MARITIME ZONES OF INDIA (REGULATION OF FISHING BY FOREIGN VESSELS) ACT, 1981 (42 OF 1981)

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ze9 383] 383] No Che Gazette of *dig EXTRAORDINARY 11---.-q-•cz (ii) PART 11--Sectf0i1 3—Sub-section (ii) PUBLISI-ÆD BY AUTHORITY 26, 1982/RTä 4, 1904 NEW DELHI, THURSDAY, AUGUST 26, 1982/BHADRA 4, 1904 i...TTtr t Separate Paging is given to this Part in order that it may be filled as a separate - compila tion (Tfq 26 1982 619@) FT (1981) 1 9 81 1982 tl) '(f*-if 1981 (1981 4.2) 636 GI/82-1 .8) (v) 5 8 q$r;-T (1981 42) AT 4 z--,af4å 1 HE OALDI 1 Z •ur . 20 072 (q) q$ffra (2) vqÄqq(1) +. 30 (3) 500 (4) äTXT 10 (77) EftT 1958 (1958 44) 1972(1972 53) (ii) t 11--€3 (ii)] (ii) •g t 1972 (1972TT 53) qrg$r frTüz (iii) qrq (iv) «f<FT, qrgtfr, frrqx äTRT *TTäT, éfrTT Z: yqrfäqt (iii) TT (31) 24 ; 14 qraä ftqsré 6) iTræ-x, q€t äTxr fig, (q) zrr För t O, ærnz qx, qr qfi- (ii) fir fi-ät sit qrqtrr I (ii) 4 THE GAZETTE OF INDIA : EXTRAORDINARY 20 [PART 11—SEC. (2) (1) fFO 30 (3) 500 (4) äTXT qr€f - TFq• QTI- ! 10 11 äTxt 1958 (1958 44) (€-«-TÜT) 1972(1972 53) (ii) 1.1=-€3 3(ii)] ERT, r.(x I 14 10. q t 11. 12. 13. g*rvr 14. (2) crt (q) Tati, frTT, 8 xq•fi• , 2912/2/8 1-crræq$l 5(1) THE GAZETTE OF INDIA : EXTRAORDINARY [frTtrq 1000@ 10001, 2000 @ [PART 11—SEC. 3(ii)] 3. 1500 4. 1000 5. 500 Rfääl 6. frqq 3(4) 17 8(1) (T) ETRr 51 1881 1. 2

6. Rftrtzqt, q.-«q-rä (v) (v) (q) 1. 2. 3. 4. 5. 18 18 18 18 18 30 24 33 33 33 42 42 I ..•r 11—-G 3(ii)] (3) fig I 10. 11, t (Tfi.{ 7 1981 (1981 42) ur-cr 4 3 fr:rfrTüz 6. 7. 8. 9. 11. ffrG7) 1982 8 THE GAZETTE OF INDIA : EXTRAORDINARY [PART IT—SEC. (1) (Gf) (11) äfQ] xfäfqz *r 1. q7T : 2. frfrrfrzqt 4 (q) (T) 5 1 2 3 6 7 8 9 10 11 1. 2. 3. 7. 8. 9. 1. 2. 3. 4. 5, 1 1 1. 2. 3. 11--± 3(ii)] G.. frfrTfrzq2i : 2 2 3 3 4 5 5 6 7 8 4 6 7 9 9 9 (fr3TTo•) 10 10 8 XTffitr,) (q) (VI) 6. 636 01/82--2 10 7, 1 THE GAZETTE OF INDIA : EXTRAORDINARY [PART 11 (€rz•q —SEC; 2 frqfi 3 4 12 5 13 7 10 11 8 15 9 16 fr07To) (q) (fräz) g•rfi-ff (Ill) It 3(ii)] 2, Mgrfzzrt 3. f*fEt 5. 8. 9. (froTTo TTO) 5(1) G) (froVTo) grr qv€t, (TT 12 T HE GAZETTE OF INDIA • EXTRAORDINARY tPART LI—SEC. fiftTfzq-t (q) TAT 1969(19C9 54) (77) 5. qfrzitTTT (qq; xrfröT€r. äTXT 10. 11. 12. 16. 17. 19. 21. 22. 23. 6. 7. 9. 13. (ætfrx#r fq•g ft-g (g-q-É7 2. 3. 4. 5. 6. 7. 8. 9. fF-•q) Lt•crrr 11— 3(ii)] (03) I 1981 42) *77T7s 6(4) 1 981 (1 9 S I 4 2) • 5 • IO 3. (l) (2) (3) (4) (6) (7) (s) (9) o' 4. 5. 6. 7. 8. 9. 1. 2. 3. 4. 5. fqfr--qq-a•) 8(1) ß) (1) (2) (3) THE GAZETTE OF iNbiA : EXTRAORDINARY [PART il—SEc. (5) (€tzti 1. 2. 3. 4. 5. 6. 7. Al-a MINISTRY OF AGRICULTURE (Department of Agriculture and Cooperation) NOTIFICATION New Delhi, the 26th August, 1982 G.S.R. exericse of the powers conferred by section 25 of the Maritime Zones of India (Regulation of Fishing by Foreign Vessels) Act, 1981 (42 of 1981), the Central Government hereby make the following rules, namely . I. Short title and commencement.—(l) These rules may be called the Maritime Zones of India (Regulation of Fishing by Foreign Vessels) Rules, 1982. (2) They shall come into force on the date of their pub- lication in the Offcial Gazette

