

THE WEST PAKISTAN GOATS (RESTRICTION) ORDINANCE 1959.

(W.P. Ord. No. XLII of 1959)

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THE WEST PAKISTAN GOATS (RESTRICTION) ORDINANCE 1959.

(W.P. Ordinance No. XLII of 1959)

[18th July, 1959]

An

ORDINANCE

to restrict the number of goats in West Pakistan.

WHEREAS, it is expedient in the public interest to restrict the number of goats in the Province of West Pakistan; Preamble.

NOW, THEREFORE, in pursuance of the Presidential Proclamation of the seventh day of October, 1958, and in exercise of all powers enabling him in that behalf, the Governor of West Pakistan is pleased to make and promulgate the following Ordinance: —

1. (1) This Ordinance may be called the West Pakistan Goats (Restriction) Ordinance, 1959. Short title and extent.

(2) It extends to the whole of the ¹[Province of Khyber Pakhtunkhwa] except the ²[* * * *] the ³[Tribal Areas].

2. In this Ordinance, unless the context otherwise requires, the following expressions shall have the meanings here by respectively assigned to them, that is to say — Definitions.

(i) “Government” means the Government of ⁴[Khyber Pakhtunkhwa].

(ii) “prescribed” means prescribed by rules made under this Ordinance;

(iii) “slaughter-house” means any building, premises or place used in connection with the business of killing or slaughtering animals intended

¹. Sub-section (2) of section-1, for the word “Province of West Pakistan” the words “North-West Frontier Province” Subs. by Khyber Pakhtunkhwa Adapt. Order, 1975 and then subs the word “Khyber Pakhtunkhwa”, vide Act No.IV of 2011.

². Omitted by W.P. Ord XXVIII of 1962.

³. Subs, for the “Words Special Areas” the words Tribal Areas, by W.P. A.L. Order, 1964.

⁴. In section-2 in clause (i) for the words “West Pakistan the words “North-West Frontier Province” subs. by Khyber Pakhtunkhwa A.L.O. 1975 and then substhe word “Khyber Pakhtunkhwa vide Khyber Pakhtunkhwa Act.IV of 2011.

for human consumption, and shall include a public slaughterhouse maintained by a local authority and a private slaughterhouse duly licenced for that purpose under any law for the time being in force.

3. Government may, by notification, declare that in any specified area, hereinafter referred to as local area, it shall be unlawful — Restriction on grazings etc., of goats.

(a) after twelve months of the publication of the notification, to graze or pasture goats on any land; and

(b) after eighteen months of the publication of the notification, to keep goats:

Provided that Government may in any area permit the keeping of goats subject to such conditions as may be prescribed.

4. Government may in such manner as may be prescribed regulate ¹[.....]the leading, driving, conducting or conveying of goats in any local areas. Power to regulate movement of goats.

5. Government may in such manner as may be prescribed regulate slaughter of goats including the proportion of the goats to the sheep that may be slaughtered in a slaughter-house on any day. Power to regulate slaughter of goats.

6. Any person who contravenes the provisions of section 3, section 4 or section 5 or such of the rules made under this Ordinance as may be specified shall be punished with imprisonment which may extend to six months, or with fine which may extend to five hundred rupees, or with both, and in addition thereto the goat concerned in the offence shall be forfeited to Government. Penalty.

7. Notwithstanding anything contained in the Code of Criminal Procedure, 1898, an offence punishable under this Ordinance shall be cognizable and bailable within the meanings or the said Code. Offences to be cognizable and bailable.

8. (1) Any Officer specially empowered by Government in this behalf may, without order from a Magistrate and without a warrant, arrest any person committing an offence under this Ordinance or the rules made thereunder and may seize the goat concerned in the offence. Powers of certain officers to arrest offender.

(2) The officer making an arrest under sub-section (1) shall, without unnecessary delay and subject to the provisions of this Ordinance as to release on

¹. For routes along which goats moving or conducted from Azad Kashmir shall move or be conducted, see Gazette of West Pakistan, Extraordinary, p.1922.

bond, take or send the person arrested and such goat to the nearest police station.

9. (1) Any officer making an arrest under sub-section (1) of section 8 shall release such person on his executing a bond to appear, when so required, before the officer incharge of the nearest police station. Person arrested and goat seized to be released on bond.

(2) Where any officer, as aforesaid, has seized any goat, he shall release it to the person from whose possession it was seized or to the owner thereof on his executing a bond for producing it before the officer incharge of the nearest police station.

10. Any offence under this Ordinance shall summarily be triable and in such proceedings the provisions for summary trial prescribed in the Code of Criminal Procedure, 1898, shall apply. Power to try the offence summarily.

11. No. suit shall lie against any officer for anything done by him in good faith under this Ordinance. Protection of action taken under the Ordinance.

12. (1) Government may, after previous publication, make rules ¹[.....]to carry out the purposes of this Ordinance. Power to make rules.

(2) In particular and without prejudice to the generality of the forgoing power, such rules may provide for all or any of the following matters, namely:

- (a) procedure for application of this Ordinance to any local area;
- (b) conditions and procedure for permission to keep goats in a local area;
- (c) regulation of the leading, driving, conducting or converting of goats in or through a local area;
- (d) regulation of the proportion of goats and sheep slaughtered in a slaughter-house; and
- (e) maintenance of records and submission of return relating to slaughter of goats and sheep.

¹. For the W.P. Goats (Restriction) Rules, 1961, see Gazette of West Pakistan 1961, Part-I,p.479.