



THE SIND TEXTILE BOARD ORDINANCE, 1949



CONTENTS

1. Short title extent and commencement
2. Interpretation
3. Establishment and incorporation of the Sind Textile Board
4. Chairman and a Vice-Chairman of Board
5. Management of Board
6. Vacancies in the Board
7. Members of the Committee not to be remunerated
8. Membership of the Board
9. Subscriptions liability and interest of members
10. Conduct of business of the Board
11. General control by Government
12. Accounts and Finance
13. Procedure
14. Winding up of the Board
15. Power to makes rules
16. Act VII of 1913 not apply to Board
17. Bar of legal proceedings
18. Existing Board deemed to be Board established by this Ordinance

THE SIND TEXTILE BOARD ORDINANCE, 1949

ORDINANCE NO. X OF 1949

[13th July, 1949]

An Ordinance to incorporate and regulate the Sind Textile Board.

WHEREAS an emergency has arisen which makes it necessary to incorporate and regulate a trading corporation in ¹* * * Sind for the purpose of improving the procurement and wholesale distribution of cloth ²[therein].

NOW, THEREFORE, in exercise of the powers conferred by section 42 of the Government of India Act, 1935, the Governor-General is pleased to make and promulgate the following Ordinance, 26 Geo. 5, c. 2:—

1. Short title, extent and commencement.—(1) This Ordinance may be called the Sind Textile Board Ordinance, 1949.

(2) It extends to ¹* * * Sind and the ³[Karachi Division].

(3) It shall come into force at once and shall be deemed to have taken effect on the 5th day of December, 1947.

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

(a) “cloth” means cloth either manufactured wholly from cotton or manufactured partly from cotton and partly from other material and containing not less than 10 per cent of cotton by weight;

¹ The original words “the Province of” omitted by the Central Laws (Statute Reform) Ordinance, 1960 (21 of 1960), s. 3 and 2nd Sch. (with effect from the 14th October, 1955).

² Subs. *ibid.*, for “in that Province” (with effect from the 14th October, 1955).

³ Subs. by A. O., 1964, Art. 2 and Sch., for “Federal Territory of Karachi” which had been subs. by the Repealing and Amending Ordinance, 1961 (1 of 1961), for “Capital of the Federation”.

- (b) “Director” means the Director of Civil Supplies, Sind, and includes the Assistant Director of Civil Supplies (Textiles), Sind;
- (c) “Government” means the ¹[Provincial Government];
- (d) “prescribed” means prescribed by rules made under this Ordinance;
- (e) “regulations” means regulations made under section 13;
- (f) “scheduled bank” means a bank included in the Second Schedule to the State Bank of Pakistan Order, 1948;
- (g) “wholesale dealer” means a person engaged in wholesale business in cloth.

3. Establishment and incorporation of the Sind Textile Board.—(1) As soon as may be after the commencement of this Ordinance, there shall be established in the manner hereinafter provided a trading corporation for the purpose of improving the procurement and wholesale distribution of cloth in ²* * * Sind.

(2) The said trading corporation shall be a body corporate by the name of the Sind Textile Board (hereinafter referred to as the Board) having perpetual succession and a common seal and shall by the said name sue and be sued.

4. Chairman and a Vice-Chairman of Board. There shall be a Chairman and a Vice-Chairman of the Board who shall be elected in such manner and shall hold office for such term as may be prescribed.

5. Management of Board.—(1) There shall be constituted for the purpose of administering the affairs of the Board an Executive Committee, hereinafter referred to as the Committee.

¹ Subs. by the Central Laws (Statute Reform) Ordinance, 1960 (21 of 1960, s. 3 and 2nd Sch., for “Government of Sind” (with effect from the 14th October, 1955).

² The original words “the Province of” omitted, *ibid.*, (with effect from the 14th October, 1955).

(2) The affairs of the Board shall be administered by the Committee which shall consist of the Chairman and Vice-Chairman of the Board, who shall be Chairman and Vice-Chairman respectively of the Committee and nine other members who shall be elected for this purpose and shall hold office until the next election.

(3) The term of office of the members of the Committee shall be such as may be prescribed.

(4) No act done or decision taken by the Committee shall be called in question on the ground merely of the existence of any vacancy therein or defect in its constitution or on the ground that the Board is not at any time fully established.

6. Vacancies in the Board. In the event of any vacancy in the office of Chairman or Vice-Chairman of the Board or of a member of the Committee, otherwise than at the end of his term of office the person elected to succeed him shall hold office only for the unexpired portion of that term.

7. Members of the Committee not to be remunerated. No Chairman or Vice-Chairman or any member of the Committee or of any sub-committee or any person co-opted to serve on any sub-committee shall be entitled to receive for his services in such capacity any remuneration from the funds of the Board or otherwise.

8. Membership of the Board.—(1) The Board shall consist of not more than seventy members who may be individuals or firms or corporate bodies.

(2) Subject to the provisions of this Ordinance a person shall be eligible to be a member of the Board who—

(a) is a wholesale cloth dealer;

(b) is able to contribute in full towards the capital of the Board as set out hereinafter; and

(c) is in the opinion of the Committee a suitable person and one who will forward the interests of the Board.

(3) Any person claiming to be eligible as aforesaid and desiring to be a member on the Board may apply to the Committee in this behalf in the manner prescribed.

(4) The Committee shall consider all applications received by it under this section, and if it is satisfied that an applicant is eligible as aforesaid, it shall recommend to the Director that the eligibility of the applicant for membership of the Board may be admitted.

(5) In considering an application recommended under the preceding sub-section the Director may require the applicant to furnish him with such further evidence of eligibility for membership as aforesaid as he may specify.

(6) If the Director accepts the recommendation of the Committee, he shall notify the applicant in writing that his eligibility for membership as aforesaid has been admitted.

(7) The decision of the Director under this section shall be final, and no order passed by him admitting or rejecting an application under this section shall be called in question on any ground in any court.

9. Subscriptions liability and interest of members.—(1) Every member of the Board shall subscribe towards the funds of the Board a sum of not less than one lakh of rupees.

(2) Any person applying to be a member of the Board shall, not later than the prescribed date, subscribe in full a sum not less than as aforesaid towards the funds of the Board, and upon making such subscription shall become a member of the Board and shall be entitled to one vote.

(3) The interest of each member of the Board in the earnings of the Board available at any time for distribution among the members of the Board shall be in proportion to the amount at that time standing to his credit in the books of the Board and shall continue for so long as he remains a member of the Board.
