

GOVERNMENT OF GOA, DAMAN AND DIU

Forest and Agriculture Department

Notification

2-2-81-FSH

In exercise of the powers conferred by section 28 of the Goa, Daman and Diu Marine Fishing Regulation Act, 1980 (3 of 1981) the Government of Goa, Daman and Diu hereby makes the following rules, namely: —

1. **Short title and commencement.** — (1) These rules may be called the Goa, Daman and Diu Marine Fishing Regulation Rules, 1982.

(2) They shall come into force at once.

2. **Definitions.** — In these rules, —

(a) 'Act' means the Goa, Daman and Diu Marine Fishing Regulation Act, 1980 (3 of 1981).

(b) 'form' means a form appended to these rules;

(c) 'section' means a section of the Act.

3. **Application for licensing of fishing vessels under section 6.** — (1) Every owner of a fishing vessel which is mechanically propelled shall make an application accompanied by a licence fee of Rs. 205/- to the authorised officer, for the grant of a licence for using such fishing vessel in the specified area in Form A.

(2) The authorised officer shall, while granting or refusing the licence, apart from the conditions specified in clause (a), (b) & (c) of sub-section (4) of section 6, have regard to the number of fishing vessels already licensed in the area where the fishing vessel is sought to be operated.

(3) If the authorised Officer, after making such enquiries as deemed fit, decides to grant the licence applied for he shall issue a licence in Form B, which shall be valid for a period of one year from the date of issue.

(4) The authorised officer, having regard to the area in which the fishing vessel is sought to be

operated, may direct the applicant to deposit an amount which shall be not less than Rs. 210/- but not more than Rs. 250/- as security deposit for the due observance of the conditions of the licence.

(5) Licence issued will be valid for one year and will have to be renewed annually by paying renewal fee of Rs. 50/-.

4. Licensing of fishing nets. — (1) The owner of a fishing net desirous of obtaining a licence for the same shall make an application to the authorised officer in Form C. The application shall be accompanied by a fee of Rs. 50/-.

(2) A licence in Form D shall be issued to the applicant on depositing of a sum not less than Rs. 50/- but not more than Rs. 75/- as may be directed by the authorised officer, as security deposit, for the due observance of the conditions specified in the licence.

(3) Notwithstanding anything contained in this rule net which has been registered under the Goa, Daman and Diu Fisheries Rules 1981, shall subject to the condition of depositing the security deposit, referred to in sub-rule (2) be deemed to have been licensed under these rules.

5. Amendment of licences. — (1) The authorised officer, if after holding an enquiry under sub-section (1) of section 11 is satisfied that the additional conditions should be imposed upon the licensee who has been granted a licence either under section 6 or under section 8, may call upon such licensee to produce the licence for amending it and on such production, he may after any condition or add one or more conditions or demand, subject to the provisions of rule 3 or rule 4 as the case may be, and alter giving an opportunity of being heard to the licensee additional security deposit.

(2) If such a licensee fails to comply with any order passed by the authorised officer under sub-rule (1), the licence shall be cancelled forthwith.

6. Registration of vessels. — (1) Every application under sub-rule (2) of section 12 for registration of a vessel shall be made in Form E.

(2) Every application under sub-rule (1) shall be accompanied with a fee of Rs. 50/-.

(3) The authorised officer shall, after making such inquiry as he deems fit, issue a registration certificate in Form F.

(4) The authorised officer shall maintain a register in Form G in respect of all vessels registered under this rule.

(5) Every vessel registered under this rule shall display the registration number allotted to it by the authorised officer on both sides of the bow and the aft side of the vessel.

7. Information regarding the movement of fishing vessels. — If the owner of a fishing vessel desires to shift the vessel from one port area to the other, he shall inform such movement in Form H to the authorised officer and also to the port officer having jurisdiction over the area where such fishing vessel has been moved.

