

SINDH ORDINANCE NO. XXIV OF 1972
THE SINDH AGRICULTURAL SUPPLIES ORGANIZATION ORDINANCE, 1972

[29TH December, 1972]

An Ordinance to establish an Agricultural Supplies Organization in the Province of Sind.

WHEREAS it is expedient to establish an Agricultural Supplies Organization in the Province of Sind for the purpose of increasing Agricultural production;

Preamble

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

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

CHAPTER I

PRELIMINARY

1. (1) This Ordinance may be called the Sind Agricultural Supplies Organization Ordinance, 1972.

Short title, extend and commencement

(2) It extends to the whole of the Province of Sind.

(3) It shall come into force on such date as may be appointed by Government.

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

Definitions.

(a) "Board" means the Board of Members of the Organization;

(b) "Chairman" means the Chairman of the Organization;

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- (c) "Government" means the Government of Sind;
- (d) "Member" means a Member of the Organization;
- (e) "officer" means an officer of the Organization, other than the Chairman or a Member;
- (f) "Organization" means the Sindh Agricultural Supplies Organization;
- (g) "prescribed" means prescribed by rules or regulations;
- (h) "rules" and "regulations" shall respectively mean rules and regulations made under this Ordinance.

CHPATER II

ESTABLISHMENT, MANAGEMENT AND ORGANIZATION

3. (1) As soon as may be after the commencement of this Ordinance, Government shall establish an Organization to be called the Sind Agricultural Supplies Organization.

Establishment and incorporation

(2) The Organization shall be a body corporate having perpetual succession and a common seal, with power, subject to the provisions of this Ordinance, to undertake work with regard to procuring and distributing throughout the Province agricultural in-puts, namely, seeds and fertilizers (both indigenous and imported) and hold property both movable and immoveable, and shall be the said name sue and be sued.

4. (1) The general direction and administration of the Organization and its affairs shall vest in a Board of Members which may exercise all powers and do all acts and things which may be done or exercised by the Organization.

Management and administration.

(2) The Board in discharging its functions shall be guided on questions of policy by such directions as Government may from time to time, give, and Government shall be the sole judge as to whether a direction given to the Organization is or is not on a question of policy.

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(3) If the Board fails to obey any direction given under sub section (2) Government may remove the Members including the Chairman, and notwithstanding anything contained in section 5, appoint persons in their place temporarily until fresh appointments are made under that section.

5. (1) The Board shall consist of such official and non-official Members not exceeding seven as may be appointed by Government.

Constitution of the Board.

(3) Government shall appoint one of the Members to be operational Director, who shall be responsible for—

- (i) all administrative matters of the Organization subject to the directions of the Board;
- (ii) procurement, handling and distribution of the agricultural in-puts;
- (iii) maintenance of proper accounts; and
- (iv) performance of such other duties as may be necessary for the purpose of this Ordinance or which may be prescribed.

6. Government shall appoint one of the Members to the Chairman, who shall be the Chief Executive of the Organization.

Appointment of Chairman

7. (1) The Organization may appoint such officers, advisers and servants as it considers necessary for the efficient performance of its functions on such terms and conditions as it may deem fit.

Appointment of officers, etc.

(2) The Chairman may, in case of urgency, appoint such officers or servants on such terms and conditions as it may deem fit.

Provided that every appointment made in Class I gazette post shall be reported to the Board without reasonable delay and shall not continue beyond three months unless approved by the Board.

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8. (1) Procedure for the appointment of the officers and servants of the Organization and the terms and conditions of their service shall be such as may be provided by regulations;

Recruitment, conditions of service and disciplinary powers.

(2) Subject to rules and regulations the Organization shall be competent to take disciplinary action against its officers and servants.

9. (1) The meetings of the Board shall be convened at least once in two months unless the Chairman, by a statement in writing, declares that there is no pending business for consideration by the Board.

Meetings of the Board.

(2) The minutes of every meeting of the Board shall be drawn up and recorded in a book to be kept for the purpose and signed by the Chairman.

10. Government may require the Board to furnish any returns, statement, estimates, statistics or other information on any matter under the control of the Board.

Returns, statement, etc.

11. (1) The Board may delegate to the Chairman or any member or officers, any of its powers under this Ordinance or the rules or regulations.

Delegation.

(2) The Chairman may likewise delegate to any officers any of his powers under this Ordinance or the rules or regulations.

**CHAPTER III
FUNCTIONS**

12. The Organization shall—

Functions.

(a) make suitable arrangements, throughout the Province, on a commercial basis, for the procurement, transport, storage and distribution to the agriculturist of improved seeds and fertilizers; provided that as far as practicable the said supplies shall be distributed by the Organization itself or may

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permits, distribution of seeds and fertilizers through other agencies such as Commission Agents or Co-operative Societies on such terms and condition as it may prescribe;

- (b) assist, encourage and promote the manufacture of improved agricultural machinery and implements but shall not itself undertake any such manufactures;
- (c) carry out or cause to be carried out surveys of the problems relations to application of fertilizers and seeds in any particular area and incur expenditure on such surveys or experiments;
- (d) contribute towards the cost of any said surveys, experiments connected with the functions of the Organization and undertaken or done by any other person, body or agent;
- (e) organize publicity, dissemination of knowledge among farmers about the effects of certified seeds and chemical fertilizers and agricultural production.

