



KHYBER PAKHTUNKHWA

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PROVINCIAL ASSEMBLY SECRETARIAT KHYBER PAKHTUNKHWA

NOTIFICATION

Dated Peshawar, the 20th April, 2021.

No. PA/Khyber Pakhtunkhwa/Bills-146/2021/6310.— The Khyber Pakhtunkhwa Urban Mass Transit (Amendment) Bill, 2021 having been passed by the Provincial Assembly of Khyber Pakhtunkhwa on 12th April, 2021 and assented to by the Governor of the Khyber Pakhtunkhwa on 16th April, 2021 is hereby published as an Act of the Provincial Legislature of the Khyber Pakhtunkhwa.

THE KHYBER PAKHTUNKHWA URBAN MASS TRANSIT (AMENDMENT) ACT, 2021. (KHYBER PAKHTUNKHWA ACT NO. IX OF 2021)

*(First published after having received the assent of the Governor of the
Khyber Pakhtunkhwa in the Gazette of the Khyber Pakhtunkhwa,
(Extraordinary), dated the 20th April, 2021).*

AN ACT

*further to amend the Khyber Pakhtunkhwa
Urban Mass Transit Act, 2016*

WHEREAS it is expedient further to amend the Khyber Pakhtunkhwa Urban Mass Transit Act, 2016 (Khyber Pakhtunkhwa Act No. XXVII of 2016), for the purposes hereinafter appearing;

It is hereby enacted as the Provincial Assembly of the Khyber Pakhtunkhwa as follows:

1. Short title and commencement.---(1) This Act may be called the Khyber Pakhtunkhwa Urban Mass Transit (Amendment) Act, 2021.

(2) It shall come into force at once.

2. Amendment of section 2 of the Khyber Pakhtunkhwa Act No. XXVII of 2016.---In the Khyber Pakhtunkhwa Urban Mass Transit Act, 2016 (Khyber Pakhtunkhwa Act No. XXVII of 2016), hereinafter referred to as the said Act, in section 2, in clause (y), for the figure "30", the figure "28" shall be substituted.

3. Amendment of section 4 of the Khyber Pakhtunkhwa Act No. XXVII of 2016.---In the said Act, in section 4, in sub-section (2),-

- (a) in clause (e), for the words "other modes of transportation", the words "public transport vehicles engaged in mass transit system" shall be substituted; and
- (b) in clause (p), for the words and comma "all forms of vehicles, including public transport vehicles", the words "public transport vehicles engaged in mass transit system" shall be substituted.

4. Amendment of section 5 of the Khyber Pakhtunkhwa Act No. XXVII of 2016.---In the said Act, in section 5, for sub-section (1), the following shall be substituted, namely:

"(1) Notwithstanding anything contained in section 45 in the West Pakistan Motor Vehicles Ordinance, 1965 (W.P Ordinance No. XIX of 1965), the Authority shall have the sole jurisdiction in relation to public transport vehicles, motor vehicles and authorized vehicles which are allowed to be operated in the mass transit area of a mass transit system, its route permits and matters ancillary thereto. The Authority shall exercise all or any of the functions of the Provincial Transport Authority or the Regional Transport Authority, as the case may be, only with reference to public transport vehicles, as specified in the West Pakistan Motor Vehicles Ordinance, 1965 (W.P Ordinance No. XIX of 1965), within the mass transit area of a mass transit system."

5. Amendment of section 12 of the Khyber Pakhtunkhwa Act No. XXVII of 2016.---In the said Act, in section 12,-

- (a) in sub-section (1), for the words "appoint such number of officers", the words "post such number of officers not below the rank of BPS-17" shall be substituted;
- (b) sub-section (2), shall be deleted.

6. Amendment of section 26 of the Khyber Pakhtunkhwa Act No. XXVII of 2016.---In the said Act, in section 26, after sub-section (2), the following new sub-section (3) shall be added, namely:

"(3) Any person, who makes un-authorized entry or attempts to enter the mass transit area, interferes with or obstructs the mass transit area or its assets, willfully causes or attempts to cause damage to the mass transit system or its assets or violates the instructions of the Authority or the Urban Transport Company, issued from time to time, for the safety and security of the mass transit system and its assets, shall be liable to a fine keeping in view of the severity of offence as may be prescribed by the Authority from time to time."

7. Amendment of section 29 of the Khyber Pakhtunkhwa Act No. XXVII of 2016.---In the said Act, in section 29, in sub-section (6), for the alphabet and brackets "(n)", the alphabet and brackets "(u)" shall be substituted.

8. Amendment of section 30 of the Khyber Pakhtunkhwa Act No. XXVII of 2016.---In the said Act, in section 30, in sub-section (2), for clauses (a) and (b), the following shall respectively be substituted, namely:

- “(a) issue permits for such routes to stage carriage for public transport service; or
- (c) perform any function or exercise any power, in relation to matters pertaining to declared projects specifically assigned to Urban Transport Company, within its area of responsibility, by the Authority.”.

BY ORDER OF MR. SPEAKER
PROVINCIAL ASSEMBLY OF KHYBER
PAKHTUNKHWA

(NASRULLAH KHAN KHATTAK)
Secretary
Provincial Assembly of Khyber Pakhtunkhwa

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