

# **The M.P. Fishermen Co-Operative Societies (Loans and Subsidies) Rules, 1972**

MADHYA PRADESH

India

## **The M.P. Fishermen Co-Operative Societies (Loans and Subsidies) Rules, 1972**

### **Rule**

### **THE-M-P-FISHERMEN-CO-OPERATIVE-SOCIETIES-LOANS-AND-SUBSIDIES-RULES-1972**

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The M.P. Fishermen Co-Operative Societies (Loans and Subsidies) Rules, 1972 Published vide Notification No. C-17-3-73-Vety-14, dated 9-7-1973, published in M.P. Gazette, Part 4 (Ga), dated 23-11-1973 at pages 798-804 In exercise of the powers conferred by sub-sections (1) and (2) of Section 95 of the Madhya Pradesh Co-operative Societies Act, 1960 (No. 17 of 1961), the State Government hereby makes the following rules, namely:-

#### **1. Short title.**

- These rules may be called The Madhya Pradesh Fishermen Co-operative Societies (Loans and Subsidies) Rules, 1972.

#### **2. Definitions.**

- In these rules, unless the context otherwise requires,-(a)"Act" means the Madhya Pradesh Co-operative Societies Act, 1960 (No. 17 of 1961).(b)"Director" means the Director of Fisheries, Madhya Pradesh.(c)"Fishing apparatus" means a Craft, Tackle, Net, Yarn, Hook, Winch, Line hauler and any other contrivance used for fishing.(d)"Registrar" means the Registrar of Co-operative Societies, Madhya Pradesh.(e)"Society" means Fishermen's Co-operative Society Ltd., and registered under the Madhya Pradesh Co-operative Societies Act, 1960 (No. 17 of 1961).

### 3. Purpose for which loans or subsidies may be granted.

- A loan or subsidy or both may be granted to a Society under these rules for the following purposes namely :- (a) For purchase of- (i) fishing Apparatus; (ii) material for preparing boat and conveyance for transport of fish. (b) For other purposes- (i) purchase and stocking of fish seed; (ii) repairs of ponds and tanks; (iii) payment of lease money of ponds and tanks; and (iv) incurring expenditure on management.

### 4. Application.

(1) Every application for a loan/subsidy shall be presented in the form appended to these rules to the Fisheries Officer of the area within whose jurisdiction the registered office of the society is situated along with a resolution of the managing committee of the Society. (2) The Society making an application under sub-rule (1) shall furnish to the satisfaction of the Fisheries Officer such other information as may be required by such officer.

### 5. Disposal of application.

- On receipt of the application under sub-rule (1) of Rule 4, the Fisheries Officer shall forward the application to the concerned Assistant Registrar, Co-operative Societies for his scrutiny. The Assistant Registrar shall cause such enquiry as he thinks fit to be made in regard to the constitution, working and financial condition of the society and forward the application through proper channel to the authorities by whom loan or subsidy may be granted as specified under Rule 6.

### 6. Authority by whom loans or subsidies may be granted.

- The amount of loan or subsidy and the extent thereof which may be granted to a society by the authorities shall be as shown below-

S.No(1)	Authority(2)	Extent of Loan/Subsidy(3)
1.	Director	(a)(b) An amount of loan exceeding Rs.1000 but not exceeding Rs. 5000. An amount of subsidy exceeding Rs. 500 but not exceeding Rs.2500.
2.	Deputy Director of Fisheries	(a)(b) An amount of loan not exceeding Rs.1000. An amount of subsidy not exceeding Rs. 500.
3.	Assistant Director of Fisheries	(a)(b) An amount of loan not exceeding Rs.500. An amount of subsidy not exceeding Rs. 200.

### 7. Limitation of amount of loans and rate of interest.

(1) No loan shall ordinarily be granted to any society of an amount exceeding five times the net value of the total assets including its share capital after deducting the value of all encumbrances existing at the time when the application is made. However, in special circumstances loan shall be granted to a

society of an amount not exceeding eight times the net value of the total assets including its share capital after deducting the value of all encumbrances existing at the time when the application is made.(2)The valuation of the assets of a society shall be made by the Assistant Director of Fisheries who shall record a certificate while forwarding the application in such manner as may be prescribed by the Director.(3)No loan shall be granted unless the authority granting the loan is fully satisfied about the security of its repayment.(4)A loan granted under these rules shall bear interest at such rate as may be fixed by the State Government from time to time.

