regulate the timings of departure of stage carriages, whether they belong to one or more owners.]

51. ¹[(1) An application for a permit to use a motor vehicle as a contract carriage (in this Chapter referred to as a contract carriage permit) shall contain the following particulars, namely:--
- Application for contract carriage permit**
- (a) the name and address of the applicant;
- ²(aa) the type and seating capacity of the vehicle];
- (b) the area for which the permit is required;
- (c) [Omitted by the W.P. Motor Vehicles (Punjab Amendment) Ordinance 1970].
- (d) any other particulars which may be prescribed.
- ³[(2) An application under sub-section (1) shall be accompanied by an affidavit of the applicant to the effect that no Government Servant has, either directly or indirectly, any financial interest in the vehicle in respect of which permit is applied for].
52. A Regional Transport Authority shall, in deciding whether to grant or refuse a contract-carriage permit, have regard to the extent to which additional contract carriage may be necessary or desirable in the public interest; and shall also take into consideration any representation made by person already holding contract carriage permits in the region or by any local authority or public authority in the region to the effect that the number of contract-carriages for which permits have already been granted is sufficient for or in excess of the needs of the region or any are within the region.
- Procedure of Regional Transport Authority in considering application for contract carriage permit.**
53. ⁴[(1) A Regional Transport Authority may, after consideration of the matters specified in section 52—
- (a) fix the number of contract-carriages generally or contract-carriages of any specified type for which
- Power to restrict the number of contract carriages and impose conditions on contract carriage permits.**

¹ Section 51 re-numbered as "51(1)" by the Motor Vehicles (Punjab Amendment) Ordinance, XII of 1972.

² Clause (a) renumbered as clause "(aa)" by Motor Vehicles (Punjab Amendment) Ordinance, XII of 1972.

³ Sub-section (2) added by the W.P. Motor Vehicles (Punjab Amendment) Ordinance, XII of 1972.

⁴ Section 53, re-numbered as .53(1). by the W.P. Motor Vehicles (Amendment) Ordinance, IX of 1970.

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contract-carriage permits may be granted in the region or any specified area within the region;

- (b) refuse to grant a contract-carriage permit, or grant a contract-carriages permit in respect of a particular contract-carriage or a particular service of contract-carriages in such form as it may, subject to the rules made under section 69, deem fit; provided that no person shall be granted a contract-carriage permit for any area not specified in the application made by him under section 51;
- (c) attach to the contract-carriage permit any prescribed condition or any one of the following conditions, namely.
 - (i) that the contract-carriage or contract carriages shall be used only in a specified area or on a specified route or routes;
 - (ii) that except in accordance with specified conditions no contract or hiring may be entered into for transporting goods or passengers in the contract-carriage or carriages outside a specified area;
 - (iii) that subject to specified conditions, goods be carried in a contract-carriage to the exclusion of or in addition to passengers;
 - (iv) that in the case of motor cabs, specified fares shall be charged and a table of fares displayed on the vehicle;
 - (v) that, in the case of vehicles other than motor cabs, specified rates of hiring not exceeding specified maximum shall be charged;
 - (vi) that in the case of motor cabs, a specified weight of passengers' luggage shall be carried free of charge and a specified charge shall be made for any luggage in excess of the luggage to be carried free of charge;

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- (vii) that a taxi-meter shall be fitted to every motor cab;
- (viii) that specified conditions of the permit shall be liable to be varied, and that further specified conditions may be attached to the permit by the authority at any time on due notice being given to the permit holder;
- (ix) that the conditions of the permit shall not be departed from save with the approval of the authority.

¹[(2) There shall be inserted in every contract-carriage permit other than permit in respect of a motor cab, a condition that in case of death of, or injury to a passenger in the vehicle to which the permit relates arising out of the vehicle there shall be paid by the permit holder as compensation:--

- (a) In case of death of a passenger, a sum of rupees eight thousand to the legal representative of the deceased passenger; and
- (b) In case of an injury to a passenger, the amount specified in the Thirteenth Schedule, to the injured passenger.]

54. ²[(1)] An application for a permit to use a transport vehicle for the carriage of goods for or in connection with a trade or business carried on by the applicant (in this Chapter referred to as a private carrier's permit) shall contain the following particulars, namely:--

Application for private carrier's permit.

- (a) the type and carrying capacity of the vehicle;
- (b) the nature of the goods which the applicant expects normally to carry in connection with his trade or business;
- (c) the area for which the permit is required; and
- (d) any other particulars which may be prescribed.

¹ Added by W.P. Motor Vehicles (Amendment) Ordinance, IX of 1970.

² Section 54, renumbered "54(1). by Punjab Motor Vehicles (Punjab Amendment) Ordinance, XII of 1972.

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55. (1) Where an application conforming to the provisions of section 54 for a private carrier's permit has been received by the Regional Transport Authority, it shall, if satisfied that the vehicle or vehicles for which the permit is required will not be used except in connection with the business of the applicant, such business not being transport business, grant the applicant, on the payment of the prescribed fee, a permit in the prescribed form in respect of the vehicle or vehicles specified in the application:
- Procedure of Regional Transport Authority in considering application for a private carrier's permit.**

Provided that the Regional Transport Authority may, for reasons to be recorded in writing, a copy whereof shall be granted free of cost to the applicant, refuse to grant a permit, where:--

- (i) the applicant is the holder of a private carrier's permit which has been suspended; or
- (ii) any such permit previously held by the applicant has been cancelled; or
- (iii) any such permit previously granted in respect of the vehicle or vehicles for which the permit is applied for has been suspended or cancelled.

(2) A Regional Transport Authority may in granting a private carrier's permit impose conditions to be specified in the permit relating to the description of goods which may be carried, or the area in which the permit shall be valid, or the maximum laden weight and axle weight of any vehicles used.

(3) A Regional Transport Authority may, on the application of the holder of a private carrier's permit granted by it, and subject to such conditions as it may attach, extend the operation of the permit to the region or to any area within the region of another Regional Transport Authority, and the requirements of section 65 as to counter signature of permits shall not be applicable to any such permit:

Provided that nothing in this section shall authorise a Regional Transport Authority to solely in the region of grant a permit effective solely in the region of another Regional Transport Authority.

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56. An application for a permit to use a motor vehicle for the carriage of goods for hire or reward (in this Chapter referred to as a public carrier's permit) shall be made on the prescribed form and shall contain the prescribed particulars.

Application for public carrier's permit.

57. (1) Where an application for a public carrier's permit conforming to the provisions of section 56 has been received by a Regional Transport Authority, it shall, on payment of the prescribed fees, grant a permit in the prescribed form in respect of the vehicle or vehicles specified in the application:

Procedure of Regional Transport Authority in considering application for public carrier's permit.

Provided that the Regional Transport Authority may refuse to grant the permit where:—

- (i) the applicant is the holder of a public carrier's permit which has been suspended; or
- (ii) any such permit previously held by the applicant has been cancelled; or
- (iii) any such permit previously granted in respect of the vehicle or vehicles for which the permit applied for has been suspended or cancelled.

(2) A Regional Transport Authority may, on the application of the holder of a public carrier's permit granted by it, and subject to such conditions as it may attach, extend the operation of the permit to the region or to any area within the region of another Regional Transport Authority, and the requirements of section 65 as to counter signature of permits shall not be applicable to any such permit:

Provided that nothing in this section shall authorise a Regional Transport Authority to grant a permit effective solely within the region of another Transport Authority.

58. The Regional Transport Authority may attach to a public carrier's permit all or any of the following conditions, namely:--

Power to restrict the number of and attach conditions to public carrier's permits.

- (i) That the vehicle shall be used only on specified routes or in a specified area;
- (ii) That the laden weight and the axle weight of any vehicle used shall not exceed a specified maximum;

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- (iii) that such records as may be prescribed relating to the plying of the vehicles shall be maintained; and
- (iv) that the vehicle used shall comply with such other specified condition or conditions appropriate to the service which the Regional Transport Authority thinks proper to impose in the public interest or with a view to prevent uneconomic competition between Road Transport Services.

59. (1) An application for a permit of any kind may be made at any time. **Procedure in applying for and granting permits.**

¹[(2) to (6) xxxxxxx].

(7) When a Regional Transport Authority refuses an application for a permit of any kind it shall ' give to the applicant in writing its reasons for the refusal.

60. (1) A permit other than a special permit issued under section 64 shall be active without renewal:-- **Duration and renewal of permits.**

- (a) in the case of a stage carriage permit or a contract carriage permit, not being a permit to ply a motor-cab, for such period not being less than one year and not more than three years as the Regional Transport Authority may after considering the condition of the bus for the route in question in its discretion specify in the permit; and
- (b) in the case of any other permit, for such period not being less than three years and not more than five years, as the Regional Transport Authority may, in its discretion specify in the permit.

(2) A permit may be renewed on an application made in at behalf in the prescribed manner and on payment of the escribed fee for a period specified in sub-section (1).

61. (1) Save as provided in section 62, a permit shall not be transferable from one person to another except with the permission of the transport authority which granted the permit and shall not without such permission operate to confer on any person **General conditions attaching to all permits.**

¹ Sub-sections 2 to 6 omitted by the W.P. Motor Vehicles (Amendment) Ordinance, IX of 1970.

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to whom a vehicle covered by the permit is transferred any right to use that vehicle in the manner authorised by the permit.

