

ANDAMAN AND NICOBAR ADMINISTRATION SECRETARIAT

NOTIFICATION

Port Blair, dated the 1st June 2004 No. 103/2004/F.No. 5-1(276)/2002-Dev-1. — In exercise of the powers conferred by Section 24 of the Andaman and Nicobar Islands Marine Fishing Regulation, 2003 (No. 1 of 2003) the Lt. Governor, Andaman and Nicobar Islands (Administrator) hereby makes the following rules for carrying out the purposes of the said Regulation:

CHAPTER-I

Preliminary

1. Short title, extent and commencement:

- (a) These rules may be called the Andaman & Nicobar Islands Marine Fishing Rules, 2004.
- (b) It extends to the whole of territorial waters of Union Territory of Andaman & Nicobar Islands.
- (c) It shall come into force with effect from the date of its publication in official Gazette of Andaman & Nicobar Administration.

2. Definitions:

In these rules, unless the context otherwise requires:

- (a) “Adjudicating Officer” means the Director of Fisheries, Andaman and Nicobar Islands.
- (b) “Authorized Officer” means an Officer not below the rank of an Assistant Director of Fisheries.
- (c) “Chapter”, “Section”, “Sub Section” and “Clause” means the Chapter, Section, Sub Section and Clause respectively of the Regulation.
- (d) “Director of Fisheries” means Director of Fisheries, Andaman and Nicobar Islands.
- (e) “Fishery Officer” means an Officer not below the rank of Assistant Fisheries Guard but not above the rank of Assistant Fisheries Development Officer.
- (f) “Principal Fishing Base” means a fishing harbour, or a fish landing centre or a fishlanding 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.
- (g) “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, fish landing centre and fish landing Jetty.
 - (iv) “Port Limits” means Port limits defined under the Indian Ports Act, 1908 (15 of 1908) and rules framed thereunder.

- (v) "Regulation" means the A&N Marine Fishing Regulation, 2003 (Regulation 1 of 2003).
- (vi) "Rules" means Andaman and Nicobar Islands Marine Fishing Rules, 2004 (Rule 1 of 2004).
- (vii) "Territorial Water" means territorial waters regulated as per the rules framed under "The Territorial Water, Continental Shelf, Exclusive Economic Zone and other Maritime Zones Act-1976" of Govt of India.
- (viii) "Islands" means the Andaman and Nicobar Islands.

Any expression used but not defined in these rules shall have the same meaning as in the Regulation.

CHAPTER-II

Registration of Fishing Vessel

3. Registration of fishing vessel:

- (a) Owner of every fishing vessel kept in the Union Territory and/or used or intended to be used for the purpose of fishing in a specified area, specified under sub -rule (a) of Rule 5 of these rules shall get the vessel registered under section 9 unless the vessel is already registered as a fishing vessel under any other law for the time being in force:
- (b) Registration of a fishing vessel once made under these rules shall continue to remain in force for ten years provided that:
- the owner fulfill the requirements of section 5 of the Regulation;
 - the ownership of the vessel remains unchanged;
 - Principal Fishing Base for the vessel is not changed;
 - engine of the vessel is not replaced;
 - basic character of the fishing vessel is not altered by effecting material changes in shape or design of the vessel; and.
 - the registration is not cancelled by the Authorized Officer for sufficient reasons.
- (c) For the purpose of (i) registration. (ii) transfer of ownership, (iii) change of Principal Fishing Base and (iv) replacement of engine, an officer of the Fisheries Department, not below the rank of Assistant Director of Fisheries, will act as Authorized Officer in respect of fishing vessels with Principal Fishing Base within his jurisdiction, as listed in schedule IV. annexed with these rules.
- (d) Owner of a fishing vessel shall apply to the Authorized Officer for (i) registration of fishing vessel. (ii) transfer of ownership, (iii) change of Authorized Officer and (iv) replacement of engine in prescribed form as stated in the table below:

Table

SI.No.	Purpose of Application	Prescribed Form No.
(i)	Registration of	
	(a) Mechanised or motorized fishing vessel ...	MFR-1
	(b) Non Mechanised fishing vessel	MFR-2

(ii)	Transfer of ownership of		
	(a) Mechanised or motorized fishing vessel	...	MFR-4
	(b) Non-Mechanised fishing vessel	MFR-5
	(c) Change of Principal Fishing Base	MFR-6
	(d) Replacement of engine	MFR-7

(e) Prescribed forms referred to in sub-rule (d) of rule 3 will be available in the office of Authorized Officer on payment of requisite price as stated in schedule I annexed with these rules.

(f) Alongwith every application for (i) registration of fishing vessel (ii) transfer of ownership, (iii) change of Authorized Officer and (iv) replacement of engine, owner of fishing vessel shall deposit with the Authorized Officer prescribed fee as listed in schedule II annexed with these rules:

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

(g) On receipt of an application for registration of fishing vessel, the Authorized Officer, after making such enquiry as he may deem fit and having regard to the matters referred to in section 9(3) of the Regulation shall register the fishing vessel and maintain particulars of such registration in the MFR-15. He will issue to the owner of fishing vessel a Certificate of Registration in Form No. MFR-3.

Provided that the Authorized 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.

(h) On receipt of application for (i) transfer of ownership (ii) change of Authorized Officer and (iii) replacement of engine, Authorized 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 required.

Provided that the Authorized 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.

(i) The Authorized 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 applications under rule 3(d), or

(ii) The vessel has been engaged or utilized 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.

