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WEST BENGAL MARINE FISHING REGULATION RULES, 1995

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PART I - Orders and Notifications by the Governor of
West Bengal, the High Court, Government Treasury, etc.

**WEST BENGAL GOVERNMENT PRESS,
ALIPORE**

CORRIGENDUM

Dated the 6th February 1996

In issue No.104(1) of the "*Calcutta Gazette, Extraordinary*", of Part I, dated 22nd April 1995 of West Bengal Marine Fishing Regulation Rules, 1995, please read in the first paragraph of the first page—

No.913-Fish/Cr/1A-2/90.—21st April 1995
instead of 'No.913-Fish/C-r/1A-2/90.—24th
April 1995.'

By order,
G.K. MONDAL,
Superintendent.

Registered No. WB/SC-320

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SATURDAY, APRIL 22, 1995

[SAKA 1917

**PART 1³/₄Orders and Notifications by the Governor of West Bengal,
the High Court, Government Treasury, etc.**

GOVERNMENT OF WEST BENGAL

NOTIFICATION

No.913-Fish/C-V/1A-2/90.—24th April 1995.—

In exercise of the power conferred by section 25 of the West Bengal Marine Fishing Regulation Act, 1993 (West Ben. Act IX of 1993) the Governor is pleased hereby to make the following rules:—

CHAPTER I

PRELIMINARY

1. Short title, extent and commencement.³/₄

- (1) Those rules may be called the West Bengal Marine Fishing Regulation Rules, 1995.
- (2) They extend to the whole of West Bengal.
- (3) They shall come into force on 22- 4-1995.

2. Definitions—

In these rules, unless the context otherwise requires,—

- (a) "Act" means the West Bengal Marine Fishing Regulation Act, 1993 (West Ben. Act IX of 1993);
- (b) "Chapter", "section" and "clause" mean the chapter, section and clause respectively of the Act;
- (c) "principal fishing base" means a fishing harbour or a fish landing centre or a fish landing jetty wherefrom a fishing vessel normally or mostly operates for marine fishing and the place in relation to which registration and/or fishing, licence is granted to a fishing vessel;
- (d) "public purpose" means any purpose having connection with or being connected to—
 - (i) improvement, development and management, of marine fishing or marine fishery, or
 - (ii) supply of fish or fishery products to consumers through marine fishing or from marine fishery, or
 - (iii) management and control of fishing harbour and fish landing centre;
- (e) "section" means section of the Act;
- (f) any expression used but not defined in these rules shall have the same meaning as in the Act.

CHAPTER II REGISTRATION OF FISHING VESSEL

3. Registration of fishing vessel:—

(1) Owner of every fishing vessel kept in the State and/or used or intended to be used for the purpose of fishing in a specified area, as defined in clause (i) of section 2, shall get the vessel registered under sub-section (1) of section 9 unless the vessel is already registered as a fishing vessel under any other law for the time being in force:

Provided, however, that a country craft or a canoe or a catamaran not intended for fishing in a specified area shall not be required to obtain certificate of registration.

(2) Registration of a fishing vessel once made under these rules shall continue to remain in force provided that—

- (a) The owner fulfil the requirements of section 4(1) of the Act ;
- (b) the ownership of the vessel remains unchanged ;
- (c) principal fishing base for the vessel is not changed ;
- (d) engine of the vessel is not replaced ; and
- (e) basic character of the fishing vessel is not altered by effecting material changes in shape or design of the vessel.

(3) For the purpose of (i) registration, (ii) transfer of ownership, (iii) change of principal fishing base and (iv) replacement of engine, Assistant Director of Fisheries (Marine), Diamond Harbour and Assistant Director of Fisheries (Marine), Contai will act as authorised officer in respect of fishing vessels with principal fishing base within the jurisdiction of 24 - Parganas (both North and South) and Midnapore respectively, as listed in schedule IV, annexed with these rules.

(4) Owner of a fishing vessel shall apply to the authorised officer for (i) registration of fishing vessel (ii) transfer of ownership, (iii) change of principal fishing base and (iv) replacement of engine in prescribed forms as stated in the table below :

Table

Sl.No.	Purpose of application	Prescribed Form No.
1.	Registration of	
	(i) Mechanised fishing vessel	MFR - 1
	(ii) Non-mechanised fishing vessel	MFR - 2
2.	Transfer of ownership of	
	(i) Mechanised fishing vessel	MFR - 4
	(ii) Non-mechanised fishing vessel	MFR - 5
3.	Change of principal fishing base	MFR - 6
4.	Replacement of engine	MFR - 7

(5) Prescribed forms referred to in sub-rule (4) of rule 3 will be available in the office of authorised officer on payment of requisite price as stated in schedule I annexed with these rules.

(6) Along with every application for (i) registration of fishing vessel (ii) transfer of ownership, (iii) change of principal fishing base and (iv) replacement of engine owner of fishing vessel shall deposit with the authorised officer prescribed fee as listed in schedule II annexed with these rules :

Provided that if, by suitable notification, the fees are revised or by the government, the owner of fishing vessel should pay such revised or modified fees.

(7) On receipt of an application for registration of fishing vessel, the authorised officer, after making such enquiry as he may deem fit, and having regard to the matters referred to in section 4(1) of the Act. shall register the fishing vessel and maintain particulars of such registration in the relevant register. He will issue to the owner of fishing vessel a Certificate of Registration of Form No. MFR - 3.

Provided that the authorised officer may, for sufficient reasons to be recorded in writing, refuse to grant registration and communicate his decision in this regard to the owner of the vessel under intimation to the adjudicating officer.

(8) On receipt of application for (i) transfer of ownership, (ii) change of principal base station and (iii) replacement of engine, authorised officer, after making such enquiry as he may deem fit, shall accept the application for the purpose applied for and effect necessary changes in the Certificate of Registration or, otherwise, issue a fresh certificate of registration in Form No. MFR - 3, in cancellation of the existing one, as the situation shall require:

Provided that the authorised officer may for sufficient reasons to be recorded in writing, refuse to accept the application and communicate his decision in this regard to the owner of the vessel under intimation to the adjudicating officer.

(9) The authorised officer may, after giving the owner a reasonable opportunity of being heard, modify or amend or cancel certificate of Registration of a fishing vessel if he is satisfied that—

- (i) Owner has misrepresented or suppressed essential fact while submitting application under rule 3(4), or (ii) the vessel has been engaged or utilised in a manner not connected with fishing activity, and communicate his decision in the matter of modification or amendment or cancellation of certificate of Registration to the owner of the vessel, under intimation to the adjudicating officer.

(10) The owner of mechanised fishing vessel must prominently display the registered name of the fishing vessel written black on a white base, close to the port side and starboard side lamps. The name must be written in English and each letter must not be less than 15 centimetre in size.

(11) The owner of non-mechanised fishing vessel must prominently display registration number of the fishing vessel written in black on a white base on either side of forebow. Registration Number must be written in English and each letter must not be less than 10 centimetre in size.

(12) A registered fishing vessel is free to move anywhere within the territorial water of the state and avail facilities take shelter in any fishing harbour or fishing landing centre or fish landing jetty and conduct fishing activity in a specified area after obtaining valid licence for that purpose. Use of a fishing base other than the registered principal fishing base in like manner either casually or occasionally or temporarily during a fishing season will not amount to a change in the registered principal fishing base. If a fishing vessel temporarily shifts to a fishing base other than the registered principal fishing base during a fishing season, the owner fishing vessel shall intimate such temporary change of fishing base to the authorised officer issuing certificate of registration and also to the authorised officer in whose jurisdiction the changed fishing base shall come. The owner(s) of fishing vessel shall also report to the authorised officers in like manner, about return of fishing vessel to the registered fishing base. Such intimation about departure from and return to the registered principal fishing base shall reach the concerned officers written 10 days from the date of commencement of the Act. 1 or casual or occasional visit to a fishing base other than the registered principal fishing base by a registered fishing vessel no such intimation will be necessary.

Provided that when a registered fishing vessel changes its principal fishing base, as defined in clause (f) of rule 2 the owner of fishing vessel shall be required to apply in prescribed form No. MFR - 6 to the concerned authorised officer as required in sub-rule (4).

CHAPTER III
LICENSING OF FISHING VESSEL

Licensing of fishing vessel :

(1) No fishing vessel shall undertake any kind of fishing activity without a valid fishing licence granted under section 7.

(2) No fishing licence shall be granted to a vessel unless the vessel is registered as a fishing vessel for the purpose of the Act.

(3) No fishing licence shall be granted to a mechanised fishing vessel unless it is covered by adequate insurance coverage against loss arising out of professional hazards.

(4) The owner of a registered fishing vessel, irrespective of whether the said fishing vessel is mechanised or non-mechanised shall not engage or carry or allow to be engaged or allow to be carried any fisherman or crew unless the said fisherman or crew is covered by adequate insurance coverage against professional hazards.

(5) For the purpose of grant of fishing licence and renewal of fishing licence Assistant Director of Fisheries (Marine), Diamond Harbour and Assistant Director of Fisheries (Marine), Contai, will act as authorised officer in respect of fishing vessels with registered principal fishing base within the jurisdiction of 24-Parganas (both North and South) and Midnapur, respectively, as listed in schedule V, annexed with these rules.

(6) The owner of a registered fishing vessel shall apply to the authorised officer in prescribed Form No.MFR-8 for grant of fishing licence or renewal of fishing licence.

(7) Prescribed Form No.MFR-8 referred to in Rule 4(6) will be available in the office of authorised officer on payment of requisite price as stated in schedule I annexed with these rules.

(8) Along with every application for (i) grant of fishing licence and (ii) renewal of fishing licence, owner of fishing vessel shall deposit with the authorised officer prescribed fee as listed in schedule III annexed with these rules:

Provided that if, by suitable notification, the fees are revised or modified by the Government, owner of fishing vessel shall pay such revised or modified fees.

(9) The authorised officer after making such enquiry as he may deem fit and having regard to the matters referred to in sub-section (1) of section 4 and sub-section (4) of section 7 shall grant fishing licence or renew fishing licence and maintain particulars thereof in the relevant register. He will issue to the owner of fishing vessel a licence for undertaking fishing activity in Form No.MFR-9 or renew the existing licence in Form No.MFR-9, as the case may be:

Provided that the authorised officer may, for sufficient reasons to be recorded in writing, refuse to grant fishing licence or renew fishing licence and communicate his decision in this regard to the owner(s) of the vessel under intimation to the adjudicating officer.

