

**THE PUNJAB LIVESTOCK ASSOCIATIONS AND
LIVESTOCK ASSOCIATIONS UNION (REGISTRATION AND
CONTROL) ORDINANCE, 1979**

(V OF 1979)

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¹THE PUNJAB LIVESTOCK ASSOCIATIONS AND LIVESTOCK ASSOCIATIONS UNION (REGISTRATION AND CONTROL) ORDINANCE, 1979

(V of 1979)

[25th April, 1979]

An

Ordinance

to provide for the registration and control of village livestock associations and village livestock association's unions.

Preamble.— WHEREAS it is expedient to provide for the registration and control of livestock associations and livestock association's unions;

NOW, THEREFORE, in pursuance of the Proclamation of fifth day of July, 1977, read with the Laws (Continuance in Force) Order, 1977 (CMLA's Order I of 1977), the Governor of the Punjab is pleased to make and promulgate the following Ordinance: —

CHAPTER— I

PRELIMINARY

1. Short title, extent and commencement.— (1) This Ordinance may be called the Punjab Livestock Associations and Livestock Associations Unions (Registration and Control) Ordinance, 1979.

(2) It shall extend in the first instance, to the District of Sheikhpura but the Government may by notification in the official Gazette, extend it to any other part or the whole of the Province of the Punjab.

(3) It shall come into force at once.

2. Definitions.— In this ordinance, unless the context otherwise requires: —

(a) 'association' means a livestock association constituted and registered under this Ordinance;

(b) 'Board' means the Board established under the Punjab Livestock, Dairy and Poultry Development Board Act, 1974 (Act No. III of 1974);

(c) 'bye-laws' means the bye-laws of an association or union;

(d) 'committee' means the governing body of an association or a union to whom the management of the affairs of an association or a union is entrusted by or under the bye-laws;

¹ This ordinance was promulgated by the Governor of the Punjab on 20th April, 1979; and, published in the Punjab gazette (Extraordinary), dated 25th April, 1979, pages 572-A to 572-H

- (e) 'Government' means the Government of the Punjab;
- (f) 'prescribed' means prescribed by rules made under this Ordinance;
- (g) 'union' means a union of livestock associations constituted and registered under this Ordinance;
- (h) 'registration authority' means the Managing Director of the Board or an officer appointed by Government to exercise the powers of a registration authority under this Ordinance.

CHAPTER—II

REGISTRATION OF ASSOCIATIONS

3. Registration of association.— (1) Any fifty or more persons possessing such qualifications and fulfilling such conditions as laid down in the bye-laws intending to constitute an association may, in the prescribed manner and on payment of prescribed fee, make an application to the registration authority for the registration of the association.

(2) The application for registration shall be signed by the Chairman of the governing body of the association and shall be accompanied by a copy of the proposed bye-laws and a list of the members of the association.

(3) If the registration authority is satisfied that the association has complied with the provisions of this Ordinance or the rules and that the bye-laws of the association are not repugnant to the provisions of this Ordinance or the rules, it may register the association.

(4) If the registration authority grants an application it shall issue, in the prescribed form, a certificate of registration of the association and a certified copy of its registered bye-laws.

(5) The decision of registration authority granting or refusing to grant registration shall be final and shall not be called in question in any court or before any authority.

(6) The registration authority shall maintain a register containing such particulars as may be prescribed, of all certificates of registration issued under this Ordinance.

4. Incorporation of association.— The registration of an association shall render it a body corporate in the name under which it is registered with perpetual succession and a common seal with power to hold property, enter into contracts, institute and defend suits and other legal proceedings and to do all acts necessary for the purposes of carrying out its functions.

5. Certificate of Registration.— A certificate of registration issued to an association under section 3 of this Ordinance shall be conclusive evidence that the association is duly registered.

6. Amendment in the bye-laws of the association.— (1) An association may, by a resolution passed by three fourth majority of the members present at a special meeting held for the purpose, propose an amendment in the bye-laws of the

association and send it to the registration authority for approval. If the registration authority is satisfied that the proposed amendment of bye-laws is not contrary to this Ordinance or the rules, it may register the amendment.

(2) When registration authority registers the amendment, it shall issue to the association a copy of the amendment certified by it.

(3) No amendment of the bye-laws of an association shall be valid until it is approved and registered by the registration authority.

CHAPTER III

RIGHTS AND LIABILITIES OF MEMBERS

7. Membership.— The persons who join in the formation of an association and the persons who may subsequently be admitted to the membership of the association shall be the members of the association.

8. Liability of Members.— The liability of a member shall be limited to the extent of the share he holds in the capital of the association.

9. Right of vote.— Notwithstanding that a member has more than one share in the capital of the association, he shall have only one vote.

10. Disqualification.— (1) A member of an association shall not be entitled to be elected to or to vote at an election of its committee if he has taken a loan from the association, the Board, or, on the recommendation of the Board or the association, from any bank or local authority or government agency and the loan has been outstanding for six months or more after it has become due and has not been repaid before the date immediately preceding the day of election.

Explanation— If the loan is repayable in installments, default in repayment of any instalment as aforesaid, shall be deemed a disqualification.

(2) A member shall not be entitled to receive any service, assistance or loan from the association or any bank through the association or the Board if he fails to maintain such livestock or supply such products thereof as are provided in the bye-laws.

CHAPTER IV

MANAGEMENT OF THE AFFAIRS OF ASSOCIATIONS

11. Executive authority.— (1) The executive authority of an association shall vest in the general body.

(2) For day to day administration of an association, members of the association shall elect a committee consisting of such members, for such term and in such manner as may be prescribed.