8. Returns to be made by the owners of fishing vessels. — Every owner of a fishing vessel shall, on or before the 7th of every month, submit a return in Form I to the authorised officer in respect of his vessel.

9. Appeals against the order of authorised officer. — Every appeal under section 16 shall be made to the Secretary to the Government of Goa, Daman and Diu, Secretariat-Panaji dealing with the Department of Fisheries.

10. Disposal of seized fish, etc. — (1) Every fishing vessel impounded under section 18 shall be kept in the port nearest to the place of seizure and so long as it continues to be impounded, shall be under the control of the port officer concerned.

(2) Every owner of the impounded fishing vessel shall keep on board of such vessel, at his cost, such number of crew which are necessary for keeping the vessel in good condition.

(3) The authorised officer shall, if suitable facilities are not available for storage of fish seized, dispose such fish by holding public auction and deposit the amount so realised in the first instance in

the office of the Directorate of Fisheries and as soon as the amount excess Rs. 500/- he shall deposit in the office of the adjudicating officer. The authorized officer shall also furnish to the adjudicating officer full details regarding the date, time, place of auction, the number of persons who were present for bidding and other relevant particulars.

11. Manner of conducting inquiry by the adjudicating Officer.— (1) On receipt of the report of the authorised officer under sub-section (1) of section 20, the adjudicating officer shall cause a notice to be served on the owner of the fishing vessel in any of the manners provided in rule 16.

(2) The notice shall give the details of the contravention of the provisions of Act or Rules or any of the conditions of the licence by the fishing vessel concerned and call upon the owner to show cause as to why he should not be punished for the afore-said contraventions.

(3) When a notice has been duly served and the owner fails to appear on the date fixed for hearing, the adjudicating officer may proceed to hear the matter ex-parte and pass such order on the basis of the material before him, as he may deem fit.

(4) Where the owner appears and contests the notice, he shall forthwith file a written statement verified in the same manner as a pleading under the Code of Civil Procedure, 1908 stating the reasons why he should not be punished for any such alleged contravention of the provisions of Act or the Rules or the conditions of the licence. The adjudicating officer shall, then either on the same day or on any subsequent day to which the hearing may be adjourned, proceed to hear the evidence, if any, which may be adduced before him.

(5) After the evidence has been recorded in a summary manner, the adjudicating officer may also hear the parties and pass such order as may deem fit in accordance with the provision of section 21 of the Act.

(6) Every order passed by the adjudicating officer shall be communicated to the owner of the vessel and also to the authorised officer.

12. Qualifications of the members of the Appellate Board. — No person shall be qualified for appointment as a Member unless he is: —

- (i) an advocate for not less than five years;
or
- (ii) holding a superior post in the legal Department of any Government for not less than five years.
- (iii) a Judicial officer of five years standing.

13. Procedure of the Appellate Board. — (1) Every petition of appeal from an order of the adjudicating officer shall be presented to the Appellate Board in person or through a legal practitioner or a recognised agent.

(2) Every petition shall state succinctly the grounds of appeal and shall be accompanied by a copy of the order appealed against unless the Appellate Board dispenses with such copy.

(3) The Appellate Board shall on receipt of a petition of appeal, give notice of such appeal to all persons concerned who, in its opinion may be interested in the same.

(4) The Appellate Board, while hearing an appeal, may admit additional evidence before its final disposal or may remand the case for admission of additional evidence and report or a fresh decision, as it may deem fit.

(5) A fee of Rupees fifty in the form of court fee adhesive stamps shall be payable in respect of each appeal.

(6) The Appellate Board shall, while hearing an appeal, follow the procedure followed by an Appellate Court under the Criminal Procedure Code, 1973 (Central Act 2 of 1974) while disposing criminal appeals.

14. Allowances payable to Chairman and Members of the Appellate Board. — (1) The Chairman shall be paid a sum of Rs. 100/- per sitting as honorarium:

(2) Each Member of the Appellate Board shall be paid a sum of Rs. 50/- per sitting as honorarium:

Provided that the Board shall not have more than ten sittings per month.

15. Fees payable for certified copies of orders.—(1)
A fee of Rs. 2/- shall be payable for supply of a certified copy of any order passed by any officer or authority under the Act.

2. The fees shall be paid in the form of Court fee adhesive stamps.

16. Manner of service or publication of notice, summons or order.—Every notice, summons or order under the Act or under these rules shall be served in one or more of the following modes, namely:—

a) by delivering or tendering it to the person concerned or his manager or agent, if any;

b) by leaving it at the last known place of business of the person concerned or by delivering or tendering it to some adult member of the family;

c) by sending it by registered post A/D;

d) by affixing it on some conspicuous part of the premises concerned or at the last known place of business or residence of the person concerned or by publication in a daily newspaper or by proclamation by beat of drum in the locality or in any other customary mode.

FORM "A"

(See sub-rule (1) of rule 3)

**Application for grant of a licence for fishing vessel
for use in a specified area**

From: (Name and full address of the applicant)

To:
The Authorised Officer,
Directorate of Fisheries,
Panaji-Goa.

Sir,
Please grant me a licence to operate in
(Type of Vessel)

..... under the provisions of/Sections 6 of the
(Locality/Area)

Goa, Daman and Diu Marine Fishing Regulation Act, 1980.

I submit that my said vessel is registered with ...and bear
registration No. Authority ...

I have paid the necessary fee of Rs. ... vide receipt No. ...
dated ...

Yours faithfully,

FORM "B"

(See Sub-rule (3) of rule 3)

GOVERNMENT OF GOA, DAMAN AND DIU

Directorate of Fisheries
Panaji

Fishing Vessel Licence

Licence No. _____

Date of issue ...

Valid up to ...

Director of Fisheries

(Facsimile Signature)

Signature & Designation of the Issuing Officer ...

Office issuing licence ...

I. Particulars of Licence ...

1. Name of the licensee ...
2. Address ...

II. Particulars of vessel ...

1. Type of vessel ...
2. Specification of vessel ...
Length ...
Breadth ...
Registration No. ...
Other particulars, if any ...

III. Place of Operation of Vessel ...

1. Name of the specified area ...
for operation of fishing vessel.

FORM "C"

(See Sub-rule (1) of rule 4)

Application for grant of Fishing net licence

From:

(Name and full address of the applicant)

To:

The Authorised Officer
Directorate of Fisheries
Panaji-Goa.

Sir,

Please grant me a licence to operate in
(Type of net)

.....
(Locality/Area)

2. A fee of Rs. ... has been deposited vide receipt No. ...
dated ...

Yours faithfully,

FORM "D"

(See Sub-rule (2) of rule 4)

GOVERNMENT OF GOA, DAMAN AND DIU

Directorate of Fisheries
Panaji

Fishing Net Licence

Date of issue ...
REG. No.
Directorate of Fisheries

(Facsimile Signature)

Licence No. (NEW)

I. Particulars of licence ...

1. Name of the licensee ...
2. Address ...

II. Particulars of Net ...

1. Type of Net ...
2. Specifications of net ...
Length ...
Breadth ...
Mesh size ...
Other particulars, if any ...

III. Place of Operation of net ...

1. Name of the specified area ... for operation of net.

IV. Change size of net ...

1. Length ...

FORM "E"

(See Sub-rule (1) of rule 6)

Issued by the Government of Goa, Daman & Diu

Application for Registration of a Fishing Vessel

Under Section 12 of the Goa, Daman and Diu Marine
Fishing Regulation Act, 1980

To

The Authorised Officer,
Directorate of Fisheries,
Panaji-Goa.

Sir,

I/We ... of ... son of ... and ... BEING THE OWNER(S)
OF FISHING VESSEL CALLED ... hereby request that the
said vessel be registered in my/our name and a certificate
of Registration issued to me/us.

2. The particulars in respect to the said vessel are as
under:

- (1) Owner's name and address in full: ...
- (2) Occupation: ...

