PUDUCHERRY MARINE FISHING REGULATION RULES, 2009

Registered with// of Newspapers thc ' n ia undign No. Registered No. WPP No. 88(556) Dated': 7-10-2009 Price : Rs. 8-00 La Gazette de L' État de Poudouchéry The Gazette of Puducherry 09/6061) No. 35 GLJ>p U. 8-00 Poudouchéry Puducherry PART - 11 EXTRAORDINAIRE Publiée par Autorité Prix : Rs. 8-00 2009 Mercredi 7 Wednesday 7th (15 Asvina 1931) EXTRAORDINARY Published by Authority : Rs. 8-00 70 Octobre October 2009 2009 GOVERNVÆNT OF PUDUCHERRY CHIEF SECRETARIAT DEPARTIMENT OF RURAL DEVELOPNÆNT (FISHERIES) (G.O. Ms. No. 17/Fy, dated 6th October 2009) NOTIFICATION His Excellency the Lieutenant-Governor, Puducherry is pleased to notify, the Puducherry Marine Fishing Regulation Rules, 2009 appended herewith fqr the implementation of the Puducherry Marine Fishing Regulation Act, 2008 in the Union territory of Puducherry, with effect from the date of publication of this notification. (By order of the Lieutenant-Governor) N. SUMATHI, Deputy Secretary to Government (Fisheries). [261] RY MA IOISJI!NC, 'I'll R RUI 'l'hese rules Ina y bc called the Puduchcrry Short title. 1 Nlat•ine I•ishing Regulation R tiles, In these rules. unless (hc conte,xt otherwise 2. Definition vequu•e,-—- nteans the Puducherry Marine Fishing Regulation "Act" (a) (Puducherry Act 6 of 2008); tneans the period during which fishing (b) "close season" by a fishing vcsscl using any fishing gear is totally prohibited by notification under section 4 of the Act for thc purpose of conserving the propagation of fish during the breeding season; Ineans a Form appended to thcse rules; (c) ' 'Form" (d) "licence" rneans a licence granted under section 6 of the Act; "section" means a section of the Act. (e) 3. Registration of fishing vessels and fishery allied .-— (1) Every application for registration of a fishing vessel industries under section 9 of the Act shall be made by the owner thereof to the authorised officer in

Form —I. It shall be accompanied by a registration fees as specified below, namely:— (a) Mechanised fishing vessel : FRP/Marine Plywood/Steel/ Wood - Rs. 250. (b) Motorised country craft including Vallam, Canoes, Nava, FRP catamaran - Rs. 25. (c) Non-motorised country crafts including Vallam, Nava, Canoes, Catamaran — Rs. IO. (2) The certificate of registration issued under sub-section (2) of section 9 shall be in Form — 11. The counterfoil of the certificate of registration issued in Form —11 shall be maintained in the office of the authorised officer in the form of a register. (3) The registration mark assigned to a fishing vessel by the authorised officer shall be engraved and painted on the port side and star-board side on the forepart of the fishing vessel. In respect of a catamaran, the registration mark shall be engraved on the topside Of each log that forms part of the catamaran. PART-III LA GAZETTE DE L'ETAT 263 (4) When a fishing vessel changcs hand from one owner to another the new owner shall get an endorsement on the registration certificate ft-orn the authorised officer who registered the fishing vessel. (5) For registration of Boat Building Yard, Ice Factory, processing Plant and other industries related to fisheries, an application shall be made to the authorized officer in Form — VIII along with fees as detailed below.— Sl. No. Type of industries Registration fees a. Boat Building Yard, Ice Plant, Processing Plant Rs. 500 and other industries related to fisheries. The certificate of registration shall be issued in Form — I X

