

THE PUNJAB GOATS (RESTRICTION) ORDINANCE, 1959
(XLII OF 1959)

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TEXT

¹THE ²[PUNJAB] GOATS (RESTRICTION) ORDINANCE, 1959

(XLII of 1959)

[18th July, 1959]

An
Ordinance

to restrict the number of goats in ³[the Punjab].

Preamble.— WHEREAS it is expedient in the public interest to restrict the number of goats in the Province of ⁴[the Punjab];

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. Short title and extent.— (1) This Ordinance may be called the ⁵[Punjab] Goats (Restriction) Ordinance, 1959.

(2) It extends to the whole of the province of ⁶[the Punjab] except ⁷[* * *]
⁸[the Tribal Areas.]

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

(i) “Government” means the ⁹[Provincial Government of the Punjab];

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

¹ This Ordinance was promulgated by the Governor of West Pakistan on 16th July, 1959; published in the West Pakistan Gazette (Extraordinary), dated 18th July, 1959, pages 689-92; saved and given permanent effect by Article 225 of the Constitution of the Islamic Republic of Pakistan (1962).

² Substituted for the words “West Pakistan” by the Punjab Laws (Adaptation) Order, 1974 (Pb. A.O. 1 of 1974); and published in the Punjab Gazette (Extraordinary), dated 20.11.1974, pages 1425-A to 1425-PP, see Article 2 and Schedule, Part III, at entry No.29 (w.e.f. 14.8.1973).

³ Substituted *ibid.*

⁴ Substituted *ibid.*

⁵ Substituted *ibid.*

⁶ Substituted *ibid.*

⁷ The words “the Federal Capital and” omitted by the West Pakistan Goats (Restriction) (Amendment) Ordinance, 1961 (XXVII of 1961); and published in the Gazette of West Pakistan (Extraordinary), dated 20.10.1961, s.2.

⁸ Substituted, for the words “the Special Areas” by the West Pakistan Laws (Adaptation) Order, 1964; and published in the Gazette of West Pakistan (Extraordinary), dated 3.6.1964, pages 1805-1849, see s.2 and Schedule, Part VIII, serial No.20 (w.e.f. 8.6.1962)

⁹ Substituted for the words “Government of West Pakistan” by the Punjab Laws (Adaptation) Order, 1974 (Pb. A.O. 1 of 1974); and published in the Punjab Gazette (Extraordinary), dated 20.11.1974, pages 1425-A to 1425-PP, see Article 2 and Schedule, Part III, at entry No.29 (w.e.f. 14.8.1973).

- (iii) “slaughter-house” means any building, premises or place used in connection with the business of killing or slaughtering animals intended for human consumption, and shall include a public slaughter-house maintained by a local authority and a private slaughter-house duly licensed for that purpose under any law for the time being in force.

3. Restriction on grazing, etc. of goats.— Government may, by notification¹⁰, declare that in any specified area, hereinafter referred to as local area, it shall be unlawful—

- (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. Power to regulate movement of goats.— Government may in such manner as may be prescribed regulate¹¹ the leading, driving, conducting or conveying of goats in any local area.

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

6. Penalty.— 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.

7. Offence to be cognizable and bailable.— Notwithstanding any thing contained in the Code of Criminal Procedure, 1898¹², an offence punishable under this Ordinance shall be cognizable and bailable within the meaning of the said Code.

8. Powers of certain officers to arrest the offender.— (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.

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

9. Person arrested and goat seized to be released on bond.— (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.

¹⁰ For notification under this section see Gazette of West Pakistan, 1959 Extraordinary, p. 1921.

¹¹ For routes along which goats moving or conducted from Azad Kashmir shall move or be conducted see Gazette of West Pakistan (Extraordinary), dated 22nd December, 1959, p. 1922.

¹² V of 1898.

(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. Power to try the offence summarily.— An offence under this Ordinance shall be summarily triable and in such proceedings the provisions for summary trial prescribed in the Code of Criminal Procedure, 1898¹³, shall apply.

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

12. Power to make rules.— (1) Government may, after previous publication, make rules¹⁴ to carry out the purposes of this Ordinance.

(2) In particular and without prejudice to the generality of the foregoing 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 conveying 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 returns relating to slaughter of goats and sheep.

¹³ *Ibid.*

¹⁴ For the West Pakistan Goats (Restriction) Rules, 1961, see Gazette of West Pakistan, dated 15th September, 1961, Part I, p. 479.