(10) The authorised officer may, after giving the owner(s) a reasonable opportunity of being heard, modify, amend or cancel fishing licence if he is satisfied that—

- (i) the owner has misrepresented or suppressed essential fact(s) while applying for grant/renewal of fishing licence, or
- (ii) the fishing vessel has been used or allowed to be used in contravention of terms and conditions for grant of fishing licence or renewal of fishing licence; and communicate his decision in the matter of modification, amendment or cancellation of fishing licence to the owner(s) of the fishing vessel, under intimation to the adjudicating officer.

(11) Unless renewed, fishing licence granted by the authorised officer will remain valid till the 31st day of the month of March following the date of issue of fishing licence.

(12) The owner of a registered fishing vessel shall apply under Rule 4(6) to the Authorised Officer for renewal of fishing licence and deposit prescribed fee for renewal of fishing licence before the date of expiry of fishing licence.

(13) Application for renewal of fishing licence under sub-rule (6) rule can be made after the date of expiry of fishing licence on payment of penalty for delay in submission of application at the rate prescribed in schedule III annexed with these rules :

Provided that no application for renewal of fishing licence can be made by owner of a fishing vessel after expiration of 3 months from the date of expiry of fishing licence.

(14) Unless application for renewal of fishing licence is submitted by the owner of a fishing vessel to the authorised officer within the date stipulated in sub-rule (11) any fishing activity conducted by the said fishing vessels after expiration of date stipulated in sub-rule (11) shall amount to unauthorised fishing and the owner of the said fishing vessel shall be liable for prosecution under section 6 read with section 15.

(15) Unless submitted for renewal fishing licence must always be carried on board the fishing vessel and made available for inspection and verification by an officer authorised for the purpose.

(16) The owner of a fishing vessel, holding a valid licence shall submit to the authorised officer a monthly return in prescribed Form No.MFR-10 within 10 days from the last date of the month to which the report relates.

CHAPTER IV

SPECIFIED AREAS FOR FISHING BY DIFFERENT CLASSES OF FISHING VESSELS

5. Specified areas for fishing by different classes of fishing vessels:

(1) (a) With a view to regulating fishing by different classes of fishing vessels and having regard to different provisions of section 4, territorial water of the State is divided in 4 fishing zones as shown in table below :

Table		
Class of fishing vessel	Fishing Zone	Specified area for fishing
1	2	3
1. Non-mechanised vessel of length		
i. Up to 9 metre	Zone A	Up to 8 km.
ii. Above 9 metre	Zone B	Up to 20 km but not below 8 km.
2. Mechanised vessel of length		
i. Up to 15 metre	Zone C	Up to 50 km but not below 20 km.
ii. above 15 metre	Zone D	Beyond 50 km.

Note : Distance in km. shown in column 3 of the table denotes shortest distance from share line :

(b) The Government, by suitable notification, may change or modify the specified area for better management and fisheries administration and regulation of fishing, as and when necessary.

(2) The authorised officer shall issue fishing licence in Form No. MFR-9 indicating therein the specified area of fishing.

(3) Any fishing activity conducted from or by a fishing vessel outside the specified area mentioned in the fishing licence in respect of the said fishing vessel shall amount to fishing without a fishing licence and the owner shall be liable for prosecution under section 6 read with section 15.

Provided, that a fishing vessel, while proceeding to or returning from a specified area in respect of which a fishing licence has been granted to the said fishing vessel, may pass through any area other than the specified area without causing any damage to fishing gears or tackles or another fishing vessel set for or engaged in fishing with a valid fishing licence for that area.

CHAPTER V**AUTHORISED OFFICER****6. Authorised Officer :**

(1) The authorised officer shall allot a name to every mechanised fishing vessel in course of its registration under section 9 and the name so allotted shall not be allotted to another mechanised fishing vessel in course of its registration :

Provided that when registration of a mechanised fishing vessel is cancelled, the name allotted to the fishing vessel, whose registration stands cancelled, may be allotted to another fishing vessel.

(2) No non-mechanised fishing vessel shall be allotted a name. The authorised officer shall allot only registration number at the time of registration of a non-mechanised fishing vessel.

(3) The authorised officer shall, besides consulting the register of fishing vessels maintained at his office, obtain from his counterpart referred to in schedule IV a report in Part III of Form No. MFR 1 and satisfy himself about the availability of the proposed name for the purpose of allotment.

(4) The authorised officer shall send, within 7 days from the date of its receipt in his office, the application form to his counterpart referred to in schedule IV for report in part III therein. Any delay in this matter shall have to be accounted for.

(5) Every report in Part III of Form No. MFR I shall be sent by the reporting officer within 7 days from the date of receipt of the application form in his office. Any delay in this matter shall have to be accounted for.

(6) The authorised officer, after receiving back the application form with Part-III thereof duly filled in, shall take, within 7 days, appropriate action towards registration of fishing vessel or otherwise as he may deem fit.

(7) In the case of an application for transfer of ownership involving change in the registered name of a mechanised fishing vessel, the procedure laid down in sub-rule (4), sub-rule (5) and sub-rule (6) of rule 6 shall be followed *mutatis mutandis*.

(8) The authorised officer shall maintain a register of applications received at his office for registration of fishing vessels, transfer of ownership of fishing vessels and replacement of engine of mechanised fishing vessels, in such form as the State Government may determine.

(9) The authorised officer shall maintain separate registers for mechanised fishing vessels and non-mechanised fishing vessels in such forms as the State Government may determine.

(10) The authorised officer shall maintain a register of applications received at his office for grant/renewal of fishing licence in such form as the State Government may determine.

(11) The authorised officer shall maintain registers for grant or renewal of fishing licence for mechanised fishing vessel and non-mechanised fishing vessel separately in such form as the State Government may determine.

(12) The authorised officer shall inform the applicant(s) as well as the adjudicating officer every order of refusal —

- (a) under the proviso to sub-rule (7) of rule 3 in the matter of registration of fishing vessel, and
- (b) under the proviso to sub-rule (8) of rule 3 in the matter of transfer of ownership and replacement of engine of a fishing vessel.

(13) The authorised officer shall inform the applicant(s) as well as the adjudicating officer every order under sub-rule (9) of rule 3 in the matter of modification or amendment or cancellation of certificate of registration.

(14) The authorised officer shall inform the applicant as well as the adjudicating officer every order under sub-rule (9) of rule 4 of refusal in the matter of grant of fishing licence or renewal of fishing licence.

(15) The authorised officer shall inform the applicant as well as the adjudicating officer every order under sub-rule (10) of rule 4 of modification amendment or cancellation of a fishing licence.

(16) The Assistant Director of Fisheries (Marine), Diamond Harbour, and the Assistant Director of Fisheries (Marine) Contai, and such other Officer(s) as may be authorised by either of them for the purpose, shall have the power to enter into a fishing vessel for inspection :

Provided that such power to enter a fishing vessel for the purpose of inspection shall not be delegated to any officer below the rank of District Fishery Officer.

(17) The Assistant Director of Fisheries (Marine), Diamond Harbour, and the Assistant Director of Fisheries (Marine), Contai, shall act as authorised officer in the matter of discharging duties under sections 15 and 16 and sub-section (1) of section 17.

(18) In the matter of impounding a fishing vessel with its fittings and accessories on board or seizure of fish found on board, in exercise of the power conferred by section 15, the authorised officer shall prepare a seizure list, in triplicate, and obtain signature thereon of the owner of the fishing vessel or any crew of fisherman of the vessel available at the time of such impounding or seizure and deliver a copy of the seizure list to the person signing it :

Provided that when neither the owner of a fishing vessel nor any crew or fisherman of the vessel is available for signing the seizure list, or when neither the owner nor any crew or fisherman of the vessel agrees to sign the seizure list the authorised officer shall obtain signature of any crew or fisherman of nearby vessel or any other witness found nearby. The seizure list and such signature of witness of the seizure list shall be deemed valid and effectual evidence for the purpose of the Act and the rules made thereunder.

(19) The authorised officer shall report to the adjudicating officer within 7 working days from the date of commission to the act of every incidence of —

- (a) impounding of fishing vessel and seizure of fish under section 15 and
- (b) disposal of seized fish under sub-section (2) of section 16.

(20) The authorised officer shall consult concerned Zonal Deputy Director of Fisheries before disposing of any fish seized under section 15 and, thereafter, arrange for disposal of seized fish in the manner as directed by the said Zonal Deputy Director of Fisheries:

Provided that if, in the opinion of the authorised officer, such consultation will cause delay loading to deterioration of condition of fish seized and, thereby, result in diminution of its value or for any other genuine reason, the seized fish warrants immediate disposal, he may dispose of the fish by public auction and remit the sale proceeds to the Treasury in the form of Revenue Deposit :

Provided further that every incidence of disposal of fish by public auction without consulting the concerned Zonal Deputy Director of Fisheries shall be, forthwith, reported by the authorised officer to the adjudicating officer attributing the reason(s) for disposal of fish by public auction, under intimation to the concerned Zonal Deputy Director of Fisheries.

(21) The authorised officer shall submit periodic report(s) of offences committed under any section by the owner(s) of fishing vessels to the adjudicating officer in such form(s) as may be prescribed.

(22) The authorised officer shall communicate every order issued by him under sub-rules (7), (8) and (9) of rule 3 and sub-rules (9) and (10) of rule 4 by tendering a copy thereof signed by himself to the owner of fishing vessel or his authorised agent, free of cost.

CHAPTER VI
ADJUDICATING OFFICER

7. Adjudicating Officer :

(1) The Director of Fisheries, West Bengal, shall act as the adjudicating officer in all matters pertaining to any action taken by the authorised officer under any provision of the Act.

(2) In discharging his duties as adjudicating officer, the Director of Fisheries, West Bengal, who shall be assisted at the Directorate Office by the Deputy Director of Fisheries shall assign the duties and responsibilities of dealing with the matters pertaining to marine fisheries. Besides, the adjudicating officer may take assistance of the concerned Zonal Deputy Director of Fisheries as and when necessary.

