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PART-IV

PROVINCIAL ASSEMBLY OF SINDH NOTIFICATION KARACHI, THE 22ND MAY, 2018

NO.PAS/LEGIS-B-28/2017- The Sindh Institute of Animal Health at Karachi Bill, 2017 having been passed by the Provincial Assembly of Sindh on 27th April, 2018 and assented to by the Governor of Sindh on 12th May, 2018 is hereby published as an Act of the Legislature of Sindh.

THE SINDH INSTITUTE OF ANIMAL HEALTH AT KARACHI ACT, 2018

SINDH ACT NO. XXIX OF 2018

AN ACT

to provide for the establishment of an Institute known as the Institute of Animal Health at Karachi.

WHEREAS it is expedient to provide for the establishment of an Institute known as the Institute of Animal Health at Karachi and to provide for matters connected therewith or ancillary thereto;

CHAPTER I PRELIMINARY

It is hereby enacted as follows: -

1. (1) This Act may be called the Sindh Institute of Animal Health at Karachi Act, 2017. Short title and commencement.

(2) It shall come into force at once.

Definitions.

2. In this Act, unless the subject or context otherwise requires, the following expressions shall have the meanings hereby respectively assigned to them, that is to say -

- (a) "animal" means the livestock, poultry birds, wildlife and pets;
- (b) "Advisory Counsel" means an Advisory Counsel under the Chairmanship of the Chief Minister Sindh;
- (c) "Authority" means any of the Authorities of the Institute specified under this Act;
- (d) "biological" means any drug, serum, hormones, biotechnological product, immune component, antigen, vaccine, and product produced by living system or using biological system;
- (e) "Board" means the Board of Management;
- (f) "Chairman" means Minister, Livestock and Fisheries Department acting as the Chairman of Board of Management;
- (g) "Consultant" means a professional hired or appointed for specific job/ activity;
- (h) "Director General" means the Director General of the Institute as the head of academic and research body appointed under this Act;
- (i) "Director" means is the Director of a division or center or branch of the Institute or directorate of the Institute;
- (j) "drug" means any substance or mixture of substances other than food that is manufactured, sold, stored, offered for sale or represented for internal or external use in the treatment, mitigation, prevention or diagnosis of diseases, an abnormal physical state, or the symptoms thereof in animals or the restoration, correction, or modification of organic functions in animals;
- (k) "employee" means an employee of the Institute;
- (l) "Government" means the Government of Sindh;
- (m) "Institute" means Sindh Institute of Animal Health at Karachi;
- (n) "livestock" means domesticated Bovine, Bubbalis, Caprine, Ovine, Equine, Cameline, Feline and Canine species;
- (o) "Member" means the member of the Board;
- (p) "pet" means the animal, bird or reptile species in captivity, reared for fun, art, show or commercial purposes;
- (q) "poultry" means chicken, Turkey bird, Quails, Ostrich and all other birds raised for farming or kept as pet;

- (r) "Prescribed" means prescribed by Statutes, Rules & Regulations;
- (s) "Research Officer" means a person engaged whole time by the Institute for research, diagnosis, production of Vaccines, drugs, and biological and farming activity;
- (t) "Statutes", "Regulations" and "Rules" mean respectively the Statutes, the Regulations and the Rules made or deemed to have been made under this Act;
- (u) "vaccine" any drug or any product that is live, killed, attenuated, recombinant, or in any form used for prevention of disease, ailment or infection;
- (v) "wild life" as defined under the Sindh Wild Life protection (Amended) Act-1972.

CHAPTER - II ESTABLISHMENT OF THE INSTITUTE

3. (1) As soon as may be after the commencement of this Act, Government may by a Notification in the Official Gazette establish in accordance with the provisions of this Act an Institute to be known as Institute of Animal Health at Karachi. **Incorporation.**

(2) The Institute may establish its regional offices, branches or centers at Larkana, Shaheed Benazirabad, Mirpurkhas and Hyderabad to facilitate the public of area and at such places as it may consider expedient. The Institute shall consist of four divisions, i.e., Administration, Livestock Health, Poultry Health, and Wildlife and Pets Health.

(3) The Institute shall be a body corporate, having perpetual succession and common seal, with power subject to the provisions of this Act to acquire, hold and dispose of the property, both movable, and immovable, and shall by the same name sue and be sued.

