



ఆంధ్ర ప్రదేశ్ రాజ సభము
RULES SUPPLEMENT TO PART I
EXTRAORDINARY

OF
THE ANDHRA PRADESH GAZETTE
PUBLISHED BY AUTHORITY

No. 36-A] HYDERABAD, TUESDAY, JULY 23, 1996.

NOTIFICATIONS BY GOVERNMENT

ANIMAL HUSBANDRY AND FISHERIES DEPARTMENT

(Fish. - I)

ANDHRA PRADESH MARINE FISHING (REGULATION) RULES, 1995.

[G.O.Ms.No. 26, Animal Husbandry and Fisheries
(Fish.-I), 13th March, 1996.]

Read the following:-

1. G.O.Ms.No. 105, A.H.&F (Fish.I) Dept., Dt. 8-8-95.
2. From the D.F.Lr.No. 13320/J1/95, Dt. 17-7-95.
3. From the D.F.Lr.No. 13320/J1/95, Dt. 4-9-95.

In exercise of the powers conferred under sub-section (1) of section 24 of the Andhra Pradesh Marine

[1]

G. 466-1

(a) a layout of the fishing vessel and proof in token of securing the vessel.

(b) document in support of deposit of the registration fee as prescribed under rule 4(1).

(3) All mechanised fishing boats and other vessels operated for fishing purpose should apply in form I A and all Traditional country crafts and motorised Beach Landing Crafts., should apply in form I B for registration with the Authorised Officer or as notified by the Director of Fisheries/Commissioner, of Fisheries under this Act failing which the Authorised Officer or any Gazetted Officer concerned will be competent to seize such craft/vessel trawler whenever noticed under section 9 of the Act.

4. Fees payable for registration of vessels.- The registration fee for a fishing vessel once for its life time shall be paid at the rate as specified in the table below.

TABLE

Class of Vessel	Amount of fee
(1)	(2)
1. Mechanised fishing Vessels above 25 gross tonnes or above 15 metres. OAL	Rs. 2,000/-
2. Mechanised fishing Vessels upto 15 metres. OAL	Rs. 1,000/-

(1)	(2)
3. B.L.Cs and other motorised craft using for propulsion of craft only.	Rs. 100/-
4. Crafts above 8.5 Metres using sail and oars. OAL.	Rs. 50/-
5. Country Crafts upto 8.5 metres without sail and oars OAL.	Rs. 10/-

The aforesaid amounts shall be increased/revised as and when the Government consider necessary.

5. Conditions for issue of the certificate of registration.- (1) The certificate of registration shall be granted subject to the following conditions, namely:-

(a) no change in the layout design or capacity or other matters shall be made by the owner without prior approval by the Authorised Officer;

(b) the owner shall use only chemicals which are permitted for preservation, processing and storage of the marine products as notified by Director of Fisheries/Commissioner of Fisheries;

(c) the owner shall also comply with such other instructions as may, from time to time be issued by the Authorised Officer; and

(d) the owner shall not transfer the ownership certificate of Registration without prior approval of the Authorised Officer.

(2) The Government whenever considered necessary may increase the amount of fee specified above.

(3) The Owner of the craft/vessel can be given licence for a maximum period of 3 years, if applied for.

The amount of licence fee specified under rule 8(1) shall be increased/revised whenever Government considers necessary.

Provided that in case increase in licence fee is effected, the licence holder who obtained licence for more than one year, is required to pay the differential amount to the Government.

9. Renewal for licence.- Every application for renewal of licence shall be made by the owner along with the money receipt supporting deposit of licence fee as per provision under rule 8(1) to the Authorised Officer of the area concerned on or before 30th June of the year.

10. Penalty for not obtaining licence.- (1) In case the owner of the registered fishing vessel fails to obtain licence or to pay the fees for renewal of licence by the date stipulated under rule, he shall be liable to pay licence fees, prescribed for the respective categories as specified under the Table in Rule 8(1) plus a penalty equal to 1/5th of the licence fee.