Form — Ill and shall be accompanied by a licence fee as specified below, namely:— No. (1) a. b. c. Type of craft (2) Mechanized fishing vessel FRP/Marine Plywood/Steel/Wood. Motorised Country craft including Vallam, Canoes, Nava, FRP Catamaran. Non-motorised country crafts including Vallam. Nava, Canoes, Catamaran. Fishing licence/ renewal of licence (3) Rs. 250 25 10 Penalty for delay in renewal for every month or a part of month (4) Rs. 25 3 1 264 LA GAZETTE DE L'ETAT (2) A licence granted by the authorised officer shall be in lv. (3) A licence granted under the Act shall be transferred by the authorised officer at the time of change of ownership of the fishing vessel. (4) Every holder of a licence shall strictly comply with the provisions of the Act, the rule and the terms and conditions of the licence. (5) Every person in charge of a mechanised fishing vessel shall obtain a token from the authorised officer before such mechanised fishing vessel leaves the notified place of berth or anchoring and shall hand over the token on return to the authorised officer at the said notified place of berth or anchoring. (6) Each fishing vessel shall be brought for physical verification of authorised officer once in three years according to the convenience of the owner at the time of renewal of the licence. (7) (a) No licence shall be granted or renewed in respect of any mechanised fishing vessel, unless such vessel is covered by a policy of insurance against all marine risks. Besides the above policy, the life of every crew member of such vessel shall be insured by the owner with an agency approved by the Union Territory Government. (b) Every registered mechanised fishing vessel shall have life saving appliances and fire fighting appliances as specified below: (i) There shall be approved life jackets on board (Approved by Mercantile Marine Department) so that one adult life jacket is available for every person on board; (ii) Two lifebuoys to be kept hung one on each side of the vessel. Of the two one shall have a life line attached to a self-igniting light; (iii) Foam type fire extinguisher in the engine room; (i v) Two iron buckets with sand; LA GAZETTE DE L'ETAT (v) One aneroid barometer; 265 i) VHF coinmunication equipment for two way conununication shall be provided in every vessel that stays at sea for more than 48 hours and in every vessel that travels a distance tnore than 50 nautical miles from the base of the operations; (vii) The top of wheel house/canopy shall be painted with yellow fluorescent colour on which the registration number of the vessel shall be written in black; (viii) A piece of fluorescent coloured canvass with either black square or circle for identification from air; (ix) Suitable flares for use at time of distress. (x) Every registered mechanised fishing vessel shall have a log book to be maintained by the Master/Driver; (x i) There shall be an emergency 'SAIL' in all mechanised fishing vessel; and (xii) One number of two band battery operated transistor

5. Issue of duplicate licence and duplicate certificate of registration.— (i) The authorised officer Shakl have the authority to issue a duplicate licence or duplicate certificate of registration, on an application made in

Form-V by the licensee or the owner of the vessel, as the case may be, after duly verifying the facts and documentary evidence, if any and satisfying himself as to the genuineness of the application. Duplicate licence or duplicate certificate of registration shall be issued on payment of a fee of Rs. 50 (Rupees fifty only) in each case. (ii) A licence granted under the Act shall be valid for a period of three years frorn the date of issue of the licence