4. (1) The Institute shall have the jurisdiction of operations in whole Province of Sindh; provided that Government may in consultation with the Institute by general or special order modify the jurisdiction. **Jurisdiction of the Institute.**

(2) The Institute may establish or admit to its privileges under prescribed conditions, branch, center, sale and service point, and a part of other institution falling within the territorial limits of another institute or organization, whether inside or outside jurisdiction, and Pakistan; provided that the consent of such other institute, organization and the sanction of Government are first obtained.

5. The Institute shall be open to all persons of either sex and of whatever religion, race, creed, class or colour and no person shall be denied the privileges of the Institute on the grounds of religion, race, creed, class or colour: **Institute to be open to all classes, creeds, etc.**

**Admission of the
Affairs of
Institute.**

6. (1) The Director General shall have all the administrative power to control the affairs of the Institute and do all acts, which may be exercised or done by him for smooth working of the Institute.

(2) The Director General may, in an emergency and in consultation with the Chairman, which in his opinion requires immediate action, take such action as he may consider necessary and shall, as soon thereafter as possible, report his action to the Government, Authority or other body, which in the ordinary course would have dealt with the matter.

(3) The Board in discharging its functions shall act on sound principles of research, academic, surveillance and diagnosis activities, and production of vaccines, drugs, and biological on commercial considerations, and shall be guided by such directions as Government may, from time to time give.

(4) In all matters related with policy, the decision of the Government shall be final and binding.

**Constitution of
Board.**

7. (1) The Board shall consist of the following:

- (i) Minister, Livestock & Fisheries Chairperson
Sindh.
- (ii) Secretary Livestock and Fisheries Vice-Chairman.
Department.
- (iii) Director General, Livestock Official Member
Department.
- (iv) Director General, Official Member/
Institute of Animal Health, Secretary.
Karachi.
- (v) Representative of Finance Official Member
Department not below the rank of
DS (BPS-18).
- (vi) Chief Conservative/ Official Members
Director General,
Wild Life Department
- (vii) Progressive Livestock Farmer, as Non-Official
nominated by the Department. Member

(2) The Director General of the Institute shall also be the Secretary of the Board.

(3) The Chairman may co-opt any person as a member for a particular purpose or a specified period.

(4) A co-opted member shall hold office at the pleasure of the Chairman.

(5) A member may by writing under his hand, addressed to the Chairman resign his office.

(6) The Institute may allow such remuneration to the non-official member as it determine with the approval of the Board.

(7) No act or proceedings of the Board shall be invalid merely on the ground of the existence of any vacancy in, or any defect in the constitution of the Board.

8.(1) The Board shall be the executive body of the Institute and shall subject to the provisions of this Act and the Statutes, take effective measures to meet the standard of manufacturing of vaccines, drugs and biological, research, surveillance and other academic pursuits and exercise general supervision over the affairs and management of the property of the Institute.

Power and
duties of the
Board.

(2) Without prejudice to the generality of the foregoing powers, and subject to the provisions of this Act and the Statutes, the Board shall have the power -

- (a) to take effective measures to raise the standard of production, research, diagnosis and publication in the light of provincial and national needs;
- (b) to hold control and administer the property and funds of the Institute;
- (c) to govern and regulate the finances, accounts and investments of the Institute and for that purpose to appoint such agents as it may think fit;
- (d) to consider and pass the annual report, the annual statement of accounts, the annual and revised budget estimates and to re-appropriate funds from one major head of expenditure to another;
- (e) to transfer and accept transfer of movable or immovable property on behalf of the Institute;
- (f) to enter into, vary, carry out and cancel contracts on behalf of the Institute;
- (g) to cause proper books of account to be kept for all sums of money received and expended by the Institute and for the assets and liabilities of the Institute;
- (h) to invest any money belonging to the Institute including any unapplied income in any of the securities described in section 20 of the Trusts Act, 1882, or in the purchase of immoveable property or in such other manner, as it may determine, with the like power of varying such investments;
- (i) to receive and manage any property transferred and grants, bequests, trusts, gifts, donations, endowments and other contributions made to the Institute;

