

**Fifteenth Kerala legislative Assembly**

**Bill No. 63**

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**THE KERALA FISH AUCTIONING, MARKETING AND  
MAINTENANCE OF QUALITY BILL, 2021**

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Kerala Legislature Secretariat

2021

KERALA NIYAMASABHA PRINTING PRESS.

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MAINTENANCE OF QUALITY BILL, 2021**

[Translation in English of “2021-ലെ കേരള മത്സ്യലേലവും വിപണനവും ഗുണനിലവാര പരിപാലനവും ബിൽ” published under the authority of the Governor.]

**THE KERALA FISH AUCTIONING, MARKETING AND  
MAINTENANCE OF QUALITY BILL, 2021**

**A**

***BILL***

*to provide for regulating of fish auctioning and marketing, to promote systematic, hygienic and efficient auctioning and marketing, to maintain quality and for other matters connected therewith or incidental thereto.*

*Preamble.*—WHEREAS, it is expedient to provide for regulating fish auctioning and marketing and to promote systematic, hygienic and efficient auctioning and marketing to maintain quality and other matters connected therewith or incidental thereto;

BE it enacted in the Seventy-second Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Kerala Fish Auctioning, Marketing and Maintenance of Quality Act, 2021.

(2) It shall be deemed to have come into force on the 24<sup>th</sup> day of September, 2021.

2. *Definitions.*—In this Act, unless the context otherwise requires,—

(a) “Adjudicating Officer” means the officer authorised by the Government under sub-section (1) of section 26 of this Act;

(b) “Appellate Authority” means the District Collector having jurisdiction over the district concerned;

(c) “auction commission” means the amount or fish realised from fish sellers as service charge for the auction conducted or for providing facilities for conducting auction;

(d) “auctioneer” means the person who has obtained a valid licence for fish auctioning under section 5;

(e) “Authorised Officer” means an officer of the rank of Assistant Director in the Fisheries Department having jurisdiction over that area, authorised by the Government by notification, for exercising the powers and for performing the duties assigned under this Act;

(f) “chilled storage” means the facility to store fish chilled at low temperature on commercial basis;

(g) “transportation facility” means mechanised vehicle used for the distribution of fish through road, on commercial basis;

(h) “fish” means all aquatic animals which are edible and having economic and commercial value;

(i) “fishing” means catching, collecting, attracting or chasing fish by adopting any means;

(j) “Fish Landing Centre Management Society” means the society constituted under section 7 of this Act for the management and maintenance of a landing centre ;

(k) “Fish Market Management Society” means the society constituted under section 11 of this Act for the management and maintenance of a market;

(l) “fisherman” means a person traditionally engaged mainly in fishing for livelihood;

(m) “Government” means the Government of Kerala;

(n) “harbour” means the place with necessary infrastructure for landing fishing vessels and for unloading and handling fish safely and hygienically;

(o) “Harbour Management Society” means the society constituted under section 9 of this Act for the management and maintenance of a fishing harbour ;

(p) “ice plant” means the establishment producing ice industrially/commercially for keeping fish without being spoiled;

(q) “landing centre” means the place notified under section 3 of this Act, where fish can be brought directly from the sea to the shore ;

(r) “market” means the place notified under section 3 of this Act where marketing or transferring of fish is carried out for domestic consumption or exporting other than landing centre, harbour, shop room, booth and fish farm ;

(s) “notification” means a notification published in the official gazette;

(t) “prescribed” means prescribed by rules made under this Act;

(u) “pre-processing” means beheading, separation of meat, removal of gills, removal of entrails, removal of scales of fish;

(v) “pre-processing centre” means an establishment, place or premise set up for doing pre-processing of fish industrially/commercially;

(w) “processing” means canning, pickling, cooking, drying, marinading, freezing, drying by smoking or preparing fish for marketing in similar manner;

(x) “processing centre” means an establishment, place or premise set up for processing fish commercially;

(y) “State Level Fish Quality Maintenance Committee” means the Committee constituted as per section 16;

(z) “user fee” means the fees realised from persons, institutions and vehicles towards the utilization or use of infrastructure arranged by the Government or Local Self Government Institutions in the landing centre, harbour or market;

(za) “vessel” means a vehicle used for fishing or transporting fish by water.

3. *Power to declare landing centre, harbour and market.*—(1) Notwithstanding anything contained in any other law for the time being in force, the Government may, by notification, declare landing centre, harbour and market, from time to time, for the purposes of this Act;

(2) The Government may, by notification, specify the standards of physical infrastructure of landing centre, harbour and market.

4. *Regulating of fish auctioning.*—(1) No person shall conduct fish auctioning through places other than the landing centre, harbour and market which are notified as per sub—section (1) of section 3 of this Act;

(2) No person who has not obtained licence under section 5 of this Act shall conduct fish auctioning in landing centre, harbour or market:

Provided that in any special circumstance, the Authorised Officer may grant licence in the prescribed manner, for engaging in fish auctioning temporarily outside the landing centre, harbour or market notified by the Government.

(3) The manner of conducting fish auctioning and allied activities shall be in the prescribed manner.

(4) The Government may, realise an amount not exceeding five per cent of the amount of auction as auction commission, in the manner prescribed.

(5) The Government may fix the ratio, of the auction commission realised under sub-section (4), to be apportioned among the auctioneer, Fishermen Development Welfare Co-operative Society, Local self Government Institution, Fish Landing Centre Management Society/Harbour Management Society/Fish Market Management Society and Government, by notification.

(6) No person, including the auctioneer, shall realise any other benefits of any kind, as money or otherwise, in connection with fish auctioning.

(7) The auction shall be conducted on the basis of the number or weight of fish or the number of box or basket in which they contain.

(8) Any person who has availed loan from the Fishermen Development Welfare Co-operative Society for acquiring fishing equipments shall not engage in fish auctioning except through the auctioneer deputed by the said society.

(9) Any person who contravenes any of the provisions of this section shall be subjected to penal actions under section 30 of this Act.

5. *Licence for auctioneer.*—(1) For obtaining licence for conducting fish auctioning in landing centre, harbour and market, a person shall submit such application as prescribed, before the Authorised Officer of that area.

(2) An application under sub-section (1) shall be submitted with required details and remitting such fee as prescribed, along with the recommendation of the Fish Landing Centre Management Society or Harbour Management Society or Fish Market Management Society, as the case may be, constituted in the place where he is intending to engage in auction or the Fisherman Development Welfare Co-operative Society existing in that place.