6. Regulation of fishing.— (i) Every owner of a mechanised fishing boat shall arrange to berth his boat in the Fishing Harbour provided for it by the Government or in a place notified by the authorised officer. [PART-11 266 LA GAZETTE DE L'ETAT (ii) (a) No gill net having a stretched mesh size less than 25 mm, from knot to knot shall be used. (b) No shrimp trawl net having a stretched mesh size less than 37 nun. at the cod-end shall be used. (c) No fish traw,l nets having a stretched mesh size less than 75 mm. at the wings and 40 mm. at cod-end shall be used. (d) Fishing by pair trawling or fishing with purse-seine net by any fishing vessel irrespective of their size and power of the engine, is prohibited in the entire coastal area of Union territory of Puducherry in the territorial waters as a measure to conserve the fishery resources. (iii) Close season for fishing in a specified area shall be notified from time to time by the authorised officer having jurisdiction over that area. (i v) Bottom trawling operations shall not be conducted within three nautical miles from the coast line. (v) The authorised officer shall have the right of prohibiting the catching of any particular species of fish, during any particular season as may be notified. The marine animal/ plant notified as endorsed by the Ministry of Forest and Environment under Wildlife Protection Act from time to time is prohibited from being caught. (vi) The non-mechanised fishing vessel shall be used for fishing within three nautical miles from the shore and shall go for hook and line fishing and boat seine. (vii) Fishing within 100 metres below a river mouth is prohibited. (viii) The owner of the non-mechanised fishing vessel shall not use his gill net in the channel earmarked as the passage for mechanised fishing vessel. (ix) Mechanised fishing boat shall not be used for fishing within three nautical miles from the shore. PART-III LA GAZETTE DE L'ETAT 267 (x) The number of mechanised fishing vessel which may be used for fishing in any specified area shall be decided by the authorised officer having jurisdiction over that area. (xi) When a mechanised fishing boat is taken out from a notified place of berth or anchoring, it shall follow a specified channel marked by the authorised officer having jurisdiction in the sea up to three nautical miles limit and then proceed to the fishing grounds : Provided that the passing of such mechanised fishing vessel through the specified channel shall not in any manner cause any damage to any fishing gear belonging to any person who engages in fishing in the specified area by using any traditional fishing crafts. (xii) No owner of a fishing vessel shall use or cause or allow to be used such fishing vessel for fishing in any manner which contravene provisions of these rules. (xiii) No person shall throw old nets, pieces of used and unused nets in the public water. (xiv) No person shall throw thermo cool pieces, old floats, used tins, bottles and burnt oil in the water of harbour area. (x v) For resolution of disputes, a District Level Peace Committee shall be constituted with the following members under the Chairmanship of District Collector concerned. (l) Concerned Sub-Collector/Deputy Collector having jurisdiction over such coastal area. (2) Concerned Superintendent of Police. (3) Adjudicating Officer (i.e.) Joint Director of Fisheries/ Deputy Director of Fisheries / Assistant Director of Fisheries. (4) Regional Deputy/ Assistant Director of Fisheries/ Inspector of fisheries. (5) Two office bearers of the Association of Fishermen operating non-mechanised and country crafts of the region as may be nominated by the District Collector. [PANT-11 268 LA GAZETTE DE L'ETAT (6) Two office bearers of the Association of Fishermen operating tnechanised boats of the regions as may be nonlinated by the District Collector. (7) Authorised officer concerned (Member-Secretary). (8) Any other special invitees as desired by the District Collector. (9) Two Fisheries Advisory Committee members as may be nominated by the District Collector

7. Change of notified place of berth or anchoring.— Where it is proposed to change the place of berth or anchoring of a registered the owner of the mechanised fishing mechanised fishing vessel, vessel shall give information to that effect in

Form — VI to the authorised officer with whom the mechanised fishing vessel is registered and an endorsement from him in the licence shall be obtained before the place of berth or anchoring of the mechanised fishing vessel is changed. An endorsement from the authorised officer having jurisdiction over the specified area where such mechanised fishing vessel has to be berthed or anchored shall also be obtained before the commencement of the fishing operation in that area

8. Returns to be made by owners of registered fishing vessels.— (l) Every owner of a registered fishing vessel shall furnish to the authorised officer at the end of every quarter a return in

Form — V 11. (2) The authorised officer may inspect any registered fishing vessel at any time to verify the accuracy of any return made under this section, 9. Impounding of fishing vessel and disposal of seized fish.— (l) The authorised officer shall keep the fishing vessel impounded under section 15 in his jurisdiction and shall inform the owner of such fishing vessel as to the place where the impounded fishing vessel is berthed or qnchored. The owner of the impounded fishing vessel shall be liable to pay the expense if any incurred towards its maintenance. PART-11] LA GAZETTEDE L'ETAT 269 (2) If the authorised officer is of the opinion that the disposal of seized fish is necessary, he may dispose off such fish in public auction and deposit the sale proceeds under revenue deposit in the office of the adjudicating officer. (3) The authorised officer is empowered to dispose off the impounded vessel of unclaimed property, if the owner failed to comply with the direction of Adjudicating Officer or Appellate Board whoever passed orders within 90 days after obtaining permission from the Adjudicating Officer giving a final notice to the owner. The sale proceeds should be credited to the departmental receipt head of account

10. Enquiry procedure to be followed by a Adjudicating Officer.—- The Adjudicating Officer shall hold an enquiry into the matters mentioned in the report of the authorised officer under section 17 of the Act as in the manner provided for the conduct of cases in summary manner under the Code of Civil Procedure, 1908 (Central Act V of 1908). I l. Fees for supply of copies of documents or orders and cost of application.— Every application for the copy of document or order passed under the Act or these rules shall be accompanied by copy stamp papers of the value of seventy paise each