- (j) to administer any funds placed at the disposal of the Institute for specified purposes;
- (k) to determine the form, provide for the custody and regulate the use of the common seal of the Institute;
- (l) to provide the buildings, laboratories, residential colonies, libraries, premises, furniture, apparatus, equipment and other means required for carrying out the work of this Act;
- (m) to create, suspend or abolish such administrative, research, marketing, extension or other posts, as may be necessary;
- (n) to appoint the consultants and other officers in the Basic Pay Scale 17 and above on the recommendation of the Selection Board constituted under the statutes and recommend the competent authority for the appointment of the Director General as per this Act;
- (o) to appoint officers and employees, Consultants on such terms and conditions as may be prescribed;
- (p) to prescribe the duties of officers, consultants and other employees of the Institute;
- (q) to suspend, punish and remove from service in the prescribed manner such officers, consultants and other employees as are appointed by the Board;
- (r) to report to the Government on matters on which it has been asked to report;
- (s) to approve Statutes and recommend the drafts of Statutes for approval of the Government;
- (t) to regulate, determine and administer all other matters concerning the Institute and exercise all other powers in this behalf;
- (u) to delegate any of its powers to an Authority or officer or a committee or subcommittee; and
- (v) to perform such other functions as have been assigned to it by the other provisions of this Act or the rules made there in.

**Duties and
functions of
Chairman and
Members.**

9.(1) The Chairman and members shall discharge such duties and perform such functions as are assigned to them by or under the Act.

(2) Until the Board is constituted, or when it is not possible to convene the meeting of Board, the Chairman shall, subject to such directions as Government may give, exercise the powers and discharge the duties and perform the functions of the Board, for which *post facto* approval may be obtained from the Board.

10.(1) All business of the Board shall, to the extent and in the manner prescribed by regulations be disposed of at the meeting of the Board.

(2) The meetings of the Board shall be held at such times and places and in such manner as regulations may provide.

**CHAPTER-III
POWERS AND DUTIES OF THE INSTITUTE
AND THE COMMITTEES**

11. The Institute shall have power to -

Functions and
duties of the
Institute.

- (a) to develop, manufacture and produce vaccines, drugs and biological for prevention and treatment of livestock, poultry, wild life and pets, and of veterinary public health importance;
- (b) distribute, sale and enter into agreement for sale and distributions of such vaccines, drugs and biological;
- (c) conduct survey, research, tests and experiments for the composition, safety, potency and efficacy of such vaccines, drugs and biological, and of those distributed and sold in its jurisdiction;
- (d) collect samples, conduct surveillance studies and provide diagnostic services for the livestock, poultry and their products;
- (e) take efforts, studies, and research for the prevention of emerging infectious diseases in animals;
- (f) provide seat of learning for higher education, research and surveillance for the students of the related field;
- (g) provide trainings, refresher courses, post graduate degrees and conduct seminars and to grant certificates and diplomas to such persons;
- (h) create posts for research, extension, marketing, administration and other related purposes and to appoint persons thereto;
- (i) institute and award fellowships, scholarships, exhibitions, bursaries, medals and prizes under prescribed conditions;
- (j) make provisions for research and advisory services and with these objects to enter into arrangements with other institutions or with public bodies under prescribed conditions;
- (k) to provide for the printing and publication of research and other works;
- (l) acquire, hold control over and administer movable or immovable property;

- (m) dispose of any property;
- (n) formulate and enforce any scheme of the purposes of this Act;
- (o) incur any expenditure for carrying out the purposes of this Act;
- (p) enter into and execute all such contracts as it may consider necessary or cancel contracts; and
- (q) to do all such other acts and things, whether incidental to the powers aforesaid or not, as may be requisite in order to further the objects of the Institute as a place of manufacturing, research, diagnosis and learning.

**Executive,
technical
advisory
committees**

or

**Advisory
Counsel.**

12. The Institute may constitute executive, technical or advisory committees with such constitutions and functions as may be prescribed by regulations.