(3) On receipt of an application under sub-section (1), the Authorised Officer shall, after conducting or causing to be conducted necessary enquiry and on the basis of such criteria as may be prescribed, either grant licence for conducting fish auctioning or reject the application, within thirty days from the date of receipt of application.

(4) For obtaining licence the applicant shall remit security deposit of prescribed amount, in the manner prescribed.

(5) The licence granted under sub-section (3) shall be in such form as prescribed and the name of the fish landing centre/harbour/market for which the licence is granted and the district in which it is situated shall be recorded in it.

(6) In case an application submitted under sub-section (1) is rejected, said information shall be intimated to the applicant along with the reason for rejection, within thirty days from the date of receipt of the application.

(7) The auctioneer shall have right to conduct auction only at the place recorded in the licence.

(8) The licence granted under this section shall be valid for a period of three years, unless cancelled or suspended.

(9) A licence obtained under sub-section (3) may be renewed, by complying the procedure to be followed for obtaining a new licence and by remitting such fee as may be prescribed, before its expiry.

6. *Conditions to be complied by the auctioneer.*—(1) Subject to the provisions of this Act and the rules made thereunder, the auctioneer shall comply with the following conditions, namely:—

(i) shall act in accordance with the conditions prescribed for obtaining licence under section 5 and in the notifications/ orders related to it;

(ii) shall conduct auctioning of fish only in the harbour/ landing centre/ market specified in the licence subject to the provisions of this Act and the rules made thereunder and the conditions and provisions in the licence;

(iii) auctioneer shall not have the right to realize any kind of fees or commission or any amount similar to it or not, except the auction commission fixed by Government from time to time through notification;

(2) If the auctioneer does any act in contravention of the provisions of this Act or the rules made thereunder or the conditions in the licence, he shall be subjected to the penal actions under section 30.

7. *Constitution of Fish Landing Centre Management Society.*—(1) The Government may, by notification, constitute Fish Landing Centre Management Society, for the proper management, maintenance and surveillance of each fish landing centre. It shall consist of the following members, namely:—

- i President of the Grama panchayat/Chairman of the : Chairperson  
Municipality/Member of Municipal Corporation  
Division of the area
- ii Officer in charge of Matsyabhavan having : Member Secretary  
jurisdiction over the area



- iii Food Safety Officer having jurisdiction over the area : Member
- iv Project Officer, Matsyafed, having jurisdiction over : Member  
the area.
- v Chairman of the Development Standing Committee : Member  
of the Grama Panchayat/Municipality of the area  
(not applicable to Municipal Corporation)
- vi Member of the Administrative Committee of the : Member  
Grama Panchayat /Municipal Council of the ward  
where the fish landing centre is situated  
(not applicable for Municipal Corporation)
- vii two persons, nominated by the Government, from : Members  
among the presidents of the Fishermen  
Co-operative Society within whose area of  
operation, the area situates.
- viii not more than five persons, nominated by the : Members  
Government, from among the traditional fishermen  
in the respective area.

(2) The term of those who become members by virtue of the official position they hold, as per items (ii), (iii) and (iv) of sub-section (1), shall be till they hold such office.

(3) The term of those who become members by virtue of the official position they hold in the Local Self Government Institutions as per items (i), (v) and (vi) of sub section (1), shall be till they hold such position.

(4) The term of those who become members as nominated from the presidents of Fishermen Co-operative Society, under item (vii) of sub-section (1) shall be five years from the date of publication of the notification under sub-section (1) or till he ceases to be a president, whichever is earlier.

(5) The term of the traditional fishermen nominated as members as per item (viii) of the sub-section (1) shall be five years from the date of publication of the notification under sub-section (1).

(6) The non-official members nominated as per items (vii) and (viii) of sub-section (1) may resign his membership by giving notice in writing to the Government, but he may continue in the office till the Government accept the resignation.

(7) The interim vacancy or casual vacancy of a nominated non-official member shall be filled within three months from the occurrence of vacancy and the member so newly nominated shall hold office for the remainder of the term of office of the member in whose place he is so nominated.

(8) The Government may, remove any nominated member from membership,—

(a) if he is adjudged as of unsound mind by a court of competent jurisdiction; or

(b) if he is adjudged as an insolvent by a court of competent jurisdiction; or

(c) if he became incapable of continuing as such due to physical or mental disabilities; or

(d) if he is punished for offence which in the opinion of the Government involves moral turpitude or financial irregularities.

8. *Powers, duties and functions of Fish Landing Centre Management Society.*—  
The powers, duties and functions of the Fish Landing Centre Management Society constituted as per section 7 of this Act shall be as follows, namely:—

(i) to engage in the formulation of infrastructure development works and other connected activities of the Fish Landing Centre, formulation of plans and supervision;

(ii) to ensure that fish auctioning, sale and maintenance of quality, in the Fish Landing Centre are in accordance with the provisions of this Act;

(iii) to give awareness about the provisions of this Act to all stakeholders;

(iv) to solve disputes, if occur, between the participants of fish auctioning and sale in Fish Landing Centre, by restricting unwarranted trends that may occur;

(v) to assist Government officials concerned, for implementing the provisions of this Act effectively;

(vi) to arrange for realisation of user fee fixed by the Government by notification, from the users;

(vii) to spend the user fee and the share of auction commission received, for the development, management and for other activities of the Fish Landing Centre concerned;

(viii) to remit prescribed rate of amount from user fee and auction commission received, as Government's share, to the Government treasury in time ;

(ix) to depute temporarily required employees for carrying out the management, maintenance and surveillance of the Fish Landing Centre, based on the financial position of the Society;

(x) to exercise such other powers and perform such other duties and functions as may be prescribed.

9. *Constitution of Harbour Management Society.*—(1) The Government may, by notification, constitute Harbour Management Societies for the proper management, maintenance and surveillance of each fishing harbour. It shall consists of the following members, namely:—

- |       |   |   |                            |
|-------|---|---|----------------------------|
| i     | District Collector                                    | : | Chairperson                |
| ii    | Executive Engineer,<br>Harbour Engineering Department | : | Vice chairperson           |
| (iii) | Deputy Director of Fisheries                          | : | Member Secretary           |
| (iv)  | District Manager, Matsyafed                           | : | Assistant Member Secretary |

- (v) a representative from Marine Products Export Development Authority : Member
- (vi) Assistant Commissioner (Food Safety Department) : Member
- (vii) District Medical Officer (Health) : Member
- (viii) Executive Engineer (Kerala Water Authority) : Member
- (ix) one person nominated by the Government from the elected members of the District Panchayat /Ward Councilors of the area : Member
- (x) not exceeding five representatives nominated by the Government from among the recognised trade unions in the harbour : Members
- (xi) one representative nominated by the Government from the owners of the mechanised vessels of the area : Member.

