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## **\*Kerala Fishermen Welfare Societies (Preparation and Publication of List of Fishermen) Rules, 1980**

In exercise of the powers conferred by section 33 read with sub-section (2) of section 5 of the Kerala Fishermen Welfare Societies Act, 1980 (7 of 1981) the Government of Kerala hereby make the following rules, namely:-

### **RULES**

**1. Short title and commencement.-**

- (1) These rules may be called the Kerala Fishermen Welfare Societies (Preparation and publication of List of Fishermen) Rules, 1980.
- (2) They shall come into force at once.\*\*

**2. Definitions.-** In these rules unless the context other wise requires,-

- (i) 'Form' means a form appended to these rules.
- (ii) 'List' means the list of fishermen prepared under rule 3, who are deemed to be member of the Society under sub-section (2) of section 5 of the Act.
- (iii) 'Act' means the Kerala Fishermen Welfare Societies Act, 1980 (7 of 1981);
- (iv) 'Village' means the fisheries village defined in clause (g) of section 2 of the Act.

**3. Preparation and publication of list.-**

- (1) The Fisheries Officer shall prepare a draft of the list of fishermen for the village in Form 1.
- (2) A copy of the draft list prepared under sub-rule (1) shall be kept available for inspection in the Office of the Society concerned and notice in Form 2 shall be exhibited in the notice board in the Office of the Society concerned and in such other places as may be considered necessary by the Fisheries Officer.
- (3) A claim by any person for the inclusion of his name in the list and on objection to the inclusion of any name of regarding the particulars of an entry therein shall be lodged before the Fisheries Officer within a period of 15 days from the date of publication of the draft list and notice under sub-rule (2).
- (4) A claim by any person for inclusion of his name in the list shall be in Form 3 and shall be signed by him and countersigned by another person whose name is already included in that list.
- (5) Every objection to the inclusion of any name in the list shall be in Form 4 and be preferred only by a person whose name is already included in that list, and countersigned by another person whose name is already included in the list.

\* Issued under G.O. (P) 11/81/TF & PD dt. 11-2-1981 pub. in K.G. Ex. 124 dt. 12-2-1981 as SRO 200/81.

\*\* Date of commencement: 12-2-1981.



- (6) Every objection to any of the particulars in an entry in the list shall be in Form 5 and shall be preferred only by a person to whom that entry relates.
- (7) The Fisheries Officer shall maintain in duplicate, a list of claims in Form 6, a list of objections to the inclusions of names in Form 7 and a list of objections to any of the particulars in an entry in Form 8, and exhibit one copy of each of such lists on the notice board in his office.
- (8) Any claim or objection which is not lodged within the period or in the prescribed form and manner shall be rejected by the Fisheries Officer.
- (9) If the Fisheries Officer is satisfied as to the validity of any claim or objection, he may allow it without further inquiry after the expiry of one week from the date on which the list is published by him under sub-rule (7):

Provided that the Fisheries Officer shall not allow the claim or objection without further inquiry if before any such claim or objection is allowed a demand for inquiry has been made in writing to him by any person.

- (10) Where a claim or objection is not disposed of under sub-rule (8) or sub-rule (9) the Fisheries Officer shall give notice of the hearing;
  - (i) in the case of a claim, to the claimant in form 9;
  - (ii) in the case of an objection to the inclusion of a name, to the objector in Form 10 and where the name objected is not that of the objector, to the person whose name is objected to, in form 11; and
  - (iii) in the case of an objection to any of the particulars in an entry, to the objector in Form 12.
- (11) A notice under sub-rule (10) may be given either to the person direct or by affixing it in a conspicuous place in that person's residence.
- (12) The Fisheries Officer shall hold a summary enquiry into every claim or objection in respect of which notice has been given under sub-rule (11) and shall record his decision thereon.
- (13) At the hearing, the claimant or as the case may be, the objector and the person objected to and any other person who in the opinion of the Fisheries Officer is likely to be of assistance to him shall be entitled to appear and be heard.
- (14) If it appears to the Fisheries Officer that owing to inadvertence or error, during preparation of the list the names of any of the fishermen have been left out of the list and that remedial action should be taken, the Fisheries Officer shall,
  - (a) prepare a list of the names and other details of such fishermen;
  - (b) exhibit on the notice board of his office a copy of the list together with a notice as to the time and place at which the inclusion of



these names in the list will be considered and also publish that list and notice in such other manner as he may think necessary; and

- (c) after considering any verbal or written objections that may be preferred, decide whether all or any of the names should be included in the list.