(3) The adjudicating officer shall have jurisdiction, in general, over all matters relevant to the Act and, in particular, over all disputes occasioned through any order issued or any action taken by the authorised officer in the matter of —

(i) refusal in granting registration to a fishing vessel under sub-section (3) of section 9, read with sub-rule (7) of rule 3.

(ii) modification or a amendment or cancellation of registration of fishing vessel under sub-rule (9) of rule 3,

(iii) refusal in granting fishing licence or renewal of fishing licence under sub-section (2) of section 7, read with sub-rule (9) of rule 4,

(iv) modification or amendment or cancellation of fishing licence under sub-section (1), or sub-section (2) of section 8, read with sub-rule (10) of rule 4(10),

(v) impounding of fishing vessel with accessories on board and seizure of fish found on board under section 15, read with sub-rule (17) of rule 6, and

(vi) disposal of seized fish under sub-section (2) of section 16, read with sub-rule (19) of rule 6.

(4) The adjudicating officer shall listen to, and deal with any application or complain received from or lodged by any person aggrieved by any action taken by or any order passed by the authorised officer under any provision of the Act or under any provision of these rules.

(5) The adjudicating officer shall hold enquiry and try all disputes in Calcutta :

Provided that —

(i) if, in the opinion of the adjudicating officer, an enquiry or trial in a place other than in Calcutta will be advantageous for meeting ends of justice, or

- (ii) if the adjudicating officer on an application of the party aggrieved by an order or action of the authorised officer, is satisfied that attendance of the aggrieved party, either in person or through an authorised agent, during the course of enquiry or trial at Calcutta will cause undue hardship to the aggrieved party,

the adjudicating officer may fix up a suitable place other than in Calcutta for enquiry or trial of the point(s) at issue.

(6) While holding an enquiry or conducting a trial under the Act, the adjudicating officer shall enjoy and exercise all the powers vested in him under sub-section (1), and sub-section (2), of section 21.

(7) The adjudicating officer shall dispose of an application within 60 working days from the date of receipt of the said application. In case of delay, for reasons beyond his control, the adjudicating officer shall record in writing the reasons for the delay, for consideration by the appellate authority, if situation so demands in future.

(8) The adjudicating officer shall issue order under section 18.

(9) The adjudicating officer shall report to the appellate authority every order issued by him under section 18.

(10) The adjudicating officer shall communicate every order issued by him under section 18 by tendering a copy thereof, signed by himself, to the owner of fishing vessel or his authorised agent, free of cost.

CHAPTER VII

APPELLATE AUTHORITY

8. Appellate Authority:

(1) The Secretary to the Government of West Bengal, Department of Fisheries, shall act as the appellate authority for the purposes of the Act and for the purpose of hearing any matter within the preview of the Act.

(2) Such officer of the State Government as that Government may appoint in this behalf shall act as the Secretary to the appellate authority.

(3) The appellate authority shall further be assisted by such other officer(s) of the Department of Fisheries as the State Government may, by suitable notification, from time to time, appoint for the purpose.

(4) While holding an enquiry or trying any dispute, the appellate authority shall exercise the powers vested on it under subsection (1), and sub-section (2), of section 21.

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CHAPTER VIII

MISCELLANEOUS**9. Appointment of Agent:**

(1) (a) The owner(s) of a fishing vessel may appoint an agent to represent his/their interest in the matter of—

- (i) registration of fishing vessel by authorised officer;
- (ii) grant/renewal of fishing licence by authorised officer;
- (iii) appeal against any order or action of adjudicating officer.

(b) Appointment of an agent for the purposes, as aforesaid, shall be made by the owner(s) of the fishing vessel and appointment of an agent in such manner shall be deemed to be valid and effectual for the purposes of these Rules and also the Act.

(2) Application for appointment of an agent, as provided for in sub-rule (1) of rule 9 shall be made in prescribed Form No. MFR 11. Only one agent can be appointed for any one of the four items appearing below sub-rule (1) of rule 9.

(3) Any direction or instruction or order issued by or served by authorised officer or adjudicating officer or appellate authority, as the case may be, through such appointed agent shall be deemed to have been issued on or served upon the owner of the fishing vessel, when there is only one owner, and/or jointly and severally upon all the owners of the fishing vessel when there exist more than one owner.

10. Copy of order :

The authorised officer or the adjudicating officer or the appellate authority, as the case may be, shall make available a copy of the order issued by him to the appointed agent, when such an agent exists, or to the owner(s) of the fishing vessel, free of cost. On an application having been made in this regard, the appointed agent or, in the absence of an appointed agent, the owner(s) of the fishing vessel may receive additional copy of such order on payment of Rs..... per copy.

11. Service of instruction or direction or order:

(1) Any instruction or direction or order of the authorised officer or the adjudicating officer or the appellate authority shall be communicated to the appointed agent, if one such agent exists, or to the owner of the fishing vessel, by tendering a copy thereof duly signed by serving officer :

Provided that when there exists more than one owner, such communication shall be made to all the owners fishing vessel, individually and separately.

(2) Such communication of direction or instruction or order shall be made in either of the two means, namely:—

(a) through personal service from the office of the serving officer after obtaining acknowledgement of receipt endorsed on the office copy of the direction or instruction or order, as the case may be, or

(b) through postal service with acknowledgement due.

(3) When an acknowledgement purporting to have been signed by the appointed agent or by the owner of the fishing vessel is received back by the serving officer or the postal article containing the instrument is received back by the serving officer with an endorsement purporting to have been made by a postal employee to the officer that the addressee has refused to take delivery of the postal article the instruction or the direction or the order shall be taken to have been served on the addressee of the postal article.

(4) The authorised officer or the adjudicating officer or the appellate authority, as the case may be, may direct communication of any instruction or direction or order through both personal service and postal service:

Provided that nothing in these rules shall devolve on the serving officer the responsibility of effecting such communication through both personal service and postal service.

12. Submission of appeal application:

(1) Save as otherwise expressly provided by any specific order from a competent authority or by any law for the time being in force, no appeal shall be before —

(a) an adjudicating officer excepting from an absolute order of authorised officer, or

(b) an appellate authority excepting from an absolute order of adjudicating officer,

(2) Every application for appeal shall be submitted before the competent authority by—

(a) the owner(s) of the fishing vessel, or

(b) an agent, appointed for the purpose, by the owner(s) of the fishing vessel;

Provided that no appeal application shall be maintainable unless accompanied by an application in form No. MFR 11, duly filled in by the owner(s) of the fishing vessel.

(3) Every application for appeal shall be submitted before the appropriate authority within 30 days from the date on which the order appealed against has been communicated to the owner(s) of the fishing vessel, either directly or through appointed agent :

Provided that the authority, before which an appeal application has been presented, may entertain an appeal after expiration of the said period of 30 days if the said authority is satisfied that the appellant had bonafide grounds for not being able to prefer the appeal within the stipulated period.

- (4) Every application for appeal shall comprise —
- (a) one certified copy of the order (obtainable from authorised officer or adjudicating officer issuing the order) appealed against;
 - (b) one application stating —
 - (i) ground (s) of appeal,
 - (ii) relief prayed for and,
 - (iii) justification and / or reasons for delay in preferring appeal;
 - (e) one application for appointment of agent in Form No. MFR—11:

Provided that when an application for appeal is submitted within the stipulated period of 30 days, referred to in sub-rule (3), the provisions of sub-clause (iii) of clause (ii) of sub-rule (4) shall not operate.

(d) receipt showing deposit of penalty or fine imposed by an order, appealed against, of the adjudicating officer issued under section 18:

Provided that when an application for appeal against an order of the authorised officer is presented before the adjudicating officer, the provisions of clause (d) of sub-rule (4) shall not operate:

Provided further that when the appellate authority, on an application having been made in this behalf, and in exercise of the power conferred by sub-section (2) of section 19, has dispensed with the deposit of penalty or fine by the owner(s) of fishing vessel prior to preferring appeal, the provisions of clause (d) of sub-rule (4) of rule 12 shall not operate.

13. Enquiry by the adjudicating officer under section 17:

(1) On receipt of a report from authorised officer or from any other source about violation or contravention of any of the provisions of the Act by the owner (s) of a fishing vessel or by crew and/or fishermen on board the fishing vessel, adjudicating officer shall examine validity of the report within the purview of the Act and satisfy himself about the act of violation or contravention of the Act, as reported.

(2) If, on examination, it appears that there exists, prima facie, an instance of violation or contravention of the Act, adjudicating officer shall proceed for enquiry into the matter :

Provided that the adjudicating officer shall not proceed for enquiry into the reported matter if he is satisfied that violation or contravention of the Act is —

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- (a) due to ignorance of the owner(s) or the fishing vessel or the crew or the fishermen on board the fishing vessel and not wilful, and
 - (b) arising out of a situation beyond control of the owner(s) of the fishing vessel or the crew or the fishermen on board the fishing vessel.
- (3) the adjudicating officer shall fix up, for the purpose of first hearing, time, date and place of hearing and issue notice incorporating such information therein, to the owner (s) of the fishing vessel or to his/their appointed agent if one such agent exists, directing appearance before the adjudicating officer.
- (4) A notice under the sub rule (3) shall be served in Form No. MFR - 12.
- (5) Should a situation so require the adjudicating officer shall fix subsequent date, time and place of hearing and declare the same in presence of the owner (s) of the fishing vessel or the appointed agent.
- (6) The adjudicating officer may adjourn or postpone hearing if he considers it necessary.
- (7) The adjudicating officer shall direct the authorised officer to appear or to depute some competent officer subordinate to him on every date of hearing, for the purpose of facilitating disposal of the issue.
- (8) While holding enquiry under section 17, the adjudicating officer shall, apart from considering written statement (s) in defence, give every opportunity to the owner (s) of the fishing vessel of being heard either personally or through appointed agent.
- (9) The adjudicating officer, after satisfying himself about service of notice under sub-rule (3) read with sub-rule (4) and sub-rule (10) and receipt thereof by the concerned party, may decide the issue ex-parte and pass order under section 18, on the point(s) at issue.
- (10) While serving a notice under sub-rule (4) or communicating an order issued under section 18, the adjudicating officer shall follow the procedure laid down in rule 11.