13. A Advisory Counsel under the patronage of the Chief Minister Sindh which shall supervise the performance, efficiency, policy and the efficiency of the Institute and advise accordingly, and consisting of the following members;

- | | | |
|--------|---|---------|
| (i) | Chief Minister Sindh. | Patron |
| (ii) | Chief Secretary Sindh. | Member |
| (iii) | Minister of the concerned Department | Member |
| (iv) | Two Members, Provincial Assembly of Sindh to be nominated by the Speaker, Provincial Assembly of Sindh. | Members |
| (v) | Secretary, Livestock and Fisheries Department. | Member |
| (vi) | Secretary, Finance Department. | Member |
| (vii) | Secretary, Wildlife and Forest Department. | Member |
| (viii) | Secretary, Universities and Boards Sindh. | Member |
| (ix) | Director General of the Institute. | Member |

**Appointment of
Advisor,
Consultant
Officers etc.**

14. The Institute may for efficient performance of its functions appoint such advisors, consultant officers and other staff possessing such professional, technical or ministerial qualifications and experience and on such terms and conditions as may be prescribed by regulations.

CHAPTER-IV
FINANCE, AUDIT AND ACCOUNTS

15. (1) There shall be a separate fund of the Institute Fund. known as Sindh Institute of Animal Health Fund.

- (a) The Fund shall consist of -
- (b) grant and subsidy received from the Federal, Provincial and Local Governments;
- (c) donations endowments and deposits;
- (d) income from investment and deposits;
- (e) loans raised or aid obtained by the Institute;
- (f) Sale proceeds of vaccines, drugs, biological, services or any other property of the Institute;
- (g) fees, royalties on publications of the Institute and other charges for services rendered by the Institute;
- (h) all moneys received from any donor agency of Pakistan or foreign origin

(2) The amount credited in the fund shall be deposited in any scheduled Bank approved by the Board as per government policy.

(3) The Fund shall be utilized for carrying out the purposes of this Act, including the payment of salaries and other remunerations payable under this Act;

(4) The Institute may invest its surplus fund in any security of the Federal Government or Provincial Government or any other security or scheme approved by Government, in consultation with Finance Department.

16. The Annual Budget of the Institute shall be prepared and approved in such manner as may be prescribed. **Budget.**

17.(1)The Institute shall maintain complete and accurate accounts in the manner as prescribed by the rules; **Maintenance of Accounts and Audit.**

(2) The accounts of the Institute shall be audited every year by the Auditor General Sindh or any Chartered Accountant Firm approved by Advisory Council.

18. All sums of the Institute due to any person, body or organization shall be recoverable as arrears of land revenue. **Recovery of the dues.**

CHAPTER - V
OFFICERS OF THE INSTITUTE

19. The following shall be the officers of the Institute:-

Office of the Institute.

- (a) The Director General;
- (b) The Director(s);
- (c) The Resident Auditor;
- (d) The Principal Research Officer;

(b) the Chairman may, in the public interest, and in consultation with Government direct, any post in the Institute to be filled by appointing any employee of government or an educational or research institution.

(3) Where any appointment or transfer has been made under this section, the terms and conditions of service of the appointee or transferee shall not be less favourable than those admissible to him immediately before such appointment or transfer and he shall be entitled to all benefits of his past service.

27. (1) No suit, prosecution or other legal proceedings shall lie against the Institute, Chairman, members, advisor, consultant, or officer of the Institute in respect of anything done in good faith under this Act, rules or regulations. **Indemnity.**

(2) No court shall have jurisdiction to entertain any proceedings, grant any injunction or make any order in relation to anything done or purported to have been done or intended to be done under this Act.

29. Government may make rules for carrying out the purpose of this Act. **Power to make rules.**

30. The Institute may, make regulations for all matters not provided for in the rules and for which provision is necessary for carrying out the purposes of this Act and the rules. **Power to make regulations.**

31. The Institute shall constitute for the benefit of its officers, consultants and other employees, in such manner and subject to such conditions as may be prescribed, such pension, insurance, gratuity, provident fund and benevolent fund schemes as per Government policy. **Pension, insurance, gratuity, provident fund and benevolent fund.**

32.(1) All the officers, consultants and employees serving in the Sindh Poultry Vaccine Centre immediately before the commencement of this Act shall stand transferred to the Institute established under this Act along with privileges, all service and financial benefits. **Transfer of property and persons.**

(2) All properties, assets, liabilities, agreements, rights and interests of whatever kind, used, enjoyed, possessed, owned or vested in or held in trust by the Sindh Poultry Vaccine Centre and all liabilities legally subsisting against them shall stand transferred to the Institute with the same terms and conditions.

