



Government of Kerala

# **Administration Manual for Transferred Functions: Matsya Bhavan**

(Prepared by KILA under KLGSDP)

Printed and Published by:



**Kerala Institute of Local Administration**

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**June 2017**





**GOVERNMENT OF KERALA**

**Abstract**

Local Self Government Department - Kerala Local Government Service Delivery Project (KLGSDP) - Administration Manual for Matsya Bhavan - Approved - Orders issued.

LOCAL SELF GOVERNMENT (DA) DEPARTMENT

**G.O.(Rt)No. 1749/2017/LSGD**

Dated, Thiruvananthapuram, **27.05.2017**

Read :- (1) G.O(Rt) No.1652/15/LSGD dated 01.06.2015  
(2) G.O(Rt) No.2420/16/LSGD dated 11.08.2016.  
(3) Letter No. 49/2015/KLGSDP dated 17/05/2017 received from the Project Director, KLGSDP

**ORDER**

As per Government Order read as 1<sup>st</sup> and 2<sup>nd</sup> paper above, a Manual Vetting Committee and a Sub Committee were constituted for vetting and quality assurance of various manuals prepared under Kerala Local Government Service Delivery Project (KLGSDP). After detailed deliberations, the Manual Vetting Committee held on 02.05.17 decided to approve the Administration Manual for Matsya Bhavan and forwarded to Government for apex approval.

2) Government have examined the matter in detail and are pleased to approve the Administration Manual for Matsya Bhavan prepared by Kerala Institute for Local Administration (KILA) under Kerala Local Government Service Delivery Project (KLGSDP).

**By Order of the Governor  
A.K.MOHANA KUMAR  
Joint Secretary to Government**

To

The Project Director, KLGSDP.  
The Director of Panchayats, Thiruvananthapuram,  
The Director, Urban Affairs Department, Thiruvananthapuram.  
The Director, KILA, Thrissur.  
The Director, Local Fund Audit, Thiruvananthapuram.  
The State Performance Audit Officer (SPA0)  
The Secretaries, All Districts Panchayats.(Through Director of Panchayats)  
The Executive Director, IKM, Thiruvananthapuram,  
Office Copy/Stock File

Copy to :-

Private Secretary to M(LSG&WM)  
Personal Secretary to Principal Secretary, LSGD.  
Personal Secretary to Special Secretary, LSGD.

**Forwarded/By order,**

  
**Section Officer**



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## ACRONYMS

ADAK	-	Agency for Development of Agriculture Kerala
AITUC	-	All India Trade Union Congress
ATMA	-	Agricultural Technology Management Agency
BFFDA	-	Brackish water Fish Farmers Development Agency
BLBC	-	Block Level Bankers Committee
CDA	-	Coastal Development Agency
CITU	-	Centre of Indian Trade Union
CMFRI	-	Central Marine Fisheries Research Institute
CMZ	-	Costal Management Zone
CUSAT	-	Cochin University of Science and Technology
DLSC	-	District Level Steering Committee
DoF	-	Director of Fisheries
DPC	-	District Planning Committee
FAO	-	Food and Agriculture Organisation
FFDA	-	Fish Farmers Development Agencies
FIRMA	-	Fisheries Resource Management Society
FO	-	Fisheries Officer
F&PD	-	Fisheries & Ports Department
HACP	-	Hazard Analysis and Critical Point
IFP	-	Integrated Fisheries Project
INTUC	-	Indian National Trade Union Congress
KAU	-	Kerala Agricultural University
KFWFB	-	Kerala Fishermen's Welfare Fund Board (Matsya Board)
KPR Act	-	Kerala Panchayat Raj Act
KSCFFO	-	Kerala State Co-operative Federation for Fisheries Development (MATSYAFED)
KSCDS	-	Kerala State Costal Development Corporation
LAD	-	Local Administration Department
LC	-	Liability Certificate
LFA	-	Local Fund Audit
LSGI	-	Local Self Government Institution
MBO	-	Matsya Bhavan Officer
MGNREGS	-	Mahatma Gandhi National Rural Employment Guarantee Scheme
MLA	-	Member of Legislative Assembly
MP	-	Member of Parliament
MOP	-	Manual of Office Procedure
MPEDA	-	Marine Products Export Development Authority
NABARD	-	National Bank for Agriculture and Rural Development
NGO	-	Non Governmental Organisation
NLC	-	No Liability Certificate
PCR	-	Polymer Chain Reaction
PH	-	Potential of Hydrogen
PLSCs	-	Panchayat Level Steering Committees
PO	-	Project Officer
PWD	-	Public Works Department
RRA	-	Rapid Rural Appraisal
SAF	-	Society for Assistance to Fisher Women
SLSC	-	State Level Steering Committee
SI	-	Sub Inspector

# Introduction

## 1.1. Local Government and Fisheries

Fisheries and Aqua culture is an important sector of food production which constitutes a major part of the food basket, in providing nutritional security. The sector offers job opportunities to lakhs of skilled and unskilled rural people in general and of the fisher people in particular sustaining their economic levels. Fish is the cheapest source of protein supply to the rural population where potentialities for fish production exist. Fishing as an occupation is said to be one of the most primal occupation in the world. Lack of opportunities in better and diversified employment and low earning from fisheries over years has led to serious economic setback for the fisheries.

The Fishery sector is characterized by unpredictability and seasonality, where catch and skill play important roles. Besides, price for catch can be highly uncertain and depends on the species caught, total catch, prevailing prices and several other factors. Often with overtones of a patron-client relationship, the fisher people have other challenges to deal with like the high dependence on market and the emergence of middle men. Based on the prevailing situations described, it is very essential to have a basic level perspective plan for the sectoral protection and conservation as well as the wellbeing of the people dependent on it.

## 1.2. Objectives and Scope of this manual

- i. The objective of the manual is to let the Grama Panchayat which have Matsya Bhavan and the officials transferred from the line department clearly understand their respective roles and responsibilities in carrying out functions which have been assigned to the Grama Panchayat. However, since the

functions retained by the State Government are also implemented within the jurisdiction of the Grama Panchayat, it is rational that those will be of interest to the Grama Panchayat. Information on the retained functions will help the Grama Panchayat to align and converge its activities with that of the State Government. Grama Panchayat will also be able to mobilise people and provide other support in implementation. Keeping that in mind, this manual not only deals with functions transferred to the Grama Panchayats but also mentions the activities retained by the State Government for taking a holistic view of the functioning of the transferred institution.

- ii. Exclusion Clause: The Manual is an evolving document and the Director of KILA and the Director of Panchayats will accept and incorporate valid suggestions and feedback.

### **1.3. Functions of Fisheries Sector**

The sectoral functions of the Grama Panchayats in the Fisheries sector as per the 3<sup>rd</sup> schedule of the Kerala Panchayat Raj Act, 1994 are as follows:

#### **1.3.1. Sectoral Functions**

- i. Development of Fish culture in ponds, Pisciculture in fresh water and brackish water and Mariculture.
- ii. Improvement of fish seed production and distribution of offspring.
- iii. Distribution of fishing implements.
- iv. Provide assistance for Fish marketing.
- v. Provide basic facilities for fish workers' families.
- vi. Implementation of Fisherman welfare scheme.

#### **1.3.2 Other Functions**

The areas transferred to Grama Panchayat include both productive and welfare activities. Hence a specific intervention is highly essential at various levels such as:

- i. Formation of Working Group with active and competent persons of this field.
- ii. Preparation of Status report and attend other sectoral meetings.
- iii. Considerable attention has to be given on development of the Fishery sector and its members, in the Development Standing Committee and Welfare Standing Committee meetings.
- iv. Collection of details of ongoing State and Central schemes that can be integrated with the local plan.
- v. To give special attention for the formation of Ayal Sabha and convening Matsya Sabha.
- vi. Formation of Aqua Farmers club: To promote aquaculture under special package Matsya Samrudhi and Co-ordination and evaluation of the scheme.

- vii. Leasing out of water bodies for aqua culture and other fishery activities.
- viii. Administration of Matsya Bhavan.

#### **1.4. Co-ordination Role**

The Grama Panchayat can play co-ordination role also:

- i. In the prohibition of illegal fishing, sea rescue operations and other conservative measures of the department.
- ii. In the integration of fisheries activities with that of Agriculture, Animal Husbandry programs.
- iii. In the implementation of various Central as well as State institutional schemes related to Fisheries sector.
- iv. In ensuring that the activities of the Fisheries department and allied agencies are effectively carried out through Matsya Bhavans.

#### **1.5. Grama Panchayat and Matsya Bhavan**

The functions, institutions and schemes of Government related to the matters included in the 3<sup>rd</sup> schedule of the Kerala Panchayat Raj Act, 1994 have been transferred to the Grama Panchayats as per G.O (P) 189/95/LAD dated 18/09/1995 given in **Annexure 1.1**. Matsya Bhavan is a single umbrella system where the services and benefit of various agencies working in Fisheries Sector such as Department of Fisheries, Matsya Fed, Matsya Board and Fish Farmers Development Agencies (FFDA), Society for Assistance to Fisher Women (SAF), Kerala State Coastal Development Corporation (KSCDC), Agency for Development of Aquaculture Kerala (ADAK), Fisheries Resource Management Society (FIRMA) etc. are available. Matsya Bhavan is also responsible for the formulation and implementation of the Local Self Government Plans as per G.O. (M.S) No: 41/97 F&PD dated: 22.11.1997 given in **Annexure 1.2**.



# Services and Responsibilities

## 2.1. General Responsibilities of Matsya Bhavan

General Responsibilities of Matsya Bhavan are as follows:

- i. An officer designated by the Director of Fisheries (DoF) will be in charge of each Matsya Bhavan.
- ii. This single window system is responsible for the total development of the fisheries sector, especially for the welfare of the fisher people in the areas assigned by the Schedule III of KPR Act.
- iii. At the same time it can also act as a nodal center for the coordination of Government plans and policies.
- iv. Grama Panchayats have a total control over the day to day business and administration of Matsya Bhavan.
- v. There should be Committees such as Matsya Sabha to support and monitor the activities of Matsya Bhavan under the leadership of elected members and ensure the active participation of interested organization and individuals.
- vi. The functionaries have to be provided by the department.
- vii. With the inclusion of three agencies (Department of Fisheries, Matsyafed, Matsya Board) representing three crucial sectoral needs in the Matsya Bhavan, active participation and lead role is expected from the Matsya Bhavan in providing necessary information and support to the Matsya Sabhas in their deliberations.

- viii. It is for the Matsya Bhavan to ensure that the Matsya Sabha planning process adheres to the Government guidelines.
- ix. The Fisheries Departmental Officer who is in charge of the Matsya Bhavan shall be the Convener of the fisheries sub group who can provide technical advice for the preparation of five-year plan and annual plan.
- x. As active representative and guide in the Matsya Sabha, Matsya Bhavan has a very important role in conveying the voice of fishermen in the Working Group. It is their responsibility to convert felt needs evolved from Matsya Sabha in to viable plans through the Working Group.
- xi. It is the responsibility of the Matsya Bhavan Officer to put forth the suggestions of Matsya Sabha in the Grama Sabhas.

## **2.2. Services Provided by Matsya Bhavan**

The table indicating services under different schemes is given in **Annexure 2.1.**

## **2.3. Duties and Responsibilities of Matsya Bhavan Officer**

The duties and responsibilities of Matsya Bhavan Officers under Matsya Bhavan with reference to the subject entrust to the Grama Panchayat.

### **2.3.1. General Responsibilities**

- i. Matsya Bhavan Officer will be designated by the Director of Fisheries and he will be the Implementing Officer of the Grama Panchayat in the Fisheries Sector.
- ii. He/she will be responsible to ensure the general restrictions prescribed under Kerala Marine Fisheries Regulation Act, 1980 and Kerala Inland Fisheries and Aquaculture Act, 2010 given in **Annexure 2.2.**
- iii. He/she must follow the guidelines for setting up of farms and hatcheries given in **Annexure 2.3.**
- iv. He/she shall maintain PANFISH BOOK and provide necessary information to Grama Panchayat whenever required.
- v. He/She shall attend Block Level Bankers Committee (BLBC) meeting and render service in drawing up credit plan in Fisheries sector.

### **2.3.2. Local Government Level Responsibilities**

- i. Matsya Bhavan Officer will be responsible for;
  - a. The formulation and implementation of projects on transferred schemes as per Schedule III and Section 166 of the Kerala Panchayati Raj Act, 1994 duly following the procedures if any prescribed by the Government of Kerala from time to time.
  - b. Integrate State and Central schemes and schemes of other Governmental institutions: There are a number of State and Centrally sponsored schemes in Fisheries, Agriculture, Irrigation and forest department in addition to MLA fund and MP fund that can be integrated with local plan.

- c. Effective utilization of various awareness creation programmes, camps, sponsored by Government/ NGOs and incorporated with the local plans
- d. For convening Matsya Sabha, vetting of the proposals and adopting them according to the plan procedures.
- e. Active participation in Grama Sabha and Development Seminar; to give explanation and answers as and when required; assess needs, requirements, suggestion etc. and finally, for the formulation of projects as per the norms.
- f. Preparation of the Status report and the Annual as well as the Five Year Plan and by providing technical information and advice, source of finance, legal side of issues, possibilities of integration etc.
- g. Provide all necessary files and records for the Performance audit, Kerala State Audit Department and AG's Audit and give explanations on Audit notes and give details for first replies and take action for the clearance of Audit objections / disallowances on expenditure made by the Implementing Officer of Fisheries Projects.
- h. Keep all the regionally specific back ground information on various aspects of fishery activities and its acceptability, legal support, details of successfully implemented projects in the neighborhood Grama Panchayats and their timely updating/adoption.
- i. Prepare resource maps on available potentials, over exploited, under-utilized and other potentials that can be expected or brought into the available source; convertible resources for the development of fisheries; resources already extinguished or under extinction, and declared as heritage property; ecologically sensitive zones, protective or restricted zones etc.
- j. Conducting *Theera Mythri* management council meetings of the Grama Panchayat. It is a statutory body constituted as per GO: (Rt) No: 350/09 F&PD dt: 25.06.2009, to manage and to provide sustainable support to the institutions and other assets created under Tsunami Rehabilitation Projects (TRP).
- k. Action plan preparation and getting approval of MGNREGS, pertaining to Fisheries sector.
  - 1. Conduct awareness camps.