12. Maintenance of accounts.— (1) Every association shall:—

(a) maintain accounts in the prescribed form and have the same audited in accordance with its bye-laws;

- (b) submit its annual audit report and audited accounts to the registration authority at such time and in such manner as may be prescribed;
- (c) pay all money received by it into separate accounts kept in its name at such bank or banks or post office as may be approved by the registration authority;
- (d) furnish to the registration authority such particulars with regard to the accounts and other record as the registration authority may, from time to time, require.

(2) The registration authority or an officer authorised by it in this behalf may, at all reasonable times, inspect the books of accounts and other record of an association, the securities cash and other properties held by the association and all documents relating thereto.

13. Suspension and dissolution of committee.— (1) If after making such inquiries as it may think fit, the registration authority is of the opinion that the committee has committed any irregularity in respect of the funds of the association or is responsible for any mal-administration in the conduct of the affairs of the association or has failed to comply with the provisions of this Ordinance or the rules or the bye-laws, it may, by an order in writing suspend the committee for such term, not exceeding four months, as it may deem fit or dissolve the committee:

²[Provided that no order under this subsection shall be passed without giving to the Committee an opportunity of being heard.]

(2) Where a committee is suspended or dissolved under sub-section (1) the registration authority shall appoint an Administrator or a care-taker body consisting of such members as it may deem fit and in that event the Administrator or the care-taker body shall have all the authority and powers of the committee.

(3) Where the committee has been dissolved and an Administrator or a care-taker body has been appointed, the registration authority shall, within 30 days of the date of such appointment, arrange re-election of the committee.

(4) Where the committee has been suspended and the registration authority is of the opinion that the management of the affairs of the association has been properly secured, it shall remove the Administrator or the care-taker body and hand over the management of the affairs of the association to the committee. If the registration authority is of the opinion that the management of the affairs of the association has not been or is not likely to be secured properly during the period of suspension of the committee, it shall dissolve the committee and arrange re-election of the committee as provided under sub-section (3) above.

14. Cancellation of registration.— (1) The registration of an association shall not be cancelled except as hereinafter provided.

(2) Not less than three-fourths of the members of an association may in the prescribed manner, apply to the registration authority for making an order for the cancellation of the registration of the association.

² Added by the Punjab Livestock Associations and Livestock Associations union (Registration and control) (Amendment) Ordinance, 1984 (XXI of 1984); and published in the Punjab Gazette (Extraordinary), dated 17.12.1984, s.2.

(3) If the registration authority, after considering the application and making such enquiry as it may deem fit, is of the opinion that the registration of the association ought to be cancelled, it may order that the registration be cancelled.

15. Powers of registration authority.— The registration authority while ordering the cancellation of the registration of an association may:—

- (a) order any person, bank or body who holds any money, securities or other assets of the association, not to part with such money, securities and assets without the previous permission, in writing, of the registration authority;
- (b) appoint a person to wind up the affairs of the association with power to institute and defend suits and other legal proceedings on behalf of the association and to make such order and take such actions as may appear to him to be necessary for the purpose;
- (c) order any money, securities or assets, remaining after satisfaction of the liabilities of the association to be paid to the members; and
- (d) order any article, vehicle, instrument or other property provided to the association by the Board or any other government agency or department to be handed over to such other association as may be specified.

CHAPTER V

DISPUTES

16. Disputes.— (1) If any dispute touching the business of an association arises between—

- (a) members or past members of an association or persons claiming through members or past members;
- (b) members or past members or persons so claiming and any past or present officer, agent or servant of an association;
- (c) an association or its committee and any past or present member of the association or between association or its committee and any past or present officer, agent or servant of the association or a surety or such officer, agent or servant; whether such surety is or is not a member of the association;
- (d) one association and another association;
- (e) an association and a union;
- (f) an association and the Board;

it shall be referred to the registration authority for decision.

(2) The registration authority may hear the dispute itself or nominate any other officer of the Board to decide the matter.

(3) Any party aggrieved by the decision of the registration authority or his nominee, may, within thirty days of the date of the decision, prefer an appeal to the Board. The decision of the registration authority or his nominee, subject to the result

of the appeal, shall be final and shall not be called in question before any court or authority:

³[Provided that the appeal shall not be decided without giving the parties an opportunity of being heard.]

(4) The decision of the registration authority, so far as it relates to the payment of money or delivery of any property, shall be deemed to be a decree passed by a civil court and, upon an application to the court, be executed by such court as if it was a decree passed by itself.

CHAPTER VI

REGISTRATION OF UNIONS

17. Registration of Unions.— (1) Such member of associations as may be prescribed intending to constitute a union, may, in the prescribed manner and on payment of prescribed fee, make an application to the registration authority for the registration of a union.

(2) The application for the registration of a union shall be signed by a duly authorized person on behalf of every association intending to join the Union.

(3) Subject to the provisions of sub-sections (1) and (2) above and such other rules as may be prescribed, the provisions of sections 3 to 16, shall apply in relation to a union as if reference in those sections to an association is a reference to a union.

CHAPTER VII

RULES

18. Rules. — The Government may make rules for carrying into effect the provisions of this Ordinance.

19. Recovery as arrears of land revenue.— The Government may prescribe such loans and advances as are granted to an association or a member by the Board, to be recoverable as arrears of land revenue.

³ Added by the Punjab Livestock Associations and Livestock Associations union (Registration and control) (Amendment) Ordinance, 1984 (XXI of 1984); and published in the Punjab Gazette (Extraordinary), dated 17.12.1984, s.2.