(2) For performing administrative functions and other duties of the Harbour Management Society and for taking decisions thereon, Government may constitute an executive committee consisting of not less than six members. The powers and functions of the executive committee shall be as prescribed.

(3) The term of those who become members by virtue of the official position they hold, as per items from (i) to (iv) and (vi) to (viii) of sub-section (1) shall be till they hold such office in the said district.

(4) The term of the member nominated from the elected representatives of the people of Local Self Government Institutions under item (ix) of sub-section (1), shall be for such period till he holds such office.

(5) The term of the representative as per item (v) and representatives nominated under items (x) and (xi) of sub-section (1) shall be five years from the date of publication of the notification under sub-section (1).

(6) The non-official members nominated under items (x) and (xi) of sub-section (1) may resign his membership by giving a notice in writing to the Government, but may continue in such office till the Government accept the resignation.

(7) The interim vacancy or casual vacancy of a nominated non-official member shall be filled within three months from the occurrence of such vacancy and the member so newly nominated shall hold office for the remainder of the term of office of the member in whose place he is so nominated.

(8) If any nominated member,—

(a) is adjudged by a court of competent jurisdiction as unsound mind or;

(b) is adjudged as an insolvent by a court of competent jurisdiction or;

(c) is incapable of continuing as such due to physical or mental disabilities or;

(d) is punished for offence which in the opinion of the Government involves moral turpitude or financial irregularities,

Government may remove him from membership.

10. *Powers, duties and functions of the Harbour Management Society.*—The powers, duties and functions of the Harbour Management Society constituted as per section 9 of this Act shall be as follows, namely:—

(i) to engage in the formulation of infrastructure development works other activities of the harbour, formulation of plans and supervision;

(ii) to ensure that fish auctioning, sale and maintenance of quality in the harbour are in accordance with the provisions of this Act:

Provided that in special circumstances, the Harbour Management Society may, with the permission of the Government, take over the first sale of fish and connected activities by avoiding auction.

(iii) to give awareness about the provisions of this Act to all stakeholders;

(iv) to solve disputes, if occur, between the participants of fish auctioning and sale in the harbour, by restricting unwarranted trends that may occur;

(v) to assist Government officials concerned for implementing the provisions of this Act effectively;

(vi) to arrange for the realisation of user fee fixed by the Government by notification, from the users;

(vii) to apportion the auction commission realised, in the ratio fixed under sub-section (5) of section 4;

(viii) to spend the user fee and the share of auction commission received, for the development, functioning and for other activities of the harbour;

(ix) to remit prescribed rate of amount from user fee and auction commission, as Government's share, to the Government treasury in time;

(x) to fix the basic price of fish and procure fish;

(xi) to depute temporarily, required employees for carrying out the management, maintenance and surveillance of the harbour based on the financial position of the society;

(xii) to exercise such other powers, and fulfill such other duties and functions as may be prescribed.

11. *Constitution of Fish Market Management Society.*—(1) The Government may, by notification, constitute Fish Market Management Societies for the proper management, maintenance and surveillance of each fish market functioning in public ownership or under Local Self Government Institutions. It shall consist of the following members, namely:—

(i) President of the Grama Panchayat/Chairman of the : Chairperson  
Municipality/Member of the Division of the  
Municipal Corporation, of that area

(ii) The officer in charge of Matsyabhavan having : Member Secretary  
jurisdiction over the area

- (iii) Food safety officer, having jurisdiction over the : Member area
- (iv) Project Officer, Matsyafed : Member
- (v) Chairman, Grama Panchayat Development Standing : Member  
Committee/Chairman, Municipality Health  
Standing Committee, concerned.  
(Not applicable to Municipal Corporation)
- (vi) Member of the ward, Grama Panchayat/ : Member  
Municipality, where fish market is situated  
(Not applicable to Municipal Corporation)
- (vii) two representatives nominated by the Government : Members  
from the recognised trade unions of fishing allied  
workers
- (viii) one representative nominated by the Government : Member.  
from presidents of Fishermen Co-operative  
Societies

(2) The term of those who become members by virtue of the official position they hold under items (i), (ii), (iii), (iv) and (v) of sub-section (1) shall be till they hold such office in the respective area.

(3) The term of the member who is the elected representative of Local Self Government Institutions under item (vi) of sub-section (1) shall be till he hold such position.

(4) The term of the representatives nominated under item (vii) of sub-section (1) shall be five years from the date of publication of the notification under sub-section (1).

(5) The term of the members nominated as per item (viii) of sub-section (1) shall be five years from the date of publication of the notification under sub-section (1) or till he ceases to be the president of the Fishermen Co-operative Society, whichever is earlier.

(6) The non-official members nominated under item (vii) of sub-section (1), may resign his membership by giving a notice in writing to the Government, but may continue in that office till Government accept the resignation.

(7) The interim vacancy or casual vacancy of a nominated non-official member shall be filled within three months from the occurrence of vacancy and the term of the member so nominated shall be the remainder of the term of the member who vacated the office.

(8) If any nominated member,—

(a) is adjudged as unsound mind by a court of competent jurisdiction or ;

(b) is adjudged as an insolvent by a court of competent jurisdiction or;

(c) is incapable of continuing as such due to physical or mental disability or;

(d) is punished for offence which in the opinion of the Government involves moral turpitude or financial irregularities,

Government may remove him from membership.

*12. Powers, Duties and Functions of Fish Market Management Society.*—The powers, duties and functions of the Fish Market Management Society constituted as per section 11 of this Act shall be as follows, namely:—

(i) to engage in the formulation of infrastructure development works, other activities of the market and in the formulation of plans;

(ii) to ensure that the fish auctioning, sale and quality maintenance are in accordance with the provisions of this Act;

(iii) to give awareness about the provisions of this Act to all stakeholders;

(iv) to solve disputes, if occur, between the participants of fish auctioning and sale in the market by restricting unwarranted trends that may occur;

(v) to assist Government officials concerned for implementing the provisions of this Act effectively;



(vi) to arrange for realisation of the user fee fixed by Grama Panchayat/ Municipality/Municipal Corporation from users; from the amount so realised, remit in time the prescribed rate of amount in the Local Self Government Institution of the area where the fish market is situated.