### **2.3.3. Departmental Responsibilities**

- i. Registration and licensing of prawn filtration.
- ii. Implementation of housing schemes; repair and sanitation – receipt of application, execution of agreement with beneficiary and release of funds received from the district officer.

- iii. Implementation of savings cum relief scheme.
- iv. Managing *Matsya Vigjana Kendram*.

#### **2.3.4. Responsibilities on Sectoral Promotion**

Many of the productive activities in fisheries sector need technical knowledge both in the formulation of project and in implementation. The following are the responsibilities on Sectoral promotion:

##### **2.3.4.1. Promotion of Aquaculture**

- i. To collect details of ponds and tanks and other water resources, assess the technical suitability of the media for culture practices and include them in the local plan.
- ii. To impart training on Aquaculture with the help of Fish Farmers Development Agencies (FFDAs) or Agricultural Technology Management Agency (ATMA).
- iii. To advice the people to take membership in FFDAs and to explain its advantages in Grama Sabha.
- iv. To provide technical support and possible financial assistance from stocking of seeds to marketing. Seed stocking procedure can be given as the part of training programmes.
- v. To promote marketing facilities by the integration of State and Central Schemes.
- vi. To provide information about seed supply sources enlisted by the Department of Fisheries time to time to the part to public and the local body.
- vii. To constitute Fish Farmers' Club as per the guideline with the technical and financial assistance of District Fisheries Office and to arrange common facilities for the promotion of aquaculture.
- viii. To Promote Ornamental Fish culture and Aquarium fabrication.

There is a great demand for ornamental Fishing in the export as well as the domestic market. The priority in production shall be given to captive breeding of exotic variety and native rather than wild collection. Institutions like College of Fisheries, Kochi and Central Marine Fisheries Research Institute (CMFRI) are capable to promote this sector by giving technical support and training. Aquarium modelling and Fabrication is very simple in technology and highly recurative in the field of ornamental fishery. Likewise the ornamental planting in Aquarium involve a sizable trade and should be artificially propagated and promoted in a massive scale.

##### **2.3.4.1.i. Fish Farmers club**

The main purpose of the farmers' club is to identify the water resource available in the Grama Panchayat area and to introduce suitable aquaculture practices, where ever possible to enhance fish production with participation of the people.

Fish Farmers' clubs are constituted as per G.O. (M.S) 37/08/F&PD dt. 28.6.2008 and G.O (M.S) 46/08/F&PD dt. 8.8.08 are given in **Annexure 2.4** and **Annexure 2.5** respectively.

#### **2.3.4.1.ii. Formation Procedure**

- i. The responsibility for the formation of Farmers' club is vested with Grama Panchayat.
- ii. The Grama Panchayat can select a person as the Aquaculture Coordinator for this purpose and preliminary remunerations for the co-coordinator will be met by the Department and Grama Panchayat can seek the help of Fish Farmers Development Agencies (FFDAs) for technical support.
- iii. Any person who possesses water bodies and those who have taken water bodies on lease can be a member of the farmers' club.
- iv. A Committee constituted by the Grama Panchayat under the chairmanship of the President is responsible to co-ordinate the activities of the farmers' club. Matsya Bhavan Officer or any other person entrusted by the District Fishery Officer can act as the convener. Development Standing Committee Members and selected active fish workers can be other Managing Committee members.

#### **2.3.4.1.iii. Activities of farmers club**

- i. To bring all the available water resources under fish culture activities.
- ii. To introduce various types of aquaculture techniques like cage culture fish farming, mussel and oyster farming, culture in *paduthakulam*, crab farming and to bring the technical knowledge and support from available sources like CMFRI, ADAK, FFDAs and to bring the technical knowledge and support from available sources.
- iii. To coordinate marketing support, input support, financial and credit support with the help of FFDAs and other institutions in an organized manner to reduce the total expenditure.
- iv. To organise knowledge sharing programmes internally and externally and hence to update with latest practices and techniques
- v. To discourage unhealthy, illegal and prohibited culture practices.
- vi. Acquisition of materials and components for common purpose to reduce the expenditure.

#### **2.3.4.2. Improvement of Fish Seed Production and Distribution of Offspring**

- i. Seed production can be enhanced either by promoting fish seed hatcheries or by establishing seed rearing groups which can be scientifically demonstrate in details as part of training programmes. As the breeding seasons are confined to monsoon period, action plan shall prepare accordingly well in advance.

- ii. Establishment of seed hatcheries is expensive, as it needs hatchery units, stocking ponds, rearing ponds and sufficient and steady supply of quality water.
- iii. Chinese model portable hatcheries are lesser in cost
- iv. Raising up of seeds by promoting rearing groups is more economical.
- v. Seasonal ponds are more suitable for rearing of hatchlings as it reduces the expenses.
- vi. The possibilities can be discussed in the Working group and projects can be formulated based on the availability of resources and other needs.
- vii. Technical Support and other co-ordination can be given by the Matsya Bhavan Officer (MBO).
- viii. The MBO shall identify seasonal water bodies available in the Grama Panchayat area and formation of seed rearing group to promote seed production and impart training with the help of FFDAs, if necessary
- ix. The MBO shall provide technical and retailed marketing support for the sale of seed produced
- x. The MBO shall assess and monitor the quality of seed as per the Fish Seed Act 2015.
- xi. Establishment of back yard hatcheries for indigenous fishes will also be the responsibility of MBO.

#### **2.3.4.3. Distribution of Fishing Implements**

Fishing implements are those devices used for catching or intended to catch fishes, commonly known as crafts and gears of which may vary from region to region in accordance with potential and prevailing exploitation methods. The distribution of any kind of fishing equipment shall be in accordance with the mesh size regulation and other specification laid down in respective Acts and Rules prevailing in the State.

The responsibilities of the Matsya Bhavan Officer are as follows:

- i. To collect the details about the ongoing schemes of State government, Central government and other agencies related to distribution of fishing implement.
- ii. To explain various schemes that can be taken advantage by the Grama Panchayat and its eligibility criteria along with other norms and conditions of any item in the Grama Sabha/Matsya Sabha.
- iii. To ensure the participation of other officers of Matsya Bhavan and to clarify the doubts of the members so as to assist them in availing the benefits they are eligible for. In case, any member is ineligible, the terms and reasons should be explained clearly to them by the Matsya Bhavan Officer.

- iv. For the formulation of projects as per the suggestions of the Matsya Sabha/Grama Sabha and to proceed with other statutory steps up to the implementation in accordance with the prescribed guide lines and directions of the Government.
- v. For the finalisation of unit cost of different project components with Department of Fisheries.
- vi. For the procurement of the project components through Government agencies to the possible extent otherwise with the concurrence of the Procurment Committee constituted by the Grama Panchayat by observing the guidelines of Local Self Government Procurement Manual.
- vii. To ensure that subsidy components of the projects are within frame of prescribed limits and none of the norms are violated.
- viii. To integrate the projects with State/Central schemes.

#### **2.3.4.4. Provide Assistance to Fish Marketing**

Marketing assistance can be provided either by establishing new market or improving existing market with modern facilities or by creating minimum facilities for the road side vendors. It can also be promoted by providing suitable equipment for transportation or storage.

Matsya Bhavan Officer is responsible:-

- i. For the preparation of status report on markets and marketing facilities of the Grama Panchayat. It may contain the number of markets, ownership, type of market, nature of business, gender wise number of retailers and vendors, market timings, storage facilities available and further requirements, if any, fish handling capacity, mode of transportations by vendors, road accessibility, power and water supply, land availability for improvement of existing facilities for new construction, sale time, mode of travel for fish sale, number of persons involved in road side marketing, house to house sale, sale through fish market etc.
- ii. To arrange demonstration meeting of the Government agencies responsible for market infrastructure development with Grama Panchayat and other stakeholders.
- iii. To demonstrate various possibilities related to improvement of markets and marketing facilities in Grama Sabha/Matsya Sabha and outline the needs in consultation with the Grama Panchayat.
- iv. To gather technical and engineering support of Kerala State Coastal Area Development Corporation or Harbor Engineering Department.

#### **2.3.4.5. Provide Minimum Basic Facilities for Fisher People's Family**

Matsya Bhavan Officer is responsible:-

- i. To prepare a status report on the basic facilities and other civic amenities. The information related to this is available with the Grama Panchayat

and the urgent and future requirements should be emphasized on priority basis. It should cover the present conditions of houses, sanitation, drinking water facilities, energy source for light, health and illness, education facilities, communication facilities, road access, landing facilities etc.

- ii. To gather information about the ongoing schemes of the State and Central Government, if any, on these issues and to explore the possibilities for integration or inclusion of the scheme with local plan. Otherwise to explore the possibilities, implement the same by the department itself in the Grama Panchayat area.
- iii. To explain the gathered information in the Grama Sabha/Matsya Sabha and concretise the suggestions, present it before the Grama Panchayat and prepare required projects.
- iv. Technical expertise, engineering skills and other related services, relevant details of ongoing schemes etc. can be had from Kerala Coastal Area Development Corporation.

#### **2.3.4.6. Implementation of Fisherman Welfare Scheme**

- i. The MBO shall provide the detailed information to the Grama Panchayat about the ongoing schemes of Kerala Fishermen Welfare Fund Board and Matsyafed and shall identify the eligible groups.
- ii. Fisheries Officer of Matsya Board and Project Officer of Matsyafed shall be primarily responsible for the welfare measures of the community.
- iii. MBO shall inform the local level fishermen's welfare needs to the Matsya Board and Matsyafed.

#### **2.3.4.7 Other Responsibilities**

The MBO shall be responsible for:

- i. Identification of area specific legally supported fishing methods and documentation in the status report.
- ii. Examination of previous plan schemes to avoid repetition.
- iii. Projectisation and identification of eligible beneficiaries as per the existing norms.
- iv. Finalization of unit cost at district level.
- v. Procurement, if any, should be through Government outlets as far as possible.
- vi. Non-availability Certificate should be collected from the Government or semi government agencies or cooperative apex bodies before procuring from outside agencies.
- vii. All other statutory steps have to be observed as per the Procurement Manual of Local Self Government.

## **2.4. Matsya Sabha**

In order to ensure peoples' participation, the plan guidelines suggest strengthening the Grama Sabha. This can be achieved by convening, Ayal Sabha (Assembly of neighbourhoods), Matsya Sabha for traditional fisher people, and Oorukoottam for tribal people. Matsya Sabhas of traditional fisher people have to be convened in the wards that cover fishing villages as declared by the Department of Fisheries.

### **2.4.1. Purpose**

The purpose of Matsya Sabha is to strengthen democratic participation of fisher people in the local planning process of LSGIs. The participation of fisher people – one of the most backward sections in the State – in the Grama Sabha has not been satisfactory for several reasons. Creating inclusive platform for fisher people, the Matsya Sabha provides them the space to express their needs freely. Convening the Matsya Sabha prior to Grama Sabha ensures that their demands are represented in the democratic process; thereby ensuring social justice to the fisher people by proportionate distribution of resources, funds, and functional mechanisms.

### **2.4.2. Membership Eligibility**

The membership eligibility to the Matsya Sabha is restricted to households with at least one family member who is an active fisherman. The adult members from such families whose name is in the voters list are eligible for participation in the Matsya Sabha.

### **2.4.3. Rights and Duties**

Matsya Sabha shall:

- i. Voice the development priorities of the Fisheries sector, reflecting its needs and requirements.
- ii. Suggest programmes for the management of fish habitats.
- iii. Assess the conditions of traditional fisher people factually.
- iv. Decide the project priorities for the upliftment of traditional fisher people.
- v. Scrutinize the beneficiary list of fisher people prepared by the LSGI.
- vi. Scrutinize and approve the list of Active Fisher people/Allied Fish Workers.
- viii. Make effective and realistic assessment of schemes and projects in the fisheries sector and conduct periodical social audit.

### **2.4.4. Meetings**

- i. Matsya Sabha meetings can be organized prior to the meeting of Grama Sabha meetings. The Chairperson/Convener shall ensure that the suggestions emerging from the Matsya Sabha find due place in the Grama Sabha.
- ii. The functioning of Matsya Sabha shall be on democratic and participatory mode. The Convener shall ensure the maximum participation of fisher people in the Matsya Sabha. The active participation of Matsya Bhavan Officials shall also be ensured.

- iii. The notice (including agenda) for the meeting of Matsya Sabha shall be served at least five days in advance.
- iv. The Matsya Sabha meeting shall be fixed at a time convenient to the fisher people. The local conditions and fishing season shall be considered while fixing the meeting time.
- v. During times of emergencies (natural calamities, social tension, etc.) emergency meeting of Matsya Sabha shall be convened by the Chairperson.
- vi. The quorum for the Matsya Sabha meeting shall be 51 per cent of total number of families of fisher people.
- vii. For effective planning, the participation of three Officials in the fisheries sector viz. Sub Inspector (SI) of Department of Fisheries, Project Officer (PO) of Matsyafed, and Fisheries Officer (FO) of Kerala Fishermen's Welfare Fund Board (KFWFB) shall be ensured in the Matsya Sabha meeting.
- viii. Where there is substantial number of fisher people, small group discussion shall be initiated in the Matsya Sabha meetings.
- ix. The venue for the Matsya Sabha meeting shall be at convenient places like public institutions or public places.

#### **2.4.5. Responsibilities**

##### **2.4.5.1. Responsibilities of Chairperson**

- i. The Ward Member shall be the Chairperson of Matsya Sabha.
- ii. The Chairperson shall intimate the Convener about the date, time, venue, and agenda of Matsya Sabha meeting.
- iii. The Chairperson shall chair the Matsya Sabha meetings and ensure that the proceedings are recorded and maintained.
- iv. The Chairperson shall ensure that the deliberations of Matsya Sabha have been properly presented in the Grama Sabha by the Convener.
- v. The Chairperson has to ensure the participation of Officials of all the three agencies Department of Fisheries (DoF), Matsyafed and KFWFB in the Matsya Sabha meetings.

##### **2.4.5.2. Responsibilities of Convener**

- i. The Implementing Officer of Fisheries Sector in the Grama Panchayat shall be the Convener of Matsya Sabha.
- ii. The Convener has the overall responsibility of convening Matsya Sabha duly. It is the responsibility of the Convener to conduct the proceedings smoothly, qualitatively improve the performance through appropriate inputs.
- iii. The Convener shall convene the meeting in consultation with the Chairperson.

- iv. The Convener shall serve the notice for meeting to all members of Matsya Sabha.
- v. The Convener shall record Matsya Sabha attendance and the minutes of the Matsya Sabha meeting.
- vi. The Convener shall explain the function of Matsya Bhavan, role of three officials in it, and their roles in respective schemes.
- vii. The Convener shall report to the Matsya Sabha, the recognized list of active fisher people and allied fish workers in the Ward.
- viii. The Convener shall have the responsibility to discuss the fisheries schemes in the Matsya Sabha.
- ix. The Convener shall report the suggestions of the Matsya Sabha to the Grama Sabha.
- x. The Convener may also facilitate the process of data-based planning, for which the data on core areas may be collected through RRA (Rapid Rural Appraisal) or secondary sources and presented before the Matsya Sabha.

## **2.5 Duties and Responsibilities: Fisheries Officer, Matsya Board**

The prime responsibility of a Fisheries Officer is to deliver the benefits of various schemes implemented by Matsya Board to all eligible fisher men and to their family in time

- i. Responsibility for clarifications of doubts and find solutions for of their problems
- ii. Responsibility to visit at the place of accident and to help them to get benefits of related scheme.
- iii. Keep the list of active fishermen up to date
- iv. Responsibility to submit reports and statements on demand by the competent authority
- v. Responsibility to keep all Books of accounts up to date
- vi. Responsible to be vigilant on the activities of fisherman as well as the Board
- vii. Responsible to keep and store various application for getting benefits sufficiently and to avoid the intermediary agencies by all means
- viii. It is the responsibility of the Fisheries Officer to receive and process the application for each and every scheme in accordance with rules and to distribute the benefit to the concerned applicant with proper acknowledgement and to keep the details in separate register and to produce before the authorities on demand for inspection

## **2.6. Duties and Responsibilities: Project Officer, Matsyafed**

- i. The source and benefits through Matsyafed schemes are limited to the members of primary Cooperative societies affiliated to Matsyafed. The project officer appointed clusterwise is primarily responsible to deliver the benefits of

various schemes to the members. The main duties and responsibilities of the Project Officer is:

- ii. To carry out activities for promoting production, procurements, processing and marketing of fish productions to economic and social development of fisherman community
- iii. To supply credit of all types including production, marketing and welfare
- iv. To market fish and fish products of the members
- v. To arrange training of members in various methods of fishing and fish process
- vi. To prepare and implement economic development for providing employment opportunities
- vii. To raise fund to require for the business by way of loan from financial institutions, Government or other statutory bodies for various programme
- viii. To make necessary arrangements to obtain funds to affiliated for the implementation of approved development scheme
- ix. To conduct socio economic analytical studies on economic conditions of fishermen
- x. All other possible activities to liberate the fishermen from the clutches of the middlemen by extending cheaper credits and organising them by providing them with a platform to coming together and directly involve in the decision making process
- xi. To assist the fishermen to assess their legitimate right over their produce and there by enhance their income which would be a major steps in the total development of the community.

## **2.7 Ethics of the Staff**

The manual enunciates the important responsibilities of the employees and elected functionaries. Still, there are several functional attributes that cannot be fully monitored through official mechanism. At the same time, excellence in public service is required. For this each of them has to discharge their assigned responsibilities by maintaining the highest standard of responsibility, honesty, integrity, transparency and accountability. Since each of them is actually serving the local community to which they themselves belong, their selfless service will go a long way in enhancement of the well-being of the local people, to which the Grama Panchayat is committed. So, maintaining high ethical standards in rendering the best possible service with sincerity and dedication is a necessary condition for effective local governance.

# Structure and Office Administration

## **3.1. Physical Infrastructure**

The Grama Panchayat has to make available basic facilities in the Matsya Bhavan for functioning efficiently in their Grama Panchayat area. The assets transferred to the Grama Panchayat shall therefore be maintained properly.

## **3.2. Location of Matsya Bhavan**

Matsya Bhavan should be located in a place that can be easily accessible to the fisher people. It can be in a separate building or attached to the Grama Panchayat office building.

## **3.3. Facilities required for a Matsya Bhavan Office**

The following facilities should be arranged while constructing a building for the Matsya Bhavan. The construction of the building should conform to the Kerala Panchayat Building Rules, 2011.

### **3.3.1. Building**

There should be three separate and independent office rooms with toilet facilities for the following officers:

- (i) Sub Inspector of Fisheries
- (ii) Project Officer Matsyafed
- (iii) Fishery Officer Matsya Board

### **3.3.2. Furniture**

All office rooms should be provided with sufficient furniture, almirahas, etc.

### **3.3.3. Store room**

A store room with sufficient space should be provided for keeping valuable and other life-saving apparatus with sufficient number of racks.

### **3.3.4. Veranda**

A veranda shall be arranged for the use of the visitors. It shall have seating arrangements for at least 10 persons.

### **3.3.5. Drinking Water Facilities**

Drinking water necessary for visitors and office staff shall be arranged in the Matsya Bhavan.

### **3.3.6. Electrification**

The electrification of the Matsya Bhavan shall be carried out as per the provisions of the PWD Manual.

### **3.3.7. Stationery**

Stationery required for the Matsya Bhavan shall be stored and distributed as per requirement. Matsya Bhavan Officer shall ensure that all the stationaries are taken in to stock and produced before the inspection authorities if required.

### **3.3.8. Computer and Phone**

A Matsya Bhavan should be provided with a computer having internet connectivity and a telephone.

### **3.3.9. Meeting Hall**

A Meeting hall with separate toilet facilities for ladies and gents should be provided to distribute various benefits to the fisher people especially under old age schemes. This hall can also be utilized for the front office management services and small scale gatherings.

### **3.3.10. Alert Room**

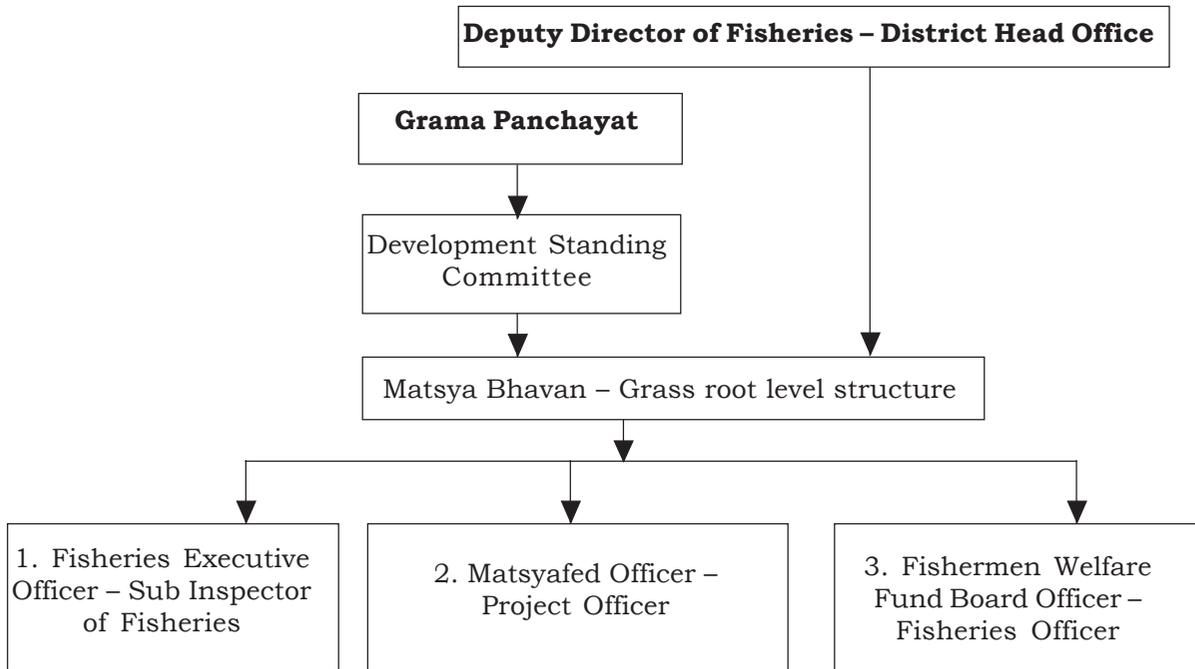
Another separate room for keeping working equipment, used for alerting fisher people on adverse situations should be provided.

### **3.3.11. Fish Kiosk**

A separate space with sufficient protection may be provided to keep 'FISH KIOSK' that will give up to date fingertip information about Fisheries including satellite information on weather warnings and fish wealth availability in the sea by latitude/ longitude.

### 3.4 Official Structure of Matsya Bhavan

Figure 1 : Official structure of Matsya Bhavan



### 3.5 Office Administration

Rules regarding office administration, applicable generally and specifically to the Grama Panchayat and the institutions under it are prescribed in the Manual of Office Management. The Matsya Bhavan shall function from 10.00 am to 5.00 pm on working days.

#### 3.5.1. Exhibit Institutional Information (Institution Board):

A wall board detailing the brief and transparent information regarding the office and the institution shall be exhibited in the concerned offices.

- i. Name of the institution
- ii. Name of the Grama Panchayat
- iii. Name of Post Office
- iv. Pin code

Note: The Name of the institution shall be entered as .....Grama Panchayat Matsya Bhavan.

#### 3.5.2. Display Details of Service (Service Board)

Details of important services, the procedures to make the services available, and the objectives of the institution shall be displayed in the service board as laid down in the Right to Service Act, 2011 and a list of the Citizens Charter prepared under Sec. 272A of the KPR Act 1994 shall be exhibited at the main entrance of the Matsya Bhavan.

(Note: All the services delivered to the citizens from the Matsya Bhavan shall be included in the Citizens Charter of the concerned Grama Panchayat.)

### **3.5.3. Individual Information (Maintain Attendance Board)**

The following details shall be displayed:

The posts of officials, employees, casual-part-time employees, apprentices, and staff on daily wages, names of persons working in each of these posts, their duties and responsibilities, details of vacant posts, and attendance details of each person. The board shall have the facility to record the time of arrival and departure in the office/institution.

If any of the employees or the officials leave the office during office/working hours, the same information shall be entered against their name in the board. If the person is expected back at the office, the time for that shall also be mentioned in the board. This step is not only aimed at the general public who approaches the office / institution for service, but would help evaluate and monitor the promptness of service of the official/employee as well. The employee who is assigned by the head of institution shall carry out the marking in the Attendance Board.

### **3.5.4. Details of Fees/Rates (Fees/Rate Board)**

In each of the office /institution system, together with the details of services available, the fees regarding the services (wherever applicable), details of various items and exemptions may also be displayed in the Fees/Rate Board.

### **3.5.5. Public/News Announcements (Notice Board)**

Establish Notice boards in each office/institution for advertising time-bound public announcements regarding office/institution service. The notice boards shall be installed in such a place which could be seen by the public, service beneficiaries, and stakeholders. The announcement that **“Pasting other advertisements and notices in this board is illegal”** shall be mentioned in the Board. Tearing off or defacing of the announcements made on the board is illegal. This shall also be mentioned on the notice board. The copy of important announcements of Matsya Bhavan shall be communicated to other institution of the Grama Panchayat. This shall be handed over by the concerned institution head to other heads of institution at the monthly Grama Panchayat level evaluation meeting. Each institutional head shall hand over the copy of announcements regarding emergency services in between the evaluation meetings for other institutions to the Grama Panchayat office.

### **3.5.6. Individual Name Boards**

In each office, in the seats of the officials and employees, the names, their designation and the services being provided through them shall be displayed. This would help the stakeholders locate the specific service provider without any confusion or delay.

### **3.5.7. Suggestion/Complaint Box**

A box shall be installed for the general public and service-owners for depositing suggestions in writing, recommendations to improve the working, complaints, and grievances, in a place which should be visible to all. Each week, the head of the institution shall open the suggestion/complaint box with the key in his possession,

on the day before the last working day of the week. The complaints/suggestions shall be recorded in the register after sorting them item-wise. The service of the office employee who is in charge of communication shall be utilised. Steps shall be taken to implement those suggestions which could be fulfilled at the institutional-level. This shall be explained at the weekly office/institutional level meeting. Those suggestions which require the approval of the Grama Panchayat/department shall be sent for the same. Suggestions related to other offices/institutions shall be sent to the head of institution through the Secretary of Grama Panchayat. If any grievances or complaints regarding the employees or officials are submitted through the box, the same shall be forwarded to the Grama Panchayat President, after entering in the register. In cases where decision is possible at the official level, the action taken and its practical status shall be made available to the President together with the grievance/complaint. Information regarding other institutions shall be made available to their heads through the Secretary Grama Panchayat. The officials shall take action in cases where solution has to be found based on the decision of the Panchayat and also in cases which require departmental decisions. An index consisting of the announcements regarding the action taken, the time schedule of the action shall be made available to the applicant/complainant/aggrieved. The people will utilise this arrangement when they are convinced that a system is in place which is accountable to them. As a result they will start monitoring and intervening in the affairs of the institution. This, in turn, would help increase the quality of service of the institution.

### **3.5.8. Statutory Warning boards**

Exhibition of warning boards related to vigilance and anticorruption, Right to Information, Right to Service and other directions given by the statutory authorities should be compulsory. Boards on restrictions and prohibitions shall also be exhibited. Other statutory warning boards should be displayed with their designation and contact numbers.

### **3.5.9. Language**

All boards shall be in Malayalam and English and also in the local languages, if any.

### **3.5.10. Office Documents**

The following documents shall be kept at office:

- i. All relevant registers as per Manual of Office Procedure (M.O.P) like Attendance Register, Movement Register, Establishment Register, and Salary Register etc.
- ii. All relevant registers on fund transaction in the case of Government transactions as per the Treasury and Financial Code.
- iii. All relevant registers on financial transaction of all projects.
- iv. Registers on schemes (containing details and minutes of Matsya Sabha, development Seminar, Grama Sabha, State and Central sponsored schemes, Plan approval, project cost, subsidy release etc.)

- v. Register of approved subsidy.
- vi. Register of suits.
- vii. Register of Audit queries and Replies.
- viii. Register as per Right to Information Act.
- ix. Register of accounts (as per accounting software in use)
  - A. Accounting on income
  - B. Accounting on expenditure
    - a. Cash Book
    - b. Bank Book
    - c. Journal Book
    - d. General Ledger and Sub Ledger
    - e. Vouchers
- x. Reconciliation on accounts and transactions.

The employees who are entrusted with the specific service-duty shall record documents related to each service-duty precisely, clearly, and time-bound; they shall index them, keep it safely, and make available the records on demand. The task of ensuring the above said activities and marking them after codifying and annexing signature rests with the higher officials. The collective responsibility for monitoring of the above tasks, evaluation, corrective steps, and reforms rest with the head of the institution. The Development Standing Committee Chairpersons and Presidents of the Grama Panchayat are entrusted with the power to ensure that such assignments are executed promptly.

### **3.5.11. Procedures for Executing the Resolutions**

The Matsya Bhavan officer as the ex-officio Secretary of the Grama Panchayat, whose services are lent to the Grama Panchayat under Sec 181 of the Act, would be liable to execute various resolutions of the Grama Panchayat related to Fisheries sector. In case any lapse or *faux pas* occurs in the execution of responsibilities by individual officers causing loss to the Grama Panchayat, the concerned official will be liable for damages.

- i. As an Implementing Officer of the Grama Panchayat, the Matsya Bhavan Officer shall mark his/her opinion on any matter that requires the consideration of the Grama Panchayat on related files and the files shall be sent to the Grama Panchayat for including it in the agenda of the meeting. The Matsya Bhavan, Officer can enter agenda and agenda note in the Sakarma Meeting Management Software using the login ID and Password allotted to them.
- ii. The Grama Panchayat Secretary in consultation with President shall include such items in the agenda and submit it before the Grama Panchayat opinion on agenda. The opinion of the Matsya Bhavan Officer shall be recorded in the Minutes.

- iii. Matsya Bhavan Officer may demand the reconsideration of the resolution approved by the Grama Panchayat if she/he feels that the resolution is either illegal or it breaches legally valid limits of power or there is threat to human life, health or public safety, if the resolution is implemented.
- iv. On the occasion of reconsideration, the Matsya Bhavan Officer shall be present in person and explain his opinion.
- v. If the Grama Panchayat sticks on to the earlier decision, the Secretary of the Grama panchayat can refer to the Government for clarification. In case the clarification is not received within the stipulated period, Grama Panchayat decision shall be implemented and the same shall be reported to the Government. If the clarification is received, act accordingly after intimating that to Grama Panchayat.
- vi. If loss occurs to the Grama Panchayat due to implementation of resolutions without following the above mentioned procedure, the concerned official will be held responsible.

#### **3.5.12. Control over Officers**

The Government officers and employees whose services are transferred to the Grama Panchayat shall in addition to their function perform other related functions delegated to them by the Grama Panchayat as if they are officers and employees of that Grama Panchayat. They shall be responsible to execute the work including the implementation of any scheme, projects or plans of the Government which are not assigned or delegated to the Grama Panchayat.

The full control and supervision of the institutions and employees so transferred to the Grama Panchayat rests with the Grama Panchayats concerned. At the same time the concerned department will also have administration control over the officers. The Grama Panchayat may take disciplinary proceedings against an officer or an employee who fails to perform his official duty or violates the discipline or refuse to carry out the lawful decisions of the Grama Panchayat or the President of the Grama Panchayat. The Grama Panchayat can take disciplinary proceedings against such an officer and may impose on him/her minor penalties observing the provisions contained in the KPR (Control over Officers) Rule 1997 given in **Annexure 3.1**.



# Plan Formulation and Implementation

## 4.1. Plan Formulation

- i. The Matsya Bhavan officer has the responsibility to function as the Convenor of Fisheries Working group and as the implementing officer of projects under fisheries sector. Before the meeting of the Grama Panchayat to constitute Working groups, the Matsya Bhavan Officer shall submit a list of persons to be included therein. In due consideration of this proposal the Grama Panchayat shall constitute the Working group and assign Matsya Bhavan Officer as the convener of the Working group in the Fisheries sector through a resolution.
- ii. The Matsya Bhavan Officer shall prepare and present each year a status report in the prescribed format which includes a review report of the last year's projects in the Fisheries sector and the present scenario at the first meeting of the Working group for Plan formulation.
- iii. Together with the review report, a draft of Plan suggestions for the amount set apart by the Grama Panchayat for the Fisheries sector shall also be submitted.
- iv. Thereafter, the responsibility of convening the Working group at necessary stages shall be taken up by the Matsya Bhavan Officer in consultation with the Chairman of the Working group.
- v. After discussing at the Working group meeting, a list shall be prepared and submitted to the Grama Panchayat together with the review report for the previous year. This list shall contain the suggestions to be included in the plan document to be printed and distributed at the Grama Sabha, and the amount required for the same.

- vi. A copy of the status report shall also be submitted to the Block Panchayat and District Panchayat.
- vii. As the Head of the institution, the Matsya Bhavan Officer shall be responsible for the proper upkeep and maintenance of the office. He shall submit written proposal for maintenance of the office of every year for including it in the Maintenance Plan of the Grama Panchayat for the succeeding year.

#### **4.1.1. Participation in Grama Sabhas**

- i. The staff of the Matsya Bhavan shall participate as the coordinators of the Grama Sabhas as decided by the Grama Panchayat.
- ii. Apart from this, the employees shall attend the Grama Sabhas and Development Seminars and participate in those groups where discussions regarding their institution are held. They shall give necessary explanations as and when required.
- iii. The Matsya Bhavan Officer shall effect necessary changes in the draft plan taking into consideration the suggestions from the Grama Sabhas and present the same at the Development Seminar.
- iv. The Matsya Bhavan Officer is responsible to prepare projects in the Fisheries sector with the approval of the Grama Panchayat as per the suggestions finalized at the Development Seminar. The subordinate staff shall provide necessary assistance for executing this task. The Matsya Bhavan Officer shall utilise the expertise of the Working group members in the preparation of projects.
- v. The Matsya Bhavan Officer shall effect suggested alterations in the projects prepared according to the decision of the Grama Panchayat and obtain sanction of the Vetting Officer.

#### **4.1.2. Participation in Matsya Sabhas**

Matsya Bhavan Officer shall convene Matsya Sabha in addition to the participation of Grama Sabha wherever necessary as per the procedure described previously under Matsya Sabha.

#### **4.1.3. Plan Implementation**

- i. The Matsya Bhavan Officer shall function as the Implementing Officer of the projects in the Fisheries sector as decided by the Grama Panchayat. She/he shall prepare an implementation calendar of the projects and submit a copy of the same to the Grama Panchayat.
- ii. In the case of beneficiary oriented projects, the Implementing Officer should follow the beneficiary list prepared by Grama Sabha and approved by the Grama Panchayat.
- iii. The Matsya Bhavan Officer shall do verification of the applications so received and eliminate ineligible applicants. She/he will also help the Grama Panchayat to prepare a draft rank list of beneficiaries of each and every project for placing it before the Grama Sabha.

- iv. After getting the approved beneficiary list from the Grama Panchayat she/he shall convene a meeting of the selected beneficiaries and explain the scheme to them.

Note: No changes shall be made in the beneficiary list by the Implementing Officer during the course of implementation. During the course of implementation, if the Matsya Bhavan Officer notices that any ineligible person has been included in the list, he shall bring that to the notice of the Grama Panchayat.

- v. If procurement of any items is envisaged in the Project the same shall be initiated within 30 days of approval of the project in accordance with the Procurement Manual.
- vi. The Matsya Bhavan Officer shall give requisition to the Panchayat President requesting allotment of necessary amount for the implementation of the sanctioned projects.

Allotment letter shall be issued to the requisition after obtaining authorisation from the President. The Matsya Bhavan Officer shall prepare and present the bill to the Treasury along with the allotment letter to make payments. The amount shall be credited to the account of the beneficiary.

- vii. The implementing official shall submit report to the Secretary regarding the expenditure before the 5<sup>th</sup> of the succeeding month.

#### **4.1.4. Attending to the Audit Queries**

The Matsya Bhavan Officer shall produce documents for audit and provide explanations to audit enquiries during the course of audit in respect of the projects implemented by him. He shall also give replies to the Audit Objections, if any, raised in the Audit report within 15 days on receipt of the Audit report by him. If the audit finds him responsible for any illegal payment and surcharge it on him, such amount shall be paid within 30 days on receipt of the Surcharge Certificate . The Matsya Bhavan Officer shall be personally responsible for obtaining the No Liability Certificate (NLC)/Liability Certificate (LC) from the Grama Panchayat where he worked and produce it before the Pension Sanctioning Authority.

The implementing official is accountable for giving prompt explanation at the Grama Sabha meetings and other social audit forums to the doubts and questions regarding the projects in which she/he was in charge.

#### **4.2. Evaluation**

Evaluation is an essential step in every implementation process to ensure that the project is moving towards the targeted aims positively as envisaged and the course of activities are sufficient enough to achieve the goals.

- i. The evaluation process should be based on some fixed criteria like “what to be evaluated” and “how to be evaluated”
- ii. The former criteria may cover the aspects on standards and policies, relevant and appropriate, efficiency, effectiveness, coverage, impact, sustainability and connectedness etc.

- iii. The later criteria must be to verify useful, feasible, impartial, independent, transparent, accurate and participatory nature of the project.
- iv. Evaluation may be formative, mid-term, summative, final or *expost facto* depending on necessity and situation.

#### **4.2.1. Internal Mechanism**

##### **(i) Self-Evaluation**

Self-evaluation is conducted by those who are responsible for implementing a project. It is less expensive and it helps to build self-capacity and ownership.

##### **(ii) Working Group**

The concerned Working group itself can be used as internal mechanism for evaluation. Matsya Bhavan Officer or the convener of the Working group is primarily responsible for this process with the prior approval of the Grama Panchayat. The observations shall be submitted to the Grama Panchayat.

##### **(iii) Monthly Meeting at Matsya Bhavan Office**

The Officers of the Matsya Bhavan themselves sit together and make a self-assessment on the progress of implementation and should submit a report on the observations to the Grama Panchayat and to the higher officer for consideration and analysis.

##### **(iv) Meeting with the Development Standing committee**

Matsya Bhavan Officer shall prepare a detailed report on the present status of the running projects and other activities of Matsya Bhavan and present it in the Development Standing Committee meetings as and when demanded by the Grama Panchayat. Other officers of Matsya Bhavan can also participate in such meetings with the permission of the Grama Panchayat. Observations of this meeting should also be presented in the Grama Panchayat meetings for information and corrective actions.

##### **(v) Joint Meeting with Superior Officers**

The duties and responsibilities vested with the Matsya Bhavan Officers related to local plan formulation and implementation should strictly be monitored and evaluated by the Head of the Department periodically either in separate or in association with regular meeting as special component.

Each and every step to such meetings, suggestions and recommendations arisen, decisions and other conclusions of every meeting should be recorded by the Matsya Bhavan Officer. The corrective measures taken thereafter should be presented in the next meeting or when required by the concerned authorities.

#### **4.2.2. External or Independent Evaluation**

- i. It is conducted by evaluators (professional team) from outside, with the implementing team lending it a degree of objectivity.
- ii. In addition to professional teams, voluntary organisations like Kudumbasree can also be entrusted with this task.

### **4.3. Reporting**

Progress reporting is an important part of project management. It helps to make an assessment of what takes place during a project period. It is a process that conveys details such as what goals and sub goals have been accomplished, what resources have been expended, what problems have been encountered and whether the project is expected to be completed on time and within the budget. It can also be useful to determine whether changes are necessary to ongoing efforts. Reports should be accurate, sincere, supportive with facts and figures, and can be explained with evidences. A regular report varies from weekly to monthly and should be submitted to the concerned executives or steering committees or the user groups.

#### **4.3.1. Criteria for Reporting**

- i. Relevant and useful: Reporting should serve a specific propose or use. Over loaded information is costly and can influence information flow.
- ii. Timely: Reporting should be timely for its intended cause. Information has little value if it is too late.
- iii. Complete: Reporting should provide complete information.
- iv. Reliable: Reporting should provide an accurate representation of facts, and can be provided with supportive evidence on demand.
- v. Simple and user-friendly: Reporting should be appropriate and in accordance with the needs of the people and situation. Reporting to the higher level technical groups and to the Grama Sabha cannot be same in nature.

Reporting can be done either in the form of a written statement in the prescribed format or as a presentation in a forum based on pre-designed agenda and should be recorded in the Minutes.

#### **4.3.2. Format for Reporting**

1. Project Name
2. Report date or period
3. Project status– component wise
4. Project summary
5. The % of completion – (Physical and financial)
6. The issues faced (if any)
7. Identified risks (if any)
8. Decision needed (if any)
9. The number of days behind schedule
10. Budgeted cost and allotment
11. Expenditure as on date and balance in hand

The scheme wise progress report on both physical and financial achievements should sent to the Grama Panchayat and to the superiors before the 5th working day of every month. In addition to this, the following reports have to be prepared and submitted to the Grama Panchayat.

- i. Progress report of State and Centrally Sponsored Schemes.
- ii. Sectoral investment of other agencies in Grama Panchayat and assets created.
- iii. Awareness camps conducted by other institutions.
- iv. Other interventions for the sectoral development by other agencies.
- v. Quarterly and Half yearly report on performance.
- vi. Annual Report and administrative report when required.
- vii. Report on participation in Working group, Grama Sabha, Matsya Sabha, evaluation meetings etc.
- viii. Action taken reports on decisions taken by the Grama Panchayat.
- ix. Follow up reports on request, for the improvement of performance.

#### **4.4. Social Audit**

Social Audit shall be conducted in every institution of the Grama Panchayat as per Social Audit Manual. (G.O. (Rt) No. 1992/2016/LSGD, dt: 25.06.2016)

# **Annexures**



**Annexure:1**  
**G.O. (P) 189/95/LAD dated 18/09/1995**  
(See Para: 1.1)



**കേരള സർക്കാർ**  
**സംഗ്രഹം**

അധികാരവികേന്ദ്രീകരണം- കേരള പഞ്ചായത്ത് രാജ് ആക്ട്, കേരള മുനിസിപ്പാലിറ്റി ആക്ട് എന്നിവയിലെ വ്യവസ്ഥകൾ പ്രകാരം സർക്കാരിന്റെ ചുമതലകളും സ്ഥാപനങ്ങളും തദ്ദേശഭരണ സ്ഥാപനങ്ങൾക്ക് കൈമാറ്റം ചെയ്തുകൊണ്ട് ഉത്തരവ് പുറപ്പെടുവിക്കുന്നു.

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**തദ്ദേശഭരണ (സി) വകുപ്പ്**

ജി.ഒ.(പി) നമ്പർ 189/95/ത.ഭ.വ

തിരുവനന്തപുരം, 1995 സെപ്തംബർ 18

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**ഉത്തരവ്**

1. 1994 ലെ കേരള പഞ്ചായത്ത് രാജ് ആക്ടിലെ 166(6), 167(1), 172(5), 173(5) എന്നീ വകുപ്പുകളിൽ വ്യവസ്ഥ ചെയ്തിട്ടുള്ളതു പ്രകാരം, പ്രസ്തുത ആക്ടിലെ മൂന്നാം പട്ടികയിൽ (അനുബന്ധം-1)) പരാമർശിച്ചിട്ടുള്ള സംഗതികളുമായി ബന്ധപ്പെട്ട സർക്കാരിന്റെ ചുമതലകളും, സ്ഥാപനങ്ങളും, പദ്ധതികളും, സംസ്ഥാനത്തെ ഗ്രാമപഞ്ചായത്തുകൾക്കും, നാലാം പട്ടികയിൽ (അനുബന്ധം-2) പരാമർശിച്ചിട്ടുള്ള സംഗതികളുമായി ബന്ധപ്പെട്ട സർക്കാരിന്റെ ചുമതലകളും സ്ഥാപനങ്ങളും പദ്ധതികളും ബ്ലോക്കു പഞ്ചായത്തുകൾക്കും അഞ്ചാം പട്ടികയിൽ (അനുബന്ധം-3) പരാമർശിച്ചിട്ടുള്ള സംഗതികളുമായി ബന്ധപ്പെട്ട സർക്കാരിന്റെ ചുമതലകളും സ്ഥാപനങ്ങളും പദ്ധതികളും ജില്ലാ പഞ്ചായത്തുകൾക്കും 1995 ഒക്ടോബർ-2-ാം തീയതി രാവിലെ മുതൽ പ്രാബല്യത്തിൽ വരത്തക്കവിധം കൈമാറ്റം ചെയ്തുകൊണ്ട് ഉത്തരവു പുറപ്പെടുവിക്കുന്നു.

2. അതുപോലെ, 1994 ലെ കേരള മുനിസിപ്പാലിറ്റി ആക്ടിലെ 30(3) വകുപ്പിൽ വ്യവസ്ഥ ചെയ്തിട്ടുള്ളതു പ്രകാരം, പ്രസ്തുത ആക്ടിലെ ഒന്നാം പട്ടികയിൽ(അനുബന്ധം-4) പരാമർശിച്ചിട്ടുള്ള സംഗതികളുമായി ബന്ധപ്പെട്ട സർക്കാരിന്റെ ചുമതലകളും സ്ഥാപനങ്ങളും സംസ്ഥാനത്തെ മുനിസിപ്പൽ കൗൺസിലുകൾക്കും മുനിസിപ്പൽ കോർപ്പറേഷനുകൾക്കും 1995 ഒക്ടോബർ 2-ാം തീയതി രാവിലെ മുതൽ പ്രാബല്യത്തിൽ വരത്തക്കവിധം കൈമാറ്റം ചെയ്തുകൊണ്ട് ഉത്തരവ് പുറപ്പെടുവിക്കുന്നു.

3. മേൽപ്പറഞ്ഞതു പ്രകാരം കൈമാറ്റം ചെയ്യപ്പെടുന്ന സ്ഥാപനങ്ങളുടെ വിവരം അനുബന്ധം-5ൽ ചേർത്തിട്ടുണ്ട്. സ്ഥാപനങ്ങളോടൊപ്പം അവയുടെ ആസ്തി ബാധ്യതകളും വസ്തുവകകളും അവയിൽ അനുവദിക്കപ്പെട്ടിട്ടുള്ള ഉദ്യോഗസ്ഥന്മാരുടെ തസ്തികകളും ഉദ്യോഗസ്ഥന്മാരും അതതു തദ്ദേശസ്വയംഭരണ സ്ഥാപനത്തിലേക്ക് കൈമാറ്റം ചെയ്യപ്പെടുന്നതാണ്.

4. കൈമാറ്റം ചെയ്യപ്പെടുന്ന സ്ഥാപനങ്ങളുമായി ബന്ധപ്പെട്ട തസ്തികകൾക്കു പുറമെ അനുബന്ധം-5ൽ പറഞ്ഞിരിക്കുന്ന പ്രകാരമുള്ള മറ്റു ചില തസ്തികകളും തദ്ദേശസ്വയംഭരണ സ്ഥാപനങ്ങൾക്ക് 1995 ഒക്ടോബർ 2-ാം തീയതി മുതൽ സർക്കാർ വകുപ്പുകളിൽ നിന്ന് കൈമാറ്റം ചെയ്യപ്പെടുന്നതാണ്.

5. ഓരോ സ്ഥാപനവും ഏത് തദ്ദേശസ്വയംഭരണ സ്ഥാപനത്തിലേക്ക് കൈമാറ്റുന്നു എന്ന് വ്യക്തമാക്കി കൊണ്ടും കൈമാറ്റം ചെയ്യപ്പെടുന്ന തസ്തികകൾ ഏത് സർക്കാർ ഓഫീസിൽ നിന്ന് കൈമാറ്റുന്നു എന്ന് കാണിച്ചുകൊണ്ടും അതത് വകുപ്പിന്റെ അധ്യക്ഷൻ 1995 സെപ്തംബർ 30-ാം തീയതിക്കു മുമ്പ് ഉത്തരവു പുറപ്പെടുവിക്കേണ്ടതാണ്. അപ്രകാരം പുറപ്പെടുവിക്കുന്ന ഉത്തരവുകളുടെ പകർപ്പുകൾ സെക്രട്ടേറിയറ്റിലെ ബന്ധപ്പെട്ട ഭരണ നിർവ്വഹണ വകുപ്പിലേക്കും തദ്ദേശ വകുപ്പിലേക്കും കൂടി അയയ്ക്കേണ്ടതാണ്.

6. തദ്ദേശസ്വയംഭരണ സ്ഥാപനങ്ങൾക്ക് കൈമാറ്റം ചെയ്യപ്പെടുന്ന തസ്തികകളിൽ അതതു സർക്കാർ വകുപ്പുകളിലെ ഉദ്യോഗസ്ഥർ തന്നെ, മറിച്ചൊരുത്തരവ് ഉണ്ടാകുന്നതുവരെ തുടരേണ്ടതാണ്.

7. തദ്ദേശസ്വയംഭരണ സ്ഥാപനങ്ങൾക്ക് ഏൽപ്പിച്ചുകൊടുത്തിട്ടുള്ള സർക്കാരിന്റെ അധികാരങ്ങളും ചുമതലകളും പദ്ധതികളും ഫലപ്രദമായി നിർവ്വഹിക്കുന്നതിന് സർക്കാർ വകുപ്പുകൾ അവയ്ക്ക് ഓഫീസ് സൗകര്യം ഉൾപ്പെടെയുള്ള ഭരണപരമായ എല്ലാ സൗകര്യങ്ങളും സാങ്കേതിക ഉപദേശങ്ങളും നൽകേണ്ടതാണ്.

8. തദ്ദേശസ്വയംഭരണ സ്ഥാപനങ്ങൾക്ക് സർക്കാർ ഉദ്യോഗസ്ഥന്മാരുടെ സേവനം വിട്ടുകൊടുക്കുന്നതിന്റെ നിബന്ധനകളും വ്യവസ്ഥകളും സംബന്ധിച്ചും പ്രസ്തുത സ്ഥാപനങ്ങൾക്ക് ആവശ്യമായ ധനസഹായം അനുവദിക്കുന്നത് സംബന്ധിച്ചും ഉള്ള ഉത്തരവുകൾ പിന്നാലെ പുറപ്പെടുവിക്കുന്നതാണ്.

ഗവർണ്ണറുടെ ഉത്തരവിൻ പ്രകാരം  
**ആർ.രാമചന്ദ്രൻ നായർ**  
ചീഫ് സെക്രട്ടറി

**Annexure 1.2**

**കേരളസർക്കാർ**

**സംഗ്രഹം**

മത്സ്യവകുപ്പ്- പഞ്ചായത്തു രാജ് സ്ഥാപനങ്ങൾ - അധികാരവികേന്ദ്രീകരണം - മാർഗ്ഗ നിർദ്ദേശങ്ങൾ - പുറപ്പെടുവിക്കുന്നു.

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**മത്സ്യബന്ധന തുറമുഖ (സി) വകുപ്പ് (കൈയെഴുത്ത് നമ്പർ 41/97/ മത്സ്യ  
തിരുവനന്തപുരം, തിരുതി 22 -11 -199**

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**ഉത്തരവ്**

മത്സ്യവകുപ്പിൽ നിന്നും പഞ്ചായത്തുരാജ് സ്ഥാപനങ്ങളിലേക്കു കൈമാറിയ പദ്ധതികളുടെ നടത്തിപ്പു സംബന്ധിച്ച മാർഗ്ഗ നിർദ്ദേശങ്ങൾ അംഗീകരിച്ച് ഉത്തരവാകുന്നു. മാർഗ്ഗ നിർദ്ദേശങ്ങൾ അനുബന്ധമായി ചേർത്തിരിക്കുന്നു.

ഗവർണ്ണറുടെ ഉത്തരവിൻ പ്രകാരം

റാംസിങ്ങ്

സെക്രട്ടറി

ഡയറക്ടർ, മത്സ്യവകുപ്പ്  
ജില്ലാ പഞ്ചായത്ത് പ്രസിഡന്റുമാർ  
അക്കൗണ്ടന്റ് ജനറൽ (ആഡിറ്റ്/എ & ഇ)  
തദ്ദേശ സ്വയംഭരണവകുപ്പ്  
ധനകാര്യ വകുപ്പ് കരുതൽ ഫയൽ  
പകർപ്പ്

ഉത്തരവിൻ പ്രകാരം

Sd/-

സെക്ഷൻ ഓഫീസർ

അണ്ടർ സെക്രട്ടറി, ഫിഷറീസ് ഡിപ്പോർട്ടുമെന്റ്  
ഫിഷറീസ് വകുപ്പിലെ എല്ലാ സെക്ഷനുകൾക്കും  
സെക്രട്ടറിയുടെ സി.എ.യ്ക്കും  
ഡെപ്യൂട്ടി സെക്രട്ടറിയുടെ സി.എ. യ്ക്കും

**Annexure 2.1**  
**Services Provided by Matsya Bhavan**

Sl.No.	Name of Scheme
1.	Saving cum Relief Scheme
2.	Educational concession to students belonging to fisher people
3.	Registration and licensing of free Nets
4.	Sea – Rescue operation
5.	Group insurance against accidents and missing
6.	Financial assistance to permanent and partial disability
7.	Financial assistance for hospital treatment due to accident
8.	Compensation against death while fishing or immediately thereafter (not due to accident)
9.	Financial assistance for the marriage of daughters of fisher people
10.	Old age pension
11.	Financial assistance to the dependents after the death of fisher people
12.	Financial assistance for treatment of fatal diseases
13.	Family planning activities
14.	Maternity benefits
15.	Education promotion Scheme
16.	Widow pension
17.	Motorization of country craft
18.	Assistance to purchase of nets
19.	Subsidy on Bankable Schemes
20.	Interest free loan for selected schemes
21.	Compensation for loss of fishing implements against natural calamities
22.	Financial assistance to small scale self-employment scheme of fisher women group
23.	Revolving fund – under TheeraSamurthy Scheme
24.	Additional life security scheme against death and missing permanent and partial while fishing disability (insurance scheme)
25.	Assistance for construction of new Houses under Housing Scheme
26.	Assistance for Construction latrine as per Sanitation Scheme
27.	Assistance for repair of existing Houses
28.	Information about various schemes assistance implemented by government of India and other sister concerns of Fisheries Department like SAF – Society for Assistance of Fisher Women; ADAD – Agency for development of Aquaculture; FFDA – Fish Farmens Development Agency; NFDB – National Fisheries Development Board etc.
29.	Up to date details of existing rules and regulations related to fisheries sector

Note: The services rendered to fisher folk are equivalent to the services provided to Scheduled Tribes as per G.O.(M.S).No.80/2017 dated 03.04.2017.

