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# THE PUNJAB LIVESTOCK, DAIRY AND POULTRY DEVELOPMENT BOARD ACT, 1974

# (III of 1974)

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## TEXT

# [1]THE PUNJAB LIVESTOCK, DAIRY AND POULTRY DEVELOPMENT BOARD ACT, 1974

## (III of 1974)

*[1st February, 1974]*

**An**
**Act**

*to provide for the establishment of Livestock, Dairy and Poultry Development Board in the Punjab.*

**Preamble.– WHEREAS** it is expedient to make provision for the establishment of a Livestock, Dairy and Poultry Development Board in the Punjab to establish, manage, control and run livestock, dairy, poultry and other allied projects in the public sector;

It is hereby enacted as follows:–

## CHAPTER I
## PRELIMINARY

**1. Short title, extent and commencement.–** (1) This Act may be called the Punjab Livestock, Dairy and Poultry Development Board Act, 1974.

(2) It shall extend to the whole of the Province of the Punjab and shall come into force at once.

(3) It shall apply to all projects in the public sector mentioned in the Schedule.

(4) Government may, at any time, by notification in the official Gazette, add to or delete from the projects mentioned in the Schedule.

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

(a) "Board" means the Punjab Livestock, Dairy and Poultry Development Board;

(b) "Board of Directors" means the Board of Directors of the Board;

(c) "Chairman" means the Chairman of the Board;

(d) "Company" means a company as defined in the Companies Act, 1913, and promoted and established by the Board for managing and running one or more of the projects;

(e) "Director" means Director of the Board and includes the Managing Director;

(f) "Government" means Government of the Punjab;

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[1]This act was passed by the assembly on 30th march assented by the Governor of the Punjab on 1st February, 1974: and, published in the Punjab gazette (extraordinary), dated 1st February, 1974 pages 117-AJ.

(g) "project" means a project mentioned in the Schedule;

(h) "Managing Director" means the Managing Director of Board;

(i) "Prescribed" means prescribed by rules;

(j) "Regulations" means regulations made under this Act;

(k) "Rules" means rules made under this Act;

(l) "Schedule" means the schedule to this Act;

(m) "Scheduled Bank" means a bank for the time being included in the list of banks maintained under sub-section (1) of section 37 of the State Bank of Pakistan Act, 1956; and

(n) "specified" means specified by regulations.

## CHAPTER II
## CONSTITUTION OF THE BOARD

**3. Constitution of the Board.–** (1) There shall be established a Board to be known as the Punjab Livestock, Dairy and Poultry Development Board.

(2) The Board shall be a body corporate and shall have the power to acquire and hold property, both movable and immovable and shall have perpetual succession and a common seal and shall by the said name sue and be sued.

(3) The Head Office of the Board shall be at the place as may be notified by the Government in the official Gazette.

**4. Management.–** (1) The administration and management of the Board and its affairs shall vest in the Board of Directors constituted under section 5, which may exercise all powers and do all such acts and things as may be exercised or done by the Board in accordance with the provisions of this Act.

(2) The Board shall, in discharging its functions, act on national and commercial considerations subject to such directions as Government may give to it from time to time.

(3) Government may suspend the execution of any such resolution or order of the Board as in the opinion of Government contravenes the provisions of the Act or the rules or regulations made thereunder, or the directions mentioned in sub-section (2), or prohibit the doing of any act which is being done in pursuance of the said resolution or order, or, if the act has been accomplished, order its rectification in such manner as may be directed.

[2]**[5. Board of Directors.–** (1) The Board shall consist of–

(a) Minister for Livestock and Dairy Development, Government of the Punjab Chairman.

(b) Additional Chief Secretary, Government of the Punjab, Planning and Development Department Director.

[2]Substituted by the Punjab Livestock, Dairy and Poultry Development Board (Amendment) Act, 1977 (XII of 1977); and published in the Punjab Gazette, dated 21.6.1977, pages 857-M to 857-O, s.2.

(c) Chief Land Commissioner Director.

(d) Secretary to Government of the Punjab, Finance Department Director.

(e) Secretary to Government of the Punjab, Director. Agriculture Department

(f) Secretary to Government of the Punjab, Livestock, Fisheries and Dairy Development Department Director.

(g) Non-official members not less than four in number to be appointed by the Government Directors.

(h) Managing Director Director.

(2) The Managing Director shall be appointed by the Government and shall be *ex-officio* Secretary of the Board of Directors.

(3) Government may, by notification in the Official Gazette, alter the membership of the Board or increase or decrease the number of Directors.]

**6. Managing Director.–** (1) The Managing Director shall be the Chief Executive of the Board and shall–

(a) be a whole-time officer of the Board unless Government directs otherwise;

(b) perform such duties as may be specified or as may be assigned to him;

(c) hold office as Managing Director for a period of three years; and

(d) receive such salary and allowances as the Government may determine.