2. Definitions.—ln these rules, unless the context other- wise requires 1981 (42 of 1981) shall have the meaning> lespec- tively assigned to them in that Act

3. Licences.—(l) Every owner of a foreign vessel or other person described in section '4, who intends to use such vessel for fishing within any maritime zone of India, shall make an application in Form A to the Central Govermnent. This form shall include the following information (a) (b) (c) (d) (e) (f) the name and description of the vessel, its equipment and complement ; the flag state and home port of the vessel : the name and address of the owner *incl master of the vessel and, where applicable, its characte% the side number of the vessel, the radio frequencies and eall sign ; a description of the proposed purpose and the period for which the licence is required ; the name and address of a person resident in India having a permanent office or esoblishment in India who IS authorised by the owner of the vessel to represent him for the purpose of providing liaison with the Government of India ; and (g) any information required by the Central Government or by an oficer designated by it to grant a licence jn any case where, in its opinion the information furnished by the applicant requires clarification or amplification. (2) Every application referred to in sub-rule (1) shall be made not less than thirty days prior to the first day on which the licence is required ; (3) Every such application shall be accompanied by a fee of rupees five hundred which shall-not be refundable, (4) The Central Government or an oflicer designated by it may, on receipt of an application, after making such enquiry for all (i) (ii) (iii) (iv) (v) (vi) (vii) as may be relevant, grant a licence in Form B or any of the following purposes, namely : to engage in commercial fishing ; to transhiip

or to take on board any fish, outfit or supplies while at sea ; to process fish at sea ; to transport fish from fishing grounds ; to land fish or fish products at an Indian port ; to purchase or Obtain bait, outfits, provisions or sup- plies (including fuel) at an Indian port • to effect repairs at an Indian Port • (a) (b) (c) (d) (e) (f) (g) (h) ' 'Act" means the Maritime Zones of India (Regula- tion of Fishing by Foreign Vessels Act, 1981 (42 öf 1981) ; "crew'S includes the team of technical, semi techni- cal and non-technical member associated with the operation of the fishing vessels "flag state" in relation to a foreign vessel means the State in which the vessel is registered or, Where the vessel is not registered, the State whose flag the vessel is entitled to fly ; "Form" means a Form annexed to these rules ; "licence" means a licence granted under section 4 "permit" means a permit granted under section 5 or under secfion 8, as the case may be ; "Schedule" means Schedule to these rules ; words and expressions used but not defined in these rules but defined in the Maritime Zones of India (Regulation of Fishing by Foreign Vessels) Act, 4. Validity of Licence : (1) Every licence shall,— (a) be issued in original duplicates ; and authenticated copies shall be distributed to enforcement and other concerned authorities , (b) apply ogly to the foreign vessel described in the licence and, where applicable, to the crew of that vessel ; and (c) be valid for the period specified in the licence. (2) The disposition of the duplicates referred to in clause (a) of sub-rule (1) shall be as follows (a) one licence shall be for the use of the licensee ; and (b) one licence shall be retained by the Central Govern- ment

5. Terms and conditions of Every licence, shall be subject to the following terms and conditions, namely .(a) the licensee shall pay to the Central Government ån amount set out in the Schedule I for the pur- poses mentioned therein at the time of taking deli- very of the licence ; (b) the master of the foreign vessel for which a licence is granted or a person acting on behalf of the mas- 11--0 3(ii)] ter shall give twenty four bours prior notice to the authorised officer of— (i) the estimated time of entry of the vessel into the maritime zone of India • (ii) of the location of such entry ; and (iii) of the approximate schedule of activities to be conducted. (c) the vessel and iks crew shall engage only in the acti- vities that are authorised by the licence ; (d) the activities authorised by the licence -shall be carried out only at the time and in the areas of th? maritime zone of India or ports set out in the li- cence ; (e) the licensee shall ensure that foreign members of the crew are employed only after obtaining necessary clearance from the Central Government. The Li- censee shall further ensure that every subsequent change in the foreign members of the crew is made only after the clearance from the Central Govern- ment ; (f) the master of each foreign fishing vessel during fish- ing operations shall notify the authorised offcer the following,— (i) time and position of commencement of fishing ; (ii) the time and position of the temporary departure from the fishing grounds for •the purpose of em- barking or disembarking an observer or for a call at an Indian port or any other temporary departure from the grounds which will involve departure from any authorised fishing are but which does not include departure from seaward limit of the fishing area beyond the Exclusive Economic Zone of India ; (iii) the time and position of return to the fishing grounds following temporary departure described in sub-clause (ii) above (iv) the time and position of any shift in its fishing area ; (v) the time and position at which it will cease fish- ing and the leave the fishing area (g) the master of the vessel shall communicate the in- formation, to be notified under clause (f), to the off- cer of the Coast Guard in Porbander, Bombay Cb- chin. Tuticorin, Madras, Vishakhapatnam, Paradeep, Haldia or Port Blair, at least twenty four hours be- fore the commencement or cessation of fishing. He shall record in communication log, the Indian Stan- dard Time and the contents of each communicaiion made under this clause. All the communication shall be in English (h) where the fishing is authorised by the licence,— (i) the crew of the vessel shall fish only for the stocks or groups of stocks described in the licence • (ii) the crew of the vessel shall not catch any fish by a soecies, size or age set out in the licence as orohibited catches. that • are covered under the Wild Life (Protection) Act. 1972 (53 of 1972) and where such fish are caught they shall be re- tained and preserved on board the vescel. account- ed for in