14. Hearing of appeal application :

(1) An appeal application preferred in violation of procedure laid down in rule 12 shall not lie and does not become maintainable. Adjudicating officer or Appellate authority, as the case may be, shall reject such application and inform the appellant, accordingly, stating the ground of rejection :

Provided that when the authority before which the appeal has been preferred, is satisfied that the deviation from the procedure laid down in rule 12 does not alter the merit of the appeal application or does not materially affect the spirit of the stipulations laid down in rule 12, the authority may ignore the defect and accept the appeal application after passing necessary order in this regard.

(2) An appeal application found on scrutiny as maintainable will be heard by adjudicating officer or appellate authority, as prescribed in sub-rule (1) g of rule 12.

(3) The appellant will be served with a notice directing appearance during hearing of appeal application at the specified time and date and place, either personally or through an appointed agent.

(4) Such notice for appearance will be served on appointed agent in prescribed Form No.MFR-13 or, when served on the owner (s) of fishing vessel, in Form No. MFR-14.

(5) In the matter of serving notice in either Form No.MFR-13 or Form No.MFR-14, the procedure laid low in rule 11 shall be followed.

(6) In hearing an application for appeal or issuing an order thereon, the adjudicating officer or the appellant authority, as the case may be, shall, after hearing the appeal, follow the procedure laid down in the Code of Civil Procedure, 1908, 5 of 1908.

SCHEDULE I

LIST OF STANDARD FORMS AND PRICES THEREOF

(See rule 3(4), 4(6), 4(9), 4(16), 9(2), 13(4), and 14(4) of West Bengal Marine Fishing Regulation Rules, 1995)

Form Number	Particulars	Price in Rupees
MFR – 1	Application for registration of mechanised, fishing vessel..
MFR – 2	Application for registration of non-mechanised fishing vessel
MFR – 3	Certificate of Registration of fishing vessel.	Nil
MFR – 4	Application for transfer of Ownership of mechanised fishing vessel.
MFR – 5	Application for transfer of Ownership of non-mechanised fishing vessel...
MFR – 6	Application for change of principal fishing base.
MFR – 7	Application for replacement of Engine.
MFR – 8	Application for grant/renewal of fishing licence.
MFR – 9	Licence for undertaking fishing activity... ..	Nil
MFR – 10	Monthly return of fishing vessel.	Nil
MFR – 11	Application for appointment of agent.
MFR – 12	Notice for settlement of issues.	Nil
MFR – 13	Notice to agent for appearance.	Nil
MFR – 14	Notice to Owner of fishing vessel for appearance.	Nil

Note.^{3/4}1. Price are subject to revision by the Government.

2. Form No. MFR - 10 will be issued by the authorised officer free of cost as specimen copy along with licence in Form No. MFR-9.

SCHEDULE II

**FEES PAYABLE FOR REGISTRATION, TRANSFER OF OWNERSHIP,
CHANGE OF PRINCIPAL FISHING BASE AND REPLACEMENT OF ENGINE****(See rule 3(6) of West Bengal Marine Fishing Regulation Rules, 1995)**

Description of fishing vessel	Registration	Transfer of Ownership	Change of principal fishing base	Replacement of engine
1. Mechanised fishing vessel powered and propelled by an engine				
(i) Up to 15 metre length				
(ii) Above 15 metre length.				
2. Non-mechanised country craft powered by bars and sails				
(i) Up to 9 metre length				Nil
(ii) above 9 metre length				Nil

Note.—1. When change of principal fishing base is occasioned through transfer of Ownership no fees are separately payable for change of principal fishing base.

2. The rates are subject to revision under rules 3(6) of West Bengal Marine Fishing Regulation Rules, 1995.

SCHEDULE III

**FEES PAYABLE FOR FISHING LICENCE, RENEWAL OF FISHING LICENCE
AND PENALTY FOR DELAY IN RENEWAL OF FISHING LICENCE****(See rule 4(8) and 4(13) of West Bengal Marine Fishing Regulation Rules, 1995)**

Description of fishing vessel	Fishing licence/ renewal of fishing licence	Penalty for delay in renewal for every month or a part of a month
1. Mechanised fishing vessel powered and propelled by an engine.		
(i) Up to 15 metre length		
(ii) above 15 metre length		
2. Non-mechanised country crafts powered by oars and sails.		
(i) Up to 9 metre length		
(ii) above 9 metre length		

Note.—1. Renewal of fishing licence is not admissible after expiration of 3 months from the date of expiry of fishing licence.

2. The rates are subject to revision under rule 4(6) of West Bengal Marine Fishing Regulation Rules, 1995.

SCHEDULE IV

**LIST OF OFFICERS EMPOWERED TO ACT AS AUTHORISED OFFICER IN RESPECT OF
REGISTRATION, TRANSFER OF OWNERSHIP, CHANGE OF PRINCIPAL FISHING BASE AND
REPLACEMENT OF ENGINE OF FISHING VESSEL**

(See rule 3(3) of West Bengal Marine Fishing Regulation Rules, 1994)

1. For fishing vessels with principal fishing base within the jurisdiction of South 24-Parganas and North 24-Parganas District. Assistant Director of Fisheries, (Marine), Diamond Harbour.
2. For fishing vessels with principal fishing base within the jurisdiction of Midnapore District. Assistant Director of Fisheries, (Marine), Contai.

Note.— In case of change of principal fishing base or transfer of ownership and change of principal fishing base simultaneously, Assistant Director of Fisheries, (Marine), Diamond Harbour or Contai in whose jurisdiction proposed principal fishing base lies shall act as authorised officer.

SCHEDULE V

**LIST OF OFFICER EMPOWERED TO ACT AS AUTHORISED OFFICER IN RESPECT OF GRANT
OF FISHING LICENCE AND RENEWAL OF FISHING LICENCE**

(See rule 4(5) of West Bengal Marine Fishing Regulation Rules, 1995)

1. For fishing vessels with principal base within the jurisdiction of South 24-Parganas and North 24-Parganas District. Assistant Director of Fisheries, (Marine), Diamond Harbour.
2. For fishing vessels with principal fishing base within the jurisdiction of Midnapore District. Assistant Director of Fisheries, (Marine), Contai.

FORM No.— MFR 1

APPLICATION FOR REGISTRATION OF MECHANISED FISHING VESSEL

(See rule 3(4) of West Bengal Marine Fishing Regulation Rules, 1994)

Serial No. : Price : Rs.
Office of issue : Date of issue :

PART I

To be filled in by owner(s) of vessel

To

The Assistant Director of Fisheries (Marine) (a)

Sir,

With reference to section 9(1) of West Bengal Marine Fishing Regulation Act, 1993, read with rule 3(4) of the rules framed there under, I/We apply for registration of a fishing vessel. Necessary

Particulars for this purpose are furnished below :

1. Name of owner (b) :
2. Father's name (c) :
3. Present address (d) :
4. Particulars of hull :
 - (i) Manner of acquisition (e) :
 - (ii) Construction material (f) :
 - (iii) Principal dimensions (n metre) :
 - Overall length :
 - Maximum breadth :
 - Draught :
5. Particulars of engine :
 - (i) Brand name :
 - (ii) Model name and / or number :
 - (iii) Engine number :
 - (iv) Horse power :
6. Year of acquisition/construction of hull :
7. Year of acquisition of engine :
8. Cost details : (Rs.)
 - Hull :
 - Engine :
 - Other cost :

Total :

9. Name of principal fishing base (g) :
10. Type of Fishing (h) :
11. Name of Fishing vessel (i) :
 - (a)
 - (b)
 - (c)
 - (d)

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12. Gross tonnage of vessel :
 (j) Registration fee amounting to Rs. Rupees) only has
 been paid vide Money Receipt No. dated which is enclosed herewith for verification
 and return thereafter.

Date : Yours faithfully,
 Place : Signature of owner(s).

Verification

I/We certify that the particulars furnished in this application are, to the best of my/our knowledge, correct and declare that I/We shall remain responsible for validity of the said particulars.

I/We have understood all the provisos of the Act (k) and Rules and the orders issued under the said Rules and agree to abide by them.

I/We agree and accept that the authorised officer shall reserve the right to cancel registration of fishing vessel, if it is found that)

- (i) the particulars furnished in the application are materially incorrect, or
- (ii) the vessel has been engaged in
 - (a) Contravention of the proviso(s) of the Act and Rules, and
 - (b) any commercial activity not connected with fishing

Date :
 Place : Signature of owner(s)

Note.—(a) Application should be submitted to the authorised officer in the principal fishing base vide column No.9.

(b) When a vessel is owned jointly by more than one person, names of all the owners and their corresponding father's name and present address, respectively, should be furnished separately. In such an event all the owner's should sign the application and verification both.

(c) When a vessel is owned by a "Company" as defined and explained in section 22(2) of the Act, this is not necessary.

(d) Evidence, to the satisfaction of authorised officer, is necessary.

(e) State whether a complete hull has been purchased or the hull has been constructed under direct supervision after purchasing the materials used in construction.

(f) State the principal component like wood, steel, glass fibre etc.

(g) State name of principal fishing base with reference to its definition in rule 2(c) of the Rules.

(h) State `type of fishing' in relation to fishing gear or tackle e.g. gill netting, fixed bag netting, trawling, purse seining, hook and lining, etc.

(i) Suggest 4 names in order of preference. Subject to availability for the purpose of allotment the authorised officer will allot one name keeping in view the order of preference of owner. If none of the 4 names is available for allotment, the authorised officer will ask for further names.

(j) Registration fee should conform with the rate prescribed in rule 3(6) of the Rules.

(k) The expressions "Act" and "Rules" wherever occur in this application form denote "West Bengal Marine Fishing Regulation Act, 1993" and "West Bengal Marine Fishing Regulation Rules, 1994" respectively.

PART II

To be filled in by authorised officer and sent to Assistant Director of Fisheries (Marine), Diamond Harbour/Contai for report in Part III

Memo No.

Dated.....

To

The Assistant Director of Fisheries (Marine)

.....

Please comment on the names proposed vide column No.11 in Part I of the application.