(2) Nothing in this section shall preclude the Government from extending the term of office of the Managing Director for such period as Government may determine.

(3) Notwithstanding anything contained in this Act, the Managing Director may, at any time before the expiry of his term and upon one month's notice, resign his office or, upon similar notice or one month's pay in lieu thereof, be removed from office by the Government.

**7. Non-official Directors.–** (1) Non-official Directors shall hold office for a period of two years.

(2) Government may in its discretion remove any non-official Director before the expiry of his term without assigning any reason.

**8. Appointment of officers, etc.–** The Board may appoint such officers, advisers, experts, consultants, and employees, as it considers necessary for the efficient performance of its functions on such terms and conditions as it may deem fit, subject to such general or special directions as the Government may give to it from time to time in this behalf.

**9. Constitution of Committees.–** The Board may constitute such committees as may be deemed necessary for carrying out the purposes of this Act.

**10. Immunity of the Board and its employees.–** Every Director, Adviser, Officer, Expert Consultant and employee of the Board shall be indemnified by the Board against all losses and expenses sustained or incurred by him in the discharge of the duties of his office, save such losses and expenses as are sustained and incurred as a result of his own wilful act or default.

**11. Delegation of powers.–** The Board may, by general or special order, delegate to the Chairman, Managing Director, Directors, Advisers, Officers, Experts, Consultants or employees of the Board or the Committees constituted under section 9, any of its powers, duties or functions under this Act and the rules and regulations made thereunder subject to such conditions as it may deem fit to impose.

**12. Power of Board to associate other persons.–** (1) The Board of Directors may associate with itself, in such manner, on such terms and for such period as it may deem fit, any person whose assistance or advice it may desire in carrying out any of the provisions of this Act.

(2) A person associated under sub-section (1) for any purpose shall have right to take part in the discussion relating to such purpose in the meetings of the Board but shall not have right to vote, and shall not be deemed to be a Director for that or any other purpose.

## CHAPTER III
## POWERS, DUTIES AND FUNCTIONS OF THE BOARD

**13. Powers, duties and functions of the Board.–** (1) In accordance with the provisions of this Act, and subject to such general or special order as Government may give from time to time, the Board shall take measures to establish, manage and run any of the projects mentioned in the Schedule.

(2) In particular the Board may, in order to carry out the purposes of this Act–

(a) form and establish companies in respect of any of the projects mentioned in the schedule;

(b) manage on behalf of Government the shares held by Government in the issued capital of the companies referred to at (a) above;

(c) subscribe to the capital of the companies to such extent as may be necessary;

(d) act as Managing Agents of the companies established by the Board; and

(e) give short and long-term loans or furnish guarantees to the scheduled banks for loans to the companies established by the Board.

(3) The Board shall also be responsible for–

(a) preparing plans in respect of the projects mentioned in the schedule;

(b) undertaking or causing to be undertaken studies to determine the economic and technical feasibility of the projects mentioned in the schedule;

(c) presenting to Government for its approval schemes in respect of the projects mentioned in the schedule;

(d) implementing and executing schemes approved by Government;

(e) participating in national and international fairs and exhibitions;

(f) managing, on behalf of Government, on such terms and conditions as the Government may specify, such forms, projects and activities as the Government may, from time to time, decide to hand over to the Board; and

(g) undertaking such other functions as are necessary in the successful execution and management of the projects mentioned in the Schedule.

(4) The Board may, subject to such general or special directions as the Government may give to it from time to time, assist and encourage the private sector in establishing and running any of the projects mentioned in the Schedule.

**14. Loans.–** The Board may negotiate and obtain for its projects and companies established under section 13 of this Act loans in local and foreign currency from the local or the international financing institutions:

Provided that in the case of loans from international financing institutions, the Board shall act with the prior approval of Government.

**15. Board Fund.–** (1) There shall be a fund to be known as the Punjab Livestock, Dairy and Poultry Development Board Fund which shall vest in the Board and which shall be utilized by the Board to meet expenses in connection with its functions under this Act including salaries and other remunerations of the Chairman, Directors, Advisers, Experts, Consultants, Officers and other employees of the Board.

(2) The Punjab Livestock, Dairy and Poultry Development Board Fund shall consist of–

(a) investment made by Government;

(b) grants made by Government;

(c) loans obtained from Government;

(d) charges for the management of projects under the direct control of the Board;

(e) managing agency commission in respect of companies managed by the Board;

(f) loans obtained from the scheduled banks;

(g) foreign loans obtained by the Board;

(h) grants, technical and financial assistance received from international agencies and on bilateral basis from other countries; and

(i) all other sums received by the Board.