(2) The holder of a permit may, with the permission of the authority by which the permit was granted, replaced by another vehicle of the same or substantially similar nature and capacity any vehicle covered by the permit.

(3) The following shall be conditions of every permit:—

- (a) that the vehicle or vehicles to which the permit relates are at all times so maintained as to comply with the requirements of Chapter VI and the rules made thereunder;
- (b) that the vehicle or vehicles to which the permit relates are not driven at a speed exceeding the speed permissible under this Ordinance;
- (c) that any prohibition or restriction imposed and any maximum or minimum fares or freights fixed by notification made under section 45 are observed in connection with any vehicle or vehicles to which the permit relates;
- (d) that the vehicle or vehicles to which the permit relates are not driven in contravention of the provision of section 76;
- (e) that the permit-holder shall furnish to the Provincial Transport Authority or a Regional Transport Authority or an officer of the Transport • Department authorised in this behalf, within such period of time as may be fixed by that authority or the officer, such information relating to the vehicle or vehicles covered by the permit or the permit-holder's business as a carrier as may be required by that authority or officer;
- (f) that the provisions of any law for the time being in force in the Province relating to insurance of motor vehicles so far as they apply to the holder of the permit are observed; and

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- (g) that the permit-holder's business premises shall be according to a design approved by the Provincial Transport Authority and maintained properly.

Explanation: In this clause, business premises include stations, shelters, garages and repair shops for the vehicles to which the permit relates.

62. (1) The transport authority which granted a permit may cancel the permit or may suspend it for such period as it thinks fit:--
- Cancellation and suspension of permit.**
- (a) on the breach of any condition speed in sub-section (3) of section 61 or of any other condition contained in the permit; or
- (b) if the holder of the permit uses or causes or allows a vehicle to which the permit relates to be used in any manner not authorized by the permit; or
- (c) if the holder of the permit ceases to possess the vehicle or vehicles covered by the permit; or
- (d) if the holder of the permit has obtained the permit by fraud or misrepresentation; or
- (e) if the holder of public carrier's permit fails, without reasonable cause, to ply the vehicle; or
- (f) if the holder of the permit use or allows the vehicle or vehicles to be used for subversive activities against the State; or
- (g) if the holder of the permit uses or causes or allows the vehicle or vehicles to be used for the transport of goods the movement of which is banned under any law for the time being in force, or for the commission of a cognizable offence;
- (h) if a forgery has been committed in respect of the permit or it has in any way otherwise been tampered with:

Provided that no permit shall be cancelled unless an opportunity has been given to the holder of the permit to submit his explanation of being hear.

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(2) Where a transport authority cancels or suspends a permit, shall record in writing its reasons for the cancellation or suspension and shall give a copy thereof to the holder of the permit.

63. Where the holder of a permit dies, the person succeeding to the possession of the vehicle or vehicles covered by the permit may, for a period of three months, use the permit as if it had been granted to himself: **Transfer of permit on death of holder.**

Provided that such person has, within thirty days of the death of the holder, informed the transport authority which granted the permit of the death of the holder and of his intention to use the permit:

Provided further that no permit shall be so used after the date on which it would have ceased to be effective without renewal in the hands of the deceased holder.

(2) The transport authority may, on application made to it within three months of the death of the holder of a permit, transfer the permit to the person succeeding to the possession of the vehicles covered by the permit.

64. ¹[(1) A Regional Transport authority may grant special permits, to be effective for one turn trip only, authorising the use of a motor vehicle for that trip as a public service vehicle. **Special permit.**

(2) A Regional Transport Authority may, subject to such conditions as it may impose in this behalf, delegate its powers of issuing a permit under sub-section (1) to its airman, any member or any gazetted officer of Government."]

65. (1) A contract carriage permit or a stage carriage permit granted by the Regional Transport Authority of any one region shall not be valid in any other region, unless the permit has been countersigned by the Regional Transport Authority of that other region. **Validation of permits for use outside region in which granted.**

(2) A Regional Transport Authority when counter-signed the permit may attach to the permit any condition which it might have imposed if it had granted the permit, and may likewise vary any

¹ Section 64 substituted by the W.P. Motor Vehicles (Amendment) Ordinance, IX of 1970.

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condition attached to the permit by the authority by which the permit was granted.

(3) The provisions of this Chapter relating to the grant, cancellation and suspension of permits shall apply to the grant, cancellation and suspension of countersignatures of permits.

(4) Notwithstanding anything in sub-section (1), a Regional Transport Authority of one region may issue a temporary permit under clause (a) or clause (e) of section 66 to be valid in another region with the concurrence, given generally or for the particular occasion, of the Regional Transport Authority of that other region.

66. (1) Any person:—

Appeals.

- (a) aggrieved by the refusal of the Provincial or a Regional Transport Authority to grant a permit, or by any condition attached to a permit granted to him, or
- (b) aggrieved by the cancellation or suspension of the permit or by any variations of the conditions thereof, or
- (c) aggrieved by the refusal to transfer the permit to the person succeeding on the death of the holder of a permit to the possession of the vehicles covered by the permit, or
- (d) aggrieved by the refusal of the Provincial or a Regional Transport Authority to countersign a permit, or by any condition attached to such countersignature, or
- (e) aggrieved by the refusal to renew a permit, or
- (f) being a local authority or police authority or an association which, or a person providing to transport facilities who, having opposed the grant of a permit, is aggrieved by the grant thereof or by any condition attached thereto, or
- (g) being the holder of a licence, who is aggrieved by the refusal of a Regional Transport Authority to grant an authorisation to drive a public service

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vehicle, may, within thirty days and in the prescribed manner, appeal to the prescribed authority, who after giving such and the original authority an opportunity of being heard, pass such order, not inconsistent with the provisions of this Ordinance or the rules framed thereunder, as it may deem fit:

Provided that the appellate authority shall not increase the number of permits granted by the Provincial Transport Authority or a Regional Transport Authority.

(2) No appeal shall lie against an order passed under subsection(2) of section 45.

(3) Save as expressly provided in this Ordinance, no Court or other authority shall have jurisdiction:--

- (a) to entertain or adjudicate upon any matter which the Provincial or a Regional Transport Authority or the prescribed authority is empowered by this Ordinance to dispose of or to determine; or
- (b) to question the legality of anything done under this Ordinance by or at the instance of the Provincial or a Regional Transport Authority or the prescribed authority.

(4) No Court or other authority shall be competent to grant an injunction or other order in relation to any proceedings before the Provincial or a Regional Transport Authority or the prescribed authority under this Ordinance, or anything done or intended to be done by or at the instance of any such authority under this Ordinance.

67. ¹[(1) In the case of death of, or injury to a passenger in a stage carriage or a contract carriage, other than a contract carriage constructed, adapted or used to carry not more than six passengers including the driver, arising out of the use of the such carriage, there shall be paid, if a permit has been granted in respect of that carriage, by the holder of the permit, and, if no permit has been so
- Compensation for the death of, or injury to a passenger.**

¹ Section 67 substituted by Provincial Motor Vehicles (Amendment) Ordinance, VIII of 1978. (PLD 1978 Cant. St. 65.)

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granted, by the owner of the carriage as compensation the amount specified in the Thirteenth Schedule--

- (a) in the case of death of a passenger, to the legal representatives of the deceased passenger, and
- (b) in the case of an injury to a passenger, to the injured passenger.

(2) The compensation payable under sub-section (1) shall be in addition to any sum which the person entitled to receive compensation may receive or be eligible to receive under a policy of insurance under the provisions of Section 95 of the Motor Vehicles Act, 1939 (IV of 1939).

(3) Any contract for the conveyance of a passenger in a stage carriage or contract carriage, other than a contract carriage constructed, adapted or used to carry not more than six passengers including the driver, in respect of which a permit has been issued under this chapter, shall, so far as it purports to restrict the liability of any person, or to absolve any person from his liability, in respect of any claim made against that person in respect of the death of, or injury to, the passengers who is being carried in, entering or alighting from the vehicle, or purports to impose any conditions with respect to the enforcement of any such liability, be void.]

¹[67-A. (1) Government may, by notification in the official Gazette, constitute a Claims Tribunal for such area or areas as may be specified in the notification for the purpose of adjudicating upon claims for compensation under Section 67. **Claims Tribunal.**

(2) A Claims Tribunal shall consist of one more members as Government may deem fit to appoint, and where it consists of two or more members, one of them shall be appointed as the Chairman thereof.

²[67-B. (1) An application for compensation under Section 67 may be made:— **Applications for compensation.**

- (a) by the person who has sustained the injury; or

¹ Sections 67-A to 67-G added by Motor Vehicles (Punjab Amendment) Ord. IX of 1970.

² 1984 CLC 2830. 6. 1984 PCr.LJ 117. 7. Section 67-A to 67-G added by Motor Vehicles (Punjab Amendment) Ord. IX of 1970.

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- (b) where death has resulted, by the legal representatives of the deceased passenger; or
- (c) by an agent duly authorised by the person injured or the legal representatives of the deceased passenger, as the-case may be.

(2) Every application under sub-section (1) shall be made to the Claims Tribunal having jurisdiction over the area in which the accident resulting in the death or injuring, as the case may be of the passenger, and shall be in such form and shall contain such particulars as may be prescribed.