**Annexure 2.2**  
**General Restrictions and Control**  
(See Para 2.3.1 ii)

General restrictions and control as per Kerala Mine Fisheries Regulation Act – 1980, and Kerala Inland Fisheries and Aquaculture Act 2010.

- i. Erection of new fixed engine is not allowed in open waters
- ii. The mesh size of fixed engine nets should not be less than 20 mm
- iii. Fishing at the time of high tide is prohibited
- iv. Fishing in open back waters using crafts fitted out-board motor is prohibited
- v. Gears like Ring seine, Purse seine mid waters trawling pelagic trawling etc. prohibited
- vi. Night trawling is prohibited in open waters
- vii. There are restrictions in registration and Licensing of new fishing craft
- viii. Mini trawling method is prohibited
- ix. “Code-end net mesh size” of trawl nets should not be less than 35mm in stretched length
- x. All types of fishing methods that is distractive in nature is totally prohibited in all water bodies

**Annexure 2.3**  
**Guidelines for the Setting up of Farms and Hatcheries**  
(See Para 2.3.1 iii)

**Farms**

All farms are to be registered with the Department of Fisheries. No shrimp culture ponds can be constructed or set up within the coastal regulation zone as defined in the Coastal Management Zone (CMZ) Act.

- i. Farms are directed to conduct traditional, modified traditional and extensive culture method and should not conduct intensive and super intensive type of farming operation
- ii. Only Polymer chain Reaction (PCR) tested seeds shall be stocked for shrimp forming @ 4 or 6 nos/m<sup>2</sup> area
- iii. Water spread area of a farm shall not exceed 60% of the total area of the land. The rest 40% should be used approximately for other purpose. Plantation could be done where ever possible
- iv. In case of violation of conditions, registration of such farms is liable to be cancelled and coercive steps will be initiated including shut down / dismantling of such farms.
- v. Farms shall not use the banned antibiotics, drugs, chemicals, pesticides and piscicides
- vi. All the farms has to maintain records related seed stocking, type of feeds used, types of antibiotics applied. Water quality parameters etc.
- vii. Not use ground water for aquaculture purpose, use only rain water river/ stream water or tidal water for aquaculture practices.
- viii. All farms should maintain 100 meter distance from the nearest drinking water source
- ix. The farms above 10 Hector should set up an efficient treatment plant to treat effluents produced in the farm.
- x. Occurrence of discuses / Parasitic infections in farms is to be reported to the concerned District Fishery Officer immediately
- xi. Keeping banned exotic fisher and operating their farms will be offensive which can be punished
- xii. All farms should enforce a shut down for a minimum period of two months during a year
- xiii. Farms should be furnished the species wise harvest details to the Department of Fisheries
- xiv. Do not use wild/natural seeds for aquaculture purpose
- xv. Farms with an area of 10 Hector or more are responsible for to conduct EIA studies

- xvi. No person is permitted to use any kind of explosives or poisons substances or pass electric current in any water, which may destroy the fish wealth. Any person who contravenes any prohibition / restrictions / regulation imposed in the terms of conditions of any license or permit granted to him shall be punishable with imprisonment.
- xvii. All aquaculture units have to obey the rules and regulations notified by the Ministry of Environment and Forest, Government of India on water pollution costal regulation zone.
- xviii. Farm with 10 Hector or more water spread area will obtain 'No objection' certificate from State Pollution Control Board before the commencement of farming
- xix. The concept of Hazard Analysis and critical point (HACP) can be applied to aqua culture products at different level from production to marketing
- xx. No mangroves or agricultural land can be converted to shrimp farm
- xxi. For operational case improved farm design are to be adopted. The water intake shall be regulated through sluices provided with screen
- xxii. The source of water should be free from pollution
- xxiii. In the case the water is turbid it should be stored for sedimentation and subsequently used for farming
- xxiv. As a part of pond preparation the pond bottom should be ploughed, dried and complete removal of pests and predators are to be carried out
- xxv. Adequate quantity of lime is to be applied to regulate PH of water at the range of 7 to 8.
- xxvi. The depth of pond water for shrimp farming is to be regulated at 1 meter
- xxvii. Water quality parameters and health conditions of shrimp[ stocked are to be monitored regularly
- xxviii. Factory or locally made formulated pellet feed of good quality to be used.
- xxix. The water from disease infected ponds should not be allowed to drain to the common canal/backwater system
- xxx. In paddy-cum fish culture (Pokkali Land , Kole land, Karinilam, Kaipad etc.) practice farmers are bound to undertake paddy cultivations after fish/prawn harvest on a rotational basis

### **Hatcheries**

- i. The hatcheries do not use the banned antibiotics, drugs, chemicals and pesticides
- ii. The movements of fish/shrimp seeds consignments into and out of the state should be with the knowledge and satisfaction of quality standards prescribed by the Department of fisheries
- iii. All hatcheries has to maintain records related to seed production number of

seeds produced, Source of brood stick, source of naupli no of seeds lifted, details of medicines used etc. In case of occurrence of diseases/parasitic infections in hatcheries, the same is to be brought to the notice of District Fisheries Officer immediately

- iv. Culture of banned exotic fishes and operating their hatcheries for multiplication will be treated as punishable offense
- v. Hatcheries should furnish the species wise details of seed “produced and sold” to the Department of Fisheries
- vi. Hatcheries should ensure that the seeds produced are healthy disease free and negative in the “PCR” test, Seeds sold from the hatcheries should be accompanied by seed certification providing its healthiness and 'PCR' negative testing documents from the competent authority. Consignment without seed certification shall be subject to prosecution
- vii. No hatchery operators shall sell seed collected from the wild to farmers for aquaculture purpose.

## **Annexure 2.4**

### **GOVERNMENT OF KERALA**

#### Abstract

Fisheries and Ports Department – 'Matsya Kerala Project – Administrative Sanction accorded – Orders Issued.

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#### FISHERIES & PORT (C) DEPARTMENT

G.O.(MS) No.37/08/F&PD.

Dated, Thiruvananthapuram, 28-6-2008

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Read:- (1) Lr.No.C1/12211/06 dated 25-9-2007 from Director of Fisheries, Thiruvananthapuram.

(2) Lr. No.C1-11146/07 dated 21-1-2008 from the Director of Fisheries, Thiruvananthapuram.

#### ORDER

As per the letters read above the Director of Fisheries submitted the project proposal 'Matsya Keralam' and requested to accord Administrative Sanction for the project. "Matsya Keralam' is an integrated project for the development of Inland Fisheries and Aquaculture, ensuring the support of Local Self Governments proposed to be implemented in 14 districts of the State for the three year period from 2008-09 to 2010-2011.

2. The project proposal 'Matsya Keralam' is prepared for the utilization of the unspent balance available with Fish farmers' Development Agencies and Brackish Water Fish farmers' Development Agencies. The total outlay of the project is Rs. 71.1565 crores and out of that, Rs. 24.00 crores earmarked as subsidy and subsidy for all fresh farmers will be met from agencies as per the coastal norms and State Govt. norms. The rate of subsidy is calculated in a tapering manner for the farmers continuing the farming during second and third years, which will be met from the funds earmarked as special funds from State Govt. and also from local bodies.

3. The project proposes to bring a total of 3750 ha freshwater pond area and 2250 ha padasekharams under the fold of freshwater aquaculture over a period of three years. In the brackish water sector 3700 ha will be brought under shrimp farming.

4. The specific objectives of the project are the following ;

- a) To diversify aquaculture for enhancing fish production from inland freshwater/brackish water areas.
- b) To increase inland fish production from the present level of 75,000 mt. to 1,00,000mt. and to improve the productivity of inland/brackish water aquaculture.
- c) To create new employment opportunities in rural areas through the development of inland and brackish water aquaculture.
- d) To increase export of fish and fish products.
- e) To increase the per capita availability of fish.

- f) To develop a well designed marketing system for aquaculture products.
- g) To create new employment opportunities through value addition of aquaculture products.

5. The major components of the proposal are the following :

- i) Programmes for diversification of freshwater aquaculture in inland fisheries.
- ii) Programmes for diversification of brackish water aquaculture.
- iii) Programmes for the development of infrastructure in inland fisheries.
- iv) Programmes for the development of extension and training.
- v) Programmes for marketing support.

6. The project envisages additional fish production of 25,000 tons, fresh water prawn production of 4,500 tons, shrimp production of 3700 tons and shell on mussels production of 450 tons which will fetch additional earning of Rs. 270 crores. 6500 lakhs man days are expected to be generated in the inland fisheries sector with 10000 families as potential beneficiaries. Further fish availability in the domestic market will be increased with increase in per capita fish consumption. The increase in fresh water prawn production will etch additional Rs. 20500 lakhs of foreign exchange to the country. The fish culture of larvivorous forms will be environment friendly and can go a long way in controlling mosquitoes thereby resulting in reduction of mosquito propagated diseases.

7. The implementation of the project is with the involvement of the following agencies;

- i) Agency for Development of Aquaculture in Kerala (ADAK)
- ii) Brackishwater Fish Farmers Development Agency (BFFDA)
- iii) Fish Farmers Development Agency (FFDA)
- iv) Agency for Fisheries Resource management (FIRMA)
- v) Matsyafed
- vi) Coastal Development Agency (CDA)

8. The funding pattern proposed for the project is as follows:-

(Rs. In Lakhs)

Year	Source of Fund in lakhs			
	FFDA/BFFDA	State Govt.	LSG	Total
1st Year 2008-09	1011.03	Nil	Nil	1011.03
2nd Year 2009-10	394.435	147.9125	147.9125	690.26
3rd Year 2010-11	402.885	147.9125	147.9125	698.71
TOTAL	1808.35	295.825	295.825	2400

9. The project envisages incorporation of an insurance scheme also for farmer against fold, disease and natural calamities with the support of insurance company with a built in element of subsidy for premia which will also be in a tapering manner from the first to third year.

10. The agencies involved in the project will be undertaking the execution of schemes as per direction of a State Level Steering Committee (SLSC) which will decide the schemes to be implemented by each agency and which will re-allocate the fund already with the FFDA's and BFFDA's to the above agencies after ascertaining the requirement of each agency. ADAK will act as the Nodal Agency in keeping the accounts of the project.

11. Govt. have examined the matter in detail and are pleased to accord Administrative Sanction for implementation of the project 'Matsya Kerala' on the above lines limiting the State Share of the project cost amounting to Rs. 2.958 crores for the last two years 2009-10 & 2010-2011 together for components such as Fresh water fish culture, Paddy fish culture, Insurance scheme for farmers, Shrimp farming in Pokkali, Establishment of extension service units and Establishment of Farmers club and utilizing the budget provision of ADAK for implementing components such as fresh water fish culture, paddy fish culture, insurance scheme for farmers and shrimp farming in Pokkali fields.

12. The project will be implemented with the existing manpower only without creation of additional posts. However for the extension work Govt. are pleased to accord sanction for the creation of 30 posts of Fisheries Extension Officer on contract basis for 3 years at a consolidated remuneration of Rs. 10,000/- per month. The appointees against these posts will not have any right of absorption in the service or any sort of permanency.

By order of the Governor,

Dr.P.Prabakaran

Additional Chief Secretary to Govt.

To

The Director of Fisheries, Thiruvananthapuram (He will endorse the copies of this order to agencies such as ADAK, FFDA, BFFDA, FIRMA, Matsyafed, CDA)

The Principal Accountant General (Audit), Kerala, Thiruvananthapuram

The Accountant General (A&E), Kerala, Thiruvananthapuram

The Local Self Government Department

The Finance Department (Vide UO No. 24644/Dev.2/08/Fin. Dated 17.6.2008)

The Planning & Economic Affairs Department (Vide UO No. 15378/A1/07/Plg. Dated 31-10-2007)

The General Administration (SC) Department (vide item No. 2410 dated 25-6-2008)

Stock file/Office copy

Copy to:- PS to Minister (Fisheries & Registration)

PS to Minister (Local Self Government Department)

PA to Secretary (Local Self Government Department)

PA to Additional Chief Secretary (Fisheries)

CA to Additional Secretary (Fisheries)

Annexure 2.5

**GOVERNMENT OF KERALA**

Abstract

Fisheries and Ports Department – Matsya Kerala Project – Approval of Guidelines and Constitution of State. District and Panchayatgh Level Committees and formation of Special Cell in the Directorate of Fisheries – Orders Issued.

