

***The Kerala Fishermen's Welfare Fund Scheme, 1986**

Chapter I

Preliminary

In exercise of the powers conferred by Sub-section (1) of Section 3 of the Kerala Fishermen's Welfare Fund Act, 1985 (30 of 1985) the Government of Kerala hereby frame the following scheme for the establishment of a fund and the matters connected therewith for the welfare of fishermen namely:-

1. Short title and commencement.-

- (i) This Scheme may be called the Kerala Fishermen's Welfare Fund Scheme, 1986.
- (ii) It shall come into force with effect from 26th January, 1986.

2. Definitions.- In this Scheme, unless the context otherwise requires,-

- (a) "Act" means the Kerala Fishermen's Welfare Fund Act, 1985 (30 of 1985);
- (b) "Authorised Officer" means the Fisheries Officer or the Officer authorised by the Board for the purpose;
- (c) "Board Member" means a member of the Kerala Fishermen's Welfare Fund Board constituted under Section 7 of the Act.
- (d) "Chairman" means the Chairman of the Board;
- (e) "Family" in respect of a member means-
 - (i) wife;
 - (ii) husband;
 - (iii) sons, daughters, parents and children of deceased sons or daughters wholly dependant on the member;
- (f) "Fishermen's Welfare Commissioner" means of Officer appointed under paragraph 3 (i) of this scheme;
- (g) "Fisheries Village" means a fisheries village as notified under Section 2(g) of the Kerala Fishermen Welfare Societies Act, 1980 (Act 7 of 1981);
- (h) "form" means a form appended to this Scheme;
- (i) "register" means a register prescribed in the scheme;
- (j) "Secretary" means the Secretary of the Board;
- (k) "Welfare Society" means the Society established under the Kerala Fishermen's Welfare Societies Act, 1980 (Act 7 of 1981).

Chapter II

3. Appointment and powers of the Fishermen's Welfare Commissioner.-

- (i) The Board may with the previous approval of the Government, appoint a Fishermen's Welfare Commissioner who shall be the Chief Executive

* Issued under G.O. (P) 6/86/F & PD dt. 15-1-1986 pub. in K.G. Ex. No. 87 dt. 24-1-1986 as SRO 128/86.

** Date of Commencement: 26-1-1986.

Officer of the Board on such terms and conditions as the Government may deem fit.

- (ii) It shall be the duty of the Commissioner to ensure that the provisions of the Act and the Scheme framed thereunder are duly carried out and for this purpose he shall have the power to issue such orders not inconsistent with the provisions of the Act and this Scheme, as he deems fit, including any order implementing the decisions taken by the Board under the Act or this Scheme.

4. Finance Officer.-

- (i) The Board shall have a Finance Officer appointed by it as provided in sub-section (i) of section 11 of the Act such forms and conditions as may be approved by the Government.
- (ii) The duties of the Finance Officer shall be the following:-
 - (a) preparation of budget estimates and maintenance of accounts of the Board's office;
 - (b) distribution of allotments among the subordinate controlling officers;
 - (c) control over the Board's revenue and expenditure which includes-
 - (i) watching the progress of Board's revenue and expenditure and issuing instructions to the subordinate officers to keep the expenditure within allotments when any likelihood of excess is anticipated;
 - (ii) reporting to the Board deviations from rules relating to expenditure noticed on the part of the subordinate officers;
 - (iii) initiating and dealing with proposals relating to reappropriations, reallootments, supplementary grants and surrender of savings;
 - (iv) scrutinising expenditure statement relating to various programmes of the Board;
 - (d) scrutiny of all cases involving-
 - (i) abandonment of revenue;
 - (ii) refund of revenue; and
 - (iii) enhancement of revenue;
 - (e) scrutiny of all proposals involving financial commitment submitted by the Board to Government;
 - (f) review of progress in the disposal of audit objection and dealing with audit inspection reports;
 - (g) internal audit of the accounts of the head office;
 - (h) inspection of the accounts of subordinate officers under the orders of the Commissioner and submission of notes of such inspection for his perusal and orders;
 - (i) verification of claims for pension or gratuity;

- (j) issue of instructions to Board's officers regarding (i) maintenance of accounts and observance of accounts rules, and (ii) correct accounting of stores and observance of Store Rules;
- (k) to arrange for the proper maintenance of accounts relating to loans sanctioned and/or disbursed by the Board and to watch the prompt recovery of such loans;
- (l) to test audit of accounts of institutions which receive grants-in-aid or loans from the Board and to furnish utilisation certificates, wherever required;
- (m) to advise the Board on all matters relating to 'Finance' accounts and applications of rules; and
- (n) any other duties and functions assigned by the Board.

