Karnataka Marine Fishing (Regulation) Rules, 1987

Animal Husbandry, Fisheries and Forest Secretariat No.
AHFF 161 SFM 81(P.II)
Bangalore, dated 13th October 1987

Notification

Whereas the draft of the Rules framed under section 22 on the Karnataka Marine Fishing (Regulation) Act. 1986 (Karnataka Act 24 of 1986) was published in Notification NO. AHFF 161 SFM 81 (P.II) , dated 22nd August 1987 in Part IV, Section 2-C(1) of the Karnataka Extraordinary Gazette dated 27th August 1987 Inviting Objections and suggestions from all persons likely to be affected within one month from the date of publication in the Office Gazette.

And whereas no objections and suggestions were received.

Now, therefore in exercise of the power conferred by section 22 of Karnataka Marine Fishing (Regulation) Act, 1986 (Karnataka Act 24 of 1986), the Government of Karnataka hereby makes the following rules, namely:-

1.**Short title and commencement:-** (1) These Rules may be called the **Karnataka Marine Fishing (Regulation) Rules, 1987.**

2.**Definitions:-** In these rules, Unless the context otherwise requires-

(a) 'Act' means the Karnataka Marine Fishing (Regulation) Act, 1986 (Karnataka Act 24 of 1986);

(b) 'Form' means a form appended to these rules,

(c) 'Licence' means a Licence granted under section 5, 'Section'

(d) means a Section of the Act.

3.**Application for Licence :-** (1) Every application for grant of renewal of licence for fishing vessel shall be made in Form-1 to the authorised Officer and shall be affixed with a Court Fee Stamp of the value of Rupee One.

(2)Every application for the renewal of licence shall be made at least two months before the date of expiry of such licence.

4.**Fee for Licence:-** (1) Fee for grant on renewal of licence in respect of Fishing vessels specified in column (2) of the table below shall be as specified in the corresponding entries in column (3) thereof.

TABLE

Sl. No.	Class of Fishing Vessels	Amount of Fee Rs.
1	2	3
1	Country Fishing Crafts fitted with mechanical means of Propulsion	5
2	Mechanised Fishing Boats up to 8 Meters length	50
3	Mechanised Fishing Boats of more than 8 Meters in length but less than 12 Meters in length	75
4	Mechanised Fishing Boats of 12 Meters and above but less than 18 Meters in length	100
5	Mechanised Fishing Boats of more than 18 Meters and above in length	300

(2) The fee under sub-rule (1) shall be paid either in Cash or by a Demand Draft drawn in favour of the Authorised Officer.

Form II. It shall be valid For a period of one year.

(2) No Licence shall be granted or renewed in respect of any Mechanised Fishing Vessel, unless it is duly insured against all marine risks and the life of every member of the crew of such vessel.

(3) The Authorised Officer shall enter the particulars of the licence granted or renewed in a Register in

Form III.

(4) Where the application for the grant or renewal of licence is refused, the authorized Officer shall record in writing the reasons for such refusal to grant or renew licence and shall communicate such order to the applicant. The fee paid for grant or renewal of licence shall be refunded to the applicant where such order becomes final.

6. **Application for Registration of Fishing Vessel: -** Every application for registration of a Fishing Vessel under Section 8, shall be in Form IV and shall be accomplished by the fees specified below :

Class of Vessel	**Amount of Fee Rs.**
(a)Non-mechanised	1
(b)Fishing Vessel fitted with mechanical means of propulsion	5
(c)Mechanised Fishing Boats upto about 12 Metres	20
(d)All other Kinds of vessel	50

7. **Grant of Registration Certificate:-** (1) On receipt of an application under Rule 6, the Authorised Officer shall after making such enquiry as he deems necessary, register such vessel and grant a Certificate of Registration in

(2) The authorised Officer shall enter every registration of fishing vessel in a register maintained in

Form VI.

(3)Every owner of a registered Fishing Vessel shall display on such vessel the registration mark Assigned to it by the authorised Officer.

8.Inspection of Certification of Registration, issue of duplicate Certificate of Registration etc,:- The owner of every registered fishing vessel shall carry the Certificate of Registration at all times in the fishing vessel and shall produce such Certificate for inspection whenever an Officer authorised in that behalf requires it to be produced for inspection. The loss, damage or mutilation as the case may be , of the case may be, of the Certificate of Registration shall be reported to the authorised Officer by the owner of such fishing vessel, who shall after being satisfied about such loss , damage or mutilation, issue a duplicate certificate on payment of a fee of Rupees Five in the case of a Mechanised Fishing Vessel and Rupee One in the case of all other Fishing Vessels.