(3) No application for compeniation under this section shall be entertained unless it is "accompanied by such fee as may be prescribed and is" made within ninety days of the atident:

Provided that the Claims Tribunal may entertain an application after the expiry of the said ninety days, if it is satisfied that the applicant was prevented by sufficient cause from making the application, in time.]

¹[67-BB. Where the Claims Tribunal receives information from any source that an accident given rise to a claim for compensation under section 67 has occurred within its jurisdiction, it may, after such inquiry as it may deem proper, inform the passenger injured in the accident or the legal representatives of the passenger who has died as a result of the accident that it is open to him or them to make an application for compensation under section 67-B and may give him or them, as the case may be, or such other information as it may think fit.]

**Information
regarding claim for
compensation.**

²[67-C. On receipt of an application for compensation made under section 67-B, the Claims Tribunal shall hold an inquiry into giving an opportunity to the parties of being heard and pass an order determining, in accordance with the provisions of section 67, the amount of compensation payable, and specifying the person or persons to whom the compensation shall be paid.]

**Award of
compensation.**

¹ Section 67-A to 67-0 added by Motor Vehicles (Punjab Amendment) Ord. IX of 1970.

² Section 67-A to 67-G added by *ibid*.

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¹[67-D. (1) In the holding of an inquiry under section 67-C, the Claims Tribunal shall, subject to any rules that may be made in this behalf by Government, follow such summary procedure as it thinks fit. **Procedure and powers of Claims Tribunal.**

(2) The Claims Tribunal shall be deemed to be a civil Court for all the purposes of section 195 and Chapter XXXV of the Code of Criminal Procedure 1898 (Act V of 1898).

(3) The Claims Tribunal shall have all the powers of a Civil Court:--

- (a) for the purposes of taking evidence on oath, enforcing the attendance of witnesses and compelling the discovery any production of documents and material objects; and
- (b) for such other purposes as may be prescribed.]

²[67-E. (1) Subject to the provisions of sub-section (2), any person aggrieved by an order of the Claims Tribunal awarding or refusing to award compensation, may ³[on apyment of such fee as may be prescribed and] within ninety days from the date of the order, prefer an appeal to the prescribed authority: **Appeal.**

(2) No appeal shall lie under sub-section (1) if the amount in dispute in appeal does not exceed rupees one thousand ⁴[:]

“Provided that the Appellate Authority may entertain an appeal after expiry of the said ninety days if it is satisfied that the appellatant was prevented by sufficient cause from preferring the appeal in time.”

⁵[67-F. (1) Where any compensation has been awarded by Claims the Tribunal or the prescribed authority, and the same has been paid to the person to whom it has beenar ded, within seven days of the order awarding to compensation-- **Recovery of amount of compensation.**

¹ Section 67-A to 67-G added by *ibid.*

² Section 67-A to 67-0 added by Motor Vehicles (Punjab Amendinenn) Ord. IX of 1970.

³ Words inserted by Motor Vehicles (Punjab Amendment) Ordinance X of 1970.

⁴ The full-stop at the and shall be replaced by a colon, and thereafter the following proviso shall be added by *ibid.*

⁵ Section 67-A to 67-G added by Motor Vehicles (Punjab Amendment) Ord. IX of 1970.

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- (a) if the compensation is payable by a person who has furnished ¹[the certificate] under Section 49, ²[the insurance Company issuing the certificate] shall on being required by the Tribunal deposit with the Tribunal the amount of compensation, or so much thereof as can be paid out of the amount secured under ³[the certificate]; provided that amount of compensation which cannot be so recovered shall be recoverable in the manner provided in clause (b);
- (b) if the compensation is payable by a person who has not furnished ⁴[the certificate] under Section 49, the Claims Tribunal or the prescribed authority awarding the compensation may on the application of the person entitled to receive the compensation, issue a certificate to the Collector, and the Collector shall thereupon proceed to recover the amount specified in the certificate in the same manner as an arreht of land revenue.

(2) Where any compensation has been paid under the provisions of clause (a) of sub-section (1) out of any amount secured under Section 49, in respect of a stage carriage, the permit in respect of such stage carriage shall stand suspended until the permit-holder furnishes to the Regional Transport Authority which issued the permit, ⁵[the fresh certificate] of the prescribed sum under the provisions of section 49.]

⁶[67-G. No Civil Court shall has jurisdiction to entertain any question relating to any claim for compensation which may be adjudicated upon by a Claims Tribunal, and no injunction in respect of any action taken or to be taken by or before a Claims Tribunal in respect of any claim for compenstion shall be granted by a Civil Court.] **Bar of jurisdiction.**

68. (1) Government may make rules I• respect of stage carriages and contract carriages:— **Power to make rules as to stage carriages**

¹ Substituted words by Sindh Amendment Act. No. V of 2017.

² Substituted word by *ibid.*

³ Substituted words by Sindh Amendment Act. No. V of 2017.

⁴ Substituted words by *ibid.*

⁵ Substituted words by *ibid.*

⁶ Section 67-G inserted by W. Pakistan Motor Vehicles (Amendment) Ordinance IX of 7970.

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- (a) to provide for the licensing of person acting as conductors of such carriages; **and contract carriages.**
- (b) to regulate the conduct of persons licensed to act as drivers of, and the conduct and duties of conductors of, such vehicles, when acting as such; and
- (c) to regulate the conduct of passengers in such vehicles.

(2) Without prejudice to the generality of the foregoing provisions, such rules may:--

- (a) authorise the removal from such vehicle by the driver or conductor or on the request of the driver or conductor, or any passengers, by any police officer, of any person infringing the rules;
- (b) require passenger who is reasonably suspected by the driver or conductor of contravening the rules to give his name and address to a police officer or to the driver or conductor on demand;
- (c) require a passenger to declare, if so requested by the driver or conductor, the journey he intends to take or has taken in the vehicle and to pay the fare for the whole of such journey and to accept any ticket provided therefor;
- (d) require, on demand being made for the purpose by the driver or conductor or other person authorised by the owner of the vehicle, production during the journey and surrender at the end of the journey by the holder thereof any ticket issued to him;
- (e) require a passenger, if so required by the driver to conductor, to leave the vehicle on the completion of the journey for which he has paid the fare;
- (f) require the surrender by the holder thereof on the expiry of the period of journey for which it is issued if ticket issued to him;

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- (g) require the maintenance of complaint books in stage carriages and prescribed the conditions under which passengers may record any complaints in the same.

69. (1) Government may make rules for the purposes of carrying into effect the provisions of this Chapter. **Power to make rules for the purpose of this Chapter.**

(2) Without prejudice to the generality of the foregoing power, rules under this section may be made with respect to all or any of the following matters, namely:—

- (i) the period of appointment and the terms of appointment of and the conduct of business by Regional and Provincial Transport Authorities the delegation of powers by them to their respective Chairman or Members and the report to be furnished by them;
- (ii) the conduct and hearing of appeals that may be preferred under this Chapter, the fees to be paid in respect of such appeals and the refund of such fees;
- (iii) the forms to be used for the purposes of this Chapter, including the forms of permits;
- (iv) the issue of copies of permits in place of permits mutilated, defaced, lost or destroyed;
- (v) the documents, plates and marks to be carried by transport vehicles, the manner in which they are to be carried and the languages in which any such documents are to be expressed;
- (vi) the badges and uniforms to be worn by drivers and conductors of stage carriages and contract carriages;
- (vii) the fees to be paid in respect of permits, duplicate permits, plates and badges;
- (viii) the exemption of prescribed persons or classes of persons from payment of all or any portion of the fees payable under this Chapter;

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- (ix) the custody, production and cancellation on expiration, of permits, and the return of permits have become void or have been cancelled;
- (x) the conditions subject to which a permit issued in one region shall be valid in another regions;
- (xi) the authorities to whom the time within which and the manner in which appeals may be preferred;
- (xii) the construction and fittings of, and the equipment to be carried by stage contract carriages, whether generally or in specified areas' no
- (xiii) the determination of the number of passenger stage of a contract carriage is adapted to carry and the number of passengers which may be carried;
- (xiv) the conditions subject to which goods may be carried on stage and contract carriages partly or wholly in lieu of passengers;
- (xv) the safe custody and disposal of property left in a stage contract carriage;
- (xvi) regulating or painting or making of transport vehicles and the display of advertising matter thereon, and in particular prohibiting the painting or making of transport vehicles in such colour or manner as to induce any person to believe that the vehicle is used for the transport of mails:
- (xvii) the conveyance in stage or contract carriages of corpses or persons suffering from any infectious disease or goods likely to cause discomfort or injury to passengers, and the inspection and disinfection of such carriages, if used for such purposes;
- (xviii) the provision of fitting taxi-meters of approved standard type on motor cabs, and the examining, testing and sealing of taxi-meters;
- (xix) prohibiting the picking up or setting down of passengers by stage or contract carriages at specified places or in specified areas or at places

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other than duly notified stands or halting places, and requiring the driver of a stage carriage to stop and remain stationary for a reasonable time when so required by passenger desiring to board or alight from the vehicle at a notified halting place;

- (xx) the requirements which shall be complied with in the construction at use of any duly notified stand or halting place, including the provision or adequate facilities for the convenience of the users thereof, the fees, if any, which may be charged for the use of such stands or places, the staff to be employed thereat and the duties and conduct of such staff, and generally for maintaining such stands and places in a serviceable and clean condition;
- (xxi) the regulation of motor cab ranks;
- (xxii) requiring the owners of transport vehicles to notify any change of address or to report the failure of or damage to any vehicle used for the conveyance of passengers for hire or reward;
- (xxiii) authorising specified persons to enter at all reasonable times and inspect all premises used by permit-holders for the purposes of their business;
- (xxiv) requiring a person in charge of a stage carriage to carry any person tendering the legal or customary fare;
- (xxv) the conditions under which, the types of containers or vehicles in which and the seasons during which animals or birds may or may not be carried;
- (xxvi) the licensing of and the regulation of the conduct of agents or convasers who engage in the sale of tickets for travel by public service vehicles or otherwise solicit business for such vehicles;
- (xxvii) the licensing of and the regulation of the activities of agents in the business of collecting, forwarding and distributing of goods carried by transport vehicles;

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- (xxviii) the inspection of transport vehicles and their content and of the permits relating to them;
- (xxix) the carriage of persons others than the driver in goods vehicles;
- (xxx) the records to be maintained and the return to be furnished by the owners of transport;
- ¹[(xxx) the classification of routes and imposition of restrictions regarding age of vehicles for the purpose of issuing stage carriage permits;]
- (xxxi) the form in which application should be made for grant of permits;
- (xxxii) the amount of security which should be made for the grant of stage carriage and contract carriage permits;
- (xxxiii) any other matter which is to be or may be prescribed.