Assistant Director of Fisheries (Marine)
Diamond Harbour/Contai

PART III

To be filled in by reporting officer (For Part II) and returned back to authorised officer.

Memo No.

Dated.....

To

The Assistant Director of Fisheries (Marine)

.....

1. All the names proposed in column No.11 in Part I have been allotted from this end to other fishing vessels. Further names may be suggested.

2. The name(s) vide column No.11..... in Part I has/have been allotted from this end to other fishing vessel(s) and the remaining name(s) is/are available for allotment.

3. Allotment of the name vide column No.11..... in Part I, i.e..... is being kept in abeyance at this end for allotment to this fishing vessel.

4. Particulars of registration in respect of this fishing vessel may be intimated in Form No. MFR-3 for record.

5. This disposes your memo No. dated

Assistant Director of Fisheries, (Marine),
Diamond Harbour/Contai

Note : 1. When none of the 4 names is available for allotment, reporting officer should delete item Nos.2, 3 and 4.

2. Reporting officer should score out item No.1 when necessary.

3. When more than one name is available for allotment, reporting officer should report only the first name in order to preference of the owner and fill in item No.3 accordingly.

PART IV

Notes and Orders of authorised officer

1. Verified and confirmed receipt of Registration fee vide Money Receipt No. Dated
as stated in the application.

2. Accepted application for registration of fishing vessel.

3. Allot name as stated by the reporting officer in Part III and issue
Certificate of Registration, under intimation to him, in Form No. MFR-3.

4. Return back the Money Receipt towards deposit of Registration fee along with the Certificate
of Registration.

5. Application for registration is rejected on the following ground(s).

6. Inform applicants about reaction of application, stating grounds as recorded in item 5 above
under intimation to the adjudicating officer, as required under rule 3(7).

7.
(any other order).

Date :

Signature of authorised officer

Note : 1. Authorised officer must delete the items appropriately under his dated initial so that his
order becomes clear and specific.

2. If the vessel is owned jointly by more than one person, articles vide item No.4 in Part IV
should be returned to the person first named in the application form and orders, if any, of authorised
officer should be communicated to him.

FORM NO. MFR 2**APPLICATION FOR REGISTRATION OF NON-MECHANISED FISHING VESSEL****[See rule 3(4) of West Bengal Marine Fishing Regulation Rules, 1995]**

Serial No. : Price : Rs.

Office of issue : Date of issue:

PART I**To be filled in by owner(s) of vessel**

To

The Assistant Director of Fisheries (Marine) (a)

.....

Sir,

With reference to section 9(1) of the West Bengal Marine Fishing, Regulation Act, 1993, read with rule 3(4) of the Rules framed thereunder I/We apply for registration of a fishing vessel. Necessary particulars for this purpose are furnished below :

1. Name of owner (b) :
2. Father's name (c) :
3. Present address (d) :
4. Particulars of hull :
 - (i) Manner of acquisition (e) :
 - (ii) Principle dimensions (in metres) :
 - Overall length :
 - Maximum breadth :
 - Draught :
5. Year of acquisition/construction of hull :
6. Cost details (Rs.) :
 - Hull :
 - Other cost :
- Total :

7. Name of principal fishing base (f)

8. Type of fishing (g)

(h) Registration fee amounting to Rs..... (Rupees.....)

only has been paid vide Money Receipt No..... dated which is enclosed herewith for verification and return thereafter.

Date :

Yours faithfully,

Place :

Signature of owner(s)

VERIFICATION

1. I/We certify that the particulars furnished in this application are, to the best of my/our knowledge, correct and declare that I/We shall remain responsible for validity of the said particulars.

2. I/We have understood all the provisions of the Act (i) and Rules and the orders issued under the said Rules and agree to abide by them.

3. I/We agree and accept that the authorised officer shall reserve the right to cancel registration of fishing vessel, if it is found that

(i) the particulars furnished in the application are materially incorrect, or

(ii) the vessel has been engaged in

(a) contravention of the proviso(s) of the Act and Rules, and

(b) any commercial activity not connected with fishing

Date :

Place :

Signature of owner(s)

Note : (a) Application should be submitted to the authorised officer in relation with the principal fishing base vide column No.(7).

(b) When a vessel is owned jointly by more than one person, names of all the owners and their corresponding father's name and present address, respectively, should be furnished separately. In such an event all the owner's should sign the application and verification both.

(c) When a vessel is owned by a "Company" as defined and explained in section 22(2) of the Act, this is not necessary.

(d) Evidence, to the satisfaction of authorised officer, is necessary.

(e) State whether a complete hull has been purchased or the hull has been constructed under direct supervision after purchasing the materials used in construction.

(f) State name of principal fishing base with reference to its definition in rule 2(c) of the Rules.

(g) State 'type of fishing' in relation to fishing gear or tackle e.g. gill netting, fixed bag netting, trawling, purse seining, hook and lining, etc.

(h) Registration fee should conform with the rate prescribed in rule 3(6) of the Rules.

(i) The expressions "Act" and "Rules" wherever occur in this application form denote "West Bengal Marine Fishing Regulation Act, 1993" and "West Bengal Marine Fishing Regulation Rules, 1994" respectively.

PART II

Notes and orders of authorised officer

1. Verified and confirmed receipt of Registration fee vide Money Receipt No.dated as stated in the application.
2. Accepted application for registration of fishing vessel.
3. Issue Certificate of Registration.
4. Return back the Money Receipt towards deposit of Registration Fee along with the Certificate of Registration.
5. Application for registration is rejected on the following ground(s).
6. Inform applicants about rejection of application, stating grounds as recorded in item 5 above under intimation to the adjudicating officer as required under rule 3(7).
7.
(any other order)

Date :

Signature of authorised officer,

Note : 1. Authorised officer must delete the items appropriately under his dated initial so that his order becomes clear and specific.

2. If the vessel is owned jointly by more than one person, articles vide item No.4 of Part II should be returned to the person first named in the application form and owners, if any, of authorised officer should be communicated to him.

FORM No. MFR 3

CERTIFICATE OF REGISTRATION OF FISHING VESSEL**(Issued under section 9(1) of West Bengal Marine Fishing Regulation Act, 1993)**

- | | |
|--|----|
| 1. Registered name
(For mechanised vessel only) | .. |
| 2. Registration number | .. |
| 3. Year of Registration | .. |
| 4. Name(s) of owner(s) | .. |
| 5. Address(es) of owner(s) | .. |
| 6. Principal fishing base | .. |
| 7. Type of vessel | .. |
| 8. Description of vessel | .. |
| (i) Construction material | |
| (ii) Overall length | |
| (iii) Maximum breadth | |
| (iv) Draught | |

For Mechanised Vessel Only

- | | |
|--------------------------|----|
| 9. Gross tonnage | .. |
| 10. Particular of engine | .. |
| (i) Brand name | .. |

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- (ii) Model name and/or numbers
- (iii) Engine numbers
- (iv) Horse power

Previous registration issued to this fishing vessel vide Registration numbershas been cancelled in terms of rule 3(8) of West Bengal Marine Fishing Regulation Rules, 1994. (Strike off if not applicable).

Instruction.—1. Mechanised fishing vessel must prominently display registered name close to the port side and starboard side lamps. (see rule 3(10) for further details).

2. Non-mechanised fishing vessel should prominently display registration number on either side in the forebow. See rule 3(11) for further details.

Official seal...

Signature of authorised officer,

Date :

Note—for item No.7 write either (i) mechanised fishing vessel or (ii) non-mechanised fishing vessel as the case may be.

Memo No.

Dated

(Not required when application relates to registration of non-mechanised vessel).

Forwarded to the Assistant Director of Fisheries Marine.....for record.

This disposes his memo (b) dated

Official Seal

Signature of authorised officer

Date :

Note.—(a) To be sent to the same authority who filled in Part II of the application form in respect of this registration.

(b) Memo No. (and date) or reporting officer used in Part II of the application form.

FORM No. MFR 4

APPLICATION FOR TRANSFER OF OWNERSHIP OF MECHANISED FISHING VESSEL

(See rule 3(4) of West Bengal Marine Fishing Regulation Rules, 1995)

Serial No. :

Price : Rs.

Office of issue :

Date of issue:

PART I

To be filled in by owner(s) of vessel

To

The Assistant Director of Fisheries (Marine) (a)

.....

Sir,

With reference to Rule 3(4) of West Bengal Marine Fishing Regulation Rules, 1994, I/we apply

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for transfer of ownership of fishing vessel bearing Registration number.....and carrying registered name..... I/We, also apply for changing the name of vessel.

I/We have acquired ownership of the fishing vessel from the registered owner(s) and he/they has/have consented to transfer of ownership of the fishing vessel to me/us.

Further, I/We intend to change the principal fishing base of the fishing vessel from..... in... (base station)

to.....in.....
(base station) (district)

Necessary particulars for the purpose are furnished below:

1. Name of owner (b) :
2. Father's name (c) :
3. Present address (d) :
4. Name of principal fishing base (e) :
5. Name of Fishing vessel (f) :
 - (a)
 - (b)
 - (c)
 - (d)

Prescribed fee(g) for the purpose as aforesaid amounting to Rs..... (Rupees.....) only has been paid vide Money Receipt No..... dated..... the said Money Receipt of Registration of the fishing vessel are enclosed herewith for verification and return thereafter. Certificate of Registration in respect of the fishing vessel is also enclosed for necessary action.

Date : Yours faithfully,
Place : Signature of owner(s)

VERIFICATION

1. I/We certify that the particulars furnished in this application are, to the best of my/our knowledge, correct and declare that I/We shall remain responsible for validity of the said particulars.

2. I/We have understood all the provisions of the Act (h) and Rules and the orders issued under the said Rules and agree to abide by them.

3. I/We agree and accept that the authorised officer shall reserve the right to cancel registration of fishing vessel, if it is found that

- (i) the particulars furnished in the application are materially incorrect, or
- (ii) the vessel has been engaged in
 - (a) Contravention of the proviso(s) of the Act and Rules, and
 - (b) any commercial activity not connected with fishing.

Date :
Place : Signature of owner(s)

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Note—(a) Application should be submitted to the authorised officer in relation with the principal fishing base vide column No.4.