Chapter III

Procedure of the functioning of the Board

5. Meeting.-

- (i) The Board shall meet ordinarily once in three months at such places and times as may be specified by the Chairman.
- (ii) The Chairman may, whenever he thinks fit, and shall, within fifteen days of the receipt of a requisition in writing from not less than one third of the members of the Board, call a meeting, thereof.
- (iii) The Chairman shall preside over every meeting of the Board at which he is present and in his absence, the members present shall elect one of the members present, to preside over such meeting.

6. Notice of meetings and list of business.-

- (i) In the case of ordinary meetings, ten days' notice and in the case of urgent meetings, five days' notice shall be given to the members of the Board.
- (ii) No business which is not on the list of business for a meeting shall be considered at the meeting without the permission of the Chairman.

7. Quorum.- No business shall be transacted at any meeting unless atleast three members are present.

8. Disposal of business.- Every question which the Board is required to take into consideration shall be considered at a meeting of the Board and the question shall be disposed of in accordance with the decision of the majority:

Provided that in the case of equality of votes, the Chairman shall have a second or casting vote.

Explanation.- For the purpose of this paragraph, Chairman shall include the member elected under paragraph 5 (iii) to preside over a meeting.

9. Minutes of the meeting.-

- (i) The minutes of every meeting of the Board showing inter alia the names of the Board Members present there at shall be circulated to all Board Members not later than 15 days from the date of the meeting. The minutes shall thereafter be recorded in the Minute Book as a permanent record.
- (ii) The record of the minute of each meeting shall be signed by the Chairman after confirmation with such modification, if any, as may be considered necessary at the next meeting.

10. Fee and Allowance.-

- (i) The travelling allowance to a Board Member who is an Officer of the Government shall be governed by the Rules applicable to him for journeys performed on official duty and shall be paid initially by the authority paying his salary and claimed later by the concerned officer to be reimbursed from the Fund to Government.
- (ii) Every non-official Board Member nominated under Clause (f) of subsection (3), section 7 of the Act shall be paid travelling allowance and daily allowance for attending the meeting of the Board or any Committees thereof at such rates as are admissible to Grade I Officers of the Government of Kerala.
- (iii) Every Board Member who being a member of the State Legislative Assembly, attends the meeting of the Board shall be entitled to such travelling allowance as are admissible under the provisions of the Payment of Salaries and Allowances Act, 1951.
- (iv) Every Board Member who being a member of either Houses of Parliament attends the meeting of the Board shall be entitled to travelling and daily allowances as may be admissible to a member of Parliament.

11. Committees and Commissions of the Board.-

- (i) (a) The Board may constitute such committees or commissions as it may deem fit for the proper discharge of its duties.
(b) While constituting the committee, the Board may nominate one of its members to be the Chairman of the Committee.
- (ii) (a) The Committee shall meet at such times and places as the Chairman of the Committee may decide.
(b) The provisions of paragraphs 5 (iii), 6 and 8 shall apply to the Committee for transaction of business at its meetings as they apply to the Board and it shall place its report before the Board for its decision.
- (iii) The provisions of paragraph 10 shall apply to the members of the Committee for attending the meeting of the Committee as they apply to the members of the Board.

12. Secretary of the Board.-

- (i) The Board may appoint a person to be its Secretary with the previous approval of the Government.
- (ii) The Secretary shall, with the approval of the Chairman, issue notice to convene meetings of the Board, shall keep the record of minutes of the meeting and shall take necessary steps for carrying out the decisions of the Board.

Chapter IV
Membership and Contribution

13. List of Members.- A list of fishermen who are eligible to be the members of the Fund from each Fisheries Village shall be drawn up and furnished by the Secretary of the Welfare Society to the Board.

14. Contribution payable by a Fisherman.-

- (i) A fisherman shall contribute to the Fund Rs. 30 per year for a period of three years from the commencement of the Act and shall thereafter contribute three per cent of the value of fish caught by him during a year or three per cent of the wages earned by him in a year:

Provided that the fisherman shall have the opinion to contribute the annual contribution either in a lump sum on the first of March or in three equal instalments on the 1st of March, the 1st of May and the 1st of December every year.

- (ii) A dealer shall contribute to the Fund one per cent of his sale proceeds in the year or the amount fixed by the Board under the first proviso to sub-section (2) of section 4, as the case may be:

Provided that the amount shall be paid in twelve monthly equal instalments on or before the 5th day of the succeeding month along with a statement in Form I.