Form C and shall be surrendered at such places as may be directed by the authorised offcer ; (iii) the auantities of fish of anv stock or group of cinoks caught in •any area of the maritime zone of India during the terms of licence, or during any soecified portion thereof. shall not exceed the quantities set out in the licence fiv) the crew of the vessel shall not discard any Silbs- tantial -quantities of fish . of a stock or group of stocks caught in excess of the auantities set in the licence. Such quantities of stock •or •group Of stocks shall be retained and preserved on bnnrd the vessel accounted for in Form D and shall be 3 15 surrendered at stich place as may bc directed by the authorised officer ; (v) the crew of the vessel shall fish only by means of fishing equipment and gear of a kind set out in the licence ; and (vi) the master of the vessel shall cause written records to be maintained on a daily basis o fthe fishing effort and catch of the vessel and of any tranship- ment and other dispositions of the catch by quan- tities, species size and weight in Form E. (i) where the transporting of fish from fishing-.grourfds is authorised by the licence— (i) Only the species and quantities of fish set out in the licence shall be taken on board the vessel for that purpose • (ii) the fish may be taken on board only from vessel of a class set out in the licence; and (iii) the master of the vessel shall cause written records to be maintained on a daily basis of the fish taken on board the vessel for transportation in Form F ; (j) where the processing of fish is authorised by the licence, the master of the vessel shall cause written records to be maintained on a daily basis of the processing operations carried out and of tbe species, quantity and the State of , processing of the fish taken on board the vessel for that purpose in Form (k) the vessel shall have on board at all time during the period it is in maritime zone of India, equip- ment and fishing gear, including communications equipment, described in the licence as "required equipment" ; (l) the master of the vessel cr a person acting on behalf of the masttr shall, when authorised by the licence to visit an Indian Port, notify the authority speci- fied in the licence of the estimated time of entry of the vessel into that port not less than twenty four hours prior to that estimated time (m) where the vessel is in an area of the maritime zone of India and is not authorised by its. licence to engage in fishing at that time in that area, all fishing gear on board the vessel shall be stowed in the manner specified in rule 14 ; (n) the master of the vessel shall cause reports to be made of the position of the vessel in space and time, operational condit.ions, and the nature of fishing including, where applicable, its catch statis- tics, and any transhipments or other dispositions of its catch, at such times, to such persons and by such means as are set out in the licence. (o) where the Central Government requires the .vessel to carry out, from time to time, a programme of sampling. observation or research in connection with fisheries in the maritime zone of India, the master shall comply with instructions issued to him by •the Government in respect of that programme: (p) the master of the vessel shall, where required by the Central Government or an officer authorised in this behalf, permit a technical observer or obser- vers designated in writing by that Government to go on board and remain on board, at a time and for. a period specified in that behalf, for the purpose of recording scientific data and observations or taking samples and records or any .other purpose specified in the order (q) the master of the vessel shall take all reasonable precautions to ensure the safety of any authorised officer or technical observer boarding or leaving the vessel at sea including the observance of prac- tice of good seamanshiD and, where necessary, the Dlacing of a boarding ladder of good aua!ity and design and safety line over the side of the vessel • (r) where an authorised omcer or technical observer on board the vessel for a period of more than four 16 THE GAZETTE OF INDIA : EXTRAORDINARY [PART IL—SEC. hours, the master Of • the Nessel shall provide the authorised omcer or technical cbserver with suitable food and accommodation; (s) the master of the vessel shall,— (i) at the request of an authorised officer or technical observer, arrange for that oflicer or observer to send or receive messages by means of communi- cation facities on board the vessel (ii) provide all reasonable assistance in his power to enable an authorised officer or technical observer to carry out his duties and functions, and to the use of vessel's navigation equipment and person- nel as necessary to determine the vessel's position; (t) the master of the vessel shall, at any time, while within the maritime zone of Yndia, at the request of an authorised oficer, proceed forthwith for ins- pection to a place at sea and to a port as may be specified by that omcer ; (u) the master of the vessel. upon being approached by an authorised' offcer in a vessel or ship or in an aircraft, shall• immediately comply with anv direc- tions given to him by such authorised offcer. For this purpose, the International Code of Signals shall be used ; (v) The vessel shall, at all time while withiri the mari- time zone of India,— (i) fly the flag of the flag state ; (ii) display in a place that is clearly visible both from the air and from sea level the letters and numbers identifying the vessel as set out in its licence, in white markings of •at least one metre in height in

the case of a vessel •whose overall len-gth exceeds twenty metres or one-half metre in height in any other case, on a black background, and where the markings are painted, the paint work shall be maintained in good condition so that •the markings are clearly legible at all times ; (w) where the vessel is. in the maritime zone of India, the master of the vessel or a person acting on behalf of the master shall notify the Central Government of the estimated time of departure from those waters not less than seventy two hours prior to that estimated time ; (x) the licensee shall, when required to do so, make arrangements for training of Indian crew and per- sonnel on board the vessels ; (2) the licensee shall be bound all or any of the terms and conditions mentioned in sub rule (1) and such addtional conditions or restrictions as may be specified in the licence

6. Permits : (1) Every Indian citizen and person deg - cribed in section 5.who intends to use any foreign vessel for fishing within anv maritime zone of India shall make an application to the Central Government for a permit. (2) Every application referred to in sub-rule (1) shall be in Form H and shall made not less than thirty days prior to the first day- on which the permit is required. (3) Every such application shall be accompained bv a fee of rupees five hundred which shall not be refundable. (4) The Central Government or an offcer designated by it may on receipt of an application after making such en- quirv as may be relevant, grant a Dermit in

Form I for all or any of the purposes mentioned in sub-rule (4) of rule 3 of these rules

7. Validity of permit—(l) Every permit shall, (a) be issued in original duDlicates and authenticated conies are to be distributed to enforcement and other connected authorities. (b) be valid for a period as mav be specified in 'he ner- jn case. more five (2) The disposition of .the duplicates refered to in clause (a) . of sub-rule (I) shall be as lollows ; (a) one permit shall be for the use of the permit hog and (b) one permit shal be retained by the Central Govern- men t

8. Terms and conditions of permit : (1) Every permit shall be subject to the following terms and conditions, namely (b) (d) (f) (h) (i) the permit holder (hereinafter to as the charterer in this rule) shall pay to the Central Government an amount of Rupees ten thousand per vessel per vear at the time of taking_delivery of the permit ; the charterer shall have the requisite managerial per- sonnel who possess the necessary experience of fishing ; the charterer shall give an undertaking, in the form of bank guarantee.before the commencement of the charter; of an amount to be decided by the Central Government in each case to the •Central Government that he shall purchase required num- ber of vessels and put them in fishing operation in the Exclusive Economic Zone of India before the end of the stipulated period specified in the Schedule 11. the charterer shall ensure that at least twenty per cent of fhe crew are Indian citizens and . are posted as under studies to the foreign skipper, the engineer and to the other operational crel,v and that they shall be kept in readiness to embark on the chartered vessel at the time of inspection of the vessel by the authorised offcer ad shall remain on board the vessel throughout the charter period. the charterer shall ensure that the charter party pro- vides for the settlement of disputes between the parties by arbitration in India. the Central Government may post scientist /observer on board each of the chartered vessel; the charterer shall ensure that the Indian scientists and observers, when so directed by the Central Goven- ment are permitted on board the chartered vessel for collection and examination of such data and material as may be required by that Government and shall see that such scientists and observers are provided proper food and accommodation on board the vessel by the master of the vessel ; the charterer shall furnish to the Central GovernÆei1t valuation and sea worthiness certificates for the chartered vessel from • an appropriate authoritv of its flag state and also furnish a copy thereof to the Director General of Shipping, Bombay ; the charterer shall cause to be furnish to the Central Government the necessary certificates to the effect that the chartered vessel meets with the requirements in respect of safety of vessels and crew as per the provisions of the Merchant Shipping Act; 1958 (44 of 1958) ; The charterer shall ensure that,— (i) no fishing is done for the protected species which are covered under the Wi!d Life (Protection) Act, 1972 (53 of 1972) ; (ii) such protected species, if caught are immediately (i) returned to water alive, if possible, and if not they shall be retained and preserved on board the vessel and accounted for in

Form C and shall be surrendered at such place as may be directed by the authorised offcer ; the charterer shall not undeltakén shrimping opera- tions for exploitation of coasta! shrimps ; where the charterer is a company. the paid up share capital of the comnanv shall not be less than rupees five lakhs during the period : (1) the charterer shall not ani marketing com- miscion without . the prior appro'fi) Of the Central Government', [q-r7T 11--ä3 3(ii)] (m) the charterer shall ensure that the chartered vessel reports to the authorised officer before and after every fishing voyage and delivers the copy of the permit in its po.ssession to the charterer before every departure tc the foreign port; (n) the charterer shall ensure that the foreign members of the crew on the chartered vessel are employed only after obtaining necessary clearance from the Central Government; (o) the charterer shall further ensure that every subse- quent change in the foreign members of the crew is made only after the cleacance from the Central Government; (p) the charterer shall furnish to the Central Govern- ment voyage-wise statement of 1ish catch and ex- ports from the chartered vessels with all the neces- sary details as set out in Form J; (2) The charterer shall be bound by,— (i) all or any of the terms and conditions mentioned in sub-rule (1); (ii) all or any of the terms and conditions applicable to the licence except condition prescribed in clause (a) of sub-rule (1) of rule 5, and (iii) such additional conditions .or restrictions as mav be specified in the permit

9. Display of licence or permit on board the vessel. Subject to sub-rule (2), a copy of the licence ar permit, duly attested by the issuing authority, shall be kept on board the foreign veszel described in the licence or permit while that vessel is in the maritime zone of India and shall be produced for examination by an authorised officer at his request. (2) Every foreign vessel described in the licence or per- mit may enter in the maritime zone of India and proceed directly to an Indian port for the purpose of obtaining a copy of the licence or permit if,— (a) all fishing gear on board the vessel is stowed in the manner specified in rule 14; (b) the master of the vessel complies with any direci- tions given to him by an authorised offcer

10. Damage to Indian Vessels prohibited.—No foreign vessel fishing in the maritime zone of India under the licence .por a • permit granted under these rules shall cause any damage either wilfully or through gross negligence to any fishing vessel, fishing stakes, fishing gear, fishing net or other fishing appliances owned or in possession of an Indian citizen; 11. Commencement of fishing operations.—No foreign vessel fishing 'in: Bttu•'jharitime zone' Of. India tynder lhe licence or the permit granted under these rules shall com- mence fishing operations the clearance from the Coast Guards

12. Fishing in territorial waters prohibited.—-No foreign vessel shall undertake fishing operations within the territorial waters of India, unless otherwise specifically permitted for any specialised type of fishing and shall be subject to any other restrictions that may be specified in the licence or permit

13. Prohibition to carry any explosives, poisonous or noxious substances.—(1) No foreign vessel or any nerson shall carry or have in its possession or control any explo- sives. poisonous or other noxious or apparaius fitted for or capable of utilising an electric current, with the intention of using such explosives, poisonous or other noxi- ous substances or apparatus for killing, stunning. disabling or catching fish. Any explosives, poisonous or other noxi- ous substance found on board any vessel or in possession of anv person. shall be presumed. unless the i. oc i lite IlUc•cI 1 01 tne t•.€e specified nhove. (2) No foreign vessel or any person shall attempt to destroy or abandon any • fishing gear, fishing net or other 636 GI/82—3 30B fishing appliances, explosives, poisonous Or other noxious substances or any other object or thing with the intention to avoid their detection or seizure

14. Entry into maritime zone of India without licence/ permit.—(l) Subject to sub-rule (2), a foreign vessel may, without the authority of a licence or a permit enter the maritime zone of India for the purpose of passing through such waters in the course of a voyage .to a destination out- side the maritime zone of India. (2) A foreign vessel that has entered in the maritime zone of India without the authority of a licence or a permit shall comply with the following conditions while in the maritime zone of India,— (a) all fishing gear on board the vessel shall be stowed below deck or otherwise removed from the place where it is normally used for fishing and placed where it is not rcadily available for fishing; (b) all fishing nets, fishing lines, hooks, jigs, trawl boards, weights and floats shall be disconnected from their towing, connecting or hauling wires, ropes or rigid frames; (c) the master of the vessel shall comply with any directions given to him by an authorised offcer; and (d) where an authorised offcer requests information respecting the name, flag state, location, route or destination of the vessel, or the circumstances under

which it entered maritime zone of India, the master of _ the vessel shall promptly convey the information to the officer

15. Fishing for scientific research, investigation, cte.—- Where a foreign vessel is to be used for fishing within any maritime zone of India for the purpose of carrying out any scientific research or investigation or for any experimental fishing, the Central Government may grant a permit to such foreign. vessel under section 8 of the Act, Where such a permiesion is granted, the Central Government may apply all or any of the terms and conditions . prescribed for the licence under rule 5 or for permit under rule 8, as well as SL.•ch additional conditions as may be specified

16. Contravention of conditions of licence, permits of rules.—Contravcntion of any of the provisions of these rules shall be punishable with fine, which may extend to Rs. 50,000 without prejudice to the penalties which may. be awarded under the Act. [No. 29012/2/81-FY. (T.I.)] S. P. JAKHANWAL, Jt. secy. SCHEDULE 1 [See rule 5(1) Amount payable Purpose of licence 1. Fishing by squid jigging. . Fishing by Ira 3. Fishing by long lining/ under rule 5 (l) (a) Amount Payable Rs. 1,000/-per tonne of fish the vessel is permitted by the terms and conditions Of the licence. Rs. 2 tonne of fish the vessels is permitted by the terms and conditions •Of the licence. Rs. 1,500/-per tonne of fish •the terms and conditions of the licence. 18 Purpose of licence 4. Fishing for tuna by long- lining/p urse-sei• .ing/po le and line fishing

5. Transporting of fish

6. For any other purpose mentioned in rule 3(4).THE GAZETTE OF INDIA : EXTRAORDINARY [PART 11—SEC. 3(ii) Amount pa)m.ble Rs. 1,000/-per tonne of fish the vessel is permitted by the terms and conditions of the I icence. Rs. 500/-per tonne of fish carrying capacity of the vessel for each voyage. registered Rs. 200/-per gross tonne of the craft for each voyage

6. Description of the vessel, equipment and comple- ments :—(a) (b) (c) (e) (f) (h) Name of the Vessel. Flag state and home port of Vessel. Country and port of registration. Registration number. Radio call sign/signal letter/radio frequencies. Name of owner and master of the vessel. Nationality and address of owner and master. Purpose of vessel (kind of vessel). SCHEDULE 11 [See rule 8(1) Schedule of purchase of vessels NO. of No. of months from the beginning of vessels/ Opera tion when obligatory purchase cr pair of operation becc mes due. of Vessles (i) Kind of vessel's hull. (j) Vessel's year (date of construction) and date of launching. (k) Number of deck. (l) Number of mast. (m) Registered length. the charter and fishing Second Third Vessel Vessel or second or third pair of pair of vessel vessel Fourth Vessel or fourth pair of vessel 42 42 Fifth Vessel or fifth pair of vessel 51 4 of the (n) (o) (p) (q) (r) (s) (t) (u) (v) Registered breadth. Registered depth (draft). Gross tonnage and net tonnage. Fish Hold capacity and Refrigeration Capacity. Kind of main engine, name and place of main engine manufactured. Rated H.P. of main engine. Kind of propeller. Class of equipments (list). Certified crew capacity. 1 2 3 4 5 To First vessel of first pair of vessel 18 18 18 18 18 30 24 24 FORM A [See rule 33 33 33 (w) Service limitations of the vessel. (x) Name and address of the ship builder. (y) Value of the vessel. (z) Any other remarks

