

EXTRAORDINARY

GOVERNMENT



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G A Z E T T E

North-West Frontier Province

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GOVERNMENT OF NORTH-WEST FRONTIER PROVINCE
LAW DEPARTMENT

NOTIFICATION

28th February, 2002.

No. Legis:1(17)/70-II/1139-44/1160—The following Ordinance by the Governor of the North-West Frontier Province is hereby published for general information.

**THE PROVINCIAL MOTOR VEHICLES (NWFP)
(AMENDMENT) ORDINANCE, 2002.**

N.-W.F.P. ORDINANCE NO. VI OF 2002.

**AN
ORDINANCE**

*further to amend the Provincial
Motor Vehicles Ordinance, 1965.*

WHEREAS it is expedient further to amend the Provincial Motor Vehicles Ordinance, 1965 (W.P. Ord. XIX of 1965), in the manner hereinafter appearing;

AND WHEREAS the Governor of the North-West Frontier Province is satisfied that circumstances exist which render it necessary to take immediate action;

NOW, THEREFORE, in pursuance of the Proclamation of Emergency of the fourteenth day of October, 1999, as amended upto date, and the Provisional Constitution Order No. 1 of 1999, read with Article 4 of the Provisional Constitution (Amendment) Order No. 9 of 1999, and in exercise of all powers enabling him in that behalf, the Governor of the North-West Frontier Province is pleased to make and promulgate the following Ordinance:

1. **Short title and commencement.**— (1) This Ordinance may be called the Provincial Motor Vehicles (North-West Frontier Province) (Amendment) Ordinance, 2002.

(2) It shall come into force at once.

2. **General amendments in W.P. Ord. XIX of 1965.**— In the Provincial Motor Vehicles Ordinance, 1965 (W.P. Ord. No. XIX of 1965), in its application to the North-West Frontier Province, hereinafter referred to as the said Ordinance, for the words "Regional" and "region", wherever occurring, the word "District", and for the word "regions", wherever occurring, the word "Districts" shall be substituted.

3. **Amendment of section 46 of W.P. Ord. XIX of 1965.**— In the said Ordinance, in section 46,-

(A) in sub-section (1), for clause (ii), including the proviso thereunder, the following be substituted, namely:

"(ii) a District Transport Authority for each District in the Province to exercise and discharge throughout the District concerned the powers and functions conferred on it by or under this Chapter:

Provided that-

- (a) permits for vehicles playing within the limits of a District shall be issued by the District Transport Authority concerned;
- (b) permits for vehicles playing within the limits of two adjoining Districts shall be issued by the District Transport Authority of any of the said two adjoining Districts, subject to a no objection certificate issued by the District Transport Authority of such other adjoining District; and
- (c) permits for vehicles playing within the limits of more than two Districts will be issued by Provincial Transport Authority.";

(B) for sub-section (2), except the Explanation thereunder, the following shall be substituted, namely:

"(2) The Provincial Transport Authority or a District Transport Authority shall consist of such number of official and non-official members as Government may think fit to appoint, but no person who has any financial interest whether as proprietor, employee or otherwise in any transport undertaking, except in his representative character of the proprietors/transporters, shall be appointed or continue as a member of the Provincial Transport Authority or a District Transport Authority."; and

(C) in sub-section (6), for clause (ii), the following shall be substituted, namely:

"(ii) to issue permits for vehicles plying within the limits of more than two districts;"

4. *Amendment of section 47 of W.P. Ord. XIX of 1965.*— In the said Ordinance, in section 47, for sub-section (1), the following shall be substituted, namely:

"47. *General provisions as to applications for permits.*— Every application for a permit shall be made to the District Transport Authority of the District concerned or of one of the Districts 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 Districts, to the District Transport Authority of that District:

Provided that if the permit or permits applied for is covered by clause (c) of the proviso to sub-section (1) of section 46, the District Transport Authority by whom the application is received shall forward the same to the Provincial Transport Authority for such action as is deemed fit by the latter Authority."

Peshawar,
Dated the
25th February, 2002.

Lt. Gen. (Rtd.) IFTIKHAR HUSSAIN SHAH
Governor of the North-West Frontier Province.

SALIM KHAN
Secretary to Government of North-West Frontier Province,
Law Department.