- (iii) The owner of a fishing vessel shall contribute to the Fund every month by way of advance an amount equivalent to one-twelfth of the amount payable annually by him determined under section 12 or assessed under section 13 of the Act, as the case may be, on or before the 5th day of the succeeding month along with a statement in Form 2.
- (iv) The owner of fishing net shall contribute to the Fund every month by way of advance an amount equivalent to one-twelfth of the amount payable annually by him determined under section 12 or assessed under section 13 of the Act, as the case may be, on or before the 5th day of the succeeding month along with a statement in Form 3.
- (v) The owner of a prawn filtration area or fish farm shall contribute to the Fund two per cent of the value of the prawn and other fish caught from the prawn filtration area or the fish farm during the year or the amount fixed by the Board under the first proviso to sub-section (5) of section 4 of the Act, as the case may be:

Provided that the amount shall be paid in twelve monthly equal instalments on or before the 5th day of the succeeding month along with a statement in Form 4.

15. A person who employs fisherman in a fishing vessel shall contribute the amount payable by that fisherman under sub-section (1) of section 4 of the Act after deducting that amount from the wages or other remuneration due to such fisherman, the manner provided in sub-paragraph (i), paragraph 14 of this Scheme along with a statement in Form 5.
16. The mode of receipt of the amount of contribution and the manner in which it shall be deposited shall be as laid down by the Board from time to time.
17. **Registers and Records to be Maintained in Respect of the contribution.-** Every authorised officer shall maintain a register of contribution in Form No. 6 in respect of fisherman, in Form No. 7 in respect of dealers, in Form No. 8 in respect of owners of fishing vessel, in Form No. 9 in respect of fishing nets and in Form No. 10 in respect of prawn filtration area or a fish farm.

Chapter V

Administration of the Fund, Accounts and Audit

18. Maintenance and Audit of Accounts.-

- (i) The accounts of the fund shall be prepared and maintained by the Finance Officer of the Board in such manner and in such forms as may be prescribed by the Board and shall be got audited as provided in section 26 of the Act.
- ¹[(ii) The charges on account of audit shall be paid out of the fund allocated in the budget estimate approved by the Board as per paragraph 19 of the Scheme.]

19. Budget.- The budget of estimates for each financial year shall be prepared and laid before the Board on or before the 1st December of the previous financial year and got approved by the Board.

20. Deposit of the Amount.- All moneys belonging to the Fund shall be deposited in such manner as may be decided by the Board in accordance with the general policy of the Government.

21. Operation of the Fund.- The Fund shall operated by the Fishermen's Welfare Commissioner or any other officer of the Board authorised by the Board in this behalf, subject to such restrictions as may be laid down by the Board.

¹22. Expenditure from the Fund.-

- (i) All expenses of administration of the Fund, including the fee and allowances of the members of the Board and salaries, leave and joining

1. Substituted by SRO 374/98 pub. in K.G. Ex. No. 684 dt. 4-5-1998.

time allowances, travelling and compensatory allowances, gratuity, compassionate allowances, pension, contributions to provident fund and other benefit fund instituted for the officers and employees in the Board, the cost of audit of the accounts, legal expenses and cost of all stationary and forms incurred in respect of the Board and all expenses incurred in connection with the construction of office buildings and staff quarters shall be met from the fund allocated for the purpose in the budget of the Board as approved vide clause 19 of this Scheme.]

- (ii) All expenses relating to the administration of the Fund shall be met from that part of the fund earmarked as Administration Account.
- (iii) A portion of the Fund not exceeding ten per cent of the total of the contribution realised or expected to be realised each year shall be, set apart as Administration Account of the Fund.

23. Recovery of Arrears.- If any amount due from any person liable to pay contribution to the Fund or any other dues payable under the provisions of the Act and the Scheme thereunder shall be recovered on a certificate to be issued by an Authorised Officer of the Board to the District Collector as arrears of land revenue.

Form 1

[See Paragraph 14 (ii)]

STATEMENT OF CONTRIBUTION BY DEALER

For the period from.....to.....

Name and Address of the Dealer

Name of Village

Name of District

Details of fish bought Category (a)	Quantity (b) in kgs.	Value		Quantity of fish sold in kgs.		Value of fish sold		Amount of contribution payable in Rs.	Amount paid in Rs.	Remarks (6)
		Fresh (a) in Rs.	Processed (b) in kgs.	Fresh (a) in Rs.	Processed (b) in kgs.	Fresh (a) in Rs.	Processed (b) in Rs.			
(1)			(2)			(3)	(4)	(5)		

Signature

Place:

Date:

Form 2

[See Paragraph 14 (iii)]

STATEMENT OF CONTRIBUTION BY OWNER OF A FISHING VESSEL

Name of District Name of Fisheries welfare society Name and Address of the owner

Period from.....to.....