## **8. Loan how secured.**

- Every loan granted to a society shall be secured by mortgaging its assets including the fishing apparatus subject to any encumbrances existing at the time when the loan is granted and by such collateral security if any, as the authority competent to grant loan may prescribe.

## **9. Disbursement of loans.**

(1)After the loan is sanctioned under Rule 7, the sanction shall be issued in the form as may be prescribed by the Director which shall specify the conditions regulating the grant of loan.(2)In case the amount of loan is to be utilised for purchase of fishing apparatuses the value of which is equivalent to the amount of loan sanctioned, the loan shall be released in one instalment.(3)The Society shall, immediately after receiving the first instalment, produce a satisfactory evidence to show that the amount of the said instalment has been actually utilised for the purpose for which it was advanced, before the next instalment of loan is released.

## **10. Effect of utilization of loan for unauthorized purpose.**

- If the loan or any part thereof advanced under these rules utilised by the society to whom loan has been granted or paid under these rules for the purpose other than that for which the loan is granted, the whole of the amount of the loan together with interest due thereon shall become recoverable at once.

## **11. Repayment of loan.**

(1)Every loan granted under these rules shall be made repayable by instalments which such period from the date of the actual advance of the loan, or when the loan is advanced in instalments, from the date of actual payment of the last instalment together with interest due on each instalment and be payable in such manner as may be fixed by the order granting the loan.(2)The period fixed as aforesaid shall not exceed two years unless the State Government by general or special order extends the same.

## 12. Effect on non-payment of installment.

- If a Society, to whom the loan has been paid under these rules, makes default in the payment of the instalment due with interest thereon, the whole of the un-paid balance of the principal and interest shall become due at once: Provided that the Registrar or any other authority competent to recover the loan under the Act may, instead of recovering the whole of the amount due from the said society, charge interest at an enhanced rate of percent per annum on the amount of instalment defaulted for the period of the default.

## 13. Grant of Subsidy.

- The rate and maximum limit for granting the amount of subsidy for purchase of fishing apparatus shall be, as follows-

S. No.	Fishing apparatus	Rate of subsidy
(i)	Boat and material to build boat, winches etc.	25% of the cost of apparatus.
(ii)	Nylon	33 $\square$ % or Rs. 15 per Kg. whichever is less.
(iii)	Cotton twine	33 $\square$ % or Rs. 3 per Kg. whichever is less.
(iv)	Hemp twine	33 $\square$ % or Rs. 5 per Kg. whichever is less.
(2) The rate and maximum limit for granting the amount of subsidy for purposes mentioned in clause (b) of Rule 3 shall be as under-		
(i)	Purchase and stocking of fish seed	50% of purchase price of seed.
(ii)	Payment of lease money and for repairs of ponds and tanks.	50% of the cost of repairs.
(iii)	Expenditure on management	50% of the cost of management.
(2) The amount of subsidy shall be calculated in proportion to the amount of purchase of fishing apparatuses from the bonafide dealers in a financial year commencing from the 1st day of April and ending on the 31st day of March next following. (3) In case a society purchases fishing apparatuses from other than the bonafide dealer, a certificate as to the correctness of the price of these apparatuses shall be furnished by the Assistant Director of Fisheries in the form as may be prescribed by the Director.		

## 14. Presentation of application for subsidy and purpose for which it shall be granted.

(1) An application for grant of subsidy by a society shall be presented to the Fisheries Officer of the local area within whose jurisdiction the society is situated. (2) The subsidy shall be granted for the purchase of fishing apparatuses on the recommendation of the Fisheries Officer of the local area within whose jurisdiction the society is situated.

## **15. Sanction of loan/subsidy in kind.**

- When a society requests for grant of loan/subsidy in kind in the form of fishing apparatuses the Director may sanction the same in the interest of such society.

