APPENDIX No. XII

FISHERY SETTLEMENT RULES

The following Rules for the settlement of Fisheries in Assam have been sanctioned by the Chief Commissioner of those published with Circular No. 42 in the Revenue Department dated 23rd July 1875.

1. A Register of Government Fisheries in the form appended to those Rules shall be kept by every Deputy Commissioner for all the fisheries of his district and also by every Sub-Divisional Officer for all the fisheries of his subdivision. The district register shall be kept in English.

2. No alteration in the Register, whether by the addition or removal of fisheries, shall be made without sanction, previously obtained, of the commissioner in the Assam Valley District, and of the Chief Commissioner in other districts.

3. In settlement of fisheries, the year shall be reckoned from the 1st April to the 31st March except in Sylhet where the Bengal year shall be adopted.

4. The right of fishing in registered fisheries shall be annually sold by auction by the Deputy Commissioner or

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Sub-Divisional Officer, provided that the Deputy Commissioner may, with the sanction of the Commissioner in the Assam Valley Districts, and of the Chief Commissioner in other districts order any fishery to be sold for a term not exceeding 3 years.

5. The Deputy Commissioner shall annually fix a date, not later than the 15th February, for the sale of all registered fisheries held under leases expiring on the last day of the current year, or which at the last previous auction were reserved from shall under Rule 12.

6. The date fixed shall be proclaimed by the Deputy Commissioner or Sub-Divisional Officer, at least a month in advance, by a written notice posted at the munsiff and police station within the local limits of which the fishery or any part of it is situated. The notice shall state the name of the fishery, the mauza or pargana within which it is situated, and any other particulars that may be necessary for its identification, the term and price for which it was sold at the last auction; the term for which it will now be sold, and the date and conditions of sale. The contents of this notice shall also (if possible) be made known by beat of drum at the bazar nearest to the fishery.
7. The place of sale must be the Suu-Dvisional Cutcherry for fisheries lying within an outlying sub-division of a district, and the Sadar Cutcherry of the district for those in the head-quarter's sub-division.

8. The following conditions of sale shall be specified in the notice, and shall be proclaimed before the sale begins.

(1) That, on the failure of the highest bidder to deposit before sunset on the day of sale a sum equal to one quarter of a years revenue, the fishery shall be re-sold at his risk, and he shall be bound to make good the difference between his bid and the amount realised by the subsequent sale.

(2) That the officer conducting the sale does not bind himself to accept the highest bid or any bid.

(3) That the purchaser shall forfeit his deposit if he fails to execute a counterpart within one month from the date of purchase.

9. When the lease of a fishery is to be put up to sale a second time at the risk of the first purchaser, notice of sale shall be given as in the case of an original sale, with the additional proviso that the re-sale is to be at the risk and on account of the first purchaser.
10. When the sale has been concluded, a lease and counterpart in the forms appended to these rules shall be interchanged.

11. The annual sales in a district shall be reported for sanction in the form appended to these rules. For Assam valley districts, they shall be reported to sanction them for the rest they shall be reported to the Chief Commissioner.

12. If the highest bid for any registered fishery is less than 10%, such fishery shall be reserved from sale until ensuing year, unless in the meantime a bid of not less than 10% is made for it. Fisheries thus reserved may be declared open to the public by the Deputy Commissioner or Sub-Divisional Officer at the conclusion of the sales, with this proviso that they will be sold whatever a sufficient bid is made for them.

13. All orders of a Deputy Commissioner or Sub-Divisional Officer passed under these Rules shall be appealable to the Commissioner in the Assam Valley districts and to the Chief Commissioner in other districts.

Revenue Dept.
The 5th July, 1883.

By order of the Chief Commissioner of Assam.

Sd/- C.J. Lyall
Offg. Secretary to the Chief Commissioner of Assam.