(2) If the registered fishing vessel fails to obtain the renewal of licence, within a maximum period of 90 (ninty) days from the date of expiry of the licence, such vessel will be liable for seizure.

11. Issue of licence.-(1) The Authorised Officer, after making enquiry under sub-section (3) of section 6 of the Act, shall issue a licence for the said vessel in Form IV and in case of renewal the Authorised Officer shall only give an extension for which the licence fees is paid subject to the conditions as laid down in Form. In case of any violation of the conditions by

the licence holders of any of the fishing vessels the Authorised Officer may immediately suspend or cancel or amend the licence of the said vessel under section 8 of the Act and report to the Adjudicating Officer immediately. Issue of a licence cannot be claimed as a matter of right.

(2) The vessel to which the licence under this Act is given should be used only for conducting fishing. It should not conduct any operations other than fishing.

(3) Authorised Officer is empowered to regulate the mesh size of the net to protect juveniles based on the local conditions.

CHAPTER-IV

FUNCTIONS OF AUTHORISED OFFICER

12. Duties of the authorised officer.-(1)(a) The Authorised Officer may inspect or search any fishing vessel/craft/trawler, if it is found fishing without registration under section 9(1) or conducting fishing without licence under section 6 of the Act or committing any breach of the conditions laid down in the fishing licence (Form IV under rule 11) may seize such vessel/craft/trawler and empowered to confiscate any fish found in it. He may impose penalties for the breaches specified below:

Breaches by Traditional crafts and Penalties therefor:

(i) The Authorised Officer may impose penalty on any traditional craft which is engaged in fishing with nets below 1/2" mesh size @ 2/- per meter of such net. This penalty can be imposed on the spot. If the owner of the craft do not pay such penalty, and release the net to the owner or to the person authorised by the owner, soon after receipt of the fine.

(ii) The authorised officer may seize any mechanical fishing vessel/trawler.

- (1) Which is engaged in fishing in the reserved zone for traditional crafts i.e., 8 K.M. from the shore and impose a fine of Rs. 2,500/-;
- (2) Which is engaged in fishing without registration and impose fine equal to 1/5th of the Registration fee besides collecting Registration fee, as per Rules.
- (3) Which is engaged in fishing without proper licence and impose a fine equal to 1/5th of the licence fee, besides collecting licence fee, as per rules.
- (4) Which has caused damages to the craft/tackle of any non-mechanised fishermen and collect amount to the extent of damages, as assessed by him.
- (5) Which is operating with less than 1/2" mesh size at code end of the trawl net and confiscate the entire catch besides impose a fine of Rs.1000/- (Rupees one thousand only)
- (6) Which is engaged in fishing during closed season and confiscate entire catch and impose a fine of Rs.2500/-(Rupees two thousand five hundred only).

(b) The Authorised Officer may delegate his powers to inspect or search any Fishing vessel /craft/trawler and impose penalties for the categories of breaches as specified under the above rule by the Inspector of Fisheries of the Department having jurisdiction of the area where the breach has taken place.

(2) The Authorised Officer shall mention clearly the registration number of the fishing vessel in the certificate of registration and the owner of the said vessel shall display the registration number in bold letter (Black and white) and particulars of the ownership as well as the vessel, outside the forebow on both sides of the said vessel. The registration number should also be suffixed with code letters of the District and Port etc.,

(3) The Authorised Officer shall maintain separate register on issue of licence for fishing and separate case history for each case on granting or refusing the licence.

(4) The Authorised Officer shall mention, in the record clearly the date of renewal and the period for which the licence fee is paid under rule 9, against each of the fishing vessel with his signature. Also maintain the remittance particulars and concerned records on collection of fees and furnish reports to the Commissioner of Fisheries/Director of Fisheries, Andhra Pradesh, Hyderabad every month.

(5) The collection of fees towards registration and licence, specified under rules 4 and 8 respectively shall be credited under the appropriate receipt Head of Account of the Department.

(6) In case of any refusal for issue of licence to the fishing vessels under sub-section (3) of section 6 of the Act, the Authorised Officer shall record the reasons of refusal and a copy of the same along with the orders of the refusal shall be made available to the applicant.