(vii) to spend the user fee received for the development, management and other activities of the market.

(viii) to depute temporarily, required employees for carrying out the management, maintenance and surveillance of the market based on the financial position of the society;

(ix) to exercise such other powers and fulfill such other duties and functions as may be prescribed.

13. *Regulation of ice plant, chilled storage, pre-processing centre, processing centre and transporting facility.*—(1) Ice plant, chilled storage, pre-processing centre, processing centre and transporting facility which have not obtained permit under section 14 of this Act shall not function in the State.

(2) Any person who contravenes the prohibition under sub-section (1) shall be subjected to the penal actions under section 29 of this Act.

(3) All ice plants, chilled storage, pre-processing centre, processing centre and transporting facility functioning on the date of commencement of this Act shall obtain permit under section 14 within ninety days from the date on which this Act came into force.

14. *Permit for ice plant, chilled storage, pre-processing centre, processing centre and transporting facility.*—(1) For obtaining a permit for operating ice plant, chilled storage, pre-processing centre, processing centre or transporting facility, a person shall submit an application before the Authorised Officer of that area in the prescribed manner.

(2) The applications submitted as per sub-section (1) shall be in such form and remitting such fee, as prescribed and shall be enclosed with a copy of the licence, if any, obtained under the provisions of the Food Safety and Standards Act, 2006, (Act No. 34 of 2006), attested by a Gazetted Officer.

(3) The Authorised Officer shall, on the applications received as per sub-section (1), conduct or cause to be conducted an enquiry and based on the eligibility as may be prescribed, either grant the permit in the form that may be prescribed or reject the application, within a period not exceeding thirty days from the date of receipt of the application.

(4) For granting permit, the applicant shall remit prescribed amount of security deposit in the manner prescribed.

(5) If the application is rejected, said information, together with reasons thereof shall be intimated to the applicant within thirty days from the date of receipt of the application.

(6) The permit issued under this section shall be valid up to three years, unless suspended or cancelled.

(7) A permit obtained under sub-section (3) may be renewed before its expiry by complying the procedure to be followed for obtaining a new permit and by remitting such fee as may be prescribed.

15. *Regulation of quality maintenance of fish.*—(1) The owner or possessor of a vessel, fish landing centre, harbour, market, shop room, booth, sales outlet, chilled storage, ice plant, pre-processing centre, processing centre, transport facility or container handling fish shall comply with all criteria fixed by Government, by notification, for maintenance of quality of fish and hygiene, along with the provisions of Food Safety and Standards Act, 2006 ( No. 34 of 2006).

(2) No person shall engage in any activity in such a way contravening any of the provisions stated in sub-section (1) or abetting the same.

(3) No person shall, voluntarily or by inducement of another person add any chemical/toxic substances to the fish and make it inedible or poor quality.

(4) No person shall engage in auctioning, marketing, transportation and distribution of fish without complying with the provisions and criteria as per sub-section (1).

(5) Whoever contravenes any of the provisions of this section shall be subjected to the penal actions under section 30 of this Act.

16. *Constitution of State Level Fish Quality Maintenance Committee.*—The Government may, by notification, constitute a State Level Fish Quality Maintenance Committee for the effective and efficient implementation of the provisions of this Act and it shall consist of the following members, namely:—

- |  |                    |
|--|--------------------|
| (i) Director of Fisheries  | - Chairperson      |
| (ii) Commissioner of Food Safety   | - Member           |
| (iii) Director of Health Services  | - Member           |
| (iv) Director of Panchayats  | - Member           |
| (v) Chief Government Analyst   | - Member           |
| (vi) A representative nominated from<br>the Central Institute of Fisheries<br>Technology | - Member           |
| (vii) Joint Director of Fisheries  | - Member Secretary |

17. *Powers, duties and functions of the State Level Fish Quality Maintenance Committee.*—The State Level Fish Quality Maintenance Committee constituted as per section 16 shall have the following powers, duties and functions, namely:—

- (i) to provide necessary technical advice and recommendation to the Government regarding the implementation of the provisions of this Act;
- (ii) to give awareness to the fish consumers about the quality;
- (iii) to provide technical support to the notified officials for issuing quality certificate to the fish obtained by fishing;
- (iv) to give recognition to the laboratories for conducting examinations under the provisions of this Act;

(v) to fix and and publish the standard of fish obtained by fishing;

(vi) to perform such other functions as may be prescribed.

18. *Restriction on auction, marketing etc. of fish based on item and size.*—(1)The Government may, by notification, impose, restriction or prohibition on auction, marketing, transportation and distribution of particular item or particular size of fish.

(2) Whoever contravenes the restriction or prohibition imposed under sub-section (1) shall be subjected to the penal actions under section 29 of this Act.

19. *Fixation of basic price of fish.*—(1) The Harbour Management Society shall have the power to fix the basic price of fish, from time to time, as prescribed.

20. *Certification of fish obtained by fishing.*—(1) If application is submitted in the manner as may be prescribed immediately after fishing, the owner of the fishing vessel shall be eligible to get certificate containing the information such as source of fish and the means adopted for fishing, in such a manner convincing the consumer that the fish collected by fishing is caught legally.

(2) The certificate under sub-section (1) shall be issued by an officer not below the rank of Fisheries Extension Officer in the Fisheries Department, authorised by Government through notification, by complying the procedures as may be prescribed.

21. *Certification of standard of fish obtained by fishing.*—(1)When an application is submitted in the manner as may be prescribed, the producer shall be eligible to get certificate for the fish collected by fishing, for ensuring that it is edible and for protecting the interest of consumers.

(2) The standard of each type of fish obtained by fishing shall be fixed separately and published by the State Level Fish Quality Maintenance Committee constituted as per section 16.

(3) The certificate under sub-section (1) shall be issued by an officer not below the rank of Fisheries Extension Officer in the Fisheries Department, authorised by Government through notification, by complying the procedures as may be prescribed.

22. *Submission of return by the permit holder.*—(1) The owner or possessor who has obtained permit for ice plant, pre-processing centre or processing centre and the auctioneer who has obtained licence for fish landing centre, harbour or market shall submit a return to the Authorised Officer, in the manner as may be prescribed and within the time as may be prescribed.

(2) The Authorised Officer shall examine the returns and ensure their accuracy and clarity.

(3) For ensuring the accuracy of the returns, the Authorised Officer may require the licence/permit holder to produce the connected records.

(4) For ensuring the accuracy of the returns, the licence/permit holder shall have the responsibility to produce the records as required by the Authorised Officer.

(5) Any person who contravenes the provisions in this section shall be subjected to penal actions under section 29 of this Act.

23. *Cancellation, suspension and amendment of permit.*—If the licence/permit granted as per sections 5 and 14 is obtained by furnishing false information or the permit holder contravenes any of the provisions of this Act or the rules made thereunder or notifications or orders issued, the Authorised Officer shall have the power to cancel, suspend or amend such licence/permit or realise wholly or partly the security amount remitted:

Provided that no licence/permit shall be cancelled or suspended or amended or no security amount be realised fully or partly, without affording a reasonable opportunity of being heard to the person or the owner concerned, before taking such action.

24. *Powers, duties and functions of the Authorised Officer.*—The Government may, by notification, authorize an officer of the Fisheries Department in the rank of Assistant Director, having jurisdiction over the respective area, as Authorised Officer for exercising the powers and performing the duties given under this Act.

25. *Power for inspection, seizure and disposal of.*—(1) The Government may authorise officers of the Fisheries Department not below the rank of Fisheries Officer as Inspecting Officers to ensure that the provisions of this Act are implemented effectively.

(2) If the Inspecting Officer is convinced that the provisions in sections 13 and 18 of this Act are contravened or the fish handled are stale or containing germs or added chemicals/toxic substances or of sub-standard quality, he shall have the power to inspect any vessel, fish landing centre, harbour, market, shop room, booth, chilled storage, ice plant, pre-processing centre, processing centre, fish transportation facility and container and allied things.

(3) If the places inspected under sub-section (2) are not functioning in accordance with the provisions of this Act, the Inspecting Officer shall give direction to the person or the establishment concerned to stop functioning and close down the same within a fixed time, in the manner as may be prescribed.

(4) If stale, infected, chemicals/toxic substance added or sub-standard fish is found on inspection, the Inspecting Officer shall have the power to seize and destroy it in the manner as may be prescribed. Provided the reason for seizure/destruction shall be given in writing to the person or the institution concerned.

(5) After taking action under sub-sections (3) and (4), the Inspecting Officer shall urgently report its details to the Adjudicating Officer in the manner prescribed.

26. *Adjudication.*—(1) The Government may, by notification, authorise an officer of the Fisheries Department not below the rank of Deputy Director, having jurisdiction over that district, as Adjudicating Officer for exercising the powers and performing the functions given under this Act.

(2) The Adjudicating Officer shall, on receipt of a report from the Inspecting officer under sub-section (5) of section 25, hold an enquiry into the matters mentioned in the report if necessary in the manner as may be prescribed, after giving all the parties concerned a reasonable opportunity of being heard.

(3) If in an enquiry under sub-section (2), the adjudicating officer finds that a person has contravened the provisions of sections 13 or 18 or the fish handled was stale or contain germs or added chemical or toxic substance or of sub standard quality, that person shall be subjected to fine and action under section 29 of this Act.

27. *Appeal.*—(1) Any person aggrieved by the decision of the Adjudicating Officer, may prefer an appeal before the Appellate Authority of that area, within thirty days from the date of that decision. The decision taken thereon by the Appellate Authority shall be final.

(2) When an appeal is preferred against the decision made under the provisions of this Act, the appellant shall deposit the entire fine amount, otherwise the Appellate Authority shall not accept the appeal.

(3) On receipt of an appeal under sub-section (1), the Appellate Authority shall make an inquiry in the matter and shall finally dispose of it within thirty days from the date of receipt of appeal.

(4) The Appellate Authority may stay further actions on the decision rendered by the Adjudicating Officer, till the disposal of such appeal.

28. *Powers of the Adjudicating Officer and the Appellate Authority for conducting enquiry under this Act.*—(1) For the purpose of inquiry under this Act, the Adjudicating Officer and the Appellate Authority shall have the same powers vested in a civil court under the Code of Civil Procedure, 1908 (Central Act 5 of 1908), while trying a civil suit, in respect of the following matters, namely:—

(a) to summon any person and examine him on oath;

(b) to require the discovery and production of any document;

(c) to receive evidence on affidavit;

(d) to requisition any public records or copy thereof from any court or office, and

(e) to examine witnesses and inspect documents.

(2) The powers exercised by the Adjudicating Officer or the Appellate Authority as per this Act shall be deemed to be equal to civil court and be subjected to the provisions of sections 345 and 346 of the Code of Criminal Procedure, 1973. (Central Act 2 of 1974)

29. *Penalty.*—(1) Whoever contravenes any of the provisions of sections 13, 18 or 22 of this Act or any conditions of licence/permit or handles fish which is stale or contains germs or added chemicals/toxic substance or of poor quality, and if found guilty, the Adjudicating Officer may impose an amount not exceeding the following amount as fine,—

(a) ten thousand rupees, for any contravention of law for the first time;

(b) twenty five thousand rupees, for any contravention of law for the second time;

(c) one lakh rupees, for any contravention of law for the third or more times.

(2) In addition to the fine under sub-section (1), the adjudicating officer may, suspend or cancel the licence/permit.

(3) Any amount of penalty imposed under this Act may be recovered as if it were any arrear of public revenue due on land.

30. *Trial for the offence.*—(1) Anyone who contravenes sections 4, 6 or 15 or the rules made thereunder, shall be tried by a Court of Judicial Magistrate of First Class.

(2) Whoever contravenes any of the provisions (2) of sections 4, 6 or 15 of this Act, if found guilty, shall be liable to punishment not exceeding the following, namely:—



(a) imprisonment for two months or fine of one lakh rupees or with both, for any one or more offences, for the first time;

(b) imprisonment for one year or fine of three lakh rupees or with both, for any one or more offences, for the second time;

(c) imprisonment for one year or fine of five lakh rupees or with both, for any one or more offences, if committed more than two times;

(d) whoever contravenes or attempt to contravene the provisions of this Act or the rules or notifications or orders made thereunder, shall be convicted, if proved, without prejudice to other penalties he may get.

(3) In addition to the penalty under sub-section (2), the licence/permit issued may be suspended or cancelled until found eligible.

(4) The person who contravenes any of the provisions of this Act or the rules made thereunder or any notification or order issued on that basis is an association or a co-operative society or a corporation or a body corporate, or a director or a manager of it, or an officer or an agent thereof, whoever may be, it shall be deemed that the person who held the position at the time of commission of the offence have committed the contravention of the law.