CHAPTER IV POWERS

13.(1) The Organization may take such measures and exercise such powers as it considers necessary or expedient for carrying out the purpose of this Ordinance. **General Powers.**

(2) The Organization may incur any expenditure, procure any sample of seeds or fertilizers from local sources or abroad, procure any plants, machinery or materials required for its use and may enter into any contract and do all acts and things necessary for the performance of such contracts.

(3) The Organization may enter into commercial transaction with any person or organization.

14.(1) Government may, by a notification in the official Gazette, declare any area, building not being used for residential purposes, structure, godown or covered enclosures **Declaration of area for the purpose of Organization.**

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to be an area required immediately for the purpose of being used by the Organization.

(2) After a notification has been issued in respect of any area, the Organization may apply to the Collector who after giving such reasonable notice to the owner, shall deliver possession of the said building, structure, godown or enclosure to the Organization:

Provided that no such area shall be physically occupied by the Organization for its use unless the rent thereof has been agreed upon between itself and the owner where disagreement about the rent has occurred the rent has been assessed by the Collector or the Rent Controller of the area.

CHAPTER V FINANCES

15. (1) There shall be a fund to be known as "Organization Fund" vested in the Organization which shall be utilized by the Organization to meet charges in connection with its functions under this Ordinance, including the payment of salaries and other remunerations to the Chairman, Members, operational Director, officers, advisers and servants of the Organization.

Organization Fund.

(2) The Organization Fund shall consist of—

- (i) grants made by Government;
- (ii) loans obtained from Government;
- (iii) loans obtained from the Commercial Banks with the special or general section of Government;
- (iv) all registration fees of Commission agents, securities tendered by the employees, etc., received by the Organization; and
- (v) any other sum duly received by the Organization.

16. (1) The Organization may keep money in any treasury,

Custody

and

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sub-treasury or a Scheduled Bank.

investment of funds.

(2) Nothing in sub-section (1) shall be deemed to preclude the Organization from investing such money, which are not required for immediate expenditure, in any of the Government securities or placing them in fixed deposits with a bank approved by Government.

17. The Organization shall prepare its annual budget estimate and submit the same to Government by the prescribed date and Government may modify the said estimates to such an extent as it may consider necessary.

Budget.

CHAPTER VI

RULES AND REGULATIONS

18.(1) Government may, by a notification in the official Gazette, make rules for the purpose of giving effect to the provisions of this Ordinance.

Power to make rules.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for—

- (a) tenure of office, resignation and terms and conditions of Members;
- (b) disqualifications and removal of Members;
- (c) filling of casual vacancies of Members;
- (d) any other matter required under any of the provisions of this Ordinance to be prescribed.

19. (1) Subject to the provisions of this Ordinance and the rules, the Organization may, by a notification in the official Gazette, make regulations for carrying out the purposes of this Ordinance.

Power to make regulations.

(2) In particular and without prejudice to the generality

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of the foregoing power, such regulations may provide for—

- (a) appointment of committees to consider particular matter or matters;
- (b) investment of money by Organization;
- (c) determination of terms and conditions of the services of the officers and servants of the Organization;
- (d) mode of operation and expenditures of the funds of the Organization; and
- (e) any other matter required by the provisions of this Ordinance to be provided by regulations.

20. The Chairman, every Member, operational Director and other officers, advisers and servants of the Organization shall be deemed to be public servant within the meaning of section 21 of the Pakistan Penal Code (XLV of 1860).

**Chairman, etc.,
deemed to be public
servants.**

21. The Chairman or any other person generally or specially authorised by him may apply to the Collector for the recovery of any sum due under this Ordinance or by an agreement made under this Ordinance and the Collector shall thereupon proceed to recover the same as if it were an arrear of land revenue.

Recovery of dues.

22. The Organization may pay a reasonable compensation to any person who sustains damage by reason of exercise of any of the powers vested under this Ordinance in the Organization or the Chairman or any officer or servant.

Compensation.

CHAPTER VII

AUDIT AND ACCOUNTS

23. (1) The Organization shall maintain proper accounts and other relevant records and prepare annual statements of accounts including the profit and loss statement and balance sheet in accordance with such general directions as may be prescribed by rules;

Accounts and Audit.

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(2) The accounts of the Organization shall be subject to Commercial Audit.

(3) The Organization shall produce all accounts, books and connected documents and furnish such explanation and information as the Director, Commercial Audit or any officer authorised by him in this behalf may require at the time of audit.

24. (1) The Chairman shall, as soon as possible after the end of every financial year, submit an annual report to Government on the conduct of its affairs for that year. **Annual report.**

(2) Government may require the Organization to furnish it with any written statement, estimate, statistics or any other information regarding any matter under its control.

CHAPTER VIII

DISSOLUTION

25. (1) Government may, by a notification in the official Gazette, declare that the Organization shall be dissolved from such date as may be specified in the notification and thereupon the Organization shall stand dissolved from that date. **Dissolution of the Organization.**

(2) From the said date, all properties, funds and dues which immediately before the said date, were vested in or were realizable by the Organization shall vest in and be realizable by Government and all liabilities which immediately before the said date were enforceable against the Organization shall be assumed by, and be enforceable against, Government.