CHAPTER VI

CONSTRUCTION EQUIPMENT AND MAINTENANCE OF MOTOR VEHICLES

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|-----|--|--|
| 73. | Every motor vehicle shall be constructed and so maintained as to be at all times under the effective control of the person driving the vehicle. | General provision regarding construction and maintenance. |
| 74. | (1) Government may make rules regulating the construction, equipment and maintenance of motor vehicles and trailers.

(2) Without prejudice to the generality of the following power Government may make rules governing any of the following matters either generally in respect of motor vehicles or trailers of a particular class or in particular circumstances. namely:-

(a) the width, height, length and overhang of vehicles and of the loads to be carried therein; | Power to make rules. |

¹ Clause (xxx) re-renumbered as clause (xxxiv) and clauses xxxi) to (xxxiii) added by the W.P. Motor Vehicles (Amendment) Ordinance. IX of 970.

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- (b) seating arrangements in public service vehicles and the protection of passengers against the weather;
- (c) the size, nature and condition of tyres;
- (d) brakes and steering gear;
- (e) the use of safety glass;
- (f) signalling appliances, lamps and reflectors;
- (g) speed governors;
- (h) the omission of smoke, visible, vapour, sparks, ashes, grit or oil,
- (i) the reduction of noise omitted by or caused by vehicles;
- (j) prohibiting or restricting the use of audible signals at certain times or in certain places;
- (k) prohibiting the carrying of appliances likely to cause annoyance or danger;
- (l) the periodical testing and inspection of vehicles by prescribed authorities;
- (m) the particulars, other than registration marks, to be exhibited by vehicles and the manner in which they shall be exhibited;
- (n) the use of the trailers or semi-trailers with motor vehicle; and
- (o) prohibiting or requiring the painting to particular colours of motor vehicles or particular description or for particular purposes or in particular areas.

**CHAPTER VII
CONTROL OF TRAFFIC**

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75. (1) No person shall drive a motor vehicle or cause or allow a motor vehicle to be driven in any public place at a speed exceeding the maximum speed fixed for the vehicle by or under this Ordinance or by or under any other law for the time being in force: Provided that such maximum speed shall in no case exceed the maximum fixed for the vehicle in the Eighth Schedule. **Limits of speed.**

(2) Government or any authority authorised in this behalf by Government may, if satisfied that it is necessary to restrict the speed of motor vehicles in the interest of public safety or convenience or because of the nature of any road or bridge, by notification in the official Gazette fix such maximum speed limits as it thinks fit for motor vehicles or any specified class of motor vehicles or for motor vehicles to which a trailer is attached either generally or in a particular area or on a particular road or roads and where any such restrictions are imposed, cause appropriate traffic signs to be placed or erected under section 79 at suitable places in such area or on or near such road or bridge, as the case may be.

(3) Nothing in this section shall apply to any vehicle registered under section 40 while it is being used in the execution of military manoeuvres within the area and during the period specified in a notification under sub-section (1) of section 2 of the Manoeuvres, Field Firing and Artillery Practice Act, 1938.

76. (1) Government may prescribe conditions for the issue of permits for heavy transport vehicle by the Provincial or Regional Transport Authorities and may prohibit or restrict the use of such vehicles in any area of route within the Province. **Limits of weight and limitation on use.**

(2) Except as may be otherwise prescribed, no Person shall drive or cause or allow to be driven in any public place any motor vehicle which is not fitted with pneumatic tyres.

(3) No person shall drive or cause or allow to be driven in any public place any motor vehicle or trailer--

- (a) the unladen weight of which exceeds the unladen weight specified in the certificate of registration of the vehicle; or
- (b) the laden weight of which exceeds the registered laden weight specified in the certificate of registration; or

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- (c) any axel weight which exceeds the maximum axle weight specified for that in the certificate of registration.

(4) Where the driver or person in-charge of a motor vehicle or trailer driven in contravention of sub-section (2) or sub-section (3) is not owner, a Court may presume that the offence was committed with the knowledge of or under the orders of the owner of the motor vehicle or trailer.

77. Any person authorised in this behalf by Government may, if he has reason to believe that a goods vehicle or trailer is being used in contravention of section 76, require the driver to convey the vehicle to a weighing device, if any, within a distance of one mile from any point on the forward route or within a distance of five miles from the designation of the vehicle for weighmen; and if on such wieghment the vehicle is found to contravene in any respect the provisions of section 76 regarding weight, he may, by order in writing, direct the driver to convey the vehicle or trailer to the nearest place to be specified in the order, where facilities exist for the storage of goods, and not to remove the vehicle or trailer from the place until laden weight or axle has been reduced or the vehicle has otherwise treated so that it complies with the provisions of the last preceding section. **Power to have vehicle wighed.**

SINDH NOTIFICATION PROVINCIAL MOTOR VEHICLES ORDINANCE. 1965 (Authority under Seetiou 77)

[Gazette of Sindh. Extraordinary. Part I. 5th January, 1984]

No. S.O. (POL-III) H-D/5-5-84.-- In pursuance of the provision of section 77 of the Provincial Motor Vehicles Ordinance. 1965, the Government of the Sindh ae pleased to authoririse all Police Officers not below the rank of Head Constable for the purpose the said section.

78. Government or any authority authorised in this behalf by Government, if satisfied that it is necessary in the interest of public safety or convenience, or because of the nature of any road or bridge, may, by notification in the official Gazette, prohibit or restrict, subject to such exceptions and conditions as may be specified in the notification, the driving of motor vehicles or of any specified class of motor vehicles or the use of trailers either generally in a specified area on or a specified road or bridge, and **Power to restrict the use of vehicles.**

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when any such prohibition or restriction is imposed, shall cause appropriate traffic signs to be placed or erected on or under section 79 at suitable places in such area or near such road or bridge, as the case may be: Provided that where any prohibition or restriction under this section is to remain in force for a period of not more than one month, notification thereof shall not be necessary.

79. (1) Government or any authority authorized in this behalf by Government may cause or permit traffic signs to be placed or erected in any or any authority authorised in this behalf by Government may cause or permit traffic signs to be placed or erected in any public place for the purpose of regulating motor vehicle traffic. **Power to erect traffic signs.**
- (2) Traffic sign erected under this Chapter for any purpose for which provision is made in the Ninth Schedule shall be of the size, colour and type and shall have meanings set forth in Ninth Schedule, but Government or any authority empoyvered in this behalf by Government may make or authorise the addition to any sign set forth in the said Schedule of transcription of the words, letters or figures thereon in such script as Government may think fit: Provided that the transactions shall be of similar size and colour to the words, letters or figures set forth in the Ninth Schedule.
- (3) Except as provided by this Chapter, no traffic sign shall after the commencement of the Ordinance, be placed or erected on or near any road; but all traffic signs erected prior to the commencement of this Ordinance by any competent authority shall for the purposes of this Ordinance be deemed to be traffic signs erected under the provisions of this Chapter.
- (4) Government or any authority authorised under sub-section (1) may remove or cause to be removed any signs or advertisement which, in its opinion, is so placed as to obscure any traffic sign from view or any sign or advertisement which is, in the opinion, so similar in appearance to a traffic sign as to be misleading.
80. Government or any authority authorised in this behalf by Government may, in consultation with the local authority having jurisdiction in the area concerned, determine places at which motor vehicles may stand either indefinitely or for a specified period of time, and may determine the places at which public **Parking places and halting station.**

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service vehicles may stop for a longer time than an necessary for taking up and setting down of passengers.

