

SINDH ACT NO. II OF 1973

THE WEST PAKISTAN HIGHWAYS (SIND AMENDMENT) ACT, 1973

[29th July 1973]

An Act to amend the West Pakistan Highways Ordinance, 1959, in its application to the Province of Sind.

WHEREAS it is expedient to amend the West Pakistan Highways Ordinance, 1959, in its application to the Province of Sind, in the manner hereinafter appearing: **Preamble**

It is hereby enacted as follows:—

Short title and commencement.

1. (1) This Act may be called the West Pakistan Highways (Sind Amendment) Act, 1973.

(2) It shall come into force at once.

2. In the West Pakistan Highways Ordinance, 1959, in its application to the Province of Sind, hereinafter called the said Ordinance, in section 2, after clause (d), the following new clause shall be added:-

Amendment of section 2 of West Pakistan ordinance XXXII of 1959.

“(dd) „Super Highway” means the highway known as such and constructed between Karachi and Hyderabad via Bahram Goth from mile 8 to mile 97:”

3. In section 8 of the said Ordinance, in sub-section (1), for clause (b), the following clause shall be substituted:—

Amendment of section 8 of west Pakistan Ordinance XXXII of 1959

“(b) to construct any permanent or temporary structure within—

- (i) two hundred and twenty feet from the middle of a highway; and
- (ii) four hundred and fifty feet from the middle of the Super Highway on its right and two hundred and twenty feet on its left.”.

4. In the said Ordinance, after section 22, the following new section shall be inserted: —

Insertion section 22-A in West Pakistan Ordinance XXXII of 1959.

Ban on commission of certain acts.

“22-A. No person shall commit any act (including of discharge of water from the lands under cultivation or any other source and draining of diesel oil, mobile oil or other lubricating oils from vehicles) within the highway that damages or is likely to cause damage to the road, its sub-grade, surface, berm or any of its structures, or which causes or is likely to cause obstruction to the traffic on the highway, and no person shall, except under permission of the Highway Authority, damage or cut the trees along or within the limits of the highway.”.

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5. In the said Ordinance, for section 24, the following section shall be substituted:-

Substitution of Section 24 of West Pakistan Ordinance XXXII of 1959.

Constituted
of Mobile
Courts and
cognizance
and trial of
offences.

“24. (1) Government may constitute Mobile Courts of Special Magistrates having jurisdiction over a particular highway or part thereof, and cognizance of any offence under this Ordinance or rules made thereunder shall only be taken by such Court either suo moto or on complaints made to it.

(2) Except where the Mobile Court deems it desirable that an offence be tried otherwise all offences under this Ordinance or the rules made thereunder shall be tried summarily.

For the purposes of preventing offences under this Ordinance and trying them on the spot the Mobile Court may as often as it deems fit patrol the highway under its jurisdiction.”

6. In the said Ordinance, in section 25, in sub-section (1)—

Amendment of section 25 of West Pakistan Ordinance XXII of 1959.

- (i) for the words “one hundred rupees”, the words “one thousand rupees” shall be substituted; and
- (ii) for the words “with fine which may extend to two hundred rupees”, the words “with imprisonment of either description for a term which may extend to six months or with fine which may extend to three thousand rupees or with both” shall be substituted.

7. The West Pakistan highways (Sind Amendment) Ordinance, 1973 is hereby repealed.

Repeal Sind Ordinance III of 1973.