(15) The Fisheries Officer may correct any clerical errors or other apparent inaccuracies discovered in the list of fishermen.

(16) The Fisheries Officer shall,-

- (a) prepare a list of amendments or erratum as the case may be, to the list to carry out his decision or to correct any clerical or other inaccuracies discovered in the list, as the case may be;
- (b) publish the list together with the list of amendments and/or erratum by making the same available for inspection and publishing notice thereof in Form 13 in the notice board at his office.

<sup>1</sup>[(17) If the Appellate authority has not made any modification under rule 5, to the list published under sub-rule (16), then the list so published shall be the list in force. If the Appellate Authority has made any modification under rule 5, to the list published under sub-rule (16), the Fisheries Officer shall publish a list together with such modifications and on such publication, the list so published shall be list in force]

**<sup>2</sup>[4. Appellate Authorities.-**

- (1) The Government may by notification in the Gazette, constitute as many appellate authorities as may be necessary for the purposes of these rules.
- (2) The Appellate Authority shall consist of sole member who shall be an officer of the Fisheries Department not below the rank of an Assistant Director of Fisheries.
- (3) Each Appellate Authority shall have jurisdiction over such areas as the Government may, by notification in the Gazette, from time to time determine.]

**<sup>2</sup>[5. Appeal.-**

- (1) An appeal against the decision of the Fisheries Officer with respect to the inclusion or exclusion of any name or for the correction of any particulars in the list of fishermen, may be preferred to the Appellate Authority within 15 days after the publication of the list of fishermen under sub-rule (16) of rule 3.
- (2) An appeal by any person against the decision of the Fisheries Officer excluding his name from the list shall be preferred in form No. 14 and shall be signed by him and countersigned by another person whose name is already included in that list.

1. Substituted by SRO 1063/83 pub. in. K.G. No. 34 dt. 30-8-1983.

2. Added by *ibid*.



- (3) An appeal against the decision of the Fisheries Officer including any name in the list shall be in Form No. 15 and be preferred only by a person whose name is already included in that list and countersigned by another person whose name is already included in that list.
- (4) An appeal against any decision of the Fisheries Officer with respect to any of the particulars in an entry in the list shall be in form No. 16 and shall be preferred only by a person to whom that entry relates.
- (5) Any appeal which is not presented within the prescribed period or in the prescribed form or manner, shall be rejected summarily by the appellate authority:

Provided that the Appellate Authority may, after recording the reasons therefor, entertain an appeal presented after the prescribed period but not later than 7 days after the last date for filing appeal, if he is satisfied that there were sufficient grounds which prevented the appellant from filing the appeal within the prescribed period.

- (6) The Appellate Authority shall maintain in triplicate, the list of appeals for inclusion of names in Form No. 6, the list of appeals for exclusion of names in form No. 7 and the list of appeals with respect to any of the particulars in an entry in form No. 8 and exhibit one copy each of such lists on the notice board in his office. A copy each of the same shall also be exhibited on the notice board of the concerned office of the Fisheries Officer.
- (7) If the Appellate Authority is satisfied as to the validity of any claim for inclusion or exclusion or correction, he may allow it after recording his reason therefor without further enquiry after the expiry of one week from the date of receipt of the appeal. Provided that Appellate Authority shall not allow the appeal without further enquiry if, before any appeal is allowed, a demand for enquiry has been made in writing to him by any person.
- (8) Where an appeal is not disposed of under sub-rule (5) or sub-rule (7), the Appellate authority shall give notice of hearing,-
  - (i) in the case of an appeal for inclusion of name, to the appellant in form No. 17.
  - (ii) in the case of an appeal for exclusion of a name to the appellant in Form No. 18 and where the name objected to is not that of the appellant, to the person whose name is objected to, in Form No. 19, and.
  - (iii) in the case of an appeal with respect to any of the particulars in an entry, to the appellant in Form No. 20.
- (9) A notice under sub-rule (8) may be given either to the person direct or by affixing it in a conspicuous part in the usual place of residence of that person.