7. The electrical specifications of the craft and its equipment

8. Description of the proposed fishing operation Form of Application of Licence The Secretary to the Government of India, Department of Agriculture and Cooperation. Ministry of Agriculture, Krishi Bhavan, New Delhi-IIOOOI India Sir, I hereby apply for a licence under section (b) (c) (d) (e) (f) (g) Maritime Zones of India (Regulation of Fishing by Foreign Vessels) Act, 1981, in respect of which the following particulars are furnished : the species to be fished ; the method of fishing and type and dimensions of gear to be used and mesh sizes of different parts of fishing net. area/areas to be fished ; the amount of fish to be caught ; the period of time for which licence is sought ; the place in which the fish is to be landed and/or processed. a description of support operations and the name and licence number (if any) of fishing vessels in support of which related activities are to be carried out. I. 2. 3

4. Name of the applicant and postal address. Status of the applicant and his financial position (If the applicant is a company. full details thereof). Present activities of the applicant including the specific activities relating to fishing. Details of fishing vessels/fish processing units/ export/import of fish as in the past three years. particulars on fishing vessels, number of vessels Io be operated. anticipated fish catch, proiect econo- mics. processing and marketing arrangements. area and base of operation, etc. 9. 10

11. Dated . Name and address of the person resident in India appointed by the owner to represent him in all dealings with the Government and evidence of the extent to which he is authorised to undertake legal and financial obligations on behalf of the Plans for the use of Indian facilities in the sup- port, provisioning and maintenance •of vessels. Such other information as mav be required by the Government of India. .Day. ..of... ..of the year... .. Signature of the applicant 307 THE GAZETTE OF INDIA : EXTRAORDINARY

FORM D [PART II—SEC. Weight 3(ii)] [See rule 5 (l) (h) (iv)] Data on quantity of fish caught in excess of permitted I. Name and address of the fishing company : 2. Particulars of fishing vessels. Name : Size : Horse Power of Main Engine. Base of operation

3. Licence Number and period of validity, 4. Description of fishing operations authorised in the licence

5. Species-wise quantity of fish permitted in the licence (quota)

6. Details of catch particulars.quantum No. Location of fishing vessel Date & Time 3 Date & Time 3 Fishing Zone 4 Fishing Zone 4 Length, Depth and mesh size of fishing gear 5 Depth (Metres) 5 Species caught 6 Species caught in in excess 6 Raw weight (Kg.) 1 2 7 Average Weight (Kg.) 7 Processed products prepared on board the vessel if any. 8 Averag e length (cm) 8 (Kg.) Condition of fish 9 9 7. Details of excess catch Sl.No. Location of fishing vessel 2 1 Toft 1 catch (Kg.) Reasons for excess catch 10 8. Particulars of excess catch surrendered Weight (Kg.) Place of Spccies surrendering 9. Remarks of Master/Skipper

1. Name and address of the fishing company : Name : Size : Horse Power of Main Engine. Base of operation. Authority to whom surrendered Signature of owner/owners representatives FORM E [See Rule 5 (1) (h) (vi)] Daily Cumulativc catch Log 3(ii)] FORM B [See rule Government of India MINISTRY OF AGRICULTURE Department Of Agriculture and Cooperation New Delhi Dated... Licence to Fish in the Exclusive Economic Zone cf India This Licence is granted in pursuant to section 4 of the Maritime Zones of India (Regulation of Fishing by Foreign vessels) Act, 1981 (42 of 1981)

2. The foreign Fishing vessel described hereunder is here- by licensed for the purposes specified in paragraph 3 of this licence and in accordance with the conditions set out in paragraphs 6 and 8 of this licence and shall be subject to all the Indian laws that apply to the vessels in the Mari- time Zones of India. Description of the vassel Name of the vessel.. Name of the owner. Type of vessel... Country of registration/Flag State Registration Number.. Overall length. Gross tonnage International radio call sign and radio frequency Name and address of lhe master 3. The purposes for which the vessel may be used

4. Area 5. Period

6. The licencee shall be bound by the terms and c.onditions specified in rule 5 and the additional condition/restriclion specified in paragraph 8

7. Exemptions in the terms and condition, - it anv.8, Additional conditions

9. Names of the foreign crew

10. List of Required Equipments......

11. Subject to the provisions of the Maritime Zones India (Regulation of Fishing by Foreign Vessels) Rules, 1982.this licence is valid from the . day of day of 198 198 . ..to the, ...

FORM C [See rule (ii)] Data on catch of prohibited fish specie 1. 2. 3. 4. 5

6. Name and address of fishing company : Particulars of fishing vessels : Name Size Horse Power of Main Engine : Base of operation : Licence Number and period of validity. Description of fishing operations authorised in the licence. Details of fishing gear used : Description of the catch (a) Length of headline. (b) Greatest depth. (c) Mesh size. Sl. Location of the vessel No. Latitude 2 1 1. Longitude 3 Date and Time 4 Gear in operation 5 Fishing Zone 6 Depth (Metre) 7 Species (prohibited) 8 Average Length 9 Average Weight 10 Number 11 7. Place of surrendering the catch

8. Conditions of thecatch at the time of surrendering. Signature of owner/owners represen tatives 307
THE GAZETTE OF INDIA : EXTRAORDINARY [PART 11 —SEC. catch (Kg.) 3(ii)]

FORM D [See rule 5 (l) (h) (iv)J Data on quantity of fish caught in excess of permitted I. Name and address of the fishing company : 2. Particulars of fishing vessels. Name : Size : Horse Power of Main Engine. Base of operation