81. Government or any authority authorised by it in this behalf may, by notification in the official Gazette or by the erection at suitable places of the appropriate traffic signs referred to in ¹[Part III] of the Ninth Schedule, designate certain roads as main roads for the purposes of the regulations contained in the Tenth Schedule. **Main roads.**
82. (1) Every driver of a motor vehicle shall drive the vehicle in conformity with any indication given by a mandatory traffic sign and in conformity with the driving regulations set forth in the Tenth Schedule, and shall comply with all directions given by any electrical traffic signalling device or by any police officer engaged in the regulation of traffic in any public place. **Duty to obey traffic signs.**
- (2) In this section "mandatory traffic sign" means tramc sign included in [Part III] of the Ninth Schedule, or any traffic sign of similar form (that is to say, consisting of or include a circular disc displaying a device, word or figure and having a red ground a border) erected for the purpose of regulating motor vehicle traffic under sub-section (1) of section 79.
- ²["82-A. (1) A driver of a vehicle or any other person, to the extent practicable, shall slow down, move to the left, or otherwise make all possible efforts to give clear uninterrupted and safe passage to an emergency rescue vehicle or an ambulance with active warning lights and sirens. **Duty to make way for emergency vehicle.**
- (2) The driver Of the vehicle giving Way as in sub-section (1) is not liable for an offence under this Act and other mad traffic rules as long as his actions are necessary, reasonable and do not endanger the safety of others.
- 82-B. A driver of a vehicle or any other person, to the extent practicable, shall stay clear of a passing emergency vehicle and, in particular, leave a safe distance between the emergency vehicle and himself.".] **Duty to stay clear of emergency vehicles.**
83. The driver of a motor vehicle shall on the occasions specified in the Eleventh Schedule make the signal specified therein: **Signal and signalling devices.**

¹ Substituted for "Part A" by the Provincial Motor Vehicles (Amendment) Ordinance, XXIV of 1979.

² Inserted new sections by Sindh Amendment Act No. XXXVIII of 2018.

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Provided that the signals of an intention to run to the right or left or to stop may be given by mechanical or an electrical device of a prescribed nature affixed to the vehicle.

84. No person shall drive or cause or allow to be driven in any public place any motor vehicle with a left-hand steering control unless it is equipped with a mechanical or electrical signalling device of a prescribed nature and in working order. **Vehicles with left hand control.**

85. No person in charge of motor vehicle shall cause or allow the vehicle or any trailer to remain at rest on any road in such a position or in such a condition or in such circumstances as to cause or be likely to cause danger, obstruction or under inconvenience to other users of the road. **Leaving vehicle in dangerous position.**

86. No person driving or in charge of a motor vehicle shall carry any person or permit any person to be carried on the running board or otherwise than within the body of the vehicle: **Ridding on running boards.**

Provided that Government may, by notification in the official Gazette, permit, in such areas as may be specified in the notification, the Civil Armed Forces, the Frontier Constabulary, the West Pakistan, Rangers and the Armed Police to have an armed picket on the running board of a motor vehicle or otherwise than within the body of the ehicle.

87. No person driving a motor vehicle shall allow any person to stand or sit or anything to be placed in such manner or position as to hamper o driver in his control of the vehicle. **Obstruction of driver.**

- ¹[“87-A. No person driving a motor vehicle, or any other person, shall impede the progress of an emergency vehicle, with their vehicle or otherwise.”.] **Obstruction of emergency vehicles.**

88. No person, driving or charge of a motor vehicle shall cause or allow the vehicle to remain stationary in any public place, unless there is in the over's seat a person duly licensed to drive the vehicle or Less the mechanism has been stopped and a brake or brakes lied or such other measure taken to ensure that the cannot accidentally be put in motion in the absence Of driver. **Stationary vehicles.**

¹ Inserted new section by Sindh Amendment Act No. XXXVIII of 2018.

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89. No driver of a two-wheeled motor vehicle shall carry more than one person in addition to himself on the cycles and no such person shall be carried otherwise than sitting on a proper seat security fixed to the cycle behind the driver's seat. **Pillion-riding.**

<p>¹[“(89-A. No person shall drive, or ride the pillion seat of, a two-wheeled motor vehicle except within he is wearing a crash helmet.</p> <p><i>Explanation.--</i> In this section “crash helmet” means a helmet made of such material and meeting which other requirements as may be prescribed.]</p>	<p>Rider to wear helmet.</p>
<p>²[“(89-AA. “89-AA. No person shall ride a motorcycle/Motorcar without a functional tracker of the specifications, and installed in a manner as may be prescribed:</p> <p>Provided that Government specify the date of applicability of this section to any kind or category or class of motorcycles in any territory.”.]</p>	<p>Installation of functional tracker.</p>

90. (1) The driver of a motor vehicle in any public place shall, on demand by any police officer in uniform, or any officer of the Transport Department not below the rank of Sub-inspector, on production if so required of his authority, produce his licence and the certificate of registration of the vehicle and where the vehicle is transport vehicle, the certificate of fitness and the permit of the vehicle referred to in Sections 39 and 44, respectively, for examination. **Duty to produce licence and certificate of registration.**
- (2) The owner of a motor vehicle, or in his absence the driver of other person in charge of the vehicle, shall on demand by a registering authority or any person authorised in this behalf by Government, produce the certificate of registration of the vehicle and, where the vehicle is a transport vehicle, the certificate of fitness referred to in Section 39.
- (3) If the licences or certificates, as the case may be, are not at the time in the possession of the person to whom demand is made, it shall be a sufficient compliance with this section if such person produces the licence or certificates within ten days at any police station in the Province which he specifies to the officer or authority making the demand :

¹ Section 89-A inserted by Ordinance, VIII of 1978.

² Inserted new sub-section 89-AA by Sindh Act No. XII of 2021, dated 24th May, 2021.

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Provided that, except to such extent and with such modification as may be prescribed, the provisions of this sub-section shall not apply to a driver driving as a paid employee' or to the driver of a transport vehicle or to any person required to produce the certificates of registration or the certificate of fitness of a transport vehicle.

91. (1) The driver of a transport vehicle who desires to pass over a **Railway crossing.** Railway level crossing shall cause the vehicle to stop before the crossing and shall not attempt to pass over the crossing unless the conductor of the vehicle, or where the vehicle has no a person authorised in this behalf by the oynar of the vehicle in waiting other than the driver of the vehicle, walks before the hicle until it has cleared the Railway lines.
- (2) The name and particulars of the persons authorised by the owner under sub-section (1) shall be reported by the owner to the Registration Authority.
- (3) A person shall not be deemed to have been authorised by the owner 'of the vehicle for the purposes of sub-section (1) unless he has in his possession at the time of performing the act required to be done under that sub-section he written authority of the owner in this behalf.
92. (1) The driver of a motor vehicle shall cause the vehicle to stop and remain stationary so long as may reasonably be necessary— **Duty of driver to stop in certain case.**
- (a) when required to do so by any police officer in uniform, or
 - (b) when required to do so by any person in charge of an animal if, such person apprehends that the animal is, or being alarmed by the vehicle, will become unmanageable, or
 - (c) when the vehicle is involved in the occurrence of an accident to a person, animal or vehicle or damage to any property, whether the driving or management of the vehicle was or was not the cause of the Itaccident and damage, and he shall give his name and address and the name and address of the owner of the vehicle to any person affected by any such accident or damage who

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demands it provided such person also furnishes his name and address.

(2) The driver of a motor vehicle shall, on demand by a person giving his own name and address and alleging that the driver has committed an offence punishable under section 99, 'ye his name and address to that person.

(3) In this section the expression "animal means any horse, cattle, elephant, camel, ass, mule, sheep or goat.

93. The owner of a motor vehicle the driver of which is accused of any offence under this Ordinance shall, on the demand of any police officer or an officer of the Transport Department authorised in this behalf by Government, give all information regarding the name and address of the licence held by the driver which is in his possession or could by the exercise of due diligence be ascertained by him. **Duty of owner of motor vehicle to give information.**
94. When any accident occurs. in which a motor vehicle is involved, the driver of the vehicle or other person in charge of the vehicle shaft-- **Duty of driver in case of accident and injury to a person, animal or damage to property.**
- ¹["(a) if any person is injured as a result of such accident, take all reasonable steps to secure medical attention for the person so injured, in particular, calling an ambulance, and only if necessary and if further delay would compromise the health or wellbeing of the person so injured, convey him to the nearest hospital, unless the injured person or his guardian, in case he is a minor, desires otherwise;".]
- (b) if animal is injured as a result of such accident, take steps and endeavour to locate and report the matter to the owner or custodian of the animal so injured and take all reasonable steps to secure medical attention, if necessary, for the animal;
- (c) if any damage has been caised to any property as a result of such accident, take reasonable steps to report the damage to the party sustaining the damage; and

¹ Substituted clause by Sindh Amendment Act No. XXXVIII of 2018.

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- (d) Given on demand by a police or an officer of the Transport Department authorized in this behalf by Government any information required by such officer relating to the occurrence, or, if no such officer is present, report the circumstances of occurrence at the nearest police station as soon as possible, and in any case within twenty-four hours of the occurrence.

95. When any accident occurs in which a motor vehicle is involved, any person authorised in this behalf by Government may, on production if so required of his authority, inspect the vehicle and for that purpose may enter at any reasonable time any premises where the vehicle may be, and may remove the vehicle for examination: **Inspector of vehicle involved in accident.**

Provided that the place to which the vehicle is removed shall be intimated to the owner of the vehicle and the vehicle shall be returned without unnecessary delay, and in no case later than forty-eight hours of its removal.

