

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
(SOUTHERN ZONE BENCH, CHENNAI)

ORIGINAL APPLICATION NO. 11 OF 2023

In the matter of:

Ratheesh K.R

----Applicant

-VS-

State of Kerala, Rep by its Chief Secretary,
Thiruvananthapuram and ors

----Respondent(s)

REPORT FILED BY THE DEPUTY DIRECTOR OF FISHERIES,
ALAPPUZHA/4TH RESPONDENT

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Dated at Chennai on this the 13th day of March, 2023.

for. G. K. K. K. K.
13/3/2023

M/s. E.K.KUMARESAN

Standing Counsel for State Government of Kerala - NGT(SZ) Chennai Bench

I/45778/2023

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**STATEMENT OF FACTS IN THE MISCELLANEOUS APPLICATION NO. 35/2016
IN THE NATIONAL GREEN TRIBUNAL**

The Statement of facts in the miscellaneous application no. 35/2016 filed by Sri. Ratheesh. K. R. and others in the H'ble National Green Tribunal in respect of the 4th respondent (Deputy Director of fisheries, Alappuzha) is furnished below.

The patta No.947 in respect of Nedyathuruthu Oonnippad NO.1,2 and 3 have been issued by the fisheries department in the name of Late Karumban Krishnan, Malayattil Nikarthil, Panavally, a traditional fisherman for conducting fishing in Vembanadu kayal. The legal heirs of late Karumban Krishnan were paying tax for these three Oonnippads to the Sub-Inspector of Fisheries, Back Water, Thevarvattom, Poochakkal in the name of Karumban kirshnan.

These three Oonnippads were situated in the Inland National Waterways in the Vembanadu Kayal. As per Endt.No.C3-5490/95 dated 22.12.2007 of Director of Fisheries, Thiruvananthapuram, The Deputy director of Alappuzha removed these three stake nets and other oonnies from the route of National Waterway on 06.10.2008 along with the National waterway Authorities and cleared the route and transferred it to the National Waterway Authorities.

The Deputy Director of Fisheries directed the removed Oonni owners to refix their stake nets on suitable places for fishing. In spite of that, they could not identify suitable fishing places due to the obstruction from the other license holders, fishermen and public. They suffered financial loss due to the removal of these nets, which affected their daily livelihood and they asked for compensation. These fishermen are not skilled in other occupations than fishing. The legal heirs of late Karumban Kirshnan had also requested for compensation. Shri. Ratheesh K. R., the petitioner is the legal heir of Shri. Karumban Krishnan.

The Department of Fisheries recommended the name of these stake owners to the Government for giving compensation. As per G.O.(Rt.) No.855/11/F&PD dated 19.12.2011, Govt. have ordered to constitute a region wise committee under the chairmanship of District Collector to award compensation at the rate of Rupees one lakh for owners of licensed chinese nets/oonnippads and rupees fifteen thousand for unlicensed nets as sanctioned by Govt. earlier. Subsequently the beneficiary list was finalized and issued notice vide letter no. B/1059/94 dated 22.03.2012 to the owners of net to produce necessary documents and to receive compensation.

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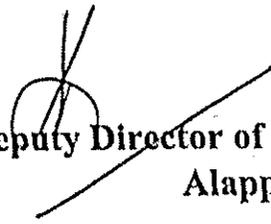
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The Government later enhanced the compensation and issued G.O. (Rt).No.38/13 F&PD dated 17/06/2013. As per this order, the owners of legal Chinese nets/Oonnippads will get Rs. 2,50,000/- and Illegal Chinese nets/Oonnippads will get Rs.1,25,000/-

As the petitioner failed to receive the compensation, the petitioner was again served notice no.B/1059/94 dated 08.09.2017 for the same. But he did not respond the office till date


Deputy Director of Fisheries,
Alappuzha.

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RESPONDENT**

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