



GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Fisheries – Co-operatives – Conduct of Skill Test for Identification of members for organization of new Inland Fishermen Coop. Societies- Admission of members, elimination of bogus/ineligible members- Comprehensive guidelines – Orders -Issued.

ANIMAL HUSBANDRY, DAIRY DEVELOPMENT & FISHERIES (F.II) DEPARTMENT

GO Ms No. 74.

Dated : 21 -10-2011.

Read the following:

- 1) G.O.Ms. No. 98, Revenue Department, dated.22.01.64.
- 2) G.O. MS No.776,Food&Agriculture(Fish II) Dept. dated..31-12 1990.
- 3) Commissioner of Fisheries,Hyderabad,Circular Memo No.6232/I2/92, Dated:16.11.1992.
- 4) G.O.Ms No. 35, AHDD&F (Fish II) Department, Dated: 29-4-2003.
- 5) Cir. Memo No.182/I(1)/97, dated.30-1-1997 of the Director of Fisheries, Hyderabad.
- 6) Cir. Memo No.182/I(1)/97, dated. 13-12-1997 of the Director of Fisheries, Hyderabad.
- 7) Cir. Memo No.182/I(1)/97, Dated. 16-10-1998 of the Director of Fisheries, Hyderabad.
- 8) Minutes of the meeting conducted by Hon'ble Minister for AH,DD,F & VU on 23-07-2011.
- 9) From the Commissioner of Fisheries, Hyderabad , Lr No. 3001/I2/2011, dated 22 -09-2011.

ORDER :

The Government as leases out the tanks to inland fishermen's coop societies as per the policy enunciated in the G.O. second read above, so that they can reap the benefit of use of public assets for their economic betterment and for their livelihood. These Fishermen's Cooperative Societies are meant for the those members of weaker sections of the society who are actually eeking at a living by fishing activities as decided in the G.O first read above. The Government is keen to ensure that genuine fishermen are organized into societies. Despite several efforts made by the department right from 1992, to weed out bogus members, complaints are still being received that bogus members are still existing in many Fishermen Coop. Societies and also ineligible members are being continuously being made members denying membership to genuine fishermen.

2. The Director/Commissioner Fisheries, Hyderabad has constitute a three-men committee for conducting skill-test to identify the genuine fishermen from time to time. It is observed by the Government that comprehensive guidelines on skill test has not been issued due to which there is a lot of subjectivity in the conduct of skill test, with the result that several ineligible people got selected to the exclusion of the genuine fishermen in the formation of the societies.

3. This issue was discussed in the meeting of fishermen leaders/Managing Committee Members of Andhra Pradesh Fishermen Coop. Societies Federation Ltd., and Presidents of District Fishermen Coop. Societies on 23rd July, 2011 by Hon'ble Minister for AH,DD & Fisheries. The participants requested for removal of bogus members.

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4. After careful examination of the proposal of Commissioner of Fisheries, Hyderabad and keeping in view various suggestions and practical problems and with a view to do justice to the genuine fishermen, Government hereby issue the following procedure for constituting new Fishermen Coop. Society, bifurcation of existing societies and weeding out of bogus/ineligible members from existing Fishermen Coop. Societies and admissions of new members in the existing Fishermen Coop. Societies:

A) THE THREE (3) MEN COMMITTEE - There shall be a three men committee to conduct the skill test comprising of the following:

- 1) Divisional Coop Officer (official member)
- 2) President, Dist Fishermen's Coop society (non official member)
- 3) District Fisheries Officer or the Divisional Assistant Director of Fisheries (Convenor/official member)

In the ITDA areas one officer nominated by the Project Officer, ITDA will be the additional member.

B) ELIGIBILITY OF APPLICANTS FOR UNDERGOING THE SKILL TEST

Persons belonging to 30 fishermen communities (as included in the G.O.first read above, Gangaputra community is also fishermen community as it is another name of Besta community -G.O.Ms No. 1793, Education Dept Dated 23-09-1970) and engaged in fishing should be considered for the skill test. Only persons living in the village (s) in the area of operation of the society are eligible. Other conditions of eligibility/disqualification as mentioned at 4(a), 4(b) of the model bye-laws of the Fishermen Coop. Societies and Sec 19 and 21 of the A.P.Coop.Societies Act, 1964 shall be followed scrupulously.

Their residential status is to be verified with the ration card, Adhar Card, Voter Identity card, Residence and Caste Certificates issued by concerned authorities etc.

As per G.O. first read above, only Cooperative Societies composed of 30 communities (and Gangaputras) given in the annexure of this G.O are eligible for taking

tanks on lease/ on rentals fixed by competent authorities. Since Fishermen Coop. Societies of other communities are not covered under G.O. first read above (and under BSO 211 referred in the said GO) and also in G.O. Second read above. They will not be eligible for leasing of fishery rights at reasonable rentals. (Fishermen includes Fisherwomen also.)

C) TESTS TO BE CONDUCTED:

The following tests will invariably be conducted by the committee:

1. Operation of the cast net in knee-deep water with at least 60% gear efficiency (60% gear efficiency means when the net is cast it should form circle to the extent of 60%).
2. Operation of the drag net by a group of applicants in such a way that fish do not escape under the footrope.
3. Operation of the Gill net & teppa /coracle: The applicant's ability to shoot/thread the net in such a way that the head rope and foot rope are spread out vertically to achieve maximum gilling of fish.
4. Test to confirm the swimming ability. Applicant should be able to swim for about 100 meters to and from the starting point.
5. Net mending. Applicant should be able to repair webbing of commonly used nets like cast and gill nets.

The Committee has to satisfy itself that the applicant is able to perform in these tests with reasonable proficiency.

D) ADVANCE INTIMATION OF DATE, TIME AND VENUE OF THE SKILL TEST:- The Dist Fisheries Officer shall give communication about the date, time and venue well in advance to the applicants and other concerned by beat of tom-tom, notice in Gram Panchayat and other public places in the village (including hamlets if any) and obtain an acknowledgement from the chief promoter and Sarpanch.

E) OBSERVER : An officer by the Commissioner of Fisheries, Hyderabad, not below the rank of Assistant Director, will be deputed as Observer for the skill test process. The skill test shall be conducted by the above mentioned committee in the presence of the Observer and fishermen elders of the village. It will be the responsibility of the Observer to ensure presence of majority of the fishermen elders of the area of operation of the FCS and conduct of skill test in fair and transparent manner.

F) VIDEO RECORDING :

The entire process of conducting the skill test shall be video-graphed in the presence of the Observer. The District Fisheries Officer shall submit a soft copy of the video recording along with the proposal.

G) SELECTION OF APPLICANTS:

At the first instance all those applicants from the communities listed in the G.O 1st read above (and Gangaputras), who possess the skills (as per the five tests prescribed above) and residing in the area of operation of the proposed (of existing society in case of bifurcation) Society, and not ineligible as per 4 (b) of model bye-laws, Sec 19 and 21 of APCS Act 1964 should be provisionally selected. If the number of such skilled applicants is more than the viability norm (one ha / beneficiary) the following selection process should be adopted in order of priority :

- (i) Poorest of the poor (POP) among the applicants.
(POP list is available with the IKP / SERP officials)
- (ii) Even after the above step , if the number is still more than the norm of one hectare water spread area per member, the age criteria should be followed eliminating people of higher age group to start with (for example 60 years to be eliminated in preference to 50 years and so on).

The District Fisheries officer shall send the proposal for the formation of the Fishermen's Cooperative Society along with the video recording and proceeding of the three men committee to the Commissioner of Fisheries.

The Observer shall submit his report on the entire selection process independently to Commissioner of Fisheries.

(H) SCHEDULED TRIBAL AREAS:

In the Agency areas (Scheduled tribal areas) of the state, the rights of the local tribals have to be protected. The Project Officers of ITDAs shall nominate one senior officer of ITDA in the Skill test committee as an additional member. If local tribals are not skilled in fishing, they should be imparted training and selected to form tribal fishermen cooperative societies. The commissioner of Fisheries shall not accept any proposal for formation of Fishermen Coop. Societies in Agency areas if the proposal is not routed through concerned Project Officer, ITDA.

I) WEEDING OUT OF THE INELIGIBLE/DECEASED MEMBERS:-

It shall be the responsibility of the President of the FCS to bring to the notice of the District Fisheries Officer by **31st Dec. of every year** about members of the society who have become ineligible as per Sec 21 of A.P.Coop. Societies Act, 1964 and Byelaw and 4(b) of Model Bye-law of Fishermen Coop. Societies such as - becoming member of any other similar society / weaker section society (dual membership), getting employment in government/private firms, migration outside the area of operation of the society, and also about those who have died (the details are given below).

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The District Fisheries Officer shall enquire in to such cases and ensure that the society removes such ineligible / deceased members before granting **Fishing Rights** to the society for the next Fasli year from first July every year.

The District Fisheries Officer shall also ensure that any eligible applicant, if applied before cutoff date of 31st Dec and tested for eligibility as per procedure mentioned above, is made member by the society before granting fishing rights for the next Fasli year.

If any society refuses to weed out ineligible persons and admit eligible fishermen as member, fishing rights should be denied to such societies for the next Fasli year or till ineligible members are removed and eligible members are made as members of the society constituted for such water resource. The competent authority shall take action as per provisions of Sec. 64 of A.P.Coop.Societies Act, 1964 also.

J) Complaints of Bogus membership:

In cases of complaints about any bogus members in the society, the procedure prescribes in GO Ms 35, AH DD & Fisheries department, dated 29-04-2003 shall be followed. No fishing rights shall be issued to such societies till the bogus members are removed by the society and eligible members are admitted as per procedure mentioned in paras above.

The fishing rights issued for a particular fasli year shall not be withdrawn or suspended in the middle of the year basing on the complaint that there are bogus members in the society. Such problems shall be sorted out as per steps mentioned above before the fishing rights are issued for the next fasli year.

Other conditions of ineligibility for membership into Fishermen Coop. Societies are violation of Section 21 of the A.P.Coop.Societies Act, 1964 and bye-laws of the Fishermen Coop. Societies which are reproduced as below:

Section 21. Disqualification of membership of society : (1) A person shall be disqualified for being admitted as, and for being a member, if he

- a. is an applicant to be adjudicated, an insolvent or is an undischarged insolvent or is not eligible for membership under Section 19; or
- b. has been sentenced for any offence involving moral turpitude, such sentence not having been reversed and a period of three years has not elapsed from the date of expiration of the sentence, or
- c. is a paid employee of the society or of its financing bank or of any society for which it is the financing bank; or
- d. has been expelled from membership under this Act and a period of one year has not elapsed from the date of such expulsion; or
- e. is carrying on business of such kind as the Registrar may by general or special order, declare to be a business which is in conflict with the objects or interests of the society; or
- f. According to Section 19 (1) (A), only such of those persons, who are eligible as per the bye-laws formulated for each Cooperative Society shall be eligible. The Commissioner of Fisheries has prescribed Model Bye-laws for adoption by every Fishermen Cooperative Society, before it is formally constituted
- g. fails to attend two consecutive General Body meetings in two years without leave of absence; or
- h. fails to give information relevant to him to the society as specified in the bye-laws.

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(2) **As per Bye-law No.4 (a)** any person who is desirous of fishing in the water bodies within the area of operation of FCS, as specified in Bye-law No.1 and is so certified by the Three Men Skill Test Committee of the concerned district, that the proposed member possess required **fishing skills** and that his **main occupation of livelihood is fishing** and who is competent to contract and is **residing in the area of operation of society** shall be eligible for admission as a member of the society subject to the provisions of sub-clause 4(b).

(3) **According to 4 (b)** of the Bye-law, no person is eligible to become a member, if he is otherwise **employed** which includes self-employment.

(4) As per Section 16(5) of APCS Act, 1964, the Registrar/Commissioner of Fisheries should issue directions to the Dy. Director of Fisheries / Ex-Officio Jt. Registrar of Cooperative societies and Asst. Director of Fisheries / Ex Officio Dy. Registrar of Cooperative Societies concerned to insert 4 (a) and 4 (b) in model bye-laws of existing Fishermen Cooperative Societies under the A.P.C.S. Act, 1964 on the above lines **by 31st Dec. 2011 if not done already.**

5. The District Fisheries Officers should give wide publicity to the provisions of this order among the fishermen and the existing Fishermen Coop. Societies.

6. These orders will come into force with immediate effect.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

S.BHALE RAO
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
The Commissioner of Fisheries, AP, Hyderabad.
All District Fisheries Officers (through the Commissioner of Fisheries, Hyderabad)
The Commissioner, Panchayat Raj, Hyderabad.
The Commissioner, Tribal Welfare, Hyderabad.
The Commissioner for Cooperatives and the Registrar of Coop. Societies, Hyderabad.
The Chief Executive Officer, SERP, Hyderabad
All District Collectors in the State. } (through the Commissioner of Fisheries,
All Project Officers, ITDAs in the State. } Hyderabad.)

//forwarded :: by order//

SECTION OFFICER.