96. (1) Government may make rules for the purpose of carrying into effect the provisions of this Chapter. **Power to make rules.**

(2) Without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:--

- (a) The nature of the mechanical or electrical signalling devices which may be used on motor vehicles installed;
- (b) The erection of electrical traffic signaling devices, and the types of such devices that may be installed;
- (c) the removal and the safe custody of vehicles, including their loads, which have broken down or which have been left standing or have been abandoned on roads;
- (d) the installation and use of weighing devices;
- (e) the exemption from all or any of the provisions of this Chapter of emergency vehicles and other

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special classes of vehicles, subject to such conditions as may be prescribed;

- (f) the maintenance and management of parking places and stands and the fees, if any, which may be charged for their use;
- (g) prohibiting the driving down-hill of a motor vehicle with the gear disengaged, either generally or in a specified place;
- (h) prohibiting the taking hold of or mounting of a motor vehicle in motion;
- (i) prohibiting the use of footpaths or pavements by motor vehicles;
- (j) generally, the prevention of danger, injury or annoyance to the public or any person, or of danger or injury to property or of obstruction to traffic.

CHAPTER VIII OFFENCES, PENALTIES AND PROCEDURE

97. Whoever, being disqualified under this Ordinance for holding or obtaining a licence, drives a motor vehicle in a public place or applies for or obtains a licence or, not being entitled to have a licence issued to him free of endorsement applies for or obtains a licence without disclosing the endorsement made on a licence previously held by him, or being disqualified under this Ordinance for holding or obtaining a licence, uses a licence such as is referred to in sub-section (1) of section 10, shall be Punished with imprisonment of either description for a term Which may extend to six months, or with fine which may extend to five hundred rupees or with both, and any licence so obtained by him shall be of no effect; and if the vehicle so driven is a transport vehicle or the licence so applied for obtained or used is a licence to drive transport vehicle, shall be punished with imprisonment which may extend to two years and with fine which may extend to rupees one thousand, and any licence so obtained by him shall be of no effect.
- Offence relating to licences.**

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¹[(97-A. Whoever, fabricates or counterfeits a registration plate in contravention of section 25 shall be punished with imprisonment of either description for a term which may extend to two years or with fine or with both.” **Penalty for fabrication of registration plate.**]

98. (1) Whoever drives a motor vehicle in contravention of section 75 shall be punished with fine which may extend to one hundred rupees, and the vehicle is a transport vehicle, with a fine which shall not less than one hundred rupees and which may extend to five hundred rupees. **Driving at excessive speed.**

(2) Whoever causes any person who is employed by or is subject to his control to drive a motor vehicle in contravention of section 75 shall be punished with fine which may extend to two hundred rupees, and when the vehicle is a transport vehicle, with a fine which may extend to five hundred rupees.

(3) No person shall be convicted of an offence punishable under sub-section (1) solely on the evidence of one witness to the effect that in the opinion of the witness such person was driving at a speed which was unlawful, unless that opinion is shown to be based on an estimate obtained by the use of some mechanical device.

(4) The publication of a time-table under which or the giving of any direction that any journey or part of a journey is to be completed within a specified time shall, if in the opinion of the Court it is not practicable in the circumstances of the case for the journey or part a journey to be completed in the specified time without infringing the provisions of section 75, be prima facie evidence that the persons who published the time-table or gave the direction has committed an offence punishable under sub-section (2).

²[(5) No driver of an emergency vehicle shall be convicted of an offence punishable under sub-section (1) if he was responding to an emergency and was not exceeding the limit of 80 km/hour.”.]

99. (1) Whoever drives a motor vehicle at a speed or in a manner which is dangerous to human life or property, having regard to all the circumstances of the case, including the nature, condition and use of the place where the vehicle is driven and the amount of traffic which actually is the time or which might reasonably be expected **Driving recklessly or dangerously.**

¹ Inserted new section by Sindh Amendment Act, No. VII of 1997.

² Inserted new section by Sindh Amendment Act No. XXXVIII of 2018

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to be in the place, shall be Punished with imprisonment of either description for a term which may extend to six months, or with fine which may extend to five hundred rupees, and if the vehicle be a transport vehicle, with imprisonment which may extend to one year and with a fine which may extend to one thousand rupees.

(2) Whoever, having been previously convicted of an offence specified in sub-section (1) shall within three years of such conviction, be guilty of an offence punishable under that sub-section, shall be subject for every such subsequent offence to imprisonment of either description for a term which may extend to two years, or with fine which may extend to one thousand rupees, or with both, and where the vehicle is a transport vehicle, with imprisonment which may extend to four years and with fine which may extend to one thousand rupees.

100. Whoever while driving or attempting of drive a motor vehicle is under the influence of drink or a Aug to such an extent as to be incapable of exercising proper control over the vehicle, shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both, and if having been previously convicted of such an offence, shall again be guilty of an offence punishable under this section, shall be subject for every such subsequent offence to imprisonment of either description for a term which may extend to two years, or with fine which may extend to one thousand rupees, or with both. **Driving while under the influence of drink or drugs.**
101. Whoever drives a motor vehicle in any public place when he is to his knowledge suffering from any disease or disability calculated to cause his shall be punished with fine driving of the vehicle to be a source of a danger to the public, which may extend to two hundred rupees and if having been previously convicted of such an offence, shall again be guilty of an offence punishable under this section, shall be subject for every such subsequent offence to fine which may extend to five hundred rupees. **Driving when mentally or physically unfit to drive.**
- ¹[“101-A. (1) A person shall not drive a motor vehicle if he is using a hand-held mobile telephone or a device which performs an interactive communication function of transmitting and receiving data. **Use of mobile telephones.**

¹ Inserted new section Sindh Amendment Act No. XXXVIII of 2018.

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(2) A person shall not be guilty of contravention of sub-section (1) if, at the time of the alleged contravention, he is--

- (a) using the mobile telephone or the device to call the police, fire brigade, ambulance or other emergency service; or
- (b) responding to or acting in response to an emergency.”.]

102. Whoever abets the commission of an offence under section 92, 100 or 101, shall be punishable with the punishment provided for the offence. **Punishment for abetment of certain offences.**
103. Whoever, without the written consent of Government permits or takes part in a race or trial speed between motor vehicles in any public place shall be punished with imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both. **Racing and trials of speed.**
104. Any person who drives or causes or allows to be driven in a public place a motor vehicle or trailer while the vehicle trailer has any defect, which such person knows of or could have discovered by the exercise of ordinary care and which is calculated to render the driving of the vehicle a source of danger to persons and vehicle using such place, shall be punished with imprisonment for a term which may extend to one month or with fine which may extend to five hundred rupees, or with both, or if as a result of such defect an accident causing bodily injury to any person or animal or damage to property takes place, with imprisonment which may extend to six months, or with fine which may extend to one thousand rupees, or with both. **Using vehicle in unsafe condition.**
- ¹[“104-A.(1) Any person who drives or cause or allows to be driven in any public place, enters in the Province of Sindh, a Trailer, Oil Tanker, LPG and LNG containers shall comply with the following conditions:- **Using Oil Tanker, LNG, LPG containers in unsafe condition.**
- (i) registration, inspection by Provincial Motor Vehicle Examiner, Transport Authority concerned;
 - (ii) installation of side grills safety locks;

¹ Inserted new section by Sindh Act No. XII of 2021, dated 24th May, 2021.

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- (iii) use of protective tank linings to prevent it from ambient temperature;
- (iv) usage of protective coating inside the tank;
- (v) double walled container with vacuum leaked detector with alarm to avoid external leakage;
- (vi) installation of devices for maintaining specific temperature;
- (vii) installation of vents on the top corners of the container;
- (viii) proper insurance certificate to compensate the affectees of any incident;
- (ix) registration of goods, equipment of forwarding agency with the concerned Transport Authority.

(2) Any person contravenes the provisions of sub-section (1) shall be punished with imprisonment not exceeding one month and fine with rupees five thousand or with both.”.]

105. Whoever, being an importer of or a dealer in motor vehicles, sells or delivers or offers to sell or deliver a motor vehicle or trailer in such condition that the use thereof in a public place would be in contravention of Chapter IV or any rule made thereunder or alters the motor vehicle or trailer so as to render its conditions such that its use in a public place would be in contravention of Chapter VI or any rule made thereunder shall be punished with fine which may extend to two hundred rupees:

Sale of vehicle in or alteration of vehicle to a condition contravening this Ordinance.

Provided that no person shall be convicted under this section if he proves that he had reasonable cause to believe that the vehicle would not be used in a public place until it had been put into a condition in which it might lawfully be so used.

106. Whoever drives a motor vehicle or causes or allows a motor vehicle to be used or lets out a motor vehicle for use in contravention of Provisions of sub-section (1) of section 44 shall be punished with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, and if having been previously convicted of such an offence, shall again be guilty of an offence under this section, shall be Subject for every such subsequent offence to imprisonment for

Using vehicle without permit.

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may a term which may extend to two years, or w fine w extend to one thousand rupees, or with both.

(2) Nothing in this section shall apply to the use Of a motor vehicle in an emergency for the conveyance of persons suffering from sickness or injury or for the transport of materials for repair or of food or materials to relieve distress or of medical supplies for a like purpose; provided that the person using the vehicle reports such use to the Regional Transport Authority within seven days.

¹["106-A. There shall be constituted a Vigilance Force by a Notification in official gazette comprising on officers of Transport & Mass Transit Department for the purpose to control the violations of this Ordinance and rules made thereunder: **Vigilance Force**

Provided that dress of force shall be defined after necessary permission of Home Department.”.]