12. The charge for copying shall be calculated as follows.— Both side of the copy stamp shall be used. Not more than 175 words may be written on the first (embose) page of the copy stamp paper and the copying fee for this page shall be Re. l. Not more than 250 words may be written on the reverse side of the copy stamp paper. Fee for copying on this side shall be Re. I if the number of words written exceeds 175. Where the reverse side of the copy stamp paper is used adhesive court-fee stamp of the appropriate value shall be affixed at the top right hand corner of the side and space shall be left at the top left hand corner for the endorsement of the copyist. LA GAZETTE DE L'ETAT 13. Cost of Application form.—

Form 111 Forni — Form — V Application for registration of crafts / allied industries. Application for a licence for fishing in the sea. Application for the issue of duplicate licence or Certificate of Registration, Application for change of notified place of berth or anchoring. FORM 1 [PART-11 Price in rupees 10 5 5 5 APPLICATION FOR REGISTRATION [See rule 3(1) of the Puducherry Marine Fishing Regulation Rules, 2009] 1. 2 3. 4

5. Name of the applicant Father's name Age Permanent address Type of fishing vessel for which Mechanised registration is required. Motorised Country Craft Non-Motorised Country Crafts 1 A GAZETTE DE L'ETAT the fishing vessel 271 O Speettleatton of Material Length overall beam Draught SteeJ/WoodenJFibre Glass/ Ferro Cement/Aluminium/ Plywood. S

9. Length of catamaran Engine make Horse power 1,Vhether provided with winch Application fee paid and receipt No. Region in which the registration is reg ui red. Port where the fishing vessel would be berthed or anchored. 1, hereby declare that the in,orrrsation furnid)hed above are true to the best of tuy knowledge and belief, O ate Signatltre/tljutnb inapre'$ston (d' the applica n t. LA GAZETTE DE L'ETAT 272

FORM - 11 CERTIFICATE OF REGISTRATION [Sce rule 3(2) of the Puducherry Marine Fishing Regulation Rules, 2009] I. 2. 2. 4. 5

6. Natne of the owner of the fishing vessel. Father's name Age Permanent address Type of fishing vessel for which registration is required.' Specification of the fishing vessel — Material Length overall Beam Draught Length of catamaran Engine make Mechanised Motorised Country Craft Non-Motorised Country Crafts. Steel/WoodenJFibre Glass/ Ferro Cement/Aluminium/ Plywood. Horse power Whether provided with winch 7, Application fee paid and receipt No PART-III LA GAZETTE DE L'ETAT 273 8. 9. IO. 11

12. Region in which the registration is made. Port where the fishing vessel is to be berthed or anchored. Registration number Date of registration Office seal of the registering authority Office seal Signature and designation of the Registering Authority.

FORM - 111 (Two Passport size photos to be attached) APPLICATION FOR A LICENCE FOR FISHING IN THE SEA [See rule 4(1) of the Puducherry Marine Fishing Regulation Rules, 2009] 1. 2. 3. 4. 5. 6. 7. 8

9. Registration number and the date Name of the applicant Father's name Age Permanent address Type of fishing vessel for which licence is required. Licence fee paid with remittance details Period for which licence is required Port where the fishing vessel would be berthed or anchored. 274 LA GAZETTE DE L'ETAT hereby declare that the infottnatton _tutnishcd above are true to the best of my knowledge and belief. Place • Date Signature/ thumb-impression of the applicant.

FORM - IV LICENCE FOR FISHING IN THE SEA Passport size photo Licence No. [See rule 4(2) of the Puducherry Marine Fishing Regulation Rules, 2009] 1. 2. 3. 4. 5. 7. 8. 9, Registration No. and date Name of the licensee Father's name Age Permanent address Type of fishing vessel for which licence is issued. Period for which licence is issued Port where the fishing vessel is permitted to be berthed or anchored. Area of operation Place Date Office seal Signature of the Authorised Officer. Designation LA GAZETTE DE L'ETAT DECLARATION 275 1, hereby agree to obey all conditions specified in the licence and I bind tnyself to forfeit to the Government the sunn of Rs. 500 in case of breach of any of the conditions of the licence. Signature/thumb-impression of the Licensee. Conditions of the licence (l) This licence is subject to the provisions of the Puducherry Nlarine Fishing Regulation Act, 2008, the rules made thereunder. (2) The licence shall be produced on demand by the authorised officer or by any person specially authorised by him in this behalf. (3) The person in charge of the mechanised fishing vessel shall obtain a token from the authorised officer before such mechanised fishing vessel leave the notified place of berth or anchoring and shall hand over the said token on return to the said notified place of berth or anchoring. (4) This licence is valid up to FORM - V APPLICATION FOR THE ISSUE OF DUPLICATE LICENCE OR CERTIFICATE OF REGISTRATION (See ruie 5 of the Puducherry Marine Fishing Regulation Rules, 2009) I 2