(a) The owner of every mechanized fishing vessel shall prominently display registration number assigned to the fishing vessel written in black on a white base, on the bow of the port side and starboard side. The Registration mark shall be written in not less than 15 centimeter height of each letter and numeral having a width of 3 centimeter, in size.

- (b) The owner of every non-mechanized fishing vessel shall prominently display registration number assigned to the fishing vessel written in black on a white base on the bow of the portside and starboard side. The Registration mark shall be written in not less than 10 centimetre height of each letter and numeral having a width of 2 centimetre in size.
- (l) All mechanized fishing vessels shall be painted in bright orange colour conforming to Bureau of Indian Standards (BIS) in the wheel house or canopy top for easy identification of the vessel by Coast Guard.
- (m) In case of Non-mechanized, motorized and country crafts the sides of the vessel shall be painted in bright yellow colour conforming to Bureau of Indian Standards (BIS) above water line for easy identification by Coast Guard.
- (n) Indian National Flag shall be flown in a most conspicuous position by all class or classes of fishing vessels. while at sea.
- (o) All class or classes of fishing vessels shall have the prescribed life saving and fire fighting appliances, while at sea, as prescribed by the Government.
- (p) All class / classes of fishing vessels shall have onboard while fishing a transistor radio or such telecommunication equipment as prescribed by the Govt. for the purpose of receiving weather forecast, oceanic hazard, other information and transmitting messages.
- (q) A registered fishing vessel is free to move anywhere within the territorial water of A&N Islands, take shelter in any fishing harbour or fish landing centre or fish landing jetty and conduct fishing activity in a specified area after obtaining a 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 of fishing vessel shall intimate such temporary change of fishing base to the Authorized Officer issuing certificate of registration and also to the Authorized Officer in whose jurisdiction the changed fishing base shall come. The owner of fishing vessel shall also report to the Authorized 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 within 10 days. For casual or occasional visit to 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 section 10 the owner of fishing vessel shall be required to apply in prescribed Form No. MFR-6 to the concerned Authorized Officer as required in sub-rule (d) of Rule 3.

CHAPTER-III

Licensing of Fishing Vessel

4. Licensing of fishing vessel:

- (a) No fishing vessel shall undertake any kind of fishing activity without a valid fishing licence granted under section 6.
- (b) No fishing licence shall be granted to a vessel unless the vessel is registered as a fishing vessel for the purpose of the Regulation.

- (c) No fishing licence shall be granted to a mechanized fishing vessel unless it is covered by adequate insurance coverage against loss arising out of professional hazards.
- (d) The owner of a fishing vessel, irrespective of whether the said fishing vessel is mechanized or non mechanized, 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.
- (e) For the purpose of grant of fishing licence and renewal of fishing licence an officer of the Fisheries Department, not below the rank of Assistant Director of Fisheries will act as Authorized Officer in respect of fishing vessels with registered Principal Fishing Base within his jurisdiction, as listed in schedule IV, annexed with these rules.
- (f) (i) The owner of a registered fishing vessel shall apply to the Authorized Officer in prescribed Form No. MFR-8 for grant of fishing licence or renewal of fishing license valid till 31st day of the month of March following the date of issue / or renewal of fishing license.
- (ii) The owner of the registered fishing vessel also furnish in Form No. MFR-8 the particulars of crew members, fishermen or diver to be engaged on board the vessel to provide with individual identity card.
- Note:** In the case of any change in crew members and or fishermen or diver, such change shall be brought to the notice of the concerned Authorized Officer immediately to enable it to issue necessary identity card for the new crew member or fisherman or diver
- (g) Prescribed Form No. MFR-8, referred to in sub-rule (f) of Rule 4 will be available in the office of Authorized Officer on payment of requisite price as stated in schedule I annexed with these rules.
- (h) Alongwith every application for (i) grant of fishing licence. (ii) renewal of fishing licence and issue of identity card to crew members and / or fisherman or diver, owner of fishing vessel shall deposit with the Authorized 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.

- (i) (i) The Authorized Officer, after making such enquiry as he may deem fit and having regard to the matters referred to in section 4 and sub-section (3) of section 6 shall grant fishing licence or renew fishing licence and maintain particulars thereof in the register in prescribed format as MFR- 16. 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:
- (ii) The Authorized Officer will also issue identity card to every crew member or fisherman or diver engaged onboard the fishing vessel and maintain particulars thereof in register as per the format prescribed in MFR-17.

Provided that the Authorized Officer may, for sufficient reasons to be recorded in writing, refuse to grant fishing licence or renew fishing licence or issue identity card and communicate his decision in this regard to the owner of the vessel under intimation to the Adjudicating Officer.

- (j) The Authorized Officer may, after giving the owner 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 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 of the fishing vessel, under intimation to the Adjudicating Officer.
- (k) Unless renewed, fishing licence granted by the authorized office will remain valid till the 31st day of the month of March following the date of issue of fishing licence.
- (l) The owner of a registered fishing vessel shall apply under sub section (6) of section 6 to the Authorized Officer for renewal of fishing licence and identity card and deposit prescribed fee as detailed in Schedule - III for renewal of fishing licence before the date of expiry of fishing licence.
- (m) Application for renewal of fishing licence under sub section (6) of section 6 can be made after the date of expiry of fishing licence and identity card on payment of penalty for delay in submission of application at the rate prescribed in schedule III annexed with these rules. However renewal of fishing licence is not admissible after expiry of 6 months, which will attract cancellation of registration of fishing vessel by Authorized Officer.
- (n) Unless application for renewal of fishing licence is submitted by the owner of a fