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PART - II

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GOVERNMENT OF PUDUCHERRY
CHIEF SECRETARIAT
DEPARTMENT OF RURAL DEVELOPMENT (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 for 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).

**THE PUDUCHERRY MARINE FISHING
REGULATION RULES, 2009**

1. *Short title.*— These rules may be called the Puducherry Marine Fishing Regulation Rules, 2009.

2. *Definition.*— In these rules, unless the context otherwise require,—

(a) “Act” means the Puducherry Marine Fishing Regulation Act, 2008 (Puducherry Act 6 of 2008);

(b) “close season” means the period during which fishing by a fishing vessel using any fishing gear is totally prohibited by notification under section 4 of the Act for the purpose of conserving the propagation of fish during the breeding season;

(c) “Form” means a Form appended to these rules;

(d) “licence” means a licence granted under section 6 of the Act;

(e) “section” means a section of the Act.

3. *Registration of fishing vessels and fishery allied industries.*— (1) Every application for registration of a fishing vessel 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. 10.

(2) The certificate of registration issued under sub-section (2) of section 9 shall be in Form – II. The counterfoil of the certificate of registration issued in Form – II 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.

(4) When a fishing vessel changes hand from one owner to another the new owner shall get an endorsement on the registration certificate from 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 and other industries related to fisheries.	Rs. 500

The certificate of registration shall be issued in Form – IX.

4. *Licensing of fishing vessels.*— (1) Every application for the grant of a licence shall be in Form – III and shall be accompanied by a licence fee as specified below, namely:—

Sl. No.	Type of craft	Fishing licence/ renewal of licence	Penalty for delay in renewal for every month or a part of month
(1)	(2)	(3)	(4)
		Rs.	Rs.
a.	Mechanized fishing vessel : FRP/Marine Plywood/Steel/Wood.	250	25
b.	Motorised Country craft including Vallam, Canoes, Nava, FRP Catamaran.	25	3
c.	Non-motorised country crafts including Vallam, Nava, Canoes, Catamaran.	10	1

(2) A licence granted by the authorised officer shall be in Form – IV.

(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;

(iv) Two iron buckets with sand;

(v) One aneroid barometer;

(vi) VHF communication equipment for two way communication shall be provided in every vessel that stays at sea for more than 48 hours and in every vessel that travels a distance more 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;

(xi) 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 shall 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 from 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.

(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 mm. at the cod-end shall be used.

(c) No fish trawl 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.

(iv) 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.

(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.

(xv) For resolution of disputes, a District Level Peace Committee shall be constituted with the following members under the Chairmanship of District Collector concerned.

- (1) 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.

- (6) Two office bearers of the Association of Fishermen operating mechanised boats of the regions as may be nominated 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 mechanised fishing vessel, the owner of the mechanised fishing 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.*—

(1) Every owner of a registered fishing vessel shall furnish to the authorised officer at the end of every quarter a return in Form – VII.

(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.*—

(1) 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 anchored. The owner of the impounded fishing vessel shall be liable to pay the expense if any incurred towards its maintenance.

(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).

11. *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. 1. 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. 1 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.

13. *Cost of Application form.—*

	Price in rupees
Form – I Application for registration of crafts / allied industries.	10
Form – III Application for a licence for fishing in the sea.	5
Form – V Application for the issue of duplicate licence or Certificate of Registration.	5
Form – VI Application for change of notified place of berth or anchoring.	5

FORM – I

APPLICATION FOR REGISTRATION

[See rule 3(1) of the Puducherry Marine Fishing Regulation Rules, 2009]

1. Name of the applicant :
2. Father's name :
3. Age :
4. Permanent address :
5. Type of fishing vessel for which registration is required. : Mechanised
Motorised Country Craft
Non-Motorised Country
Crafts.

6. Specification of the fishing vessel —

Material : Steel/Wooden/Fibre Glass/
Ferro Cement/Aluminium/
Plywood.

Length overall :

Beam :

Draught :

Length of catamaran :

Engine make :

Horse power :

Whether provided with winch :

7. Application fee paid and receipt No. :

8. Region in which the registration is :
required.

9. Port where the fishing vessel would :
be berthed or anchored.

I, hereby declare that the
information furnished above are true to the best of my knowledge
and belief.