3. Name of the applicant Father's name Present address LA GAZETTE DE L'ETAT 4 and date of the licence or ation certificate for wllich (Itiplicatc IS sough(for 5.R ea«M1 for applying for the issue of duplicate licence or registration certificate. 6, Period for which the original licence or registration certificate is valid, 7. Details of the fee paid 11 hereby declare that the information furnished 1 above are true to the best of my knowledge and belief. I agree to obey the orders of the authorised officer and abide by the provisions of the Puducherry Marine Fishing Regulation Act, 2008. I also agree to return the duplicate licence/certificate of registration if the original is traced. Place Date Signa ture/thumb-impression of the applicant.

FORM - VI APPLICATION FOR CHANGE OF NOTIFIED PLACE OF BERTH OR ANCHORING (See rule 7 of the Puducherry Marine Fishing Regulation Rules, 2009) l. Registration number and date 2. Licence number and date 3. Name of the applicant LA GAZETTE DE L'ETAT 277 4. Father's natne 5. Age 6. Pertnanent address 7. Present notified place of berth/anchoring 8. Present specified area of fishing 9. Proposed place of berth/anchoring to which the mechanised fishing vessel is to be shifted

FORM - VII [See rule 8(1) of the Puducherry Marine Fishing Regulation Rules, 2009] 1. 2. 3. 4. 5. 6. 7, Registration number Licence number and date Return for the quarter ending Details of the fishing vessel• Port from which the boat was qperated Total number of days of fishing Type of fishing conducted— (i) Trawl (ii) Gill net LA GAZETTE DE L'ETAT 278 9. 10. 11. 12. 13. 14, 15. 16. 17. 18. 19. (iii) Purse seine (iv) Boat setne (v) Long linc Total quantity of fish landed Ituportant varieties landed Fuel consutnption-— (i) Diesel (ii) Oil Total revenue realised Berthing charges paid Wharfage paid Value of ice used for the quarter Wages to crew Repair charges— (i) For boat (ii) For nets Insurance amount remitted and coveraoe paid. Cost of any new nets purchased If the vessel had been idle, the reason . for keeping it idle. 1 hereby declare that the particulars furnished above are true to the best of my knowledge and belief. Place Date . Signature of the owner of the vessel, LA GAZETTE DE L'ETAT FORM VIII 279 VI'ION FOR REGISTRATION OF BOAT BUILDING VARO, ICE FACTORY, PROCESSING PLANT, OR OTHER INDUSTRIES RELATED rro FISHERIES [Sce rule 3(5) of the Puducherry Marine Fishing Regulation Rules, 2009] To Joint Deputy! Assistant Director of Fisheries and Fishermen Welfare, Registration Office. I/ We hereby request you to register my/our fishery related industry. The particulars thereof are given below . 1. 2. 3. 4. 5

6. Name(s) and address(es) of the owner(s) of the industry. Details of the industry— (i) Boat Building Yard (ii) Processing Plant (iii) Ice Factory (iv) Any other Location where the industry is situated Unit cost of factory/industry Yearly production capacity Particulars of payment of registration fees I/ We hereby declare that I/we am/are aware of the provisions of the Puducherry Marine Fishing Regulation Act, 2008 and the rules made thereunder and that I/we shall abide by the terms and conditions of the licence granted, Place . Date Signature of the applicant(s). Ntune : LA GAZETTE DE L'ETAT 280

FORM - IX [PARMI Registration Certificate of Registration No

1. Name of applicant(s) 2. Address(es) 3. Place and location of the industry /faétory This registration certificate is issued to the provisions made in the Puducherry Marine Fishing Regulation Act, 2008 and Rules. Any modification or diversions or diversification of activity shall be carried out with prior permission of the Registration Officer. Place Date IME/ Seal of Office (Signature) Name and designation of the Licensing Officer. e publication at"http://styandptg.puducherry.gov.in" Government Central Press Directorate of Stationery and Printing Puducherry-9