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SIND ORDINANCE NO.VIII OF 1973

THE WEST PAKISTAN PURE FOOD (SIND AMENDMENT) ORDINANCE, 1973

[5th May, 1973]

An Ordinance to amend the West Pakistan Pure Food Ordinance, 1960, in its application to the Province of Sind.

Preamble.

WHEREAS it is expedient to amend the West Pakistan Pure Food Ordinance, 1960, in its application to the Province of Sind, in the manner hereinafter appearing;

AND WHEREAS the Provincial Assembly of Sind is not in session and the Governor of Sind is satisfied that circumstance exist which render immediate action necessary;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of Article 135 of the Interim Constitution of the Islamic Republic of Pakistan, the Governor of Sindh is pleased to make and promulgate the following Ordinance: -

Short title extent and commencement.

1. (1) This Ordinance may be called the West Pakistan Pure Food (Sind Amendment) Ordinance, 1973.

(2) It shall come into force at once.

Substitution of section 23 of West Pakistan Ordinance VII of 1960.

2. In the West Pakistan Pure Food Ordinance, 1960, in its application to the Province of Sind, hereinafter referred to as the principal Ordinance, for section 23, the following section shall be substituted, namely: -

"23. (1) Whoever contravenes the provisions of section 12 or 21, shall be punished with imprisonment of either description for a term which may extend to three years or with fine or with both.

Penalties.

(2) Whoever contravenes the provisions of sections 7, 8, 9, 10, 11, or 18, shall be punished with imprisonment of either description for a term which may extend to five years or with fine or with both but the term or imprisonment shall not be less than six months and the fine shall not be less than five hundred rupees.

(3) Whoever contravenes the provisions of sections 3, 4, 5, 6, or 13, shall be punished with imprisonment or either description for a term which may be extend to seven years and with fine, but the term of imprisonment shall not be less than one year and the fine shall not be less than one thousand rupees.".

Omission of section 23-A of West Pakistan Ordinance VII of 1960.

3. Section 23-A of the principal Ordinance shall be omitted.

Substitution of section 31 of West Pakistan Ordinance VII of 1960.

4. for section 31 of the principal Ordinance, the following section shall be substituted, namely—

The procedure for trial of offences.

"31. All offences under this Ordinance shall be triable, by a Magistrate of the first class and, in accordance with the procedure prescribed by Chapter XX of the Code of Criminal Procedure, 1898 (Act V 1898):

Provided that if in any trial before any such Magistrate, before signing judgment, it appears to him at any stage of the proceedings that the case is one in which the accused ought to receive a punishment more severe than that which such magistrate is empowered to inflict or that the accused ought to be tried by the Court of Sessions, he shall commit the accused in accordance with the provisions of the Code of Criminal Procedure, 1898 (Act V of 1898).