**16. Project Fund.–** (1) There shall be a fund for each project known as the Project Fund which shall be operated by such persons as may be appointed by the

Board. The expenditure chargeable to each such fund and the sources of receipts and income thereto shall be as determined by the Board.

(2) The Board may, at its discretion, transfer any part of any project fund to the Punjab Livestock, Dairy and Poultry Development Board Fund.

**17. Board to be deemed a local authority.–** The Board shall be deemed to be a local authority under the Local Authorities Loans Act, 1914, for the purposes of borrowing money under the said Act and the making and execution of any scheme under this Act shall be deemed to be a work which such authority is legally authorised to carry out.

**18. Custody and investment of Livestock, Dairy and Poultry Development Fund.–** All moneys at the credit of the Board shall be kept in such manner as may be prescribed.

**19. Maintenance of accounts.–** The Board shall maintain complete and accurate accounts in such manner as may be prescribed.

**20. Audit of accounts.–** The accounts of the Board shall be audited in such manner as may be directed by Government.

**21. Reports to be furnished to Government.–** The Board shall furnish to Government such reports, returns, statements, etc. as required by Government from time to time.

**22. Winding up of companies.–** (1) No provision of law relating to winding up of the companies shall apply to the Board.

(2) When, in the opinion of Government, it is expedient that the Board shall cease to exist, Government may, by notification in the official Gazette, declare that the Board shall be dissolved from such date as may be specified in this behalf in the notification and the Board shall be deemed to have been dissolved accordingly and from such date–

(a) all properties, funds and dues which are vested in or realisable by the Board shall vest in and be realisable by an Administrator or any other officer appointed by Government in this behalf;

(b) all liabilities which are enforceable against the Board shall be enforceable only against the Administrator or any other officer appointed by Government in this behalf;

(c) for the purpose of completing the execution of any scheme, sanctioned under this Act which has not been fully executed by the Board and of realising properties, funds and dues referred to in clause (a) the functions of Board under this Act shall be discharged by the Administrator or any other officer appointed by Government in this behalf;

(d) the Administrator or any other officer appointed by Government shall keep separate accounts of all moneys respectively received and expended by him under this Act, until all loans raised hereunder have

been repaid and until all liabilities referred to in clause (b) have been duly met; and

(e) the Administrator or any other officer appointed by Government in this behalf shall have power to dispose of the properties, assets, rights, etc., of the Board in such manner as Government may direct from time to time.

(3) Any properties and assets left over after all the liabilities of the Board have been discharged shall vest in Government and all liabilities left undischarged after all the properties and assets of the Board have been disposed of, shall become the liabilities of Government.

(4) The Administrator or any other officer appointed by Government in this behalf may delegate any of his powers under this section to any officer of Government to such extent and on such terms and conditions as may be approved by Government.

**23. Disposal of rights, properties, assets, etc.–** Whenever in the opinion of the Board it is expedient that any project or company should be wound up or disposed of, the Board shall have powers to dispose of its rights, properties, assets and liabilities in any such project or company either in whole or in part in such manner as it deems fit subject to such directions as Government may give to it from time to time.

**24. Power to make rules.–** (1) Government may make rules for carrying out the purposes of this Act.

(2) In particular and without prejudice to generality of the foregoing powers such rules may provide for–

(a) the manner and form of keeping the accounts of the Board;

(b) recruitment of officers, advisers, consultants, experts and other employees of the Board;

(c) terms and conditions of service of the officers, advisers, consultants, experts, and other employees of the Board;

(d) functions of the Advisers;

(e) borrowing by the Board;

(f) the date on which and the form in which the annual budget statement of the Board shall be submitted each year;

(g) procedure for appropriation and re-appropriation of moneys at the credit of the Board;

(h) manner and form in which and the authorities to whom returns, reports and statements shall be submitted;

(i) investment of Board Funds and surplus moneys;

(j) sale or transfer of farms, projects or industries and other immovable property of the Board; and

(k) such other matters relating to the administration and other affairs of the Board as the Government may think fit to prescribe by rules.

**25. Power to make regulations.–** The Board may, with the previous approval of Government, make regulations for all matters not provided for in the rules for which provision is necessary or expedient for carrying out the purposes of this Act and the rules.

**26. Repeal.–** The Punjab Livestock Dairy and Poultry Development Board Ordinance, 1973 (Punjab Ordinance No. XXI of 1973), is hereby repealed.

## SCHEDULE

1. Livestock Farms.
2. Stud Farms.
3. Poultry Farms.
4. Dairy Farms.
5. Dairy plants including milk collection and chilling centres.
6. Feed mills.
7. Slaughter Houses.
8. Poultry processing, deep freezing and storing plants.
9. Quality testing laboratories for feed/livestock products.
10. Whole-sale and retail marketing and agencies of products of Livestock, Dairy and Poultry Development Projects.