- (10) On receiving an appeal, the Appellate Authority shall conduct a summary enquiry regarding the matters appealed against, give an opportunity for the appellant to be heard, and decide the case on merits, within a period of 30 days from the date of receipt of the appeal.
- (11) At the time of hearing, the appellant or the person, the inclusion or exclusion of whose name is objected to, and any other person who in the opinion of the Appellate Authority is likely to be of assistance to him shall be entitled to appear and be heard and they shall also be served with notice intimating the date of hearing.
- (12) The Appellate Authority may by order either confirm, cancel or modify the entries in the list prepared by the Fisheries Officer.
- (13) The Order of the Appellate Authority shall be in writing, giving sufficient reasons for the decision and shall be communicated to the appellant within 7 days of the summary enquiry. a copy of the order shall be forwarded to the concerned Fisheries Officer.
- (14) On receipt of the order of the Appellate Authority, the Fisheries Officer shall make corresponding entries immediately in the list published by him and the fact shall be reported to the District Fisheries Officer.]

**Form 1**

[Se rule 3 (1)]

**List of Fishermen**

.....Fisheries Village Roll,  
 19.....District.....Taluk.....No. and  
 Name of Ward/Division.....

Sl. No.	House No. and House Name (in brackets)	Name of Fishermen	Name of Father/Mother/ Karanavan/ Husband	Male or Female	Age as on 1st September 19...
(1)	(2)	(3)	(4)	(5)	(6)

Fisheries Officer.

Sl. No. of.....Fisheries Village.....  
 Roll.....19.....  
 List of Amendments 19.....(years)



## ADDITIONS

Sl. No.	House No. and House Name (in brackets)	Name of Fishermen	Name of Father/Mother/ Karanavan/ Husband	Male or Female	Age as on 1st September 19...
(1)	(2)	(3)	(4)	(5)	(6)

## CORRECTIONS

Sl. No. of entry	Name of Fishermen	For (Existing entry)	Read (Correct entry)
(1)	(2)	(3)	(4)

## DELETIONS

Sl. No. of entry	Name of fisherman
(1)	(2)

Fisheries Officer

**Form 2**

[See rule 3 (2)]

## Notice of publication of list of fishermen

To

The fishermen of the.....  
Fisheries Village.

Notice is hereby given that the draft list of fishermen for.....  
fisheries village has been prepared in accordance with the Kerala Fishermen  
Welfare Societies Act, 1980 and that a copy thereof is available for inspection at  
the Office of the Fisheries Officer of the said fisheries village during office hours.

If there be any claim for the inclusion of a name in the list or any objection to the inclusion of any name or any objection to any of the particulars in any entry in the list it should be lodged on or before the.....in Form 3 or Form 4 or Form 5 as may be appropriate.

Every such claim or objection should be presented to the Fisheries Officer.

Place:  
Date:

Fisheries Officer,  
.....Fisheries Village.

### Form 3

[See rule 3 (4)]

Application for inclusion of name in the list

To

The Fisheries Officer,  
.....Fisheries Village.

Sir,

I request that my name be included in the list of fishermen for the society mentioned above.

My name (in full).....

My Father's/Mother's/Karnavan's/Husband's name.....

Particulars of my place of residence are:-

House No.....

Street/Ward.....

Village.....

Post Office.....

I hereby declare that to the best of knowledge and belief:

(1) that I am a citizen of India;

(2) that my age on the 1st day of September.....was  
.....years and.....months;

(3) that I am a permanent resident at the address given above;

or

that I carry on fishing operations from/within this fisheries village;

(4) that I have not applied for the inclusion of my name in the list for any other Society;

or

that my name has been wrongly included in the list for the.....  
Society and that I have objected to the inclusion of my name in that list.

Place:  
Date:

Signature or thumb impression  
of claimant.



My name has already been included in.....the list of fishermen of.....fisheries village as Serial No.....I support this claim and countersigns it.

Signature or thumb impression of  
the person who countersigns.  
Name (in full).

**Form 4**

[See rule 3 (5)]

Objection to inclusion of name in the list of fishermen

To

The Fisheries Officer,  
.....Fisheries Village.

