

The
Dacca  Gazette

Extraordinary
Published by Authority

SATURDAY, MAY 19, 1962

PART IIIA—Ordinances promulgated by the Governor of East Pakistan
GOVERNMENT OF EAST PAKISTAN
LAW (LEGISLATIVE) DEPARTMENT
East Pakistan Ordinance No. XV of 1962

THE EAST PAKISTAN SOCIETY FOR THE PREVENTION OF CRUELTY
TO ANIMALS ORDINANCE, 1962

AN
ORDINANCE

*for the constitution of the East Pakistan Society for the
Prevention of Cruelty to Animals.*

Whereas it is expedient to constitute an East Pakistan Society for the Prevention of Cruelty to Animals, for the purpose and in the manner hereinafter appearing;

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 is pleased to make and promulgate the following Ordinance, namely:—

• Short title,
extent and
commence-
ment.

1. (1) This Ordinance may be called the East Pakistan Society for the Prevention of Cruelty to Animals Ordinance, 1962.

(2) It extends to the whole of East Pakistan.

(3) It shall come into force at once.

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

(a) "animal" means any domestic or captured animal;

(b) "Branch Society" means the branch of the East Pakistan Society for the Prevention of Cruelty to Animals for a district constituted under section 11; and

(c) "Society" means the East Pakistan Society for the Prevention of Cruelty to Animals constituted under section 3.

7. Constitution of the East Pakistan Society for the Prevention of Cruelty to Animals.

3. (1) There shall be constituted a Society to be known as "the East Pakistan Society for the Prevention of Cruelty to Animals".

(2) The Governor of East Pakistan shall be the Chairman of the Society and the first members thereof shall be appointed either by name or by office by the Provincial Government.

(3) The headquarters of the Society shall be at Dacca.

Incorporation.

4. The first members of the Society and all persons who may hereafter become members thereof so long as they continue so to be, shall be a body corporate under the name of the East Pakistan Society for the Prevention of Cruelty to Animals, and the said body shall have perpetual succession and a common seal with powers to hold and acquire property, movable or immovable, and shall sue and be sued by the said name.

Functions of the Society.

5. Subject to the provisions of this Ordinance, and of the Bengal Cruelty to Animals Act, 1920, the functions of the Society shall include,—

(a) the exercise of such powers as may be delegated to it under section 30 of the Bengal Cruelty to Animals Act, 1920;

(b) the arrangement for the proper treatment and care of animals;

(c) the education of the general public in the proper care, treatment and destruction of animals; and

(d) the exercise of such powers and performance of such duties as may be prescribed by rules.

Appointment of Executive Committee

6. (1) Until such time as an Executive Committee of the Society is elected under the provisions of sub-section (1), the Executive Committee shall consist of such persons from among the members of the Society as may be nominated by the Provincial Government.

Bengal Act I of 1920.

Bengal Act I of 1920.

except Poultry, like Ordinance No. XXIII of 1970 (cf-30 of V/24-21/2)

- (b) the payment of Establishment charges, contingent charges and all other working charges of the Society;
- (c) the meeting of all expenses that are necessary for the proper discharge of the functions of the Society under this Ordinance; and
- (d) the making of grants to the Branch Societies when considered necessary.

Branch Society.

11. (1) There shall be a branch of the East Pakistan Society for the Prevention of Cruelty to Animals for every district in East Pakistan.

(2) The Deputy Commissioner of the district shall be the Chairman of the Branch Society, and the first members thereof shall be appointed either by name or by office by the Deputy Commissioner. ✓

Distribution of income among Branch Societies.

12. Subject to the requirements of the Society for the purposes of section 10, income from any property which vests in the Society under section 8, may be distributed annually among the Branch Societies according to such percentages as may be prescribed by rules to be expended by such Branch Societies at their discretion upon all or any of the objects referred to in section 10.

Decision of Executive Committee as to purposes final.

13. The Executive Committee of the Society shall have authority to determine in all cases what matters properly fall within the scope of section 10, and its decision in all such matters shall be binding on all the Branch Societies.