(b) When a vessel is owned jointly by more than one person, names of all the owners and their corresponding father's name and present address, respectively, should be furnished separately. In such an event all the owners should sign the application and verification both.

(c) When a vessel is owned by a "Company" as defined and explained in section 22(2) of the Act, this is not necessary.

(d) Evidence, to the satisfaction of authorised officer, is necessary.

(e) State name of principal fishing base with reference to its definition in rule 2(c) of the Rules.

(f) Suggest 4 names in order of preference. Subject to availability for the purpose of allotment the authorised officer will allot one name keeping in view the order of preference of owner. If none of the 4 names is available for allotment, the authorised officer will ask for further names.

(g) Prescribed fee should conform with the rate prescribed in rule 3(6) of the Rules.

(h) The expressions "Act" and "Rules" wherever occur in this application form denote "West Bengal Marine Fishing Regulation Act, 1995" and "West Bengal Marine Fishing Regulation Rules, 1995" respectively.

C E R T I F I C A T E

To be filled in by the transferrer(s)

Certified that I/We have transferred right, title and interest in respect of the fishing vessel bearing Registration Numbers and carrying Registered Name to the present applicant(s) and declare that I/We have no objection in transfer of ownership of the said fishing vessel in the name(s) stated in the application.

Date:

Place :

Signature of transferrer(s)

P A R T I I

To be filled in by authorised officer and sent to Assistant Director of Fisheries (Marine) Diamond Harbour/Contai for report in Part III

Memo No.

Dated:

To

The Assistant Director of Fisheries (Marine)

.....

Please report in Part III of the application form appropriately. Certificate of Registration is enclosed for cancellation as required in rule 3(8) of the Rules, if transfer of ownership applied for is accepted at his end.

Assistant Director of Fisheries (Marine)
Diamond Harbour/Contai

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Note—Part II and Part III are not necessary when the application does not necessitate a change in authorised officer and no change in the name of fishing vessel has been applied for.

PART III

To be filed in by reporting officer (for Part II) and returned back to authorised officer

Memo No.

Dated :

To

The Assistant Director of Fisheries (Marine)

.....

1. There is nothing adverse on record which may impair transfer of ownership applied for. Transfer of ownership is accepted in cancellation of existing registration as required in rule 3(8) of the Rules.

2. Certificate of Registration, duly cancelled at this end, is returned.

3. All the names proposed in column No.5 in Part II have been allotted from this end to other fishing vessels. Further names may be suggested.

4. The Name(s) vide column No.5 in Part I has/have been allotted from this end to other fishing vessel(s) and the remaining name(s) is/are available for allotment.

5. Allotment of the name vide column No.5 in Part I, i.e. is being kept in abeyance at this end for allotment to this fishing vessel.

6. Particulars of registration in respect of this fishing vessel may be intimated in Form No. MFR-3 for record.

7. This disposes his memo..... No..... dated.....

Assistant Director of Fisheries (Marine)
Diamond Harbour/Contai

Note—1. Reporting officer must delete the different items appropriately as the situation would call for.

2. When more than one name is available for allotment, reporting officer should report only the first name in order of preference of the owner and fill in item No.5 accordingly.

PART IV

Notes and orders of authorised officer

Verified and confirmed receipt of prescribed fees vide Money Receipt No..... dated.....as stated in the application.

Accepted application for (i) transfer of ownership and (ii) change of principal fishing base.

DISCLAIMER: While all efforts have been made to maintain the accuracy of the information provided, the Official Gazette may be referred to for an authentic version. ICSF will not be responsible for any loss to any person caused by any shortcoming in the information provided. Any discrepancies may be brought to our notice.

Issue certificate of Registration in Form No. MFR-3 under intimation to reporting officer in Part III of the application form.

Allot Name.....as stated by reporting officer in Part III of the application form.

Return to the applicant(s) the following:—

- (i) Money receipt (referred to item 1 above)
- (ii) New certificate of Registration (referred to in item 3 above)
- (iii) Previous Certificate of Registration—duly cancelled by reporting officer in Part III of application form.

Application for (i) transfer of ownership and (ii) change of principal fishing base is rejected on the following ground(s).

Inform applicant(s) about rejection of application stating the ground as recorded in item 6 above, with an intimation to adjudicating officer as required in rule 3(8).

.....
(any other order)

Date :

Signature of authorised officer

Note—Authorised officer must delete the items appropriately under his dated initial so that his order become clear and specific.

If the vessel is owned jointly by more than one person articles vide item No.5 in Part should be returned to the person first named in the application form and orders, if any, of authorised officer should be communicated to him.

FORM No. : MFR 5

APPLICATION FOR TRANSFER OF OWNERSHIP OF NON-MECHANISED FISHING VESSEL

[See rule 3(4) of West Bengal Marine Fishing Regulation Rules, 1995.]

Serial No. :

Price : Rs.

Office of issue :

Date of issue :

PART I

To be filled in by owner(s) of vessel

To

The Assistant Director of Fisheries (Marine) (a)

.....

Sir,

With reference to rule 3(4) of West Bengal Marine Fishing Regulation Rules, 1995, I/We apply for transfer of ownership of fishing vessel bearing Registration number.....

DISCLAIMER: While all efforts have been made to maintain the accuracy of the information provided, the Official Gazette may be referred to for an authentic version. ICSF will not be responsible for any loss to any person caused by any shortcoming in the information provided. Any discrepancies may be brought to our notice.

I/We had acquired ownership of the fishing vessel from the registered owner(s) and he/they has/have consented to transfer ownership of the fishing vessel to me/us.

Further, I/We want to change the principal fishing base of the fishing vessel.....

(base station)

from.....in..... to.....in.....
(base station) (district)

Necessary particulars for the purpose of (i) transfer of ownership and (ii) change of principal fishing base are furnished below:

Name of owner (b) :
Father's Name (c) :
Present address (d) :
Name of principal fishing base (e) :

Prescribed fee (f) for the purpose as aforesaid amounting to Rs..... (Rupees.....
.....) only has been paid vide Money Receipt
No.....Dated..... The said Money Receipt along with the Certificate of
Registration of the fishing vessel enclosed herewith for necessary action.

Date :

Yours faithfully,

Place:

Signature of owner(s)

VERIFICATION

1. I/We certify that the particulars furnished in this application are, to the best of my/our knowledge correct and declare that I/We shall remain responsible for validity of the said particulars.

2. I/We have understood all the provisions of the Act (g) and Rules and the orders issued under the said Rules and agree to abide by them.

3. I/We agree and accept that the authorised officer shall reserve the right to cancel registration of fishing vessel if it is found that

- (i) the particulars furnished in the application are materially incorrect, or
- (ii) the vessel has been engaged in
 - (a) contravention of the provision(s) of the Act and Rules, and
 - (b) any commercial activity not connected with fishing.

Date :

Place:

Signature of owner(s)

Note—(a)Application should be submitted to the authorised officer in relation with the principal fishing base vide column no.4.

(b) When a vessel is owned jointly by more than one person, names of all the owners and their corresponding father's name and present address, respectively, should be furnished separately. In such an event all the owners should sign the application and verification both.

(c) When a vessel is owned by a "Company" as defined and explained in section 22(2) of the Act, this is not necessary.

(d) Evidence, to the satisfaction of authorised officer, is necessary.

(e) State name of principal base station with reference to its definition in rule 2(c) of the Rules.

(f) Prescribed fee should conform with the rate prescribed in rule 3(6) of the Rules.

(g) The expressions "Act" and "Rules" wherever occur in this application form denote "West Bengal Marine Fishing Regulation Act, 1993" and "West Bengal Marine Fishing Regulation Rules, 1995" respectively.

C E R T I F I C A T E

To be filled in by the transferrer(s)

Certified that I/We have transferred right, title and interest in respect of the fishing vessel bearing Registration Numbers to the present applicant(s) and declare that I/We have no objection in transfer of ownership of the said fishing vessel in the name(s) stated in the application.

Date :

Place:

Signature of transferrer(s)

PART II*

To be filled in by authorised officer and sent to Assistant Director of Fisheries (Marine) Diamond Harbour / Contai for report in Part III

Memo No.

Dated.

To

The Assistant Director of Fisheries (Marine)

.....

Please report in Part III of the application form appropriately. Certificate of Registration is enclosed for cancellation as required in rule 3(8) of the rules, if transfer of ownership applied for is accepted as his end. See note below

Part III

Assistant Director of Fisheries (Marine)

Diamond Harbour/Contai.

PART III*

To be filled in by reporting officer (for PART II) and returned back to authorised officer

Memo No.

Dated.

To

The Assistant Director of Fisheries (Marine)

.....

1. There is nothing adverse on record which may impair transfer of ownership applied for. Transfer of ownership is accepted in cancellation of existing registration as required in rule 3(8) of the Rules.

2. Certificate of Registration, duly cancelled at this end is returned.

3.

(Any other remarks)

4. This disposes him memo No..... dated.....

Assistant Director of Fisheries (Marine)
Diamond Harbour/Contai.

Note* —Part II and Part III are not necessary when the application does not necessitate a change in authorised officer.

PART IV

Notes and orders of Authorised Officer

Verified and confirmed receipt of prescribed fees vide Money Receipt No.....Dated
.....as stated in the application.

2. Accepted application for (i) transfer of ownership and (ii) change of principal fishing base.

3. Issue certificate of Registration in Form No. MFR 3 under intimation to reporting officer in Part III of the application form.

4. Return to the applicant(s) the following -

(i) Money Receipt (referred to in item 1 above).

(ii) New Certificate of Registration (referred to in item 3 above).

(iii) Previous certificate of Registration duly cancelled by reporting officer in Part III of application form.

5. Application for (i) transfer of ownership and (ii) change of principal fishing base is rejected on the following grounds.

6. Inform applicant(s) about rejection of application stating the ground(s) as recorded in item 5 above, with an intimation to adjudicating officer as required in rule 3(8).

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7.

(Any other order)

Date :

Signature of Authorised Officer.

Note—1. Authorised officer must delete the items appropriately under his dated initial so that his order becomes clear and specific.

2. If the vessel is owned jointly by more than one person articles vide item no.5 in Part II should be returned to the person first named in the application form and orders, if any, of authorised officer should be communicated to him.

FORM No. MFR-6

APPLICATION FOR CHANGE OF PRINCIPAL FISHING BASE

[See rule 3(4) of West Bengal Marine Fishing Regulation Rules, 19]

Serial No. :

Price : Rs.

Office of issue :

Date of issue:

PART I

To be filled in by owner(s) of vessel

To

The Assistant Director of Fisheries (Marine) (a)

.....

Sir,

With reference to Rule 3(4) of West Bengal Marine Fishing Regulation Rules, 19 , I/We apply for changing principal fishing base of (b) mechanised/non-mechanised fishing vessel bearing Registration Number..... and carrying (c) Registered Name.....

I/We intend to change the principal fishing base (d) of the fishing vessel from..... (base station).....in.....(district) to(base station).....in (district).

(a) Prescribed fee for changing the registered principal fishing base amounting to Rs..... (Rupees.....) only has been paid vide Money Receipt No.....Dated..... The said Money Receipt and Certificate of Registration for the fishing vessel are enclosed herewith for necessary action.

Date :

Yours faithfully,

Place :

Signature of owner(s)

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Note—(a) Application should be submitted to the authorised officer in relation to the principal fishing base to which a change has been proposed. For further details see definition in rule 2(c) of the Rules.

- (b) Strike out appropriately.
- (c) Not applicable in case of Non-mechanised fishing vessel.
- (d) State name of principal fishing base with reference to its definition in rule 2(c) of the Rules.
- (e) Prescribed fee should conform with the rate prescribed in rule 3(6) of the Rules.

PART II

**To be filled in by authorised officer and sent to Assistant Director of Fisheries (Marine)
Diamond Harbour / Contai for report**

Part-III

Memo No.

Dated.

To
The Assistant Director of Fisheries (Marine)

.....

Please report in PART III of the application form, Certificate of Registration is enclosed for cancellation as per rule 3(8) of the Rules.

Assistant Director of Fisheries (Marine)
Diamond Harbour/Contai.

Note—See Note below Part III.

PART III

To be filled in by reporting officer (for PART II) and returned back to authorised officer

Memo No.

Dated....

To
The Assistant Director of Fisheries (Marine)

.....

1. Principal fishing base proposed in the application intervenes jurisdiction.
2. Certificate of Registration, duly cancelled at this end, is returned.

3. Particulars of registration in respect of the fishing vessel may be intimated in Form No. MFR-3 for record.

4. This disposes his memo No. dated

Assistant Director of Fisheries
Diamond Harbour/Contai

NOTE—Part II and Part III of the application form is not necessary if the change in principal fishing base does not necessitate a change in authorised officer. In such an event authorised officer will made necessary correction in Column No.6 of Certificate of Registration (Form No.MFR-3) and send an intimation in this regard to the Assistant Director of Fisheries (Marine), Diamond Harbour/Contai (as the case may be) for record.

PART IV

Notes and orders of Authorised Officer

1. Verified and confirmed receipt of prescribed fee vide Money Receipt No..... datedas stated in the application.

2. Accepted application for change of principal fishing base and made necessary correction in column no.6 of Certificate of Registration.

3. Issue Certificate of Registration in Form No. MFR-3 under intimation to Assistant Director of Fisheries (Marine) : as requested by him in PART-III of the application form.

4. Return to the applicant(s) the following :—

- (i) Money Receipt (referred to in item 1 above)
- (ii) Certificate of Registration duly amended (referred to in item 3 above)
- (iii) Certificates of Registration issued in cancellation of the appropriate Registering Authority (Referred to in item 2 of Part-III).

5. Application for change of principal fishing base is rejected on the following ground(s).

6. Inform applicant(s) about rejection of application stating the grounds as recorded in item 5 above within intimation to adjudicating officer as required in rule 3 (8).

7.
(any other order)

Date :

Signature of Authorised Officer.

Note—1.Authorised Officer must delete the items appropriately under his date initial so that his order becomes clear and specific.

2. If the vessel is owned jointly by more than one person article vide item 4 in Part-V should be returned to the person first named in the application form and orders, if any, of authorised officer should be communicated to him.

Form No. - MFR-7

APPLICATION FOR REPLACEMENT OF ENGINE

(See rule 3(4) of West Bengal Marine Fishing Regulation Rules, 19)

Serial No. : Price : Rs.

Office of issue : Date of issue:

PART I

To be filled in by owner(s) of vessel

To

The Assistant Director of Fisheries (Marine) (a)

.....

Sir,

With reference to rule 3(4) of West Bengal Marine Fishing Regulation Rules, 19 , I/We apply for replacement of the engine installed in my/our fishing boat bearing Registration No..... and carrying Registered Name.....

For the purpose of replacement I/we have acquired an engine from (b)..... of (c).....

Existing engine will be replaced by the acquired one, particulars of which are furnished below:

1. Brand Name :
2. Model name and/or number:
3. Engine number:
4. Horse power:

(d) Prescribed fee for this purpose amounting to Rs..... (Rupees.....) only has been paid vide Money Receipt No..... dated The said Money Receipt along with the Certificate of Registration for the fishing vessel are enclosed herewith for verification and return thereafter.

Date :

Yours faithfully,

Place :

Signature of owner(s)

VERIFICATION

I/We certify that the particulars furnished in the application are, to the best of my/our knowledge, correct and declare that I/we shall remain responsible for validity of the said particulars.

Date :

Place :

Signature of owner(s)

Note—(a) Application should be submitted to the same authority which issued Certificate of Registration.

(b) and (c) : Full name and complete address respectively of transferrer(s).

(d) Fee should conform with the rate prescribed in rule 3(6) of the Rules.

PART II

Notes and Orders of authorised officer

1. Verified and confirmed receipt of prescribed fee vide Money Receipt No..... dated as stated in the application.

2. Accepted application for replacement of engine and made necessary corrections in column No.10 and sub-columns under the Certificate of Registration.

3. Return back the Money Receipt towards deposit of prescribed fee and certificate of Registration duly amended.

4. Application for replacement of engine is rejected on the following ground(s).

5. Inform applicant(s) about rejection of application stating the grounds as recorded in item 4 above, with intimation to adjudicating officer as required in rule 3(8).

6.

(any other order)

Signature of authorised officer.

Note—1. Authorised officer must delete the items appropriately under his dated initial so that his order becomes clear and specific.

2. If the vessels is owned jointly by more than person articles vide item No.3 in part II should be returned to the person first named in the certificate of Registration and orders, if any, of authorised officer should be communicated to him.

FORM No. MFR-8

APPLICATION FOR GRANT/RENEWAL OF FISHING LICENCE**[See rule 4(6) of West Bengal Marine Fishing Regulation Rules, 19]**

Serial No. : Price : Rs.

Office of issue : Date of issue :

PART I**To be filled in by owner(s) of the vessel**

To

The Assistant Director of Fisheries (Marine) (a)

.....

Sir,

With reference to section 7(1) of West Bengal Marine Fishing Regulation Act, 19, read with rule 4(6) of the Rules framed there under, I/We apply for grant/renewal of fishing licence. Necessary particulars for this purpose are furnished below :

1. Name of fishing vessel(b) :
2. Registration Number :
3. Registering authority (c) :
4. Principal fishing base (d) :
5. Fishing licence Number (e) (if any) :
6. Date of expiry of fishing licence :
7. Type of fishing proposed (f) :
8. Specified area applied for (g) :
9. Number of fishermen and crew on board :
10. Particulars of insurance coverage for the fishing vessel (h).
 - (a) Name of Insurance Co. :
 - (b) Name/Number of issue office :
 - (c) Insurance Policy Number :
 - (d) Value Insured :
 - (e) Date of expiry of Insurance coverage :

Prescribed licence fee/renewal fee is detailed below, has been paid vide Money Receipt No. which is enclosed herewith for verification and return thereafter.

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	Rs.
(i) Licence fee	:
(ii) Renewal fee	:
(iii) Penalty for delay	:
Total	: Rs.

Certificate of Registration and the insurance policy referred to in item 10 and (j) fishing Licence in respect of the fishing vessel are also submitted herewith for verification and return thereafter.

I/we, hereby, declare that I/we shall not engage or carry or allow to be engaged or carried on board any fishermen or crew unless the said fishermen or crew is covered by adequate insurance against professional hazards.

I/we, hereby, further declare that I/we shall renew insurance coverage for the fishing vessel before expiration of the last date stated in item No.10(e) of the application form failing which fishing licence granted in terms of this application shall stand automatically cancelled after expiration of the said date (strike out if the vessel is a non-mechanised one).

Date :

Place:

Signature of owner(s).

Note—(a) Application should be submitted to the:-

- (i) same authority which granted Certificate of Registration when the fishing vessel is registered under section 9(1) of West Bengal Marine Fishing Regulation Act, 1992, or
- (ii) authorised officer in relation to the principal fishing base mentioned in column No.4 of the application when the vessel is registered under any other appropriate Act or law, for the time being in force.
- (b) Not required in case of a non-mechanised fishing vessel.
- (c) Write full details if the vessel is not registered under West Bengal Marine Fishing Regulation Act, 19
- (d) State name of principal fishing base with reference to its definition in rule 2(c) of the Rules.
- (e) Write "Nil" when a new licence is applied for.
- (f) State 'type of fishing' in relation to fishing gear or tackle, namely gillnetting, fixed bag netting, trawling, purse seining, hook and lining etc.
- (g) See rule 5(1) of the Rules and write "Fishing Zone" accordingly.
- (h) Strike out if the fishing vessel is a non-mechanised one.
- (i) Fee should confirm with the rate prescribed in rule 4(8) of the Rules.
- (j) Delete when a new licence is applied for.

PART II**Notes and Orders of authorised officer**

1. Verified and confirmed receipt of requisite fees vide Money Receipt No.Dated..... as stated in the application.
2. Accepted application for grant of fishing licence/renewal of fishing licence.
3. Issue fishing licence/Renewal fishing licence for..... during the current financial year i.e. in.....
(specified area)
4. Along with the fishing licence return Certificate of Registration, Money Receipt and Insurance Policy.
5. Application for grant of fishing licence/Renewal of fishing licence is rejected on the following ground(s).
6. Inform applicant(s) about rejection of application stating grounds as recorded in item No.5 above under intimation to the adjudicating officer as required under rule 4(7).
7.
(any other order)

Date :

Signature of authorised officer.