FISHERIES & PORT (C) DEPARTMENT

G.O.(MS) No.46/08/F&PD.

Dated, Thiruvananthapuram, 08-08-08

Read:- (1) GO(MS) 37/08/F&PD dated 28-6-2008.

(2) Letter No.C1-11146/07 dated 22-7-2008 from the Director of Fisheries.

ORDER

As per GO read above, Administrative Sanction was accorded for the implementation of the project “Matsya Keralam”. The Director of Fisheries as per letter read as 2nd paper above has forwarded draft guidelines for implementation of the project for Govt. approval. He has also forwarded list of members of various committees proposed to be constituted for guiding/monitoring the project and has proposed formation of Special Cell for “Matsya Keralam” project in the Directorate of Fisheries, with the available manpower there, for approval.

2. Govt. have examined the matter and are pleased to approve the guidelines for implementation of the Matsya Keralam project as appended to this order.

3. Govt. are also pleased to constitute the following committees for the smooth implementation of the project as per the function attributed to each committee in the guidelines approved.

**a) State Level Guidance Council (SLGC)**

Hon'ble Minister for Fisheries & Registration - Chairman

Additional Chief Secretary to Govt. (Fisheries) - Convenor

Members

Hon'ble Minister for Local Self Government

Hon'ble Minister for Finance

Secretary to Government - Department of Planning & Economic Affairs

Secretary to Government - Finance Department

Secretary to Government - Rural Development Dept.

Secretary to Government - Local Self Govt. Dept.

Advisor to the Hon'ble

Minister for Fisheries

Chairman - Matsyafed

Deputy General Manager	- NABARD, Thiruvananthapuram
Director	- Fisheries Department
Director	- Panchayat Department
Director	- CMFRI
Director	- IFP
Director	- MPEDA
Dr. Harilal	- Member, State Planning Board
Dean	- Fisheries College (KAU), Panangad
Professor & Head	- Aquatic Biology and Fisheries University of Kerala
Head	- Industrial Fisheries CUSAT, Kochi
Head	- Agri. Division, State Planning Board
Dr. M.N. Kutty	- FAO Expert (Rtd)
Dr. Mohankumaran Nair	- Head, Aquaculture Division, Fisheries College, Panangad
Dr. Padmakumar	- Professor Aquaculture, RARS, Kumarakam
Additional Director of Fisheries & Special Officer, Matsya Keralam	
Dr. K. Appukuttan	- Principal Scientist, CMFRI (Rtd)
Sri. D. SanjeevaGhosh	- Additional Director of Fisheries (Rtd.)
Sri.Ramesan	- CITU
Sri. A.K. Bava	- AITUC
Sri. T. Peter	- Swathanthra Matsya Thoshilali Federation
Sri. A.P. Jayaseelan	- INTUC
Dr. Purushan	- Dean, Fisheries College (Rtd.)
Sri. V. Dinakaran	- Dheevar Sabha

**B. State Level Steering Committee (SLSC)**

Director of Fisheries	- Chairman
Additional Director of Fisheries (Special Officer) Matsya Kerala	- Convenor
Members	
Additional Director of Panchayats	
Joint Directors (HQ), Fisheries Dept.	
Zonal Joint Directors, Fisheries Dept.	
Executive Director, Fisheries Dept.	
Executive Director, ADAK/FIRMA/CDA/SAF	

Managing Director, Matsyafed  
Finance Officer, Fisheries Department  
Administrative Officer, Fisheries Dept.  
Deputy Director of Fisheries (Inland)  
Deputy Director of Fisheries (Marine)  
Deputy Director of Fisheries (Planning)

**C. District Level Steering Committee (DLSC)**

Chairperson, District Planning Committee - Chairman  
District Collector - Executive Director  
District Fisheries Officer - Convenor  
Other Members  
District Panchayat Secretary  
District Panchayat Officer  
District Agriculture Officer  
District Animal Husbandry Officer  
Lead District Manager of Banks  
Representative of NABARD, ADAK, FIRMA  
Chief Executive of BFFDA  
District Officer, Matsyafed  
Development Standing Committee Chairman of District Panchayat  
Block Panchayat Presidents  
Representative of Head, Aquaculture Division, Fisheries Colleges.

**D. Panchayat Level Steering Committee (PLSC)**

Co-ordinator (Aquaculture)  
Standing Committee Chairman of various Committees of the Local Body Secretary of the Local Body  
Three representatives of farmers.

**E. Panchayat Level Farmers Clubs**

Executive Committee for the Farmers Club  
Panchayat President - Chairman  
Matsyabhavan Officer or any officer - Convenor  
Members  
All Ward Members  
Selected 4 or 5 farmers  
Co-ordinator (Aquaculture)

4. Govt. are further pleased to order the formation of a Special Cell in the Directorate of Fisheries with the following structure with the available manpower three, without creation of any new posts.

Special Cell at Directorate of Fisheries

Additional Director of Fisheries	- Special Officer
Deputy Director of Fisheries (Inland)	-
Aquaculture Expert	- 1
Sub Inspector/Inspector of Fisheries	- 1
U.D. Typist	- 1
Extension Officer	- 3
Peon	- 1

The Director of Fisheries will deploy the required staff for the Special Cell from the existing staff strength of the Department. The personnel posted to the Special Cell will attend to the work of the project over and above their normal duties in the Department.

By order of the Governor,

K. Radhakrishnan

Additional Secretary to Government.

To

The Director of Fisheries, Thiruvananthapuram (He will endorse the copies of this order to agencies such as ADAK, FFDA, BFFDA, FIRMA, Matsyafed, CDA etc,)

The Principal Accountant General (Audit), Kerala, Thiruvananthapuram

The Accountant General (A&E), Kerala, Thiruvananthapuram

The Local Self Government Department

The Finance Department (Vide UO No. 24644/Dev.2/08/Fin. Dated 17-6-2008)

The Planning & Economic Affairs Department (Vide UO No. 15378/A1/07/Plg. Dated 31-10-2007)

Stock file/Office copy

Copy to:- PS to Minister (Fisheries & Registration)

PS to Minister (Local Self Government Department)

PS to Minister (Finance)

PA to Secretary (Local Self Government Department)

PA to Additional Chief Secretary (Fisheries)

CA to Additional Secretary (Fisheries)

Disposal leading to GO (MS) 37/08/F&PD dated 28-6-2008

Forwarded / By Order

Sd/-

Section Officer

**Annexure: 3.1**  
**Control Over Officers Rule, 1997**  
(See Para: 3.5.12)

THE KERALA PANCHAYAT RAJ (CONTROL OVER OFFICERS) RULES,1997

**S.R.O.No.534/97.**—In exercise of the powers conferred by sub-section (5) of Section 179 sub-sections (8) and (9) of Section 180 and sub-sections (1) and (3) of Section 181 of the Kerala Panchayat Raj Act, 1994 (13 of 1994) read with sub-section (1) of Section 254 there of, the Government of Kerala hereby make the following rules, namely:-

RULES

- 1. Short title and commencement.** —(1) These rules may be called the Kerala Panchayat Raj (Control over Officers) Rules,1997.  
(2) They shall come into force at once.
- (2) Definitions.**— (1) In these rules unless the context otherwise requires,-
  - (a) 'Act' means the Kerala Panchayat Raj Act, 1994 (13 of 1994);
  - (b) 'Appointing authority' means an Officer or authority authorised by the Government to appoint an employee to the Government Service or Panchayat Service.
  - (c) 'Municipality' means a Municipality constituted under Section 4 of the Kerala Municipality Act, 1994 (20of1994);
  - (d) 'Officer' includes the Secretary appointed under Sub-Section (1) of section 179, officers and employees appointed to Panchayat Service as per rules made under sub-section (4) of section 180 or rules made under the Kerala Panchayat Raj Act, 1960 (32 of 1960), and any Government officer or employee whose service has been lent to the Panchayat under sub-section (2)of Section176 or sub-section(1)of Section181;
  - (e) 'Section' means a section of the Act;
  - (2) The words and expressions used and not defined in these rules but defined in the Act shall have the meanings respectively assigned to them in the Act.
- (3) Lending of service of Government Officers and employees to the Panchayat.**—
  - (1) The Government may, by a special or general order, lend the service of any Government officer or employee including temporary, full time, part time or contingent officer or employee to the Panchayat under sub-section (2) of Section 176 or sub-section(1)of Section181.
  - (2) The Government officers and employees lent to Panchayat under sub-rule (1) shall be considered as employees of Government for all matters regarding service and their service and wages conditions shall be continued as if they we recontinued in the Government service and their salary, allowances and other financial benefits shall be given from the Panchayat fund or contribution for the same shall be given to the Government by the Panchayat:

Provided that the Government may continue to give such salary, allowance and other financial benefits to them from the consolidated fund of the Government till the period as the Government may deem fit.

- (3) The Government officers and employees whose service has been lent to Panchayat shall be under the full control and supervision of the Panchayat and they shall exercise those powers and perform duties as may be determined by the Panchayat for matters coming within the jurisdiction of the Panchayat subject to the general restrictions as may be fixed by the Government.
- (4) Every Government officer or employee whose service has been lent to Panchayat while serving for the Panchayat shall also have the authority to exercise the powers entrusted by the Government and shall be liable to perform the duties.
- (5) The Government officers and employees whose service has been lent to Panchayat shall not be entitled to get deputation allowance.
- (6) The Panchayat shall have authority to appoint by transfer any Government officer and employee whose service has been lent to Panchayat from any office or institution of the Panchayat to office of the Panchayat or to any other office or institution under that Panchayat:

Provided that a Government officer or employee shall not be appointed by transfer from a department to another department:

Provided further that Panchayat shall be liable to comply with the general guidelines regarding the transfer of Government officers issued by the Government from time to time.

- (7) Government may for sufficient reasons take back any Government officer or employee whose service has been lent to a Panchayat for the service of Government or may be appointed by transfer from that Panchayat to another Panchayat or to a Municipality.
- (8) If a vacancy arises due to transfer, leave or any other reason in the post of Government Officer or employee whose service was lent to Panchayat and in the circumstances where the service of another Government Officer or employee is not immediately lent to fill such vacancy, subject to such general guidelines issued by the Government, the Panchayat may appoint another person temporarily in that vacancy, by informing the appointing authority in advance, for a period not exceeding six months or till a Government officer or employee is appointed to such vacancy whichever is earlier,—
  - (a) through employment exchange; or
  - (b) if candidate is not available through employment exchange on contract basis as per the conditions specially provided by the Government:

Provided that in the case of such temporary appointment as school teachers, if necessary, the period of six months may be reckoned, as till the end of respective academic year.

**4. Imposing of minor penalties on officers.**—(1) Where an officer fails to perform his official duty or violates the discipline or refuses to carry out the lawful decision of the Panchayat or will fully obstructs the implementation there of or fails to obey the lawful orders of the President, or for the misbehavior or misconduct of an officer, the Panchayat may take disciplinary proceedings against such officer and may impose on him any one of the following minor penalties, namely:—

- (1) censure,
- (2) fine,
- (3) temporary withholding of increment,
- (4) withholding of promotion,
- (5) recovery of amount from salary.

Notes: —(i) No fine shall be levied on an officer except in the post of last grade, part-time or full-time contingent. Huge amount shall not be levied as fine and trifle fine shall not be levied frequently;

- (ii) the period of with holding of increment shall not be less than three months and not more than three years. There will not be any cumulative effect on with holding of increment and shall not have the effect of postponing future increments;
  - (iii) with holding of promotion shall be temporarily for a specific period and this period shall not be less than six months and not more than three years;
  - (iv) if the period is not specified in the order of with holding of increment or promotion it will be deemed to be three months and six months respectively;
  - (v) in the case where the order of with holding of increment cannot be given effect to the monetary value equivalent to the amount of increments ordered to be with held will be recovered from the salary of the concerned officer;
  - (vi) recovery of amount from salary as a penalty shall be made only when pecuniary loss is caused to the Panchayat by the Act of the officer;
  - (vii) with holding of promotion of the officer concerned shall not entail loss of seniority in the grade for the time being he is working;
  - (viii) an officer whose promotion is with held, shall if and when promoted to a higher grade or to higher time-scale subsequently, on promotion take his place at the bottom of the higher grade or higher time-scale.
- (2) In true case where Panchayat initiates disciplinary action against an officer of the Panchayat referred to in Section 180 for an offence, the Secretary shall not, and in case where the Secretary initiates disciplinary action under clause (ix) of Section 182, the Panchayat shall not imitate disciplinary action against such person for the same offence.
  - (3) Notwithstanding anything contained in sub-rule (1) the concerned appointing authority and disciplinary authority shall have the power to initiate disciplinary action against the Secretary or Government officer or employee whose

service has been lent to Panchayat under sub-section of Section 176 or under sub-section(1) of Section 181.

- (4) In the case where Panchayat initiates disciplinary action for an offence, against Secretary or Government officer or employee whose service has been lent to Panchayat, the concerned appointing authority or disciplinary authority and in the case where the appointing authority or disciplinary authority initiates disciplinary action under sub-rule(3) the Panchayat, shall not initiate disciplinary action, against such person for the same offence.
- (5) In the case where the Secretary under clause (xi) of Section 182 or by the appointing authority or disciplinary authority, as the case may be, under sub-rule(3), initiates disciplinary action against an employee whose service has been lent to Panchayat, it shall be in accordance with the Kerala Civil Service (Classification, Control and Appeal) Rules, 1960.
- (6) If the Panchayat so decides, the Panchayats may require the Secretary to initiate disciplinary action for any offence against an employee of the Panchayat and the concerned disciplinary authority to intimate disciplinary action against a Government officer or employee whose service has been lent to Panchayat.