9. **Changes in the Certificate of Registration:-** (1)If the particular mentioned in the Certificate of Registration are required to be changed the owner of the Fishing vessel, shall apply to the authorised officer in

(2) On receipt of the application, the authorised Officer shall, after making such enquiries as he deems necessary, effect necessary changes in the certificate of registration by affixing his Signature and Official Seal with date of such change. The changes made shall be entered in the Register maintained in

Form VI.

10. Impounding of Fishing Vessel :- A Fishing vessel impounding by the authorised Officer under Section II, shall be kept anchored at the landing centre nearest to the place of seizure or at any other place as may be directed by the authorised Officer.

11.Disposal of Fish :- (1) The fish seized from an impounding fishing vessel shall be preserved provided that the cold storage facilities are immediately available at the place where the fish is seized. If no such facilities are available, then the authorised Officer shall dispose it off auction and deposit the proceeds thereof in the Officer of the Arbitrator.

(2) The authorised Officer shall give to the owner or the crew of the fishing vessels an acknowledgement detailing the quantities and varieties of fish seized and shall keep a duplicate copy of the acknowledgement with him.

12. Adjudication by the Arbitrator:- (1)On receipt of a report from the authorised Officer under sub-section (1) of section 12. The arbitrator shall issue a notice to the persons against whom the allegations made in the report, informing them the nature of allegations made and directing them to file objections and to appear before him on a date and time specified.

(2) The Arbitrator shall, after considering the objections, if any, record his findings on the evidence produced before him.

13.Form of Appeal to the Appellate Board :- (1) Every Appeal against an order of the Arbitrator shall be presented to the Appellate Board either in person or through a Legal Practitioner or a recognised Agent.

(2)Every such appeal shall state the ground of such appeal and shall be accompanied by a copy of the order appealed against.

(3)The Appellate Board on receipt of an appeal, give notice of such appeal to the persons interested in such appeal and are necessary for disposal of such appeal.

(4)The Appellate Board may admit additional evidence or remand the case to the Arbitrator for adducing additional evidence on points specified in such remand order.

(5)A fee of Rupees Fifty in the form of Court Fee Stamp Shall be payable in respect of each appeal.

14.Allowance payable to Chairman and Members of the Appellate Board,-

(1) The Chairman shall be paid an honorarium of Rupees One Hundred per sitting.

(2) Each Member of the Appellate Board shall be paid an honorarium of Rupees Fifty per sitting.

15.Fees payable for certified copies of orders: - (1) A Fee of Rupees two shall be payable for supply of certified copy of orders passed by any officer or Authority under this Act.

(2)The fee shall be paid in the form of Court Fee Stamp.

16. **Manner of Service or Publication of Notice as Summons or Order: -** Service of any notice, summons or order under the Act on any person to whom it is by name addressed shall be effected.

(a)By delivering or tendering the said notice, summons or order to such person; or

(b)If such person is not found by leaving such notice, summons or order at the last know place of residence or business or by delivering or tendering the same to some adult member of servant of his family;

(c)By sending the notice summons or order by registered post with acknowledgement due;

(d)If none of the means aforesaid is available by affixing such notice, summons or order on some conspicuous part of the premises, if any, in which the persons known to

have last resided or carried on business or personally worked for gain or by publishing the same in a Daily Newspaper having wide circulation in the area.

By Order and in the name of the
Government of Karnataka,

Sd/-
M. Narayana,
Under Secretary to Government
Animal Husbandry, Fisheries and
Forest
Department.

FORM:

(SEE Rule 3(1)

Form of Application for Licensing of Fishing Vessels

1.Name and address of Owner/s:
2.Occupation of Owner/s
3.Place of permanent Residence of Owner/s
4.Name of the Fishing Vessels
5.Registration No. And Date
6.Place of Registration and Agency/ Office with which registered. 7.Whether previously licensed and If so, No. Of License and Period for which licensed.
8.Particulars of Fishing Vessel:-
(a)Length
(b)Breadth
(c)Draft
(d)Make and H.P. Of Engine
(e)Type of Vessel
9.Place where constructed
10.Year of Construction
11.Whether the vessel is insured against main risks
12.If so, the name of the Insurance Company and the date of policy Or Premium Receipt and the Period of Validity of Insurance
13.No. of Crew
14.Whether the risk of the Crew is Covered against the accident at Sea.
15.If so, the names of Fisherman Constituting the Crew and the Particulars of their accident insurance
Name
Period of Validity
Name of Insurance Company,
Premium Receipt of Policy No.
16.Details of life saving
(a)Appliances (Life Jackets No. Life Buoys No. Fire Extinguishers, Medical Kit)Provided in the Vessel.
(b)Navigational Lights provided.
17.Type of Fishing Gear proposed to be operated. 18.Period for which Licence is granted.
19.Licence fee paid, particulars of payment.

