

**GOVERNMENT OF KERLA**  
Fisheries & Ports (B) Department  
NOTIFICATION

G.O.(P) NO.19/2006/F & PD      Dated: Thiruvananthapuram, 28<sup>th</sup> July, 2006.

S.R.O. No.                    -                    /2006 WHEREAS, by notification issued under G.O. (P) No. 16/2006/F&PD dated the 12th June, 2006 and published as SRO No. 423/2006 in the Kerala Gazette Extraordinary No. 995 dated the 12th June, 2006, the Government of Kerala have prohibited the use of bottom trawl in the sea, along the entire coast of the State within the area specified under G.O. (P) No. 136/84/PWF & PD dated the 30<sup>th</sup> November, 1984, published as S.R.O. No. 1496/84 in the Kerala Gazette Extraordinary No. 1005 dated the 3<sup>rd</sup> December, 1984, for a period of 45 days with effect from the 15<sup>th</sup> day of June, 2006 to the 29<sup>th</sup> day of July, 2006 (both days inclusive):

AND WHEREAS, the Hon'ble Supreme Court of India by order in WP (C) No. 393/2005 dated the 17<sup>th</sup> July, 2006 have directed that there will be a ban for mechanized boats, mechanized fishing vessels and trawlers for fishing in the coastal waters of Maharashtra, Gujarat, Goa, Karnataka and Kerala upto the 15<sup>th</sup> August, 2006:

AND WHEREAS, the Government of Kerala have decided to ban all mechanized boats, mechanized fishing vessels and trawlers for fishing in the coastal waters and to extend the period of the such ban upto 15<sup>th</sup> August, 2006, as ordered by the Supreme Court:

NOW, THEREFORE in exercise of the powers conferred by sub-section (1) of the section 4 of the Kerala Marine Fishing Regulation Act. 1980 (10 of 1981), read with rule 4 of the Kerala Marine Fishing Regulation Rules, 1980, the Government of Kerala hereby make the following amendment to the Notification issued under G.O. (P) No. 16/2006/F&PD dated the 12<sup>th</sup> June, 2006, published

as S.R.O. No. 423/2006 in the Kerala Gazette Extraordinary No. 995 dated, the 12<sup>th</sup> June, 2006 namely:-

### **AMENDMENT**

In the said notification, for the last paragraph and explanation shall be substituted, namely: -

“NOW THEREFORE, in exercise of the powers of the conferred by the sub- section (1) of section 4 of the Kerala Marine Fishing Regulation Act, 1980 (10 of 1981), read with rule 4 of the Kerala Marine Fishing Regulation Rules, 1980, and in compliance with the order dated the 17<sup>th</sup> July, 2006 in W.P (C) No. 393/2005, of the Supreme Court of India, the Government of Kerala hereby prohibit bottom trawl and the use of Mechanized boats, mechanized fishing vessels and trawlers for fishing in the coastal waters along the entire line of the State within the area specified under G.O.(P) No. 136/84/PWF & PD dated the 30<sup>th</sup> November, 1984, published as S.R.O. No. 1496/84 in Kerala Gazette Extraordinary No. 1005 dated the 3<sup>rd</sup> December, 1984 for a period of 62 days with effect from the 15<sup>th</sup> day of June, 2006 to the 15<sup>th</sup> day of August, 2006 (both days inclusive).

*Explanation* – For the purpose of this notification, a mechanized boat/mechanized fishing vessels will mean a ship or boat fitted with mechanical means of propulsion and includes country crafts and canoes fitted with an inboard or outboard motor of the capacity above 10 B.H.P. horse power”.

By order of the Governor

**M. RACHEL CHACKO**

Joint Secretary to Government

### **Explanatory Note**

(This does not form a part of the notification, but is intended to indicate its general purport)

Clause (d) of the sub section (1) of section 4 of the Kerala Marine Fisheries Regulation Act, 1980 read with rule 4 of the Kerala Marine Fishing Regulation Rules, 1980 empowers the Government to regulate, restrict or prohibit the use of fishing gear in any specified area as may be prescribed, Sub-section (2) of section 4 of the said Act prescribes the ground for invoking the powers under section 4.

There have been persistent demands from the various sections of fishing community for imposing ban on bottom trawling on the ground that the bottom during the monsoon period has been adversely affecting conservation of fish wealth and their share of earning from fishing. Consequently there have been clashes between the fishermen belonging to traditional sector and mechanized sector leading to serious law and order problems in the sea.

There have been frequent occurrences of squally weather conditions in the sea during monsoon leading to accidents resulting in the loss of human life and property.

The Government, after considering all the aspects relating to the matter, particularly the adverse effect of bottom trawling, banned bottom trawling in the territorial waters of the state for a period of 45 days in the monsoon season starting on and from the 15<sup>th</sup> June, 2006. In the meanwhile, the Hon'ble Supreme Court of India issued as Order on 17/07/2006 in Writ Petition (C) No. 393 of 2005 filed by the Goa Environment Federation directing that there will be a ban for mechanized boats and trawlers for fishing in the coastal waters of Maharashtra, Gujarat, Goa, Karnataka and Kerala upto 15<sup>th</sup> August, 2006. It is further ordered

that, for the present purpose, a mechanized boat/mechanized fishing vessels will mean a ship or boat fitted with mechanized means of propulsion and includes country crafts and canoes fitted with an inboard or outboard motor of the capacity above 10 B.H.P. horse power.

The notification is intended to achieve the above object.