- (3) Where, when and how the Vessel was secured: ...
- (4) Place and year of build: ...
- (5) Type of craft: Whether open/semidecked/decked/
fitted with auxiliary engine: ...
- (6) Description and type of engine with the name of
the manufacturers, horsepower and speed in full
loaded condition: ...
- (7) Nature of Employment: ...
- (8) Port of Registry and Official No. if registered
previously ...
- (9) Whether the craft has any previous mortgage, if
so, the particulars thereof: ...
- (10) Any other information ...

Signature or L.T.I. of Owner

Place:

Date:

FORM "E"

ANNEXURE

Notice of Name Proposed for a Vessel

(Note: The form is not to be used for an application to change
the name of a vessel already on the register)

1. NAME PROPOSED: (In block letters) 1.
Alternative name(s) in order of preference
should be given in case the first name 2.
cannot be authorised. 3.
2. NAME AND ADDRESS OF THE OWNER:
3. IF A NEW VESSEL STATE:
(a) Name and address of builder:
(b) Yard No.
4. IF THE VESSEL HAS BEEN PURCHASED STATE:
(a) Previous name(s) if any:
(b) Port at which ship is now plying:
5. TONNAGE OF VESSEL (approx.) and method of pro-
pulsion: Steam or Motor:

Applicant's Signature ...

Dated ... day of ... 19 ...

Certificate of the Captain of Ports, Panaji-Goa

I certify that the name ... is not already the name of a
registered vessel or so similar to a registered name as to be
calculated to deceive.

CAPTAIN OF PORTS, PANAJI-GOIA
the .../...day of ... 19 ...

FORM "F"

(See Sub-rule (3) of Rule 6)

Certificate of Registration

of Fishing Vessel under Section 12 of the Goa
Daman and Diu Marine Fishing Regulation Act, 1980

Official No. ... Year of Registration ...

THIS IS TO CERTIFY that ... of ... has declared that ... he is a resident of the Union territory of Goa, Daman and Diu and the sole owner of the Fishing Vessel called ... and that the said Fishing Vessel was built at ... by ... of ... in the year

The said ... has been duly registered under the Goa, Daman and Diu Marine Fishing Regulation Act, 1980.

CERTIFIED under my hand this the ... day of ... 19 ...

Description of Engines

Name and address of makers ... When made ... No. of sets of engines ... No. of shafts ... N.H.P. ... B.H.P. ...
Estimated speed of vessel ... Type of Engine ...
Reciprocating Engines: No. and diameter of cylinders in each set; ... Rotary Engines: No. of cylinders in each set: ...

Particulars of Vessel and Tonnage

Extreme length: ...	Number of Decks:
Length: ...	Number of bulkheads:
Breadth: ...	Build and Material:
Depth: ...	Stern:
	Description:

GROSS TONS:

REGISTERED TONS:

Authorised Officer

-
- Footnote: 1. This certificate of registration to be produced for inspection on demand by any authority authorised by the Government.
2. This certificate must be surrendered to the Registering Authority if so required by him.
3. While the certificate is in force, the vessel's name and registration mark as painted or otherwise marked position approved by the Government of Goa, Daman and Diu, must not be removed or defaced.
4. In case of any accident occasioning loss of life, or efficiency of the vessel, either in the hull, or in any part of the machinery, a report by letter, signed by the owner or master, is to be forwarded to the Registering Authority, within 24 hours after the happening of the accident, or as soon thereafter as possible.