FORM II

(See Rule 5(4)

Licence granted for using fishing vessel for Fishing

1.No. and date of Licence

2.Name and Address of the person To whom the licence is issued.

3.Particulars of the fishing vessel Licensed 4.Fishing gear licensed

5.Period for which the licence is issued

Place:

Date :

Signature of the Authorised Officer.

Seal

Conditions of the Licence

1.This licence is granted subject to the provision of the Karnataka Marine Fishing (Regulation) Act. 1986 and the Rules made there under.

2.Any change in the layout, design, Capacity of the vessel should be effected only with the prior approval of the Authorised Officer.

3.Any changes in the type of gear licensed shall be effected only with the prior approval of the Authorised Officer.

4.It shall be competent for the Authorised Officer or any Officer authorised by him to enter the fishing vessel for the purpose of inspection whether in the waters or on shore.

5.This licence is liable to be cancelled or suspended for failure to comply with the conditions subject to which the licence has been granted or for contravention of any of the provisions of the Karnataka Marine Fishing (Regulation) Act. 1986 and the rules made there under.

6.The licence is liable to be cancelled if the vessel is impounded or confiscated for illegal activities or default under and Central or State Act for the time being in force cr if the vessel and the crew are nor insured and the insurance nor kept effective.

FORM-III

(See Rule 5(3))

Register of licence issued under section 5 of the Karnataka Marine Fishing (Regulation) Act, 1986

Licence No. And date	Registration No. Of the Fishing vessel and the name of the Fishing Vessel	Whether mechanized/if so, the H.P of the engine	Type of Fishing gear	Vessel Insured			Cre	
				Period of licence	Insurance	period of validity	Insurance	
1	2	3	4	5	6	7	8	

FORM IV

(See Rule 6)

Application For Registration of Fishing Vessels 1.Name Occupation and address of the Owner/s in Full.

2.Name of the Fishing Vessel

3.Particulars of Registration, if any done Previously 4.Particulars of Fishing Vessel

(a)Length

(b)Breadth

(c)Draft

(d)Make & H.P. of Engine and No.

(e)Type of vessel

5.Place where construction

6.Year of Construction

7.How and when acquired

8.Base of Operation

9.No. of Crew

10.Particulars about the hypothecation or Any charge in the fishing vessel.

11.Amount of fees remitted and mode of Remittance.

Place: Signature of the Owner/s

Date :

(For Office Use Only)

The application received on .....

Registration Fee Rs.....

Received on.....Registration No.....

Registration mark..... Assigned on .....

Signature of the Authorised Officer.

M. NARAYANA.

Under Secretary to Government,
AHFF department (Fisheries).

FORM V

(See Rule 7(1)

Certificate of Registration

1.No. and date of certificate of Registration

2.Registration mark assigned

3.Names, Occupation and Address of the person/s to whom the Certificate of Registration is issued.

4.Particulars of Fishing Vessel.

(a)Length

(b)Breadth

(c)Draft

(d)Make and H.P of Engine. and no.

(e)Type of Vessel

5.Place and year of construction

6.particulars of Hypothecation,

Mortgage or other charge on Fishing Vessel, if any

Conditions

1.This Certificate of Registration is granted subject to the provisions of the Karnataka Marine Fishing (Regulation) Act, 1986 and the Rules made there under.

2.Any change in the layout, design, Capacity of the vessel should be effected only with the prior approval of the Authorised Officer.

Place :
Date :

(Seal)

Signature of the
Authorised Officer.

FORM-VI
(See Rule 7(2)

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Office of the (Authorised Officer)

Sl No.	Registration No. And Date	Name Occupation and Address of Owner/s	Particulars of Fishing Vessel					Base of Operation	H
			Length	Breadth	Draft	Type	Make and HP of Engine No		
1	2	3	4	5	6	7	8	9	

FORM VII

(See Rule 9)

Application for Change of Particulars in the Certificate of Registration issued under the Karnataka Marine Fishing (Registration) Act, 1986.

Registration No. of the Fishing
Vessel, Changes of Particulars
Required

Item No Previous Particulars Proposed Particulars

I/We Request that the change in the particulars as mentioned above may be accepted and incorporated in the Certificate of Registration of the said Vessel.

Place :
Date :

Signature of the Owner/s
of the Registered Fishing
Vessel.

Signature of the New Owner/s
of the Registered Fishing Vessel
(If the change of Ownership is
proposed).