



THE HACKNEY-CARRIAGE ACT, 1879



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THE HACKNEY-CARRIAGE ACT, 1879

¹ACT No. XIV OF 1879

[5th September, 1879]

An Act for the regulation and control of hackney-carriages in certain Municipalities and Cantonments.

Preamble. WHEREAS it is expedient to provide for the regulation and control of hackney-carriages in certain municipalities and cantonments; It is hereby enacted as follows:-

1. Short title. This Act may be called the Hackney-carriage Act, 1879:

2* * * * * * *

Nothing herein contained shall affect any power conferred by any law relating to municipalities, or any rule made in exercise of any such power.

2. Interpretation clause. In this Act—

“hackney-carriage” means any wheeled vehicle drawn by animals and used for the conveyance of passengers which is kept, or offered, or plies for hire; and

“committee” means a municipal committee, or a body of municipal commissioners, constituted under the provisions of any enactment for the time being in force.

¹For Statement of Objects and Reasons see Gazette of India, 1879, Pt. V, p.52 ; and for Proceedings in Council, see *ibid.*, Supplement, pp.49, 78 and 1141.

This Act has been applied to Phulera in the Excluded Area of Upper Tanawal to the extent the Act is applicable in the N.W.F.P., subject to certain modifications ; and extended to the Excluded Area of Upper Tanawal (N.W.F.P.) other than Phulera with effect from such date and subject to such modifications as may be notified- see N.W.F.P. (Upper Tanawal) (Excluded Area) Laws Regulation, 1950.

This Act has been repealed to the extent of Islamabad Capital Territory, see Ordinance No. XXVII of 1981, s., 4 and 3rd Sch.

² The words “and it shall come into force at once” rep. by the Second Repealing and Amending Act, 1914 (17 of 1914), s. 3 and Sch. II.

3. Application of Act to municipalities. ¹[The Provincial Government concerned may, by notification in the official Gazette, apply this Act to any municipalities in the ²³[the Punjab] or the District of Sylhet in ⁴[East Pakistan]].

Power of committees to make rules. When this Act has been so applied to any municipality, the committee of such municipality may, from time to time, make rules for the regulation and control of hackney-carriages within the limits of such municipality, in the manner in which, under the law for the time being in force, it makes rules or bye-laws for the regulation and control of other matters within such limits.

Confirmation and publication of rules. Every rule made under this section shall, when confirmed by the ⁵[Commissioner] and published for such time and in such manner as the ⁵[Commissioner] may, from time to time, prescribe, have the force of law:

Power of commissioner to rescind rules. Provided that the ⁵[Commissioner] may, at any time, rescind any such rule.

4. [*Power to make rules for cantonments.*] Rep. by A O., 1937.

5. Power to extend operation of rule beyond limits of municipality or cantonment. The authority making any rules under this Act may ⁶[with the sanction of the Commissioner] extend their operation to any railway-station, or specified part of a road, not more than six miles from the local limits of the municipality ⁷* * concerned:

8* * * * *

6. What rules under section 3 may provide for. The rules to be made under section 3 ⁹* * * may, among other matters,—

(a) direct that no hackney-carriage, or no hackney-carriage of a particular description, shall be let to hire, or taken to ply,

¹Subs. by A. O., 1937, for original paragraph.

²Subs. by A. O., 1949, Sch., for “United Provinces, the Punjab, the Central Provinces, Assam, Ajmer, Merwara, or Coorg”.

³Subs. by the Federal Laws (Revision and Declaration) Act, 1951, (26 of 1951), section 8, for “West Punjab”.

⁴Subs. by A. O., 1961, Art. 2, for “East Bengal” (with effect from the 23rd March, 1956).

⁵Subs. by the Decentralization Act, 1914 (4 of 1914), for “L. G.” In the N.W.F.P. all references to “Commissioner” are to be construed as referring to the Revenue Commissioner; see the N.W.F.P. Law and Justice Regulation, 1901 (7 of 1901), s. 6 (1) (f).

⁶Ins. by A.O., 1937.

⁷The words “or cantonment” rep. ibid.

⁸Proviso rep. ibid.

⁹The words and figure “or section 4” rep. ibid.