(5) Whoever contravened or abetted to contravene the provisions of this Act or the rules or notification or order made thereunder, may be subjected to action as per law.

31. *Protection of action taken in good faith.*—(1) No suit, prosecution or other legal proceeding shall lie against any officer or authority for anything which is done in good faith or intended to be done in pursuance of any of the provisions of this Act or the rules made thereunder.

(2) No suit or other legal proceeding shall lie against any officer or authority for any damage caused or likely to be caused by any action which is done in good faith or intended to be done in pursuance of this Act or any rule made thereunder.

32. *Power to remove difficulties.*—(1) If any difficulty arises in giving effect to the provisions of this Act, the Government may, by general or special order, do anything not inconsistent with the provisions of this Act, which appears to it to be necessary or expedient for the purpose of removing such difficulty:

Provided that no such order shall be made after the expiry of a period of two years from the date of commencement of this Act.

(2) Every order made under this section shall be laid as soon as may be after it is made, before the Legislative Assembly.

33. *Power to make rules.*—(1) The Government may, by notification in the Gazette, make rules to carry out all or any of the purposes of this Act.

(2) Every rule made under this Act shall be laid, as soon as may be after it is made, before the Legislative Assembly, while it is in session for a total period of fourteen days, which may be comprised in one session or in two successive sessions, and if, before the expiry of the session in which it is so laid or the session immediately following, the Legislative Assembly makes any modification in the rule or decides that the rule should not be made, the rule shall, thereafter, have effect only in such modified form or be of no effect, as the case may be, so however that, any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

34. *Repeal and saving.*—(1) The Kerala Fish Auctioning, Marketing and Maintenance of Quality Ordinance, 2021 (112 of 2021) is hereby repealed.

(2) Notwithstanding such repeal, anything done or deemed to have been done or any action taken or deemed to have been taken under said Ordinance shall be deemed to have been done or taken under this Act.

## STATEMENT OF OBJECTS AND REASONS

As there are no regulations for fish auctioning in fish landing centres, fishing harbours and fish market, auctioneers are collecting huge amount as commission from fishermen. Often it creates law and order issues. Hence, in order to avoid this, it is necessary to regulate fish auctioning and related activities.

2. The existing arrangements for the operation and maintenance of fish landing centres, harbours and markets are not sufficient. Hence it is necessary to make arrangements for a well settled and well equipped management system.

3. The quality of fish has to be scientifically preserved, right from catching of fish till it reaches the hands of the consumers. It is necessary to make arrangements for ensuring the quality of fish in well settled, hygienic and efficient manner.

4. Necessary arrangements should be made to ensure fair price to the fishermen and to conduct its marketing in a hygienic environment, condition and manner .

5. The Government have decided to make a legislation to regulate fish auctioning and marketing and to promote systematic, hygienic and efficient fish auctioning and allied matters.

6. As the Kerala Legislative Assembly was not in session and the above proposal had to be given effect to immediately, the Kerala Fish Auctioning, Marketing and Maintenance of Quality Ordinance, 2020 was promulgated by the Governor of Kerala on the 22<sup>nd</sup> day of September, 2020 and the same was published as Ordinance No.44 of 2020 in the Kerala Gazette Extraordinary No.2173 dated 24<sup>th</sup> September, 2020.

7. A Bill to replace the said Ordinance by an Act of the State Legislature could not be introduced in and passed by the Kerala Legislative Assembly during its special Session which commenced on the 31<sup>st</sup> day of December, 2020 and ended on the same day; and in its session which commenced on the 8<sup>th</sup> day of January, 2021 and ended on the 22<sup>nd</sup> day of January, 2021.

8. As the provisions of the said Ordinance had to be kept alive and the Kerala Legislative Assembly was not in session, the Governor of Kerala has promulgated the Kerala Fish Auctioning, Marketing and Maintenance of Quality Ordinance, 2021 on the 9<sup>th</sup> day of February, 2021 and the same was published as Ordinance No.28 of 2021 in the Kerala Gazette Extraordinary No.694 dated 11<sup>th</sup> day of February, 2021.

9. A Bill to replace the said Ordinance by an Act of the State Legislature could not be introduced in and passed by the Kerala Legislative Assembly during its Session which commenced on the 24<sup>th</sup> day of May, 2021 and ended on the 10<sup>th</sup> day of June, 2021.

10. As the provisions of the said Ordinance had to be kept alive and the Kerala Legislative Assembly was not in session, the Governor of Kerala has promulgated the Kerala Fish Auctioning, Marketing and Maintenance of Quality Ordinance, 2021 on the 1<sup>st</sup> day of July, 2021 and the same was published as Ordinance No.64 of 2021 in the Kerala Gazette Extraordinary No.1951, dated 3<sup>rd</sup> day of July, 2021.

11. A Bill to replace the said Ordinance could not be introduced in and passed by the Kerala Legislative Assembly during its session which commenced on the 22<sup>nd</sup> day of July, 2021 and ended on the 13<sup>th</sup> day of August, 2021.

12. Hence, in order to keep alive the provisions of the said Ordinance, the Kerala Fish Auctioning, Marketing and Maintenance of Quality Ordinance, 2021 was promulgated by the Governor of Kerala on the 23<sup>rd</sup> day of August, 2021 and the same was published as Ordinance No.112 of 2021 in the Kerala Gazette Extraordinary No.2505 dated 26<sup>th</sup> of August, 2021.

13. The Bill seeks to replace Ordinance No.112 of 2021 by an Act of the State Legislature.

#### FINANCIAL MEMORANDUM

An expenditure of 25 lakhs is expected towards sitting fee for the unofficial members attending the meetings of the Fish Landing Centre Management Society, Harbour Management Society and Fish Market Management Society, which will be respectively constituted under Clause 7, 9 and 11 of the Kerala Fish Auctioning, Marketing and Maintenance of Quality Bill, 2021.

2. An Expenditure of 5 lakhs, is expected towards the travelling expenses of the unofficial members of the said societies and for expenses of the meetings of the committees.

3. An expenditure of 15 lakhs is expected to be incurred for the functioning of the said societies, to create the necessary awareness among the public about this Act.

4. An expenditure of 20 lakhs is expected towards auctioneer's license under section 5, fish quality inspection under Section 15, meeting expenses of the Fisheries Quality Management Committee constituted under Section 16 and other expenses incidental to the implementation of the provisions of this Bill.

5. 15 lakhs is expected for deputing persons on daily wage basis for the maintenance and management of the said societies as, recurring expenditure.