FORM No. "G"
Registration Book
(See Sub-rule (4) of rule 6)

- | | |
|--|--|
| <p>Name of Owner (S):</p> <p>Name of Vessel:</p> <p>1. (a) Gross tonnage:</p> <p>2. Particulars of vessel:</p> <p style="padding-left: 20px;">(a) Length Overall:</p> <p style="padding-left: 20px;">(c) Depth:</p> <p style="padding-left: 20px;">(e) Place of build: (f) Material of hull</p> <p style="padding-left: 20px;">(i) Builder's name and address:</p> <p style="padding-left: 20px;">(j) Description:</p> <p style="padding-left: 20px;">(k) Number of decks:</p> <p>3. Engine(s)</p> <p style="padding-left: 20px;">(a) Steam or internal combustion engine:</p> <p style="padding-left: 20px;">(c) Description:</p> <p style="padding-left: 20px;">(d) Builders:</p> <p style="padding-left: 20px;">(e) Year of make:</p> <p style="padding-left: 20px;">(g) No. of cylinders per set: (h) Diameter of cylinder:</p> <p style="padding-left: 20px;">(j) Revolution per minute:</p> <p>4. Boilers:</p> <p style="padding-left: 20px;">(a) Type:</p> <p style="padding-left: 20px;">(c) Heating surface:</p> <p style="padding-left: 20px;">(e) Working pressure: Lbs. per square inch.</p> <p style="padding-left: 20px;">(g) Builders:</p> <p>5. Propulsion:</p> <p style="padding-left: 20px;">(a) Single, twin screw, side, quarter or Stern paddle, etc.</p> <p style="padding-left: 20px;">(b) Revolutions: per minute:</p> | <p>Address of Owner (S):</p> <p>Registration Mark:</p> <p><i>Description of Vessel:</i></p> <p style="padding-left: 20px;">(b) Net Registered tonnage</p> <p style="padding-left: 20px;">(d) Breadth:</p> <p style="padding-left: 20px;">(g) Year of build: (h) Number of bulk-heads:</p> <p style="padding-left: 20px;">(l) Stern:</p> <p style="padding-left: 20px;">(b) Number of sets:</p> <p style="padding-left: 20px;">(f) Surface, jet or non condensing:</p> <p style="padding-left: 40px;">(i) Stroke:</p> <p style="padding-left: 20px;">(k) N. H. P. B. H. P./I. H. P.:</p> <p style="padding-left: 20px;">(b) Number of Boilers.</p> <p style="padding-left: 20px;">(d) Grate area:</p> <p style="padding-left: 20px;">(f) Year of build:</p> <p style="padding-left: 20px;">(h) Material of construction.</p> <p style="padding-left: 20px;">(c) Speed of vessel</p> <p style="padding-left: 20px;">(d) Propulsion geared or direct driven:</p> |
|--|--|

Dated at this day of 19

REGISTERING AUTHORITY
Goa, Daman and Diu
Panaji/Mormugao.

—
11
—

FORM "H"
(See rule 7)

From:
(Name and address)

To:
The Authorised Officer
Directorate of Fisheries
Panaji.

Sir,

I, ... owner of fishing vessel bearing registration
(name)

No. ... do hereby inform you that I intend to move my said
vessel from the limit of to the limits of on ...
(name of Port) (name of Port)

Yours faithfully,
Signature

Copy to:

The Port Officer
.....
(name of the Port)

FORM "I"
(See rule 8)

From:
Name of Owner ...
Address ...

To:
The Authorised officer
Directorate of Fisheries
Panaji.

Sir,

I herewith submit the returns in respect of fishing vessel
bearing Registration No. ... for the month of ...

- 1) No. of fishing trips ...
- 2) Total time spent in actual fishing ...
- 3) Total catch ...
- 4) Total amount returned ...
- 5) No. of persons on board ...
- 6) Amount spent on fuel ...
- 7) Amount spent on the repairs of the vessel ...
- 8) Actual working hours of the engines daily ...
- 9) Horse power of the engines ...

By order and in the name of the Administrator
of Goa, Daman and Diu.

N. P. Gaunekar, Under Secretary to the Govern-
ment of Goa, Daman and Diu.

Panaji, 9th March, 1982.

[Published in the Official Gazette (Extraordinary)
Series I, No. 50, dated 12-3-1982].

Price: 0-60 Ps.