3. Licence Number and period of validity

4. Description of fishing operations authorised in the licence

5. Species-wise quantity of fish permitted in the licence (quota)

6. Details of catch particulars.quantum No. Location of fishing vessel Date & Time 3 Date & Time 3 Fishing Zone Fishing Zone 4 Length, Species Depth and caught 1 2 4 mesh size of fishing gear 5 Depth (Metres) 5 Raw weight (Kg.) 7 Average Weight (Kg.) 7 Processed Weight products (Kg.) prepared on board the vessel if any. 8 6 Species caught in in excess 6 9 7. Details of excess catch Sl.No. Location of fishing vessel Averag e length (cm) 8 Condition of fish 9 Reasons for excess catch 10 1 8. 9. 1. 2 Particulars of excess catch surrendered Weight (Kg.) Place of Spccies surrendering Remarks of Mastér/Skipper, Authority to whom surrendered FORM E [See Rule 5 (l) (h) (vi)] Signature of owner/owners representatives Daily Cumulativc catch Log Name a nd address of the fishing cornpany : Name : Size : Horse Power of Main Engine. Base of operation. 11--ä-g 3(ii)] Licence Number and period of validity

4. Description of fishing operations authorised

5. Species-wise catch of fish and quantity permitted in the licence

6. Fishing Area

7. Date of entry to Indian Exclusive Economic Zone.S. No. Vessel number Position Date & Time Time of Shooting gear Time of Hours of 1 Mesh Size 10 2 3 Species caught 11 4 5 Quantity 12 hauling gear 6 Disposition 13 Quantity (Kg.) fishing 7 Cumulative total 14 Depth (Metre) 8 Cumulative disposition 15 309 21 Type of gear 9 Details of transhipment 16 8. Details of Disposition of catch Item (a) (b) (c) (d) (e) (g) Consumption : Fish gutted : Head on (or off) : Filletted. Frozen. Canned. Fish meal (h) 011 1. Name and address of fishing company

2. Particulars of fishing vessels. Name : Size . Horse Power of main engine. Base of operation

3. Licence Number and period of validity

4. Catch and Effort Data : Signature of Species Number of days fished FORM F [See rule 5 (l) (i) (iii)] Paaticulars of transhipment Catch (in kg) Product from owner/owner's representative vessel 5. Licence Number and side number of vessel receiving transhipment. Latitude Longitude 22 [PART II—SEC. 3(ii)] 7. Date of message from vessel : 8. Species and quantities transferred : Species Gross wieght (kg.) THE GAZETTE OF INDIA : EXTRAORDINARY Value Signature of pwn licencee/his representatives FORM G [See rule 5 (1) Particulars of processing operations on board the vessel under licence 1. Name and address of fishing company

2. Particulars of fishing vessels. Name Size Horse Power of main engine. Base of operation

3. Licence Number and period of validity

4. Description of fishing operations authorised in licence

5. Name of the port to be used as base

6. Processing Machinery and Equipment : • Type 8. Storage and holding Nature of storage 9. Processing details. Species Number of Units Number of species Specifications and daily capacity Percentage utilisation of capacity Dimensions/volume of fish hold Area of Operation Date of operation Duration of operation From To Catch particulars Products prepared on vessel & quality (Kg.) (Enter in this column, types of products processed on board the vessel by species, viz : fish gutted, head on (or off) filletted, salted, frozen, caned, meal & oil etc

10. Position and time of reporting . Latitude Longitude Time Signature of owner/owner's representative. 31) 23 -äg 3(ii)] FORM H [See rule 6 (2) J Form of Application for 'Permit' Outline Details Required for Proposed Operations l. Name of the applicant and postal address

2. Whether the applicant is •a registered company under the Companies Act, if so, furnish the following particulars:—(a) Date and number of Registration and Place. (b) Authorised, Subscribed and

paid up share capital. (c) Attach latest Balance-sheet. (d) If the company comes under the provision of Mono- polies and Restrictive Trade Practices (54 of 1969), please staate whether clearance is available

3. The foreign collaborator's name, address, number. Telex number and name of Bankers activities in India and in other countries

4. Present activities of the applicant, if any : (a) Specified activities undertaken. Act. 1969 necessary Telephone and their (xxiv) Name and address: of the ship builder. (xxv) Value of vessel. (xxvi) Any other remarks. (c) Number, cuassification and experience of foreign crew. (d) Number and names of foreign personnel to be employed ashore. (e) Enclose authenticated copy of the offer received from foreign collaborator

6. Durat:on of charter

7. Annual rate of charterage or charterage for entire duration

8. Whether the charterer retains option to purchase vessels after the charter period and terms thereof

9. Whether the foreign collaborator is willing to assist in export of catches, if so, the terms and conditions.IO. Arrangements for training of Indian-counterparts

11. Statement of foreign exchange inflow anticipated (ex- eluding payments in foreign exchange out of total earnings by way of exports) for the duration of charter

12. Total income, total expenditure and net profit anti- cipated for the duration of charter

13. Form of charter party proposed to be entered into

14. Financial arrangements (Describe in detail)

15. Proposals of shore establishment (if any).(b) Details of _ fishing vessels/ fish processing units and fish export made during the past three years. (c) Name of all Directors/Chief Executive/Operations Manager/other employees of the Indian Company, their experience in marine fisheries indicating speci- fied fields

