

West Pakistan Stage Carriages (Cancellation of Permits of Absentees) Rules, 1969

The West Pakistan Stage Carriages
(Cancellation of Permits of Absentees)
Rules 1969

[27th October, 1969]

Notification No.T.7/45/56.-In exercise of powers conferred by paragraph 7, Martial Law Regulation No.56 of 1969, the Governor of West Pakistan is pleased to make the following rules:-

1. Short title, extent and commencement.-(1) These rules may be called the West Pakistan Stage Carriages (Cancellation of Permits of Absentees) Rules, 1969..

2. These rules shall extend to the whole of the West Pakistan and shall come into force at once.

2. Definitions.-(1) In these rules the context otherwise requires:-

(a) 'principal vehicle' means a stage carriage for which a permit is issued; and

(b) "Regulation" means Martial Law Regulation No.56 of 1969.

(2) Words and expressions used in these rules but not herein defined shall have the meanings respectively assigned to them in the West Pakistan Motor Vehicles Ordinance, 1965 and the rules made thereunder so far as are not inconsistent with the provisions of the Regulation.

3. Surrender of permit-Issue of licence.-(1) Any person, who is required to surrender a permit under the Regulation, shall surrender it and disclose in writing to the Secretary, Regional Transport Authority, the name or names of the actual owner or owners of stage carriage entered as a principal vehicle in the permit.

(2) The Secretary, Regional Transport Authority, shall issue to the person surrendering the permit an acknowledgment-cum-temporary, licence in the Form appended to these rules. This temporary licence permitting the vehicle to ply as a stage carriage shall be valid for the unexpired portion of 10 days from the date of the promulgation of the Regulation for the same route and under the same conditions.

4. Hearing of parties.-(1) After the surrender of the permit, the Secretary, Regional Transport Authority concerned shall immediately cause a notice to be published in at least two daily newspapers having circulation in the Region:-

(a) inviting claims and objections regarding the ownership of stage carriage in respect of which the permit has been surrendered, along with the proof if any, in support thereof;

(b) fixing therein the date, time and place for having of such claims and objections by the Chairman, Regional Transport Authority or Additional Commissioner.

(2) On the date fixed in the notice, the Chairman, Regional Transport Authority concerned or Additional Commissioner shall hear the persons having any claim or objection. After the

conclusion of the inquiry he shall records as to who was the actual owner of stage carriage entered in the permit as principal vehicle on the date of the promulgation of the Regulation and shall allot a permit to the actual owner for unexpired term of the surrendered permit.

(3) A permit granted and issued under these rules shall be such terms and conditions as were applicable to the surrendered permit.

5. Issued of temporary permits.-(1) In case the hearing of claims to the ownership of the stage carriage entered as to who was the actual owner of stage carriage entered in the permit as principal in the surrendered permit, is likely to extend beyond 20 days" period as fixed under paragraph 3 of the Regulation, the chairman, Regional Transport Authority or Additional Commissioner, may grant a temporary permit for the stage carriage in favour of person who, in opinion, is prima facie owner of the stage carriage.

(2) Temporary permit issued under sub-rule (1) of this rule shall be for a maximum period of two months at a time or until the determination of the rival claims to the actual ownership of the stage carriage, whichever is earlier.

6. Reserve Vehicles.— No claim for a permit shall be in respect of a stage carriage entered as a reserve vehicle in the permit surrendered or required to be surrendered under the Regulation.

7. Publication cost.-A person claiming to be the owner of a stage carriage entered in the permit as a principal vehicle on the date of the promulgation of the Regulation shall deposit a sum of Rs.100 in an account to be specially opened by the Chairman, Regional Transport Authority with the National bank of Pakistan. This amount will be utilized to meet publication charges and other expenditure to be incurred in connection with the proceedings under the Regulation.

8. Fees.-Fee for permits issued under these rules shall be the same as prescribed under the Motor Vehicles Rules.