## **16. Submission of report or returns.**

- A society to whom a loan and/or subsidy has been granted or paid under these rules, shall submit to the Director through proper channel, such periodical reports or returns regarding the working of the society and utilization of the loan and/or subsidy in such form and in such manner as the Director may prescribe from time to time.

## **17. Duty to keep apparatuses in good condition.**

- It shall be the duty of a society to keep or cause to be kept in good condition the fishing apparatuses and all other properties of any kind mortgaged to the State Government as security for the loan.

## **18. Duty to conduct Fish Marketing.**

- A society shall conduct fish marketing of their catches through their Marketing Federation, if any, existing in the area of its operation or through a cooperative agency, if any conducting fish marketing in the State of Madhya Pradesh, unless this condition is relaxed by the Director.

## **19. Power to inspect premises.**

- A society shall be bound to allow the Director or any other person authorised by him in writing in this behalf, to inspect and verify the premises, fishing apparatuses, stock in hand, cash in hand etc., and the account of the society and to provide facilities for such inspection.

## **20. Penalty.**

(a) In the event of a breach of any of the terms by a Society to whom a loan/or subsidy has been granted or paid under these rules or of any conditions laid down in the instrument regarding the grant of loan or subsidy the authority sanctioning the loan or subsidy shall request the Registrar to order recovery of the whole amount of the loan outstanding together with interest accrued thereon or subsidy in lump sum or may order recovery of interest at an enhanced rate of 8 percent per annum for such period as it may fall outstanding. (b) An amount of loan together with interest outstanding may be recovered from a society in the same manner as an arrear of land revenue. (c) No loan shall be granted to a society which has made default in repayment of any instalment of loan granted under these rules, except with the previous permission in writing of the State Government.

## **21. Maintenance of the loan and subsidy records and registers.**

- The sanctioning authority shall maintain upto date records and registers, in regard to grant of loan/subsidy to a society, in such manner as the Director may prescribe.

## **22. Settlement of dispute.**

- All disputes, differences and questions which may at any time arise between a society and the Director or arising out of any instruments, regarding the grant of loan or subsidy or any other matter, shall be referred to the arbitration of the Registrar whose award or decision thereon shall be final and binding on the parties. Form [See Rule 4] Application for the Grant of Loan/subsidy

**1. Full name of the Fishermen's Co-operative Society (that name to be given which is mentioned in the bye-laws of the society and registered).....**

**2. Registered address of society with the name of the Tehsil and the District concerned.....**

**3. Registration number with date.....**

**4. Present activities of society.....**

**5. Names of tanks, with details in which fishery rights have been purchased with amount of lease and duration of lease.....**

**6. Number of members.....**

**7. Balance sheet and profit and loss account statement of the society of the preceding year.....**

**8. Future plan, if any, for expansion of the activities of the society.....**

**9. Amount of loan/or subsidy applied for.....**

**10. Purpose for which loan or subsidy is required .....**

**11. Number of instalments in which loan with interest may be recovered.**

**12. If the society has secured any loan from any other source, then give details under the following heads-**

(i) From whom the loan has been taken?.....(ii) Date of taking the loan.....(iii) Purpose or purposes for which the loan has been taken.....(iv) Security given for the loan.....(v) Amount of the loan.....(vi) Total amount of instalment already paid back.....(vii) Balance amount of the loan to be paid.....

**13. True copy of Managing Committee's resolution to be attached in support of application for loan and/or subsidy and acceptance of the rules governing the grant thereof.....**

Declaration We ..... hereby solemnly declare that we have read the Madhya Pradesh Fishermen's Cooperative Societies (Loans and Subsidies) Rules, 1972 and we hereby agree and declare for and on behalf of the above mentioned society to bind the said society with the provisions of the said rules and further hereby solemnly state and declare that the statements made and information given above to secure the loan/subsidy applied for are true to our knowledge and belief.

Signature of  
Witnesses-1.....2.....

Signature of  
Witnesses-1.....2.....

.....Signature of the President of the  
Society.

.....Signature of the Secretary of the  
Society.