33. The Sindh (Poultry Vaccine Centre) Act-V of 1995 and rules and regulations made there under are hereby repealed. **Repeal.**

**BY ORDER OF THE SPEAKER
PROVINCIAL ASSEMBLY OF SINDH**

**G.M.UMAR FAROOQ
SECRETARY
PROVINCIAL ASSEMBLY OF SINDH**

- (e) The Senior Research Officer;
- (f) The Research Officer.

20. (1) The Minister Livestock and Fisheries Department shall act **The Chairman.**
as the Chairman.

(2) The Chairman shall be executive head of the Institute and shall ensure that the provisions of this Act, the Rules, the Regulations in accordance with government policy.

(3) The Chairman shall also have the powers;

- (a) to create and fill temporary posts for a period not exceeding six months;
- (b) to sanction all expenditure provided for in the approved budget and to re-appropriate funds within the same major head of expenditure through Finance Department;
- (c) to sanction any re-appropriation of amount for an unforeseen item not provided for in the budget;
- (d) to delegate subject to such conditions, if any, as may be prescribed any of his powers under this Act to an officer or officers of the Institute; and
- (e) to exercise and perform such other powers and functions as may be prescribed.

21. There shall be a Director General of the Institute who shall be **Director General.**
an eminent researcher, preferably PhD in related field, with experience of Director or equivalent in related field and registered member of the Pakistan Veterinary Medical Council and shall be appointed by Government on the recommendation of the Board on such terms and conditions as it may determine.

(2) At any time when the office of Director General is vacant, or he is absent or is unable to perform the functions of the office due to illness or some other cause, Government may, on the recommendation of Chairman, shall make such arrangements for the performance of the duties of the Director General it may deem fit.

(3) The Director General shall be academic, research and operational head, the Drawing and Disbursing Officer and shall implement the decisions of the Board and provisions of this Act, the Rules, the Regulations and shall ensure that these are faithfully observed in order to promote the general efficiency and good order of the Institute and shall have all powers necessary for this purpose, including administrative control over all officers, consultants, students and employees of the Institute and shall report to the Chairman in this regard from time to time or as desired.

(4) The Director General shall also have the powers -

- (a) to prepare and execute all developmental and research schemes and programs of the Institute;
- (b) to prepare and execute all agreements, contracts, and provisions as may be prescribed under this Act;

- (c) to prepare the working paper or agenda of the Board meetings and circulate the minutes of the meetings;
- (d) to prepare annual budget and get the accounts audited annually, and ensure that the funds of the Institute are expended on the purposes for which they are provided;
- (e) to be the custodian of the Common Seal and records of the Institute;
- (f) to sanction the expenditure of an amount not exceeding than rupees one hundred thousand and by re-appropriation of funds of the same amount within the same major head;
- (g) to direct, officers and other employees of the Institute to take up such other assignments in addition to their duties and such other activities in the Institute as he may consider necessary for the purpose of carrying the functions of this Act;
- (h) to delegate subject to such conditions, if any, as may be prescribed any of his powers under this Act to an officer or officers of the Institute;
- (i) to appoint employees in Basic Pay Scales 03 to 16; and
- (j) to exercise and perform such other powers and functions as may be prescribed.

22. The Director(s) shall be whole-time Officers of the Institute and, shall be appointed by the Board on such terms and conditions as the Board may determine.

The Director(s).

23. All the other remaining officers and employees shall be appointed by such officers or Board of the Institute, as authorized by the provisions of this Act. They shall perform their duties as may be prescribed. The terms and conditions of service and powers and duties of other officers shall be such as may be prescribed.

Other Whole time Officers.

CHAPTER-VI MISCELLANEOUS

24. Government may require the Institute to furnish to it any document, return, statement, statistics or any other information regarding any matter pertaining to the Institute and the Institute shall comply with such requisition.

Returns, Statement etc.

25. The Institute may, by general or special order and subject to such conditions as it may impose delegate to the Chairman, members or its officers any of its powers, duties or functions under this Act, or the rules and regulations made there under.

Delegation of Power.

26. (1) The Chairman, members, advisers, consultants, officers or employee of the Institute shall, while acting or purporting to act under this Act, rules or regulations, be deemed to be treated as public servants.

Public Servant, Power to require Officer, employee to serve under any Government or other Organization.

(2) Notwithstanding anything contained in this Act -

- (a) any officer or other employee of the Institute shall as the Government may in the public interest and in consultation with the Chairman direct, serve in any post under Government or any other educational or research institution;