**5. Procedure to issue memo of charges.**— (1) Where on the basis of available information, the President or the Grama Panchayat prima facie is satisfied that an officer has committed an offence referred to in sub-rule (1) of Rule 4 and disciplinary action has to be initiated against him, the Panchayat has to decide, whether disciplinary action has to be initiated against that person and if the Panchayat so decides a notice requiring to show-cause for not initiating such disciplinary action shall be issued to the concerned officer. In the case of Secretary, the notice shall be issued by the President and in the case of an officer other than the Secretary, by the Secretary, as per the orders of the President:

Provided that on urgent occasions, notice may be issued subject to ratification of the Panchayat.

- (2) The grounds proposed for initiating disciplinary action against the concerned officer shall be clearly shown in the notice issued under sub-rule (1) and after the receipt of notice not less than seven days' time shall be allowed to furnish reply.

Note:—vague statements shall be avoided in the notice, for example, a general statement in the nature of “not complied with the direction of President or Panchayat ”shall not be a ground intended to initiate disciplinary action, instead of it shall be specifically stated that what direction in which circumstances has not been complied with.

- (3) The President shall submit, the explanation, if any, received from the officer, within the specified time to the notice under sub-rule (1) and if no explanation is received, his report regarding the same for the consideration of the Panchayat. In case of an officer other than Secretary, along with the explana-

tion the opinion of the Secretary or head of office, there of, shall also be submitted by the President for the consideration of the Panchayat.

- (4) After considering the explanation or the report mentioned under sub-rule (3) the Panchayat may decide whether the disciplinary action against the concerned officer is to be dropped or
  - (5) In case whether the Panchayat decides to initiate disciplinary action against an officer under sub-rule (4) a memo of specific charges along with a statement of allegations based on charge or charges shall be issued to him and he shall be required there in to furnish written statement with in fifteen days. The memo of charges shall be issued by the President in the case of Secretary and by the Secretary in the case of an officer other than the Secretary/Under the orders of the President.
  - (6) Memo of charges shall be in the model form appended to these rules and shall be signed by the President or the Secretary, as the case may be.
  - (7) Memo of charges shall be precise and in clear language and the date and time of occurrence of the incident wherever applicable shall be included therein.
  - (8) While issuing of orders regarding disciplinary action, in the statement of allegations on which each charge is based, shall also refer to any other circumstance which is proposed to be considered.
  - (9) A list of documents relied upon in framing the charges shall be listed out at the end of the statement of allegations.
  - (10) Two copies of the memo of charges and statement of allegation shall be issued to the concerned officer and one copy shall be got back with his dated signature and kept in the file.
  - (11) If no written statement is received with in the period specified in the memo of charges, no reminder shall be issued to the concerned officer, and shall continue with further proceedings on the presumption that there is no written statement to be filed. Provided that in the case of application received for, extension of period, if the President is satisfied that reasons stated in the application are acceptable; such period may be extended to a period not exceeding fifteen days.
  - (12) If at any stage of the further proceeding the Officer applies for the perusal and obtaining the copy of any document referred to in the list appended to the statement of allegations he may be Allowed to perusal and obtain, copy of the documents if the President considers that such permission is not against public interest in due supervision.
- 6. Examination of written statement.**— (1) The President shall submit the written statement if any, received with in the stipulated time from the officer to the memo of charges issued to him under sub-rule (5) of Rule 5 and if no written statement is received, his report regarding the same for the consideration of the Panchayat. In the case of an officer other than Secretary, the President shall also submit written statement, the opinion of the Secretary or head of office there in for the consideration of the Panchayat.

- (2) If, in the written statement received from an officer, it is requested to hear him in person, President shall hear him in person on behalf of the Panchayat and shall submit the matters informed by him along with written statement for the consideration of the Panchayat.
- 7. Imposition of minor penalty.**—(1) Where the Panchayat after considering the written statement furnished by the concerned officer to the memo of charges issued under sub-rule (5) of Rule 5, or if no written statement is received, the report of the President in that regard, is satisfied that the concerned officer has committed the offence alleged against him and after considering the nature and gravity of the offence committed, may impose on him any one of the penalties mentioned in sub-rule (1) of Rule 4 and orders with signature shall be issued accordingly on behalf of the Panchayat by the President, in the case of Secretary and by the Secretary in the case of an officer not being the Secretary.
- (2) An order issued order sub-rule(1)-
- (a) In the case of the Secretary, the President shall forward a copy with covering letter to the concerned appointing authority for implementation and for recording the details of penalty in his service register, to Government and if necessary to the Accountant General;
- (b) in the case of a Government employee of the State service, the Secretary shall forward a copy with covering letter to the concerned head of department for implementation and for recording the details of penalty in his service register, to the Government and to the Accountant General;
- (c) in the case of a Government officer of subordinate service the Secretary shall forward a copy with covering letter to the concerned head of office for implementation and for recording the details of penalty in his service register and if necessary to the concerned head of department;
- (d) in the case of Panchayat employee referred to in Section 180, if awarded a penalty except withholding of promotion, the Secretary shall execute by entering the details in his service register and in the case of with holding of promotion a copy of that order shall be sent to the appointing authority.
- 8. Suspension.**— (1) If the President is prima facie satisfied that an employee of the Panchayat referred to in Section 180, a Government Officer or employee of subordinate service whose service has been lent to the Panchayat has committed an offence of serious nature, includes misconduct or deserves major penalty, and allowing him to continue in service is against public interest and will obstruct the enquiry being conducted or intending to conduct against him, he may suspend such employee from service subject to detailed enquiry and disciplinary proceeding.
- (2) The concerned employee shall be entitled to subsistence allowance under Rule 55, Part I of the Kerala Service Rules, 1959, during the period of suspension.

- (3) The President shall report the order of suspension and matters leading there to in the next meeting of the Panchayat and shall seek the approval of the Panchayat for the order. If the Panchayat does not approve the suspension, the order of suspension stands cancelled suo moto and the employee suspended shall immediately be reinstated in the employment and period of suspension shall be treated as duty.
- (4) The President shall immediately forward the copy of suspension order and the decision of the Panchayat there on to the appointing authority.
- (5) In the manner without being an obstruction to disciplinary action against the suspended employee, the Panchayat may at any time reconsider his suspension and he may be reinstated to the employment.
- (6) The President shall complete the enquiry against the concerned employee within three months of issue of suspension order and shall submit the enquiry report for the consideration of the Panchayat.
- (7) The Panchayat may decide after considering the enquiry report to drop the disciplinary action in the name of the employee or as the case may be, to initiate disciplinary action under Rule 4 or to forward the enquiry report under Rule 10 to appointing authority or Government, as the case may be.
- (8) In the case where the Panchayat is imposing a minor penalty or dropping disciplinary action in the name of an employee and if the suspension of employee has not been withdrawn till then, together with imposing of minor penalty or dropping the disciplinary action, the suspension shall be withdrawn and how the period of suspension has to be treated shall be determined according to Rule 56 Part I of the Kerala Service Rules, 1959.
- (9) In the case where the enquiry report under Rule 10 is sent to appointing authority or Government, as the case may be and if the suspension has not been withdrawn till then the suspension shall be continued or withdrawn as per the direction of the appointing authority or Government

#### NOTES

*Panchayat Raj (Control over Officers) Rules, 1997-R.8(6)-The statutory rule is to complete the proceedings at the earliest as evident from sub-rule 6 of Rule 8 which provides the time limit of three months. Therefore the delay is not justified. Since consequence is not provided for not completing enquiry within the time limit, it can be assumed that the said provision is only directory. In other words, the violation of sub-rule 6 may not result in nullification of the entire proceedings as the said rule is only directory. — Pushpavally v. Seethathodu Grama Panchayat - 2002 (2) KLT SN111.*

- 9. Appeal and re-examination.**—(1) The officer concerned may file an appeal in the form annexed as Appendix 2 to these rules against the order issued by the President or Secretary as the case may be, on behalf of the Panchayat imposing minor penalty on an officer under sub-rule (1) of Rule 7, before an officer authorised by the Government for this purpose within thirty days on receipt of such order:

Provided that if the authority is satisfied that there is sufficient reason for not filing the appeal within the specified time, the appeal received after the time may be considered.

- (2) On receipt of the appeal under sub-rule (1), the authority authorised shall call for and examine the connected records and shall after hearing in person the officer who preferred the appeal and the President on behalf of the Panchayat or any other person authorised by the Panchayat who imposed the penalty which being the ground for appeal, confirm, modify or cancel the order imposing such penalty or issue such orders as may deem fit.
- (3) The Government may require the records relating to every order issued under sub rule(2) either suo-moto or on application and may reconsider such order and pass appropriate order regarding it as they may deemit:

Provided that no application for reconsideration of an order shall be considered if it is received by the Government after thirty days from the date of receipt of such order by the applicant:

Provided further that, an order adversely affecting an officer shall not be passed by the Government without giving an opportunity of being heard:

Provided also that the Government shall not suo-moto reconsider an order after One year from the date of the order.

- 10. Procedure on commission of offences which may result in imposing major penalties.**—(1) If the President or the Panchayat believes that an officer has committed an offence which deserves any major penalty, the President, after conducting the enquiry against such officer or employee shall send the enquiry report together with the opinion of the Panchayat there on to the appointing authority in the case of an employee of Panchayat referred to in Section 180 and shall send to the Government in the case of an officer or employee whose service has been lent to the Panchayat under sub-rule(1)of Rule 3.
- (2) The appointing authority or the Government shall examine in detail the report of the President and opinion of the Panchayat, as the case may be, and if necessary after hearing the President or the officer alleged in person shall take suitable decision regarding initiation of disciplinary action and that decision shall be intimated to the President.
- (3) In the case where the appointing authority or the Government decides to initiate disciplinary action against the officer the procedure contained in the Kerala Civil Service (Classification, Control and Appeal) Rules,1960 shall be observed.
- (4) In the case where the alleged officer has been suspended from service under Rule 8, matters as to whether suspension is to be continued or how the period of suspension is to be reckoned shall be examined by the appointing authority or Government, as the case may be, and shall issue suitable order.

- 11. Observation of provisions of other rules.**—In the case of suspension, imposition of minor penalty and appeal, the procedure laid down in the Kerala Civil Service (Classification, Control and Appeal) Rules, 1960 and the Manual of Disciplinary Proceedings of Government of Kerala shall be applicable to matters not mentioned in Rules 4 to 10 and if there is any doubt of dispute arise regarding any of these, the decision of the Government shall be final.
- 12. Confidential report.** —(1) The President shall prepare the confidential report of the Secretary from time to time and send to the appointing authority.
- (2) The Secretary shall, prepare from time to time the confidential report of the employees of the Panchayat for whom it is directed as keep confidential reports and submit to the President for review and shall send to the appointing authority together with review report of the President.
- (3) The President may send report regarding the service of the Government officers or employees whose service has been lent to the Panchayat from time to time to the concerned appointing authority and the said report shall also be taken in to account, while considering such officer or employee for promotion.
- 13. Granting of leave.** —(1) The Secretary may grant leave including casual leave to the employees of Panchayat referred to in Section 80 subject to eligibility and the provisions of the Kerala Service Rules.
- (2) The President may grant casual leave to the Secretary and to the head of office and institutions which have been lent by the Government subject to eligibility.
- (3) The granting of leave except casual leave to officers referred to in sub-rule(2) subject to eligibility and the provisions of the Kerala Service Rules shall be by the Government officer authorised for this purpose.
- (4) Granting of leave including casual leave subject to eligibility and the provisions of Kerala Service Rules to Government officer or employee not referred under sub-rule (2) whose service has been lent to Panchayat shall be by an officer authorised by the Government for this purpose.
- (5) In the case where granting of leave except casual leave to any officer under sub-rules (3) and (4) is by a Government officer whose service has not been lent to Panchayat the leave application shall be sent to the said officer together with the recommendation of the President.

#### **APPENDIX I**

##### MODEL OF MEMO OF CHARGE

[See sub-rule (6) of Rule 5]

##### MEMO OF CHARGE

Charge against Sri/Smt..... (name) working in the post of.....in the..... (place of work, officer, institution etc.) under.....Panchayat.

1. It is seen that you, Sri/Smt..... have committed the offence of.....(here enter the alleged offence or the substance of the offences, relevant date or dates and place).
2. You are required to show cause, if any, in writing within fifteen days, from the date of receipt of this notice, as to why disciplinary action should not be taken against you under Rule 4 of the Kerala Panchayat Raj( Control over Officers) Rules, 1997, and if no such statement is received from you within the said period the matter will be proceeded with the presumption that you have nothing to offer in this matter.

A statement of allegations on which the above charge or charges is/are based is attached here with.

**APPENDIX II**

[See sub-rule(1) of Rule 9]

Appeal against disciplinary actions of.....Panchayat.

1. Name and official address of the appellant :
2. Number and date of the order :
- Appealed against (copy shall be enclosed) :
3. Offence alleged for imposing penalty :
4. Details of penalty awarded :

Reasons based for appeal  
(Enter the reasons in detail)

Place: \_\_\_\_\_ Signature of the appellant

Date: \_\_\_\_\_

**Explanatory Note**

(This does not form part of the Notification, but is intended to indicate its general purport.) As per sub-section (5) of Section 179, sub-section (9) of Section 180 and sub-section (3) of Section 181 of the Kerala Panchayat Raj Act,1994( 13 of 1994), the Panchayat is competent to impose minor penalties on Secretary, any officer or employee of the Panchayat and Government Officers or employees whose service has been lent to the Panchayat, respectively. The government intends to make rules, presenting the procedure in the matter and specifying the controlling power of the Panchayat over the officers and in the matter of granting of leave. This Notification is intended to achieve the above object.

Place..... President/Secretary.

Date..... For.....Panchayat.