#### MEMORANDUM REGARDING DELEGATED LEGISLATION

1. Sub-clause (1) of clause 3 of the Bill seeks to empower the Government to declare landing centre, harbour and market by notification.

2. Sub-clause (2) of clause 3 of the Bill seeks to empower the Government to specify the standard of physical infrastructure of landing centre, harbour and market.

3. Proviso to Sub-clause (2) of clause 4 of the Bill seeks to empower the Government to prescribe the manner in which the Authorised Officer may grant licence for engaging in fish auctioning temporarily outside the notified landing centre, harbour or market.

4. Sub-clause (3) of clause 4 of the Bill seeks to empower the Government to prescribe the manner in which fish auction is to be conducted and allied activities.

5. Sub-clause (4) of clause 4 of the Bill seeks to empower the Government to prescribe the manner in which the Government may realise amount not exceeding five per cent of the auction price as auction commission.

6. Sub-clause (5) of clause 4 of the Bill seeks to empower the Government, by notification to fix the ratio of the auction commission realised under Sub-clause (4) of clause 4, to be apportioned among the auctioneer, Fishermen Development Welfare Co-operative Society, Local self Government Institutions Fish Landing Centre Management Society/Harbour Management Society/Fish Market Management Society and the Government.

7. Sub-clause (1) of clause 5 of the Bill seeks to empower the Government to prescribe the manner for submitting application for obtaining a license/permit to conduct fish auctioning at Landing Centre, Harbour and Market.

8. Sub-clause (2) of clause 5 of the Bill seeks to empower the Government to prescribe the fee to be remitted along with the application of license for conducting fish auctioning.

9. Sub-clause (3) of clause 5 of the Bill seeks to empower the Government to prescribe the criteria to grant license for conducting fish auctioning.

10. Sub-clause (4) of clause 5 of the Bill seeks to empower the Government to prescribe the security deposit to be remitted for obtaining the license to conduct fish auctioning.

11. Sub-clause (5) of clause 5 of the Bill seeks to empower the Government to prescribe the form for granting license to conduct fish auctioning.

12. Sub-clause (9) of clause 5 of the Bill seeks to empower the Government to prescribe the fees to be remitted for renewing the license before its expiry.

13. Sub-clause (1) of clause 7 of the Bill seeks to empower the Government to constitute Fish Landing Centre Management Society, for the proper management, maintenance and surveillance of each fish landing centre.

14. Item (vi) of clause 8 of the Bill seeks to empower the Government by notification to fix the user fee regarding the use of Fish Landing Centre.

15. Item (viii) of clause 8 of the Bill seeks to empower the Government to prescribe the rate of amount to be remitted from user fee and auction commission obtained from fish landing centre to the Government Treasury.

16. Item (x) of clause 8 of the Bill seeks to empower the Government to prescribe such other powers, duties and functions to be exercised by Fish Landing Centre Management Society.

17. Sub-clause (1) of clause 9 of the Bill seeks to empower the Government to constitute Harbour Management Societies by notification for the proper management, maintenance and surveillance of each fishing harbour.

18. Sub-clause (2) of clause 9 of the Bill seeks to empower the Government to prescribe powers and functions of the executive committee of Harbour Management Societies.

19. Item (vi) of clause 10 of the Bill seeks to empower the Government to fix the user fee for the use of harbour by notification.

20. Item (ix) of clause 10 of the Bill seeks to empower the Government to prescribe the rate of amount to be remitted from user fee and auction commission obtained from Harbour Management Society to the Government Treasury.

21. Item (xii) of clause 10 of the Bill seeks to empower the Government to prescribe such other powers, duties and functions to be exercised by Harbour Management Society.

22. Sub-clause (1) of clause 11 of the Bill seeks to empower the Government to constitute Fish Market Management Societies by notification for the proper management, maintenance and surveillance of each fish market.

23. Item (vi) of clause 12 of the Bill seeks to empower the Government to arrange for the realisation of the user fee fixed by Grama Panchayat/Municipality/Municipal Corporation from users and prescribe the rate of amount to be remitted to the Local Self Government Institutions.

24. Sub-clause (1) of clause 14 of the Bill seeks to empower the Government to prescribe the manner of applying for obtaining a permit for operating ice plant, chilled storage, pre-processing centre, processing centre or transporting facility.

25. Sub-clause (2) of clause 14 of the Bill seeks to empower the Government to prescribe the form in which applications to be submitted along with the fee to be remitted along with to obtain permit for operating ice plant, chilled storage, pre-processing centre, processing centre or transporting facility.

26. Sub-clause (3) of clause 14 of the Bill seeks to empower the Government to prescribe the form of permit and the eligibilities for obtaining the permit for ice plant, chilled storage, pre-processing centre, processing centre or transporting facility.

27. Sub-clause (4) of clause 14 of the Bill seeks to empower the Government to prescribe the security deposit and the manner in which it is to be remitted by the applicant for obtaining a permit of ice plant, chilled storage, pre-processing centre, processing centre or transporting facility.

28. Sub-clause (7) of clause 14 of the Bill seeks to empower the Government to prescribe the fees to be remitted for renewing the permit.

29. Sub-clause (1) of clause 15 of the Bill seeks to empower the Government to fix the criteria by notification to be complied by the owner or possessor of a vessel, fish landing centre, harbour, market, shop room, booth, sales outlet, chilled storage, ice plant, pre-processing centre, processing centre, transport facility or container handling fish for the maintenance of quality of fish and hygiene.

30. Clause 16 of the Bill seeks to empower the Government to constitute by notification a State Level Fish Quality Maintenance Committee for the effective and efficient implementation of the provisions of the Bill.

31. Item (vi) of clause 17 of the Bill seeks to empower the Government to prescribe such other powers and functions to be exercised and performed by the State Level Fish Quality Maintenance Committee.

32. Sub-clause (1) of clause 18 of the Bill seeks to empower the Government by notification to impose, restriction or prohibition on auction, marketing, transportation and distribution of particular item or particular size of fish.

33. Clause 19 of the Bill seeks to empower the Government to determine the manner in which the basic price of fish to be fixed by Harbour Management Society.



34. Sub-clause (1) of clause 20 of the Bill seeks to empower the Government to prescribe the manner in which application is to be submitted for obtaining certificate that the fish acquired by fishing is caught legally.

35. Sub-clause (2) of clause 20 of the Bill seeks to empower the Government to prescribe the procedures to be complied for obtaining certificate that the fish acquired by fishing is caught legally.