Receipt and use of gifts.

14. The Executive Committee of the Society may also receive and hold gifts of whatever description either for the general purposes of the Society or for any particular purpose for which the corpus or income of the property vested in it under section 8 may be applied under the provisions of section 10, and, on receipt of such gifts, may, subject to such conditions as may be prescribed, apply the same to such purposes either directly or through the Branch Societies.

Powers of Branch Societies.

15. Subject to the provisions of this Ordinance and the rules made thereunder, and subject to the regulations of the Society made under section 7, each Branch Society shall have all powers to regulate its own procedure and constitution, to receive gifts and donations, and to expend all monies received by it for its purposes:

Provided that 10 per cent. of cash donations received by any Branch Society for any of the objects set out in section 10 shall be placed at the disposal of the Executive Committee of the Society to be applied by it for the general purposes of the Society.

(2) The Provincial Government may nominate as office-bearers of the first Executive Committee such persons as it may select for the purpose.

(3) Before the expiry of six months from the date of the constitution of the first Executive Committee, a new Executive Committee shall be elected by the members of the Society in accordance with the regulations made under section 7.

Power to make regulations.

7. The first Executive Committee shall, within six months from the commencement of this Ordinance and subject to the previous approval of the Provincial Government, make regulations for the management, control and procedure of the Society. Such regulations may among other matters provide for the following, namely:—

- (a) the conditions of membership of the Society,
- (b) the appointment and term of office of the members of the Executive Committee;
- (c) representative on the Executive Committee of the Branch Societies; and
- (d) the regulation of the procedure generally of the Society and the Executive Committee.

8. The following property shall vest in the Society—

- (a) all property, movable or immovable, and other assets held by the existing East Pakistan Society for the Prevention of Cruelty to Animals, Dacca, immediately before the coming into force of this Ordinance; and
- (b) all donations made to the existing East Pakistan Society for the prevention of Cruelty to Animals, Dacca, for purposes which are purposes of the Society, immediately before the coming into force of this Ordinance.

Dissolution and transfer of property of the E.P. Society for the prevention of Cruelty to Animals, Dacca.

Fund.

9. (1) There shall be a fund to be known as the Society Fund which shall vest in and be administered by the Society.

(2) The Society Fund shall consist of—

- (a) grants and subsidies from Government, Local Authorities and other bodies;
- (b) donations from the public;
- (c) subscriptions from members; and
- (d) contributions from Branch Societies.

Purposes to which the funds of the society may be applied.

10. The funds of the Society may be applied to all or any of the following purposes, namely:—

- (a) the acquisition of lands, buildings and other properties, necessary for the proper working of the Society;

Audit.

16. (1) The accounts of the Society and of the Branch Societies shall be audited annually by an Auditor to be appointed by the Executive Committee of the Society with the prior approval of the Provincial Government.

(2) The Society and the Branch Societies shall produce all accounts, books and connected documents and furnish such other informations and explanations as the Auditor or any officer authorised by him in this behalf may require at the time of the audit.

(3) A statement of accounts audited by the Auditor referred to in sub-section (1), and containing such particulars as may be prescribed by rules shall be furnished to the Provincial Government as soon as possible after the end of every financial year.

(4) The Provincial Government shall examine the Auditor's Report and take such action thereon as it may deem fit.

Power to
make
rules.

17. (1) The Provincial Government may, by notification in the *Official Gazette*, make rules for carrying out the purposes of this Ordinance.

(2) In particular, and without prejudice to the generality of the fore-going powers, such rules may provide for all or any of the following matters, namely:—

- (a) the powers and duties to be exercised and performed by the Society;
- (b) the distribution of the income of the Society amongst the Branch Societies;
- (c) the application of gifts received by the Executive Committee of the Society;
- (d) the audit of the accounts of the Society and of the Branch Societies; and
- (e) the extent and control of the supervision of the Branch Societies by the Society.

DACCA;
The 14th May 1962.

G. FARUQUE,
Governor of East Pakistan.

By order of the Governor,
M. H. ALI,
Secy. to the Govt. of East-Pakistan.