107. Whoever drives a motor vehicle or causes or allows a motor vehicle to be driven in contravention of the provisions of section 76 or of the conditions of any permit issued thereunder, or in contravention of any prohibition or restriction imposed under section 78 shall be punished with fine which may extend to ²[five hundred] rupees, and if having been previously convicted of such an offence, shall again be guilty of an offence under this section shall be subject for every such subsequent offence to fine which may extend to ³[one thousand] rupees. **Driving vehicle exceeding permissible weight.**
108. Whoever contravenes the provisions of clause (c) of sub-section (1) of section 92 or any' of the provisions contained in section 94 or furnishes any information required to be famished thereunder which he knows to be false shall be punishable with imprisonment which may extend to six months, or with fine which may extend to one thousand rupees, or with both. **Penalty for failing to stop in case of accident or failure to furnish information etc.**
109. Whoever takes and drives away any motor vehicle without having either consent of the owner thereof or other lawful authority shall be punished with imprisonment which may extend to three months, or with fine which may extend to five hundred rupees, or with both: **Taking vehicle without authority.**

¹ Inserted new section by Sindh Act No. XII of 2021, dated 24th May, 2021.

² Substituted words by Sindh Amendment Act No. IV of 1976.

³ Substituted words by *ibid*.

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Provided that no accused person shall be convicted under this section if the Court is satisfied that the accused acted in the reasonable belief that he had lawful authority or in the reasonable belief that the owner would in the circumstance of the case have given his consent if he had been asked to do so.

110. Whoever otherwise than with lawful authority or reasonable excuse enters or mounts any stationary motor vehicle or tampers with the brake or any part of the mechanism of a motor vehicle shall be punished with imprisonment which may extend to one month or with fine which may extend to two hundred rupees, or with both. **Unauthorised interference with vehicle.**
111. Whoever wilfully disobeys any direction lawfully given by any person or authority empowered under this Ordinance to give such direction, or obstructs any person or authority in the discharge of any functions which such person or authority is required or empowered under this Ordinance to discharge, or being required by or under this Ordinance to supply any information, withholds such information or give information which he knows to be false or which he does not believe to be true, shall, if no other penalty is provided for the offence, be punished with fine which may extend to two hundred rupees. **Disobedience of orders, obstruction and refusal of information.**
- ¹[111-A. Whoever carries in any motor vehicle any appliance the carrying of which is prohibited by rules made under section 47 shall be punished with fine which may extend to five hundred rupees and such appliance shall be forfeited to Government. **Penalty for contravention of rules relating to appliances.**
112. Whoever contravenes any provision of this Ordinance or of any rules made thereunder shall, if no other penalty is provided for the offence under this Ordinance, be punished with fine which may extend to one hundred rupees and if having been previously convicted of such an offence, shall again be guilty of an offence punishable under this section shall be subject for every such subsequent offence to fine which may extend to five hundred rupees. **General proviso for punishment of offence not otherwise provided for.**
113. (1) A police officer in uniform may arrest without warrant any person who commits in his view an offence punishable under section 99 or section 100 or section 140: **Power of arrest without warrant.**

Provided that any person so arrested in connection with an offence punishable under section 100 shall be subjected to a medical

¹ Section 111-A inserted by Ordinance, VIII of 1978. [PLD 1978 Cent. St. 65.]

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examination by a registered medical practitioner within two hours of his arrest and if not so subjected within the said period of two hours shall be released from custody.

(2) A police officer in uniform may arrest without warrant:—

- (a) any person who being required under the provisions of this Ordinance to give his name and address which the police officer has reason to believe to be false; or
- (b) any person concerned in an offence under this Ordinance or reasonably suspected to have been so concerned, if the police officer has reason to believe that he will abscond or otherwise avoid the service of a summons.

(3) A police officer arresting without warrant the driver of a motor vehicle shall, if the circumstances so required, take or cause to be taken any steps he may consider proper for the temporary disposal and safe custody of the vehicle.

114. (1) Any police officer authorised in this behalf or other person authorised in this behalf by Government may, if he has reason to believe that any identification mark carried on a motor vehicle or any licence, permit, certificate of registration, certificate of insurance or other document produced before him by the driver or person in charge of a motor vehicle is a false document within the meaning of section 464 of the Pakistan Penal Code, seize the mark of document and call upon the driver or owner of the vehicle to account for his possession of or the presence in the vehicle of such mark or document.

Power of Police Officer to seize documents.

(2) Any police officer authorised in this behalf by Government may, if he has reason to believe that the driver of a motor vehicle who is charged with any offence under this Ordinance may abscond or otherwise avoid the service of a summons, seize any licence held by such driver and forward it to the Court taking cognizance of the offence and the said Court may, on the appearance of such driver, before it and on such terms as to security as it may deem fit, return the licence to him, and require to surrender any temporary acknowledgment given to him under sub-section (3).

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(3) A police officer seizing a licence under sub-section (2) shall give to the person surrendering the licence a temporary acknowledgment therefor and such acknowledgment shall authorise the holder to drive any motor vehicle specified in his licence until the licence has been returned to him or up to a date which the Police Officer shall specify in the temporary acknowledgment whichever is earlier:

Provided that where for any cause in respect of which the holder of the licence is not at fault, he is unable to appear in the Court before the temporary acknowledgment ceases to be effective, any Magistrate or a police officer authorised by Government in this behalf may, on application made to him, substitute a later in the temporary acknowledgment given under this sub-section.

115. A police officer authorised in this behalf or other person authorised in this behalf by Government may if he has reason to believe that a motor vehicle has been or is being used in contravention of the provisions of sub-section (1) of section 21 or without the permit required by sub-section (1) of section 44 or in contravention of any condition of such permit relating to the route on which or the area in which or the purpose for which the vehicle may be used, seize and detain the vehicle, and for this purpose take or cause to be taken any steps he may consider proper for the temporary safe custody of the vehicle. **Power to detain vehicle used without certificate of registration or permit.**
116. (1) A Court taking cognizance of an offence under this Ordinance shall unless for reasons to be recorded in writing the Court directs otherwise or when the offence is an offence specified in Part A of the Fifth Schedule state upon the summons to be served on the accused person that he— **Summary disposal of cases.**
- (a) May appear by pleader and not in person; or
- (b) May by a specified date prior to the hearing of the charge plead guilty to the charge by registered letter and remit to the Court such sum not exceeding seventy-five rupees as the Court may specify.
- (2) Where the offence dealt with in accordance with sub-section (1) is an offence specified in Part B of the Fifth Schedule, the accused person shall, if he pleads guilty to the charge, forward his licence to the Court with the letter containing his plea in order that the conviction may be endorsed on the licence.

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(3) Where an accused person pleads guilty and remits the sum specified and has complied with the provisions of sub-section (2), no further proceedings in respect of the offence shall be taken against him, nor shall he be liable to be disqualified for holding or obtaining a licence by reason of his having pleaded guilty.

¹[116-A. (1) In any area of Islamabad Capital Territory, a police officer **Fine on spot.** in uniform not below the rank of Assistant Sub-Inspector, may, notwithstanding anything to the contrary contained in this Ordinance, or any other law for the time being in force, charge on the spot any person committing in his view an offence mentioned in the Twelfth Schedule in respect of motor vehicles including scooter, motorcycle and motor rickshaw.

(2) A police officer acting under sub-section (1) shall draw up a charge in quintuplicate in Form J, as set forth in the First schedule, and shall—

- (a) forthwith deliver three copies thereof to the offender, who shall acknowledge its receipt under his signature or, as the case may be, thumb-impression;
- (b) immediately forward the fourth copy of the charge alongwith documents taken in possession to the designated Traffic Police Officer; (c) retain the fifth copy for record.

(3) A person charged with an offence under this section shall, if he does not want to contest the charge, pay, within seven days from the date of delivery of the charge under sub-section (2), the penalty specified for the offence in the Twelfth Schedule, as mentioned in the charge, through cash at the designated bank, as notified from time to time by the Federal Government, and collect the documents of the vehicle from the Traffic Office.

(4) The designated bank shall retain one copy of the challan for record, send second copy to the Traffic Office and third copy shall be handed over to the depositor.

(5) If the penalty is not paid in the manner provided in sub-section (3), the Police Officer Incharge of Traffic Police Office shall

¹ Subs. for "S.116-A" by Provincial Motor Vehicles (Amendment) Ordinance XLI of 2001. [PLJ 2002 Cent. St. 142].

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lodge a complaint against the offender before the Court having jurisdiction to try the offence.]

117. No person prosecuted for an offence punishable under section 99¹[or section 1001 shall be convicted unless:—
- Restriction on conviction.**
- (a) he was warned at the time the offence was committed that the question of prosecuting him would be taken into consideration; or
 - (b) within fourteen days from the commission of the offence, a notice specifying the nature of the offence and the time and place where it is alleged to have been committed was served or sent by registered post to him or the person registered as the owner of the vehicles at the time of the offence; or
 - (c) within twenty-eight days from the commission of the offence, a summons for the offence was served on him:
- Provided that nothing in this section shall apply where the Court is satisfied that:--
- (d) the failure to serve the notice or summons referred to in the sub-section was due to the fact that neither the name and address of the accused nor the name and address of the registered owner of the vehicle could with reasonable diligence have been ascertained in time; or
 - (e) such failure was brought by the conduct of the accused.
118. No Court inferior to that of a Magistrate of the Second Class shall try any offence punishable under this Ordinance or any rule made thereunder. **Jurisdiction of Courts.**
119. (1) Every power to make rules given by this Ordinance is subject to the condition of the rules being made after previous publication. **Publication of and commencement of rules.**

¹ Omitted by Provincial Motor Vehicles (Amendment) Ordinance XL of 103. (PL. 1984 Cent. St. 80).