Sir,

I object to the inclusion of my name/the name.....  
as Serial No.....in.....the list of fishermen for the following reason(s):-  
.....  
.....

I hereby declare that the facts mentioned above are true to the best of my knowledge and belief.

My name has been included in the list of this society as follows:-

Name in full.....

Father's/Husband's/Mother's/Karnavan's name.....

Serial No.....

Part No.....

Place:

Date:

Signature/thumb impression of objector.  
(Full Postal Address)  
.....  
.....

My name has been included in.....the list member of  
this society as Serial No.....I support this objection and countersign it.

Signature of the person who countersign.  
Name (in full).....

**Form 5**

[See rule 3 (6)]

Objection to any of the particulars in an entry in the list of fishermen

To

The Fisheries Officer,  
.....Fisheries Village.



Sir,

I submit that the entry relating to myself which appears as Serial No.....in.....the list of fishermen of this society as"....." is not correct. It should be corrected to read as follows:-

"....."  
"....."

Date:

Signature or thumb impression  
of the objector.

**Form 6**

[See rule 3 (7)]

**List of Claim**

Date of receipt	Sl. No.	Name of claimant	Name of Father/Husband/Mother/Karanavan	Place of residence	Date, time & place of hearing
(1)	(2)	(3)	(4)	(5)	(6)

**Form 7**

[See rule 3 (7)]

**List of objection to inclusion of name in the list**

Date of receipt	Sl. No.	Full Name of objector	Particulars of name of objected to			Reasons in brief for objection	Date, time & place of hearing
			Part No.	Sl. No.	Name in full		
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)



**Form 8**

[See rule 3 (7)]

**List of objections to particulars in entries in the list**

Date of receipt	Sl. No.	Name in full of objector	Part No. & Sl. No. of entry	Name of objection	Date, time & place of hearing
(1)	(2)	(3)	(4)	(5)	(6)

**Form 9**

[See rule 3 (10)]

**Notice of hearing of claim**

To

(Full name and address of claimant).....

Reference:- Claim No.....

Take notice that your claim for the inclusion of your name in the list of fishermen will be heard at.....(Place) at..... O'clock on the.....day of.....19.....You are directed to be present at the hearing with such evidence as you may like to adduce.

Date:

Fisheries Officer,  
.....Fisheries Village.**CERTIFICATE OF SERVICE OF NOTICE****Received Notice of the date of hearing**

Date:

Claimant

Certified that the notice on the claimant has been duly served by me this.....day of.....on (name)..... personally by affixing on residence.

Place:

Date:

Serving Officer.

In the presence of (1)  
(2)

N.B. If this notice is served by post attach the receipt here.



**Form 10**

[See rule 3 (10) (ii)]

Notice to the objector on the hearing of an  
objection against the inclusion of  
name in the list

To

(Full name and address of objector)

.....

Reference: Objection No.....

Take notice that your objection to the inclusion of your name/the name  
of.....will be heard at.....(place) at.....  
O' clock on the.....day of.....19.....You are directed to be  
present at the hearing with such evidence as you may like to adduce.

Date:

Fisheries Officer,  
.....Fisheries Village.

## CERTIFICATE OF SERVING OF NOTICE

Received notice of the date of hearing

Date:

.....

(Objector)

Certified that the notice on this objector has been duly served by me this  
.....day of.....on (Name).....personally/  
by affixation on residence.

Place:

Date:

Serving Officer.

In the presence of: (1)

(2)

NB:- If this notice is served by post attach the receipt here.

**Form 11**

[See rule 3 (10)]

Notice of hearing on objection against the  
inclusion of a name in the list

To

(Full name &amp; address of person objected to)

.....

.....

Reference: Objection No.....

Take notice that the objection to the inclusion of your name at Serial  
No.....in part.....of the list of fishermen of.....



Fishermen Welfare Society filed by (Full name & address of objector).....  
.....will be heard at (Place) at.....O' clock on  
the.....day of.....19..... You are directed to be present at the  
hearing with such evidence as you may like to adduce.

The grounds of objection (in brief) are:-

- (a)
- (b)
- (c)

Fisheries Officer,  
.....Fisheries Village.