(7) (a) The patrolling party consists of required crew; One Inspector of Fisheries/Assistant Inspector of Fisheries and two constables should function under the control of the Authorised Officer and undertake patrolling duty in the territorial waters and report to the Authorised Officer, about the violation of any conditions by the crew vessel/ boat/craft as laid down in the Act and Rules.

(b) After receipt of the report from the Coast Guard Unit, the Authorised Officer should take action to impound the vessel under section 14 of the Act and report to the Adjudicating Officer of the concerned region or zone to impose penalties.

(c) The Authorised Officer in case of impounding any vessel under section 14 of the Act shall prepare the seizure list in triplicate along with the names and send a copy of it to the concerned Adjudicating Officer and the owner of the said vessel or crew present in the vessel within three days from the date of impounding the vessel.

(8) If the names of the crew are not known the Authorised Officer is empowered to seize vessel duly recording reasons for seizure in the seizure list at the time of seizing the vessel/boat/craft.

(9) The Authorised Officer should also issue identification cards to all the crew of the vessel concerned

CHAPTER-V

ADJUDICATING OFFICER.

13. (1) Duties of the Adjudicating Officer. The Adjudicating Officer on receipt of any report from the Authorised Officer as provided under section 16(1) of the Act shall issue notices to the parties, concerned within a period not exceeding 15 (fifteen) days for hearing.

(2) The notice issued by the Adjudicating Officer under sub-rule (1) shall contain:-

(a) the date of hearing.

(b) the time of hearing and

(c) the place of hearing clearly.

(3) The Adjudicating Officer should see that the notice is served properly in time with due acknowledgement to the parties, concerned.

(4) The Adjudicating Officer shall as far as possible dispose of the case within 60 (sixty) days from the date of receipt of such report. In cases where the disposal is delayed, he shall record the reasons for the delay. The copy of the order and the reasons thereof shall be supplied to the parties.

(5) The Adjudicating Officer can impose penalty specified under sub-section (1) and (2) of section 17 of the Act where the fishing vessel violated the conditions specified under the Act and Rules.

14. Disposal of seized fish.—The sale proceeds of fish so seized and sold, shall be kept in the custody of the Adjudicating Officer till finalisation of the case.

15. Preservation of seized vessel.—(1) The Adjudicating Officer on receipt of any report from the Authorised Officer shall direct the Authorised Officer to keep the seized vessel in his safe custody or direct the Authorised Officer to take care of seized vessels/boats/craft and also incur nominal expenditure for watch and ward and other expenditure. However, the total expenditure shall be recovered from the owner, while releasing the boat to him.

(2) The Authorised Officer is empowered to dispose off the impounded vessel/boat/craft as unclaimed property, if the owner failed to comply with the decision of Regional Joint Director Fisheries/Regional Deputy Director of Fisheries (Adjudicating Officer) or Appellate Board whoever passed orders within ninety days after obtaining permission of the Regional Joint Director of Fisheries/Regional Deputy Director of Fisheries (Adjudicating Officer) and after giving a final notice to the owner. The sale proceeds should be credited to the departmental receipt head of account.

CHAPTER-VI

16. Restriction of Fishing.- (1) Non-mechanised Traditional Fishing Crafts shall be allowed to operate freely without any restrictions. Waters upto 8 KMs., from the shore be reserved exclusively for such fishing crafts and in no case any other type of mechanised fishing vessel shall be allowed to operate in that area.

(2) Mechanised Fishing Vessels below 15 metres OAL shall be allowed to operate from 8 KMs. and above from the coast.

(3) Mechanised fishing vessels of twenty five gross tonnes and above or 15 metres and above of length shall be allowed to operate only beyond 23 Kms. from the coast.

(4) In no case any fishing vessel allowed to operate under sub-rule (1), (2) and (3) above shall operate beyond twenty four K.M. from shore.

(5) In case the Coast Guard Unit on patrolling duty of the State/Central have noticed operating mechanised fishing boats within the area of 8 K.M. from shore such vessels will be seized by the Authorised Officer and they are liable for penalties specified under Section 17 of the Act.