5. Details of the Project proposed to be taken up (enclose project report covering particulars on fishing vessels, anti- cipated fish production, processing and marketing organi- sation, management, including financial sources, economics of operation, area and base of operation, identity of fishery resources to be exploited, catching methods, gear .to be employed, etc.) (a) Type of vessels, type of gear and number of vessels proposed to be chartered (Enclose detailed spaci- fications and general arrangement drawings and also a full list of machinery and equipment, navi- gational lights, life saving appliances, fire fighting equipment, inventory items etc.) (b) Description of the vessel, equipment and crew complement (Enclose certificate given by competent authorities regarding valuation and sea worthiness V of the vessels):— (Li) (iii) (iv) (v) (vi) I [we Intended location and description of any shore based plant. Proposal for registration and date of completion of any shore based plant as a Registered Export Es- tablishment. Arrangements for processing catch. Estimated annual output of the plant. Percentage of total catch to be processed and/or ex- ported. Export market and marketing arrangements for total catch. DECLARATION by this declaration (i) (ii) (iii) (iv) (v) (vi) (vii) (viii) (ixi (x) (xi) (xii) (xiii) (xiv) (xv) (xvi) (xvii) (xviii) (Nix) (xxi) (xxii) (xxiii) Name of the vessel. Flag state and home port of vessel. Country and port of registration. Registration number. Radio call sign/signal letter/radio frequencies. Name of owner and master of the vessel. Nationality and address of owner and master. Purpose of vessel (kind of vessel). Kind of Vessel's hull. Vessel year (date of construction and date launching). Number of deck. Number of mast. Registered length. Registered breadth. Registered depth (draft). Gross tonnage and net tonnage. Fish Hold capacify and refrigeration capacity. Kind of main engine, name and place of Inain gine manufactured. Rated Kind of propeller. Class of equipments (list). Certified crew capacity. Service limitations of the vessel. subscribed by- me/us pursuant to and in compliance with section 5 of the Maritime ZoneS of India (Regulation of Fishing by Foreign Vessels) Act, 1981, (42 of 1981), fully understand all the provisions of the said Act and Rules and orders issued thereunder and agree to abide by them. I/we... . further declare that the particulars furnished in the above application are true to the best of my/our knowledge. of en-

Signature of the applicant (s)

FORM 1 [See rule 6 (4) | Government of India Ministry of Agriculture Department of Agriculture & Cooperation New Delhi No. Dated.. Permit to Fish in the Exclusive Economic Zone of India This permit is granted in pursuant to section 5 of the Maritime Zones of India (Regulation of Fishing by Foreign Vessels) Act 1981 (42 of 1981). 24 THE GAZETTE OF INDIA • EXTRAORDINARY [PART 11—SEC. ii)] 2. .is hereby permitted to use the foreign fishing vessels under charter described hereunder for the pur- poses specified in paragraph 5 of this permit and in accor- dance with the conditions set out in paragraphs 8 and IO of this permit and shall be subject to all the Indian laws that apply to the vessels in the Maritime Zone of India

3. Description of the vessel (i) (ii) (iii) (iv) (v) (vi) (vii) (viii) (ix) Name of the vessel : Type of vessel : Country of registration : Registration number : Overall length : Gross tonnage : International radio call sign and radio frequency : Name and address of the master : Name and address of the foreign collaborators. Horse Power of main engine. Base of Operation

3. Number of crew : Foreign. Indian

4. Period of voyage .(i) Date of departure from foreign port. (ii) Date of entry into the Maritime Zone of India. (iii) Date of reporting at the base of operation. (iv) Period of fishing From To 5. (v) Date of departure from the base of operation. (vi) Date of leaving the Maritime Zone of India. Details of each fishing operation (for each haul) 4. Details of charters fee, made of payment and any other stipulation

5. The purposes for which the vessel may be used

6. Base and area of operation

7. Period of operation of the vessel

8. The permit holder shall bound by the terms and conditions specified in rule 8 and the additional conditions/ restrictions specified in paragraph 10

9. Exemptions in the terms and condition if any 10. Additional conditions

11. Names of foreign crew 12. Subject to the provisions of the Maritime Zones of India (Regulation by Foreign Vessele) (i) (iii) (iv) (vi) Haul Number. Type and Size of Gear. Position Latitude Longitude Time Shot Hauled Shotting Depth (meters) Total catch (in kilograms) Hauling Weight (Kilograms) permit is valid from the to the... ..day of.. Rules, 1982, this ..day of ..198 ..198 Maintain species caught 1. 2 3. 4. 5. 6 etc

13. This permit is not transferable. Dated Secretary of the •Govt. of India FORM J [See rule 8(1) (p)] Voyage-wise Statement to be Furnished 1. Name and adress of the Charterer

2. Particulars •of fishing ves.sels: 6. (i) Value declared at customs for the total catch and for each variety (in foreign currency). (ii) Value realised on domestic marketing for each variety (in Indian rupees)

7. Quantity, value and country to which each item was exported.by the Charterer 8. In In 9. In In foreign collaborator : Payment made to foreign exchange. Rupees. Payment received from foreign collaborator foreign exchange. Rupees. Signature of the Charetrer RING ROAD, NEW DELHI-110064 f/ Name Size Over length Gross Registered Tonnage. PRINTED BY THE MANAGER, GovT. OF INDIA PRESS, AND PUBLISHED BY THE CONTROLLER OF PUBLICATIONS, DELHI-110054, 1982