Date:

**CERTIFICATE OF SERVICE OF NOTICE**  
Received notice of the date of hearing

Date:

.....  
(Person objected to)

Certified that the notice to the person, the entry relating to whose name  
has been objected to has been duly served by me this.....day  
of.....on (Name).....to him in person affixing at his residence.

Place:

Date:

.....  
Serving Officer.

In the presence of : (1)  
(2)

N.B. If this notice is served by the post, attach the receipt here.

**Form 12**

[See rule 3 (10)]

Notice of hearing of an objection to any of the  
particulars in the entry in the list

To

(Full name & address of objector)  
.....  
.....

Reference: Objection No. ....

Take notice that your objection to certain particulars in the entry relating  
to you will be heard at.....(Place) at.....O' clock on the.....  
day of.....19..... You are directed to be present at the hearing with  
such evidence as you may like to adduce.

Date:

Fisheries Officer,  
.....Fisheries Village.



## CERTIFICATE OF SERVICE OF NOTICE

Received notice of the date of hearing

Date: .....

(Objector)

Certified that the notice on the objector has been duly served by me this .....day of.....on (name).....  
to him in person by affixing at his residence.

Place: .....

Date: .....

Serving Officer.

In the presence of : (1)  
(2)

N.B. If this notice is served by post, attach the receipt here.

**Form 13**

[See rule 3 (16)]

## Notice of final publication of list of fishermen

It is hereby notified for public information that the list of fishermen for the.....Fishermen Welfare Society has been prepared in accordance with the Kerala Fishermen Welfare Societies (Preparation and publication of list of fishermen) Rules, 1980, and a copy of the said list together with the said list of amendments and/or erratum will be available for inspection of my office.

Place: .....

Date: .....

Fisheries Officer,

.....Fisheries Village

**Form 14**

[See rule 5 (2)]

**Appeal for inclusion of name in the lists published  
by the Fisheries Officer**

To

The Assistant Director of Fisheries/  
Deputy Director of Fisheries.

Sir,

My name has not been included in the list of Fishermen finally published on.....by the Fisheries Officer.....  
Fishermen Welfare Society.

My name (in full) ..

My fathers/motheres/karnavans/  
husbands name ..



Particulars of my place of residence are ..  
 House No. ....  
 Street/Ward .....  
 Village .....  
 Post Office .....

I hereby declare to the best of my knowledge and belief:

1. that I am a citizen of India.
2. that my age as on the 1st day of September.....years  
and.....months.
3. that I am a permanent resident of the address given above  
or  
that I carry on fishing operations from/within the fisheries  
Village.....
4. that my name has not been included in the list of fishermen of any  
other Fishermen Welfare Society.

Place:

Date:

Signature/Thumb impression  
of the Appellant

My name has already been included in the list of fishermen of.....  
 Fisheries Village as serial No.....

I support this claim and countersign it.

Place:

Date:

Signature/Thumb impression of  
the persons who countersigns it.

Name (in full)  
Address

### Form No. 15

[See rule 5 (3)]

### Appeal objecting to the inclusion of name in the list of Fishermen published by the Fisheries Officer.....

To

The Assistant Director of Fisheries/  
Deputy Director of fisheries.

.....  
 .....

Sir,

I object to the inclusion of my name as serial No.....in the list of  
 fishermen of.....Society published by the above Fisheries Officer  
 on.....for the following reasons:-

1. ....
2. ....
3. ....
4. ....



I have filed the above objection/was not able to file the objections with the Fisheries Officer.....in time, but the objection was not considered by him.

My name may be excluded from the list of Fishermen of.....Society.

I hereby declare that the facts mentioned above are true to the best of my knowledge and belief.

My name has been included in the list of fishermen for the society.....  
.....as follows:

Name in full	..
Fathers/Husbands/Mothers/	..
Karnavans' name	..
Serial No.	..
Part No.	..

Signature/thumb impression  
of the Appellant.

Place:

Date:

(Full Postal address)

.....  
.....

My name has been included in.....the list of the  
.....Society society as serial No.....  
I support this objection.

Signature of the person who  
countersigns

Name (in full).....  
Address.

**Form No. 16**

[See rule 5 (4)]

**Appeal objecting to any other particulars in an entry in  
the list of fishermen published by Fisheries Officers**

.....on.....