17. The mechanised vessels including off-shore and deep sea fishing vessels should be very careful during their to and from movement in the sea in order to avoid any damage or loss to the nets., fishing gear etc., of the other vessels laid in the sea and they will be held responsible for such losses.

18. Every owner of a registered fishing vessel shall furnish under sub-section (1) of section 11 of the Act, a monthly report to the concerned Authorised Officer in Form-V.

CHAPTER-VII

APPELLATE BOARD

19. Secretary of the Appellate Board:-The Joint Director of Fisheries (Marine) O/o. Commissioner of Fisheries/Director of Fisheries, Hyderabad shall officiate as Secretary of the Appellate Board. The appeals are to be addressed to the Chairman is sent to Joint Director (Marine) at Head Office by Regd. Post invariably who will make all correspondence, keep all the case record and arrange for the sitting of the Board in consultation of the Chairman and members.

20. TA/DA Payable to the Appellate.-For each sitting of the Appellate Board the Chairman, the members and the Secretary shall receive Travelling Allowance and Daily Allowance as admissible under the Andhra Pradesh Travelling Allowance Rules.

21. Jurisdiction of the Appellate Board.-The Appellate Boards organised covering the entire coast line of Andhra Pradesh shall have the jurisdiction as detailed below:

Sl. No.	Headquarters of the appellate Board	Jurisdiction	Chairman
(1)	(2)	(3)	(4)
1.	Visakhapatnam	Srikakulam, Vizianagaram and Visakhapatnam district.	District Judge, Visakhapatnam.

(1)	(2)	(3)	(4)
2.	Kakinada (E.G.Dist.)	East Godavari, West Godavari and Krishna Districts.	District Judge, East Godavari District.
3.	Guntur	Guntur, Prakasam and Nellore Districts.	District Judge, Guntur.

The other members of the Appellate Board shall be the Joint Director of Fisheries (Marine O/o. Director of Fisheries/Commissioner of Fisheries, Andhra Pradesh Hyderabad and concerned District Revenue Officer of the headquarters of the Appellate Boards.

CHAPTER - VIII

APPEALS

22. Appellate Authority.- Appeals under sub-section (1) of section 13 of the Act shall be preferred to the Additional Director of Fisheries, Andhra Pradesh, Hyderabad who shall be the Appellate Authority.

23. Procedure for presentation and disposal of appeals by the Appellate Authority.- (1) An appeal to the Appellate Authority shall be presented by the owner of the fishing vessel or by his duly appointed agent either in person during the office hours or sent by the registered post.

(2) When such an appeal is presented by an agent, it shall be accompanied by a letter of authority of the appellant, appointing him as such ;

(3) Every appeal shall be accompanied by a certified copy of the order against which the appeal is preferred.

(4) Every appeal shall :-

(a) be either type or in hand written in ink legibly.

(b) specify the name and particulars of the fishing vessel and the name of the owner.

(c) clearly state the grounds on which the appeal is made duly enclosing the evidence/proof, if any.

(d) give the copy of the order appealed against, and

(e) state the relief which the appellant claims.

(5) On receipt of the appeal, the Appellate Authority shall endorse on it the date of its receipt.

(6) The Appellated Authority as soon as possible, examine it and satisfy that :-

(a) the person presenting it has the authority to do so,

(b) it is made within the prescribed time limit, and

(c) it confirms to all the relevant provisions of the Act and the Rules.

(7) On receipt of an appeal, the Appellate Authority shall fix a date of hearing and issue notice for hearing to the appellant as well as Authorised Officer.

(8) Hearing of appellant and passing suitable orders.- On the date so fixed, the Appellate Authority shall hear from the appellant or his agent and Authorised Officer about the case with reference to evidences produced.

(9) The Appellate Authority may adjourn to any other day for hearing of any appeal at any stage.

(10) When the hearing of the appeal is completed, the Appellate Authority may pronounce its judgement forthwith or may reserve it for a subsequent date.

(11) Every decision or order of the Appellate Authority shall be supplied to the appellant and such other parties as the Appellate Authority deems proper.