Sl. No.	Type of Vessel	Length/ GRT	Whether mechanised or not	Whether Motorised or not	Reg. No.	Details of Licence	Amount of contribution payable	Amount paid	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)

Signature

Place:

Date:

Form 3

[See Paragraph 14 (iv)]

STATEMENT OF CONTRIBUTION BY THE OWNER OF FISHING NETS

Name of District

Name of Fisheries Village
Revenue Village

Name and Address of the owner

Period from.....to.....

Type of Nets	No. of Nets	Licence No.	Amount payable	Amount paid	Remarks
(1)	(2)	(3)	(4)	(5)	(6)
Stake.....					
China.....					
Free.....					
Others.....					

Place:

Date:

Signature

Form 4
[See Paragraph 14 (v)]
STATEMENT OF CONTRIBUTION BY THE OWNER OF A PRAWN FILTRATION AREA/FISH FARM

Name of District _____ Name of Revenue Village _____ Name and Address of the owner _____

Period from.....to.....

Details of Fish Farm/Prawn Filtration Area			Details of Fish/Prawn caught		Amount of		Remarks
Sl. No.	Area in hectare	Survey No.	Nature of the area	Quantity in kgs.	Value in Rs.	contribution Payable	
	(a)	(b)	(c)		(4)	(5)	(6) (7)
(1)		(2)		(3)			

Signature _____

Place:

Date:

Form 7

(See Paragraph 17)

REGISTER OF CONTRIBUTION OF DEALER

Name of Village.....

District.....

1. Name and Address of the Dealer.....

2. Age.....

3. Name of Father.....

4. Details of fish bought

Category	Quantity	Value
(a)	(b)	(c)

Quantity of fish sold

Fresh	Processed
(d)	(e)

Value of fish sold

Fresh	Processed
(f)	(g)

5. Amount of contribution payable.....

6. Amount of contribution collected

(Details of collection. Receipt No. & date)

7. Amount of Damages collected:

(Details of collection. Receipt No. & date)

8. Date of Remittance to the Fund

(Mention cheque/chalan etc.)

Insalment in Rs.

1st	2nd	3rd
.....
.....
.....
.....
.....
.....
.....

Signature of the Fisheries Officer.

Form 8

(See Paragraph 17)

REGISTER OF CONTRIBUTION BY THE OWNER OF THE VESSEL

Name of Fisheries Village.....
 District.....

1. Name and Address of the owner of the vessel.....

2. Age.....

3. Father's name.....

4. Particulars of the vessel is he owns:

Sl. No.	Type of Vessel	Length/GBT	Whether Mechanised or not	Whether motorised or not	Register Number	Details of Licence, if any
(a)	(b)	(c)	(d)	(e)	(f)	(g)

5. Amount of contribution payable

Insalment in Rs.		
1st	2nd	3rd
.....
.....
.....
.....
.....
.....
.....
.....
.....

6. Amount of contribution collected
 (Details of collection. Receipt No. & date)

7. Amount of Damages collected:
 (Details of collection. Receipt No. & date)

8. Date of Remittance to the Fund
 (Mention cheque No./chalan etc.)

Signature of the Fisheries Officer.

Form 9

(See Paragraph 17)

REGISTER OF CONTRIBUTION BY THE OWNER OF FISHING NETS

Name of Fisheries Village.....
 District.....

1. Name and Address of the owner of the Fishing nets.....

2. Age.....

3. Father's name.....

4. Number and Type of Nets owned:

- (a) Stake.....
 (b) China.....
 (c) Free net.....
 (d) Others.....

Licence No

.....

5. Amount of contribution payable

6. Amount of contribution collected

(Details of collection. Receipt No. & date)

7. Amount of Damages collected:

(Details of collection. Receipt No. & date)

8. Date of Remittance to the Fund

(Mention cheque No./chalan etc.)

Insalment in Rs.

1st	2nd	3rd
.....
.....
.....
.....
.....
.....
.....
.....
.....

Signature of the Fisheries Officer.

Form 10

(See Paragraph 17)

REGISTER OF CONTRIBUTION BY THE OWNER OF THE FARM/PRAWN FILTRATION AREA

Name of Village.....
District.....

1. Name and Address of the owner of Farm/Prawn filtration area.....
2. Age.....
3. Name of Father.....
4. Details of Farm/Prawn filtration area

Details of Fish/Prawn caught

Area in hectare	Survey No.	Nature of the area	Quantity in kgs.	Value
(a)	(b)	(c)	(d)	(e)

5. Amount of contribution payable.....	Insalment in Rs.		
	1st	2nd	3rd
6. Amount of contribution collected..... (Details of collection. Receipt No. & date)			
7. Amount of Damages collected: (Details of collection. Receipt No. & date)			
8. Date and mode of Remittance to the Fund (cheque No./chalan etc.)			

Signature of the Fisheries Officer.

By order of the Governor

.....