Note—1. Authorised officer must delete the items appropriately under his dated initial so that his order becomes clear and specific.

2.If the vessel is owned jointly by more than one person, articles vide item No.4 part II should be returned to the person first named in the Certificate of Registration and orders, if any, of authorised officer should be communicated to him.

FORM No. MFR-9

LICENCE FOR UNDERTAKING FISHING ACTIVITY**[See rule 4(9) of West Bengal Marine Fishing Regulation Rules, 19]**

Fishing Licence No.

Year of Issue

Subject to various provisions of West Bengal Marine Fishing Regulation Act, 19 , and the Rules framed thereunder and also the TERMS AND CONDITIONS printed overleaf, and under explicit condition that the owner(s) shall retain a valid insurance coverage for the fishing vessel, if it is a mechanised one, till expiry of licensing period, licence for fishing is hereby granted as below:

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1. Name of fishing vessel :
(for mechanised vessel only)
2. Registration Number :
3. Registering authority :
4. Type of fishing authorised :
5. Specified area of fishing :
6. Date of expiry of fishing licence :

Official Seal :

Date :

Signature of Authorised Officer

Subject to the terms and conditions mentioned above, fishing licence is hereby renewed upto the date stated last in the table below:

Sl.No.	Date	Signature of Authorised Officer with his Official Seal,
3.		
4.		
5.		

Terms and Conditions for Grant of Fishing Licence

1. Owner(s) fishing vessel—
 - (i) shall strictly follow the orders issued under section 4 of West Bengal Marine Fishing Regulation Act, 1994.
 - (ii) shall submit in prescribed Form No. MFR-10 a monthly return within 15 days after expiration of the month under report.
 - (iii) shall not engage or carry or allow to be engaged or carried on board any fisherman or crew unless the said fisherman or crew is covered by adequate insurance against professional hazards.
2. Fishing vessel shall not—
 - (i) conduct any kind of fishing activity outside the specified area.
 - (ii) carry on board any explosive or any contraband or any objectionable article.
 - (iii) proceed for fishing or continue fishing operation in violation of distress signals or adverse weather warnings.
 - (iv) go on mooring or anchorage or be used for fishing causing obstruction in navigational channel or entry of other fishing vessel to fishing harbour or fishing base.
 - (v) be engaged or utilised for gain in such a manner which is not connected with fitting activity.

3. Fishing vessel, while proceeding to the specified area or returning there from, may pass through any area other than the specified area without causing any damage to fishing gears or tackles of another fishing vessel set for or engaged in fishing in an authorised manner in such area.

4. Either of the authorised officers listed in SCHEDULE V of the Rules or any other officer authorised by thereof them in this behalf shall have the power to enter in the fishing vessel for inspection.

5. For renewal of fishing licence, application accompanied by prescribed fee must be submitted before expiration of the period of licence. Application for renewal of licence will be accepted if submitted within 3 months after the date of expiry of fishing licence provided the application is supported by payment of prescribed penalty for delay. Unless an application for renewal of fishing licence is made within this period, any fishing conducted from the fishing vessel after expiration of 3 months from the date of expiry of fishing licence, shall amount to unauthorised and illegal fishing.

FORM No. MFR-10

MONTHLY RETURN OF FISHING VESSEL

[See rules 4(16) of West Bengal Marine Fishing Regulation Rules, 19]

- | | | |
|----------------------------------|---|---------------------------|
| 1. Name of fishing vessel | : | |
| 2. Month of report | : | |
| 3. Registration number | : | |
| 4. Fishing licence number | : | |
| 5. Description of fishing vessel | : | Mechanised/Non-mechanised |
| 6. Number of fishing days | : | |
| 7. Fuel consumed (in litre) | : | |
| 8. Catch statistics (in tonne) | : | |
| (i) Prawn | : | (vii) |
| (ii) Hilsa | : | (viii) |
| (iii) | : | (ix) |
| (iv) | : | (x) |
| (v) | : | (xi) |
| (vi) | : | |
| | | Total : |

Certified that no fisherman or crew was deployed on board during the month under report without adequate insurance coverage against accident to cover the risks arising out of professional hazards.

Submitted to the Assistant Director of
Fisheries (Marine), Diamond Harbour/Contai

Date :

Signature of owner(s)

Note -1. Monthly return should be submitted to the same authority which issued fishing licence.

2. Monthly return should be submitted within 10 days from the last date of the month under report.

3. If there is no fishing in a month a 'NIL' report against item Nos. 6, 7 and 8 should be submitted within 10 days from the last date of the month under report.

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FORM No. MFR-11

APPLICATION FOR APPOINTMENT OF AGENT**[See rule 9(2) of West Bengal Marine Fishing Regulation Rules, 19]****PART I****To be filled in by owner(s) of fishing vessel**

To

.....(a)

Sir,

I/We, being the owner(s) of a fishing vessel, propose in terms of rule (9.1) of West Bengal Marine Fishing Regulation Rules, 19 to appoint an agent to represent me/us. Necessary particulars for this purpose are furnished below :

1. Name of fishing vessel (b):
2. Registration number (c):
3. Name(s) and address(es) of owner(s):

Sl.No.	Name	Address
(i)		
(ii)		
(iii)		
(iv)		

4. Name and address of agent:
 - (i) Name :
 - (ii) Address :
5. Purpose of appointment of agent(d)
 - (i) Registration of fishing vessel
 - (ii) Grant/renewal of fishing licence
 - (iii) Appeal against order of authorised officer :
 - (iv) Appeal against order of adjudicating officer :

I/We agree and declare that any direction or instruction or order issued by you or served by you through this agent shall, for the purposes of these rules and also the Act, be deemed as valid and effectual communication of your direction and/or instruction and valid and effectual service of your order on me/us and further that the same was/have been received by me/us, both jointly and severally.

Specimen signature of the agent proposed for appointment is affixed below with the request for accepting his appointment as my/our agent.

Specimen signature of agent.

Date :

Yours faithfully,

Place :

Signature(s) of owner(s)

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Note—(a) Application should be addressed to

- (i) Authorised officer - for item Nos. 5(i) and 5(ii)
- (ii) Adjudicating officer - for item No.5(iii)
- (iii) Appellate authority - for item No.5(iv)

(b) and (c) : In case of non-mechanised fishing vessel write "NIL" against item No.1. When appointment of agent relates to "Registration of fishing vessel" vide item No.5(i) write "New Registration" against item No.1 and item No.2, both.

(d) In this application, appointment of agent can be proposed for only one of the 4 items. Strike off the remaining 3 items retaining the only to which this application relates.

PART II

To be filled in by Authorised Officer or Adjudicating Officer or Appellate authority, as the case may be, and returned to the agent

Memo No.

Dated:

To

.....

(Name and address of residence)

Sir,

Yours appointment as agent in the matter of.....as proposed by the owner(s) of the fishing vessel, has been accepted. Please inform the owner(s) accordingly, with an intimation in this regard, to the undersigned.

Date :

Designation :

Signature of competent authority.

FORM No. MFR-12

NOTICE FOR SETTLEMENT OF ISSUES

**[See rule 13(4) of West Bengal Marine Fishing Regulation Rules,
 19)**

Memo No.

Dated:

To

.....
 (name and place of residence)

It appears that you have contravened the provisions of West Bengal Marine Fishing Regulation Act, 9 for the reasons stated below :

.....

(State act of violation briefly, indicating and place of occurrence. Also state name, if any, and registration number of fishing vessel)

An enquiry into the matter under section 17(2) of West Bengal Marine Fishing Regulation Act, 1993 will be held into the matter by the undersigned aton.....
 (place of enquiry) (Date)

at.....
 (Time)

You are hereby directed to appear before the undersigned for the purposes of the enquiry, as per schedule before mentioned, either personally or through agent, duly appointed by you in FORM NO: MFR-12 who shall be able to answer all material questions relating to the issue. You are, further, instructed to file on that date a written statement of your defence.

Take notice that in default of your appearance on the date before mentioned the issue will be enquired into and heard and determined in your absence.

Date :

Official designation :

Signature of adjudicating officer.

Note—Without an application on Form No. MFR 12, representation on owner(s) of fishing vessel, by an agent will not be accepted.

FORM No. MFR-13

NOTICE TO AGENT FOR APPEARANCE

[See rule 14(4) of West Bengal Marine Fishing Regulation Rules, 19]

Memo No.

Dated :

To

.....
 (Name of agent and his residence)

Whereas you have been appointed on event by the owner(s) of fishing vessel bearing registration No.....and carrying registered nameto represent him/them and his/their interest in connection with an appeal application preferred by him/them against an order dated..... of authorised officer/ adjudicating officer and

Whereas your appoint as agent, as aforesaid, has been accepted by the undersigned.

You are, hereby, directed to appear before the undersigned and answer all material questions relating to the issue, at on at
 (place of bearing) (date) (time)

when she said appeal application will be heard. You are, further, instructed to file on that date a written statement of defence of the owner(s) of the fishing vessel.

Take notice that in default of your presence on the date before mentioned, the appeal application will be heard and decided in your absence.

Date :

Official designation :

Signature of adjudicating officer/appellate authority.

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FORM No. MFR-14

NOTICE TO OWNER OF FISHING VESSEL FOR APPEARANCE**[See rule 14(4) of West Bengal Marine Fishing Regulation Rule, 19]**

Memo No.

Dated:

To

.....

(Name and place of residence)

Appeal application preferred by you on..... (jointly with the Co-owners) of fishing vessel bearing registration No..... and registered name..... against the order dated of authorised officer/ adjudicating officer will be heard by the undersigned at onat.....

(Place of bearing)

(date)

(time)

You are, hereby, directed to appear before the undersigned and answer all material questions relating to the issue as per schedule mentioned herein before. You are, further, instructed to file on that date a written statement of your defence.

Take notice that in default of your appearance on the date before mentioned the appeal application will be heard and decided in your absence.

Date :

Official Designation :

Signature of adjudicating officer/appellate authority,

By order of the Governor,

R. K. Trivathy,

Secy. to the Govt. of West Bengal.

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