To

The Assistant Director of Fisheries/  
Deputy Director of Fisheries.

Sir,

I submit that the entry relating to myself which appears as serial  
number.....in.....the list of  
Fishermen Welfare Society.....is not correct. It may  
be corrected to read as follows:-  
.....



I have filed the above objections to the Fisheries Officer...../  
.....and could not file the objection in time/but was  
not considered by him.

Place:

Date:

Signature/Thumb impression  
of the Appellant

**Form 17**

[See rule 5 (8) (i)]

**Notice of hearing of appeal**

To

(full name and address of appellant)  
.....  
.....

Reference:- Appeal No.....

Take notice that your appeal for the inclusion of your name in the list of  
fishermen will be heard at.....(place) at.....O' clock  
on the.....day of.....you are directed to be present at the hearing  
with such evidence as you may like to adduce.

Place:

Date:

Assistant Director of Fisheries/  
Deputy Director of Fisheries.

Certificate of Service of Notice  
Received notice of the hearing

Date:

.....  
Signature & Name of Appellant.

Certified that the notice on the applicant has been duly served by me  
this.....day of.....on (Name).....  
Personally/by affixure.

.....  
Serving Officer

Place:

Date:

In the Presence of

(1)

(2)

N.B. If this notice is served by post attach the receipt here.

**Form 18**

[See Rule 5 (8) (ii)]

**Notice to the appellant on the hearing of an objection  
against the inclusion of name in the list**

To

(Full name and address of appellant)  
.....  
.....

Reference:- Appeal No.....



Take notice that your appeal objecting to the inclusion of your name/the name.....will be heard at.....(Place) at.....O' Clock on th.....day of.....19.....you are directed to present at the hearing with such evidence as you may like to adduce.

Place  
Date:

Assistant Director of Fisheries/  
Deputy Director of Fisheries.

**CERTIFICATE OF SERVICE OF NOTICE**  
Received notice of the date of hearing

Appellant

Certified that the notice on this appellant has been duly served by me this.....day of.....on (Name).....  
Personally/by affixure.

Place:  
Date:

Appellant.  
Serving Officer.

In the presence of (1)  
(2)

N.B. If this notice is served by post attach the receipt here.

**Form 19**

[See rule 5 (8) (ii)]

**Notice of hearing on appeal against the  
inclusion of name in the list**

To

(Full name and address of person objected to)

.....  
.....

Reference:- Appeal No.....

Take notice that the appeal against the inclusion of your name at serial No.....in page.....of the list of fishermen of.....  
Fishermen Welfare Society filed by (full name and address of objector).....  
will be heard at.....(place) at.....O' Clock on the.....  
day of.....19.....you are directed to be present at the hearing  
with such evidence as you may like to adduce. The grounds of objection (in  
brief) are:-

- (a)
- (b)
- (c)

Place:  
Date:

Assistant Director of Fisheries/  
Deputy Director of Fisheries



**CERTIFICATE OF SERVICE OF NOTICE**  
Received notice of the date of hearing

.....  
(Person objected to)  
Certified that the notice to the person, the entry relating to whose name  
has been objected to has been duly served by me this.....day  
of.....on (Name).....to him in person/by affixure.  
Place:  
Date:

In the presence of  
(1)  
(2)

Serving Officer

N.B. If this notice is served by post, attach the receipt here.

**Form 20**

[See rule 5(8) (iii)]

**Notice of hearing of appeal on any of the particulars  
in the entry in the list**

To

(full name and address of appellant)  
.....

Reference:- Appeal No.....

Take notice that your appeal against the certain particulars in the entry  
relating to you will be heard at.....(place) at.....  
O' clock on the.....day of.....19.....you are directed to be present  
at the hearing with such evidence as you may like to adduce.

Place:

Date:

Assistant Director of Fisheries/  
Deputy Director of Fisheries.

Certificate of Service of Notice  
Received notice of the hearing

Date:

.....  
(Appellant)  
Certified that the notice on the applicant has been duly served by me  
this.....day of.....on (Name).....  
to him in Person/by affixure.

Place:

Date:

In the Presence of  
(1)  
(2)

Serving Officer

N.B. If this notice is served by post, attach the receipt here.

By order of the Governor.