24. Procedure for presentation to and disposal of appeal by Appellate Board.- (1) Subject to the provisions of Section 18 of the Act, the procedure laid down in rule 23 shall *mutatis mutandis* apply to appeals preferred to the Appellate Board.

(2) Where there is difference of opinion of members of the Appellate Board, the verdict of the Chairman, who is District Judge shall be final.

25. Procedure for remittance of.—Unless Government otherwise directs, all fees payable under the Act or the Rules shall be credited into the Treasury/ Sub-Treasury under the Head "112-Fisheries (c) - Other receipts (B) miscellaneous Receipts" or other Head of account of the Department, revised from time to time.

SCHEDULE - I

FORM I(A)

(See Rule 3)

FORM OF APPLICATION FOR REGISTRATION OF MECHANISED
FISHING VESSELS.

1. Name and address of the applicant in full (in Block letters) :
2. Name of the fishing vessel :
3. Particulars of registration if any. :
4. Where and when the fishing vessel was secured. (Also enclose relevant documents/Bills etc.,) :
5. Particulars of fishing vessel :-
 - (i) Materials-wooden/Steel/FRP/Ferro Cement.
 - (ii) Sheeting-Copper/G&P/Aluminium/No. of sheets.
 - (iii) Length
 - (iv) Breadth
 - (v) H.P. of the engine No. and trade mark of the engine.
 - (vi) Type of gear to be used
6. Place where constructed and name of the boat building yard :
7. Year of construction of the vessel. :

8. The base where it is proposed to operate:

9. Number and designation of crew:

10. Mode of payment of registration fee:

NB: Enclose photograph of the vessel.

Signature of the applicant.

Place:

Date :

F O R M - I (B)

(See Rule 3)

Form of Application for Registration of Traditional
Craft.

1. Name and address of the applicant (in block letters) :
2. Classification of country Craft. :
3. Particulars of Registration if any. :
4. Place and year of construction :
5. Base where it is proposed to operate. :
6. Enclose either declaration by the owner regarding ownership. :

OR

Bill towards purchase of craft. :

Place : Signature of the applicant

Date :

DECLARATION

I/wedo hereby declare that to the best of my knowledge and belief the above particulars are correct and complete. That/I/We fully understand all the provisions of the Act and Rules and Order issued thereunder and agree to abide by them.

Place : Signature of owner/s.

Date :

FORM - II

(See Rule 5)

Certificate of Registration for Fishing Vessels :

1. Number and date of the certificate of registration.
2. Name and address of the person to whom the certificate of registration is issued.
3. Particulars of the fishing vessel, name of the vessel, length, breadth, H.P. of the engine and type.
4. Name of the fishing base where it will operate.
5. Registration number with gear.

Place: (Seal)
Date:

Signature of the Officer,
issuing the certificate.

Conditions for certificate of registration.

1. No change in the layout, design or capacity or other matters shall be made by the owner without prior approval by the authorised officer.
2. The owner shall use only approved chemicals for preservation, processing and storage of the marine products.
3. The owner shall comply with such other instructions as may from time to time be issued by the authorised Officer.

The owner shall not transfer the ownership without prior approval of the authorised officer.

FORM - III

(See Rule 7)

APPLICATION FOR ISSUE OF LICENCE FOR THE FISHING VESSEL

1. Name and Address of the applicant.
2. Name of the fishing vessel:
3. Registration No. and date : :
4. Particulars of fishing vessels :
 - (a) Non-mechanised/Mechanised
 - (b) Length overall
 - (c) Breadth
 - (d) H.P. of Engine.
 - (e) Whether the vessel is seaworthy and in good condition (enclose certificate).

FORM - IV

[See Rule 11]

LICENCE FOR THE FISHING VESSEL

1. Registration No. of the Vessels.
2. Name and address of the owner.
3. Name of the Vessel.
4. Particulars of the Vessels.
 - (A) Length.
 - (B) Breadth.
 - (C) H.P. of Engine/Make of the Engine.
 - (D) Gr. Tonnage.

