



THE NATIONAL HIGHWAY AUTHORITY ACT, 1991



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THE NATIONAL HIGHWAY AUTHORITY ACT

*ACT NO. XI of 1991

An Act to establish a National Highway Authority

WHEREAS it is expedient to establish a National Highway Authority for planning, development, operation and maintenance of National Highways and strategic roads and to provide for matters connected therewith or incidental thereto;

It is hereby enacted as follows:—

CHAPTER I

PRELIMINARY

1. Short title, extent and commencement.—(1) This Act may be called the National Highway Authority Act, 1991.

(2) It extends to the whole of Pakistan.

(3) It shall come into force at once.

2. Definitions. In this Act, unless there is anything repugnant in the subject or context,—

(a) “Auditor General” means the Auditor General of Pakistan;

(b) “Authority” means the National Highway Authority established under section 3;

(c) “Board” means the Executive Board of the Authority;

¹[(ca) “CDWP” means the Central Development Working Party;]

(d) “Chairman” means Chairman of the Authority;

(e) “Council” means the National Highway Council;

¹[(ea) “ECNEC” means the Executive Committee of the National Economic Council;]

* This Act shall apply to FATA, vide S.R.O. No. 488 (I)/98, dated 26-5-1998, with certain amendments in sections, 12 and 19. Also applied to N.A., vide S.R.O., 466(I)/2000, dated 5-7-2000.

¹ Ins. by Ord. 31 of 2001, s. 2.

- (f) “Member” means member of the Council or, as the case may be, of the Board;
- ^{*}(g) “National Highway” means a road specified in Part-I of the Schedule and includes a road declared by the Federal Government, by notification in the official Gazette, to be a National Highway;
- (h) “President” means President of the Council;
- (i) “Regulations” means regulations framed under this Act;
- (j) “Right of Way” (ROW) means the land acquired for the purpose of construction of a National Highway or any other road assigned to the Authority;
- (k) “road” means a road including land within the right of way and all works, such as, carriage ways, cartways, footpaths berms, side drains, culverts, bridges, tunnels, fences, posts, sign boards, plantation and lighting arrangements, intersections and medians assigned to the Authority;
- (l) “rules” means rules made under this Act; ¹[and]
- (m) “strategic road” means a road specified in Part-II of the Schedule and includes a road declared by the Federal Government, by notification in the official Gazette, to be a strategic road; ¹[.]

¹[* * * * * * *]

CHAPTER II

ESTABLISHMENT AND MANAGEMENT OF THE AUTHORITY

3. Establishment of National Highway Authority.—(1) As from the commencement of this Act there shall be established for carrying out the purposes of this Act, an Authority to be known as the National Highway Authority.

(2) The Authority shall be a body corporate having perpetual succession and a common seal with power to acquire, hold and dispose of property, and may by its name sue and be sued.

^{*}Declaration of Lahore— Islamabad Motorway (M-2) as a National Highways see S.R.O. 134 (K)/ 98, dated 14-5-98.

¹Added, Subs and Omitted by Ord. 31 of 2001, s. 2.

(3) The Headquarters of the Authority shall be at Islamabad.

4. Purpose and functions of Authority. The purpose and functions of the Authority shall be to plan, promote, organise and implement programmes for construction, development operation, repairs and maintenance of National Highways and strategic roads specially entrusted to it by the Federal Government, or by a Provincial Government or other authority concerned.

5. National Highway Council.—¹[(1) There shall be established a National Highway Council consisting of—

- (a) the Minister for Communications and Railways, Government of Pakistan
.....*President*
- (b) the Secretary, Finance Division, Government of Pakistan *Member*
- (c) the Secretary, Communications Division, Government of Pakistan..... *Member*
- (d) a professional in the field of Highway Construction and Management (nominated by the President)*Member*
- (e) a professional in the field of Finance and Accounts (nominated by the President)
..... *Member*
- (f) the Chairman, NHA, who shall also act as Secretary of the Council
.....*Member.]*

(2) The meetings of the Council shall be called by the Secretary of the Council, at least once a year, ¹[or at any] such date and at such time as may be specified by the President.

(3) The Minister for Communications may, on the recommendation of the Board, accord anticipatory approval to any matter which falls within the jurisdiction of the Council.

6. Powers and functions of the Council.—(1) The functions of the Council shall be—

¹Subs. by Ord. 31 of 2001, ss. 3-4.