Place :

*Signature/thumb-impression
of the applicant.*

Date :

FORM – II

CERTIFICATE OF REGISTRATION

[See rule 3(2) of the Puducherry Marine Fishing Regulation Rules, 2009]

1. Name of the owner of the fishing vessel. :
2. Father's name :
3. Age :
4. Permanent address :
5. Type of fishing vessel for which registration is required. : Mechanised
Motorised Country Craft
Non-Motorised Country Crafts.
6. Specification of the fishing vessel —
 - Material : Steel/Wooden/Fibre Glass/
Ferro Cement/Aluminium/
Plywood.
 - Length overall :
 - Beam :
 - Draught :
 - Length of catamaran :
 - Engine make :
 - Horse power :
 - Whether provided with winch :
7. Application fee paid and receipt No. :

8. Region in which the registration is :
made.
9. Port where the fishing vessel is to :
be berthed or anchored.
10. Registration number :
11. Date of registration :
12. Office seal of the registering authority :

Office seal

*Signature and designation of the
Registering Authority.*

FORM – III

(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]

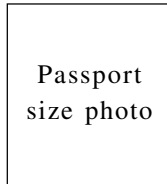
1. Registration number and the date :
2. Name of the applicant :
3. Father's name :
4. Age :
5. Permanent address :
6. Type of fishing vessel for which licence :
is required.
7. Licence fee paid with remittance details :
8. Period for which licence is required :
9. Port where the fishing vessel would be :
berthed or anchored.

I, hereby declare that the information furnished above are true to the best of my knowledge and belief.

Place : *Signature/thumb-impression*
Date : *of the applicant.*

FORM – IV

LICENCE FOR FISHING IN THE SEA



Licence No.

[See rule 4(2) of the Puducherry Marine Fishing Regulation Rules, 2009]

1. Registration No. and date :
2. Name of the licensee :
3. Father's name :
4. Age :
5. Permanent address :
6. Type of fishing vessel for which licence is issued :
7. Period for which licence is issued :
8. Port where the fishing vessel is permitted to be berthed or anchored :
9. Area of operation :

Place : *Signature of the Authorised Officer.*

Date : Designation :

Office seal

DECLARATION

I, hereby agree to obey all conditions specified in the licence and I bind myself to forfeit to the Government the sum 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

- (1) This licence is subject to the provisions of the Puducherry Marine 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 rule 5 of the Puducherry Marine Fishing Regulation Rules, 2009)

1. Name of the applicant :
2. Father's name :
3. Present address :

4. Number and date of the licence or :
registration certificate for which duplicate
is sought for.
5. Reason 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 :

I, hereby declare that the information furnished 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 : *Signature/thumb-impression*
Date : *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)

1. Registration number and date :
2. Licence number and date :
3. Name of the applicant :

-
4. Father's name :
 5. Age :
 6. Permanent 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.
 10. Proposed specified area of fishing :

Place : *Signature/thumb-impression*
Date : *of the applicant.*

FORM – VII

[See rule 8(1) of the Puducherry Marine Fishing Regulation Rules, 2009]

1. Registration number :
2. Licence number and date :
3. Return for the quarter ending :
4. Details of the fishing vessel :
5. Port from which the boat was operated :
6. Total number of days of fishing :
7. Type of fishing conducted—
 - (i) Trawl :
 - (ii) Gill net :

-
- (iii) Purse seine :
(iv) Boat seine :
(v) Long line :
8. Total quantity of fish landed :
9. Important varieties landed :
10. Fuel consumption—
 (i) Diesel :
 (ii) Oil :
11. Total revenue realised :
12. Berthing charges paid :
13. Wharfage paid :
14. Value of ice used for the quarter :
15. Wages to crew :
16. Repair charges—
 (i) For boat :
 (ii) For nets :
17. Insurance amount remitted and coverage :
 paid.
18. Cost of any new nets purchased :
19. If the vessel had been idle, the reason :
 for keeping it idle.

I, hereby declare that the particulars furnished above are true to the best of my knowledge and belief.

Place :

Signature of the owner of

Date :

the vessel.

FORM – VIII

**APPLICATION FOR REGISTRATION OF BOAT BUILDING
YARD, ICE FACTORY, PROCESSING PLANT, OR OTHER
INDUSTRIES RELATED TO FISHERIES**

[See 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. Name(s) and address(es) of the owner(s) :
of the industry.
2. Details of the industry—
 - (i) Boat Building Yard :
 - (ii) Processing Plant :
 - (iii) Ice Factory :
 - (iv) Any other :
3. Location where the industry is situated :
4. Unit cost of factory/industry :
5. Yearly production capacity :
6. 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 : *Signature of the applicant(s).*

Date : Name :

FORM – IX

Registration Certificate of

Registration No.

1. Name of applicant(s) :

2. Address(es) :

3. Place and location of the industry /factory :

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 : *(Signature)*
Date : Seal of *Name and designation of the*
Office *Licensing Officer.*

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