5. Type of the Vessel.

Sl. No.	Type of the Vessel.	Area permissible for fishing.
(1)	(2)	(3)
a)	Mechanised fishing vessels above 25 GT or above 15 Mtrs. OAL.	Beyond 8 K.M. from the shore.
b)	Mechanised fishing vessels upto 15 Mtrs. OAL and upto 25 GT.	Beyond 8 K.M. from the shore.
c)	Traditional craft motorised including B.L.Cs.	Allowed to fish upto the territorial waters limit.

(1)	(2)	(3)
d)	Country craft 8.5 Mtrs. OAL using sail.	Allowed to fish upto the territorial waters limit.
c)	Country craft upto 8.5 Mtrs. OAL without sail.	Allowed to fish upto the territorial waters limit.

6. Year of construction.
7. Name and place of the Boat Building Yard.
8. Period for which the licence is issued.
9. No. of crew permitted on board the vessel.

Place: _____ (Seal) _____ Signature of the
issuing officer
Date: _____

The Above licence is renewed from.....
to..... the licence fees amounting to Rs.....
is paid vide Challan/Receipt No.....Date.....

Signature of the issuing officer.

CONDITIONS

1. Area specified for fishing from time to time shall be strictly observed.

2. Conservation regulations verified from time to time shall be followed strictly.

3. The vessel either mechanised or non-mechanised shall not obstruct the navigational channel by operating any type of fishing gear.

4. 200 meters on the river mouth on both upstream and down stream where fishing base is established shall not be obstructed by operating any active or passing fishing gear.

5. The fishing vessels shall not go on mooring or anchorage in the river mouth or navigation channel.

6. The fishing vessel shall be kept open for inspection when required by inspecting officer (Licence issuing Officer or any other officer authorised by him or Adjudication Officer.)

7. The fishing vessel shall not be used for any other purpose except fishing.

8. The departure and arrival timings specified by the concerned authorised officer shall be followed strictly by the fishing vessel.

9. (1) The fishing vessels shall not operate during prohibited period of the year and prohibited area specified from time to time by the concerned Authorised Officer. Training fishing craft need not observe closed season.

(2) The vessels are to be manned by the competent persons as per rules and carry the certificates with them while operating vessel/boat/craft and produce for verification by any inspecting officer or Authorised Officer or Adjudicating Officer or any officer on patrolling duty.

10. The fishing vessel shall not carry explosives or objectionable weapons.

11. The fishing vessel should not be used to catch shrimp juveniles or any other fish requiring conservancy.

12. The complete crew on board the vessel should have the identity cards obtained from the MFREO duly affixing the recent photo and got it attested with office seal.

13. The fishing craft/vessel should be operated upto 8 KMs., from the shore in the case of non-mechanised traditional fishing craft. Beyond 8 KMs., in the case of mechanised fishing vessels.

14. A return should be submitted every month in Form V to the Authorised Officer furnishing statistics.

FORM - V

[See Rule 18]

Return to be submitted by the non-mechanised/mechanised big trawlers to the licencing authority Monthly report for the month of:

- a) Name of the fishing vessel.
- b) Registration No.
- c) Name and address of the owner.
- d) Name of the fishing place.

No. of fishing days in month.	Upto date fishing days.	Fuel consumption of during the month.	Upto date consumption of fuel.	Total prawn catch & Hilsa.	Other fish catch.
(1)	(2)	(3)	(4)	(5)	(6)

FORM - VI

[See Rule 13 and 17]

Demarcation of area of operation by the fishing vessels and optimum No. of Machanised vessels/trawlers fixed for different bases.

Dist.	Marine fishing base (including those proposed to be developed in the near future).	Zone (Land-marks but inter-changeable within the State for commercial viability.	Optimum No. of mechanised crafts below 15 M or 25 gross tons to operate beyond 8 KM from shore.	No. of shore and deep area vessel above 15 M or 25 gross tons to operate beyond 22 KM.
(1)	(2)	(3)	(4)	(5)

S.M. BALA SUBRAMANYAM,
Secretary to Government.