36. Sub-clause (1) of clause 21 of the Bill seeks to empower the Government to prescribe the manner in which application is to be submitted to get certificate for the fish obtained by fishing.

37. Sub-clause (3) of clause 21 of the Bill seeks to empower the Government to prescribe by notification the procedures to be complied for issuing certificate regarding the standard of each type of fish obtained by fishing by an officer not below the rank of Fisheries Extension Officer.

38. Sub-clause (1) of clause 22 of the Bill seeks to empower the Government to prescribe the manner and time to submit the return by the owner or possessor who has obtained permit for ice plant, pre-processing centre or processing centre and the auctioneer who has obtained licence for fish landing centre, harbour or market.

39. Clause 24 of the Bill seeks to empower the Government to authorise by notification, an officer of the Fisheries Department in the rank of Assistant Director, having jurisdiction over the respective area as Authorised Officer for exercising the powers and performing the duties given under this Bill.

40. Sub-clause (1) of clause 25 of the Bill seeks to empower the Government to authorise officers to ensure that the provisions of this Bill are implemented effectively.

41. Sub-clause (3) of clause 25 of the Bill seeks to empower the Government to prescribe the manner in which directions to be given to stop functioning and close down the places where the Inspecting Officer inspected are not functioning in accordance with the provisions of this Bill .

42. Sub-clause (4) of clause 25 of the Bill seeks to empower the Government to prescribe the manner of seize and destroy stale, infected, chemicals/toxic substance added or sub-standard fish found on inspection.

43. Sub-clause (5) of clause 25 of the Bill seeks to empower the Government to prescribe the manner in which the Inspecting Officer report its details under Sub-clause (3) and (4) to Adjudicating officer.

44. Sub-clause (1) of clause 26 of the Bill seeks to empower the Government, to authorise an officer of the Fisheries Department not below the rank of Deputy Director as Adjudicating officer by notification.

45. Sub-clause (2) of clause 26 of the Bill seeks to empower the Government to prescribe the manner in which the Officer conduct an enquiry.

46. Sub-clause (1) of clause 32 of the Bill seeks to empower the Government to issue order not in consistant with the provisions of this Bill, if any difficulty arises in implementing the provisions of this Bill, which appears to it to be necessary or expedient for the purpose of removing such difficulty.

47. Sub-clause (1) of clause 33 of the Bill seeks to empower the Government to make rules to carry out all or any of the purposes of this Bill.

48. The matters in respect of which rules may be made, or orders or notifications may be issued, are matters of procedure and are of routine or administrative in nature. Further, the rules, notifications and orders so made are subject to the scrutiny of the Legislative Assembly. The delegation of legislative power is, therefore of a normal character.

SAJI CHERIAN.

## NOTES ON CLAUSES

*Clause 2.*— This clause seeks to define certain words and expressions used in the Bill.

*Clause 3.*— This clause seeks to provide for declaring landing centre, harbour, market etc.

*Clause 4.*— This clause seeks to provide for regulating fish auctioning.

*Clause 5.*— This clause seeks to provide for obtaining licence for conducting fish auctioning.

*Clause 6.*— This clause seeks to provide for the powers and duties of auctioner.

*Clause 7.*— This clause seeks to provide for the constitution of Fish Landing Centre Management Society.

*Clause 8.*— This clause seeks to provide for the powers, duties and functions of Fish Landing Centre Management Society.

*Clause 9.*— This clause seeks to provide for the constitution of Harbour Management Society.

*Clause 10.*— This clause seeks to provide for the power, duties and functions of Harbour Management Society.

*Clause 11.*— This clause seeks to provide for the constitution of Fish Market Management Society.

*Clause 12.*— This clause seeks to provide for the powers, duties and functions of Fish Market Management Society.

*Clause 13.*— This clause seeks to provide for the regulation of ice plant, chilled storage, pre-processing centre and transporting facility.

*Clause 14.*— This clause seeks to provide for obtaining a permit for ice plant, chilled storage, pre-processing centre, processing centre and transporting facility.

*Clause 15.*— This clause seeks to provide for regulation of quality maintenance of fish and hygiene.

*Clause 16.*— This clause seeks to provide for the constitution of State Level Fish Quality Maintenance Committee.

*Clause 17.*— This clause seeks to provide for powers, duties and functions of the State Level Fish Quality Maintenance Committee.

*Clause 18.*— This clause seeks to provide for restriction on auction of marketing, transportation and distribution of fishes based on item and size.

*Clause 19.*— This clause seeks to provide for the fixation of basic price of fish.

*Clause 20.*— This clause seeks to provide for the certification of fish obtained by fishing.

*Clause 21.*— This clause seeks to provide for issuing certification of standard of fish ensuring that it is edible and for protecting the interest of consumers.

*Clause 22.*— This clause seeks to provide for the manner of submitting return by permit holders.

*Clause 23.*— This clause seeks to provide for cancellation, suspension amendment or realisation of security amount.

*Clause 24.*— This clause seeks to empower the Government to appoint the authorised officer for exercising the powers and performing duties and functions.

*Clause 25.*— This clause seeks to empower the Inspection Officer to inspect any vessels, shop room and to seize and dispose of substandard quality fishes for ensuring the quality of fishes.

*Clause 26.* —This clause seeks to empower an officer not below the rank of Deputy Director of the Department of Fisheries as an Adjudicating Officer to exercise the powers conferred under the Bill and to perform the functions assigned to him.

*Clause 27.*—This clause seeks to provide for preferring appeal against the decision rendered by the Adjudicating officer.

*Clause 28.*—This clause seeks to empower Adjudicating Officer and Appellate Authority to conduct an enquiry as per this Bill.

*Clause 29.*—This clause seeks to provide for imposing penalty to those who contravenes provisions of this Bill.

*Clause 30.*—This clause seeks to provide for the trial and imposing punishment for those who contravenes sections 4, 6 or 15 or the rules made thereunder.

*Clause 31.*—This clause seeks to provide for the protection of anything which is done in good faith in pursuance of the provisions of this Bill or rule made thereunder.

*Clause 32.*—This clause seeks to empower the Government to remove the difficulty arising in giving effect to the provisions of this Bill.

*Clause 33.*—This clause seeks to define to empower the Government to make rules for the implementation of the purposes of the Bill.

*Clause 34.*—This clause intends to provide for the repeal of the Kerala Fish Auctioning Marketing and Maintenance of Quality Ordinance, 2021 (112 of 2021) and the validation of the action done or taken under it.

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