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(2) All rules made under this Ordinance shall be published in the official Gazette, and shall, unless some later date is appointed, come into force on the date of such publication.

120. ¹[(1) Government may, for the purpose of carrying into effect the provisions of this Ordinance, appoint motor vehicles officers or examiners as it may think fit who shall perform their duties under the Transport Department. **Appointment of motor, vehicles officers or examiners.**]

(2) All existing Motor Vehicles officers or examiners working under the Police Department shall stand transferred to the Transport Department alongwith budgetary allocations, assets and liabilities.”]

121. (1) An appeal under sub-section (3) of section 14, sub-section (3) of section 16, sub-section (4) of section 17, sub-section (1) of section 36 or section 66 shall not operate as a stay of the order or proceedings under the order appealed from, except so far as the appellate authority may direct. **General provisions regarding appeals 10 prescribed appellate authorities.**

(2) In an appeal under this Ordinance, the order appealed from shall not be altered or reversed merely on account of any error, omission or irregularity, not materially affecting the merits in the procedure or order of the original authority.

122. (1) The enactments specified in the Twelfth Schedule are hereby repealed to the extent specified against each. **Repeal and savings.**

(2) Notwithstanding the repeal of the enactments specified in the Fourteenth Schedule, everything done, action taken, obligation, liability, penalty or punishment incurred, or proceeding commenced, officer appointed or person authorised, jurisdiction or power conferred, licence, certificate or permit granted, rule made and order issued under any of the provisions of the said enactments shall, if not inconsistent with the Provisions of this Ordinance, continue in force and, so far as may be, deemed to have been respectively done, taken, incurred, commenced, appointed, authorised, conferred, granted, made or issued under this Ordinance.

¹ Substituted section by Sindh Amendment Act No. XIII of 2014.

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¹TWELFTH SCHEDULE

(See section 116-A)

Part-I

MOVING VIOLATIONS

S.No.	VIOLATIONS	PENALTY
1.	Exceeding prescribed speed limit	Rs. 400/=
2.	Carrying passengers in public service vehicle exceeding permissible limit	Rs. 300/=
3.	Violation of Traffic Signals (Manual/Electronic)	Rs. 400/=
4.	Overloading by public transport vehicles (good carriers)	Rs. 300/=
5.	Overtaking where prohibited	Rs. 300/=
6.	Failure to yield the right of way to other vehicles	Rs. 150/=
² [6-A.	Failure to give way to emergency vehicle	Rs. 600/=]
³ [7.	Obstructing movement of emergency vehicles	Rs. 150/=]
⁴ [7-A.	Following an emergency vehicle closer than a safe distance.	Rs. 600/=]
8.	Loading in excess of the restriction of dimension of goods	Rs. 300/=
9.	Driving at night without proper lights	Rs. 300/=
10.	Driving on the wrong side of the road	Rs. 300/=
11.	Disobeying traffic signals	Rs. 300/=
12.	Improper crossing of railway track	Rs. 400/=
13.	Following too closely or cutting too sharply	Rs.300/=
14.	Driving with tinted / covered glasses obstructing visibility from within the vehicle	Rs.400/=
15.	Jumping traffic queue	Rs.150/=
16.	Failing to dip Head Lights for other traffic	Rs.300/=
17.	Driving wrong way in one way street	Rs.400/=
18.	Using turn indicator for any purpose other than those prescribed	Rs.300/=
19.	Plying where prohibited	Rs.150/=

¹ Substituted Twelfth Schedule by Sindh Amendment Act No. XIII of 2014.

² Inserted by Sindh Amendment Act. No. XXXVIII of 2018.

³ Substituted by ibid.

⁴ Inserted by ibid.

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20.	Improper loading of goods / improper loaded goods	Rs.300/=
21.	Failing to observe lighting hours	Rs.150/=
22.	Obstructing traffic	Rs.300/=
23.	Failure to observe low sign	Rs.150/=
24.	Riding motor cycle without safety helmet	Rs.300/=
25.	Failure to stop for a school bus	Rs.150/=
26.	Turning where prohibited	Rs.150/=
27.	Failure to protect learner drivers	Rs.150/=
28.	Failure to yield right of way to pedestrians	Rs.150/=
29.	Reckless and negligent driving	Rs.150/=
30.	Driving without driving licence	Rs.300/=
31.	Driving an unregistered vehicle	Rs.400/=
32.	Driving motor vehicle without insurance coverage	Rs.400/=
33.	Driving a transport vehicle without or with defective speedo meter	Rs.150/=
34.	Carrying passengers in dangerous position in a transport vehicle	Rs.300/=
35.	Opening door dangerously	Rs.300/=
36.	Improper turning (Turn from wrong lane)	Rs.150/=
37.	Improper lane usage	Rs.150/=
38.	Blowing horn in silence zone	Rs.450/=
39.	Improper U-Turn	Rs.300/=
40.	Refusal to produce licence	Rs.300/=
41.	Failing to stop when required by traffic police	Rs.300/=
42.	Driving without fitness certificate or with expired fitness certificate (impounding of vehicle till the production of fitness certificate)	Rs.1000/=
43.	Driving a vehicle exceeding prescribed weight limit	Rs.300/=
44.	Using vehicle in unsafe condition	Rs.300/=
45.	Using pressure / musical horn	Rs.450/=
46.	Driving vehicle in violation of law / rules not otherwise provided	Rs.300/=
47.	Smoke emitting vehicles	Rs.400/=
48.	Juvenile driving	Rs.500/=
49.	Repeating the same violation	Rs.500/=
50.	Abatement of the above violation	Rs.500/=

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51.	Driving without route permit or with expired route permit (impounding of the vehicle till the production of route permit)	Rs.1000/=
52.	Repetition of violation of Codes 42 and 51.	Rs.1000/=
¹ [53.	Driving motorcycle without proper tracker system or with expired tracker system.	Rs.500/=
54.	Driving motor car without proper tracker system or with expired tracker system.	Rs.5000/=
55.	Operation of Cars with open sale letter	Rs.5000/=
56.	Repetition of violation of entries in 53 and 54	Rs.1000/= and Rs.10,000/= respectively
57.	Driving vehicle with sub-standard CNG/LPG Cylinder, Kit	Rs.5000/=
58.	Using CNG/LPG as fuel in Public Service Vehicle (PSVs-intercity) or school Vehicles in contravention of SOPs, Rules	Rs.7000/=
59.	Repetition of violation of entries 57	Rs.10,000/=;”.]

PART-II PARKING VIOLATIONS

S.No.	VIOLATIONS	PENALTY
1.	Parking more than 0.5 metter from the kerb.	Rs. 50/=
2.	Parking side walk.	Rs. 50/=
3.	Parking less than 0.5 meter from another car.	Rs. 50/=
4.	Parking on zebra crossing	Rs. 100/=
5.	Parking less than 3 meters from fire hydrants	Rs. 100/=
6.	Parking less than 10 inches from stop sign.	Rs. 100/=
7.	Parking less than 10 inches from intersection	Rs. 100/=
8.	Parking in a “No Parking” Zone.	Rs. 100/=
9.	Parking in front of an entrance to a premises.	Rs. 100/=
10.	Unauthorized parking on a bus stop	Rs. 100/=
11.	Parking on bridge.	Rs. 100/=
12.	Offences relating to parking meters exceeding time limit by each half an hour should not be violation of motor parking.	Rs. 50/=

¹ Added by Sindh Act No. XII of 2021, dated 24th May, 2021.

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¹THE THIRTEENTH SCHEDULE

(See section 50, 53 and 67)

SCALE OF COMPENSATION PAYABLE ON INJURY TO PASSENGER IN A STAGE CARRIAGE OR CONTRACT CARRIAGE

S.No.	Death or Injury	Rupees
1	2	3
1.	Death	500,000
2.	Loss of arm at or above elbow	65,000
3.	Loss of arm below the elbow	50,000
4.	Loss of leg at or above the knee	65,000
5.	Loss of leg below the knee	60,000
6.	Loss of both legs	1,40,000
7.	Permanent loss of hearing	65,000
8.	Loss of one eye	75,000
9.	Loss of both eyes	2,50,000
10.	Loss of thumb	40,000
11.	Loss of all finger of one foot	50,000
12.	Loss of index finger	40,000
13.	Loss of any finger other than index finger	38,000
14.	Permanent disfiguration of the face or head	50,000
15.	Fracture or dislocation of a bone	40,000
16.	Emasculation	50,000
17.	Loss of one tooth	12,500
18.	Loss of two or more teeth	25,000
19.	Any injury which endangers life or which causes the sufferer to be, during the space of twenty days, serve bodily pain, or renders him unable to follow his ordinary pursuits	25,000
20.	Any injury not specified above	10,000
21.	Maximum limit of compensation payable for more than one injuries	14,000

¹ Substituted Thirteenth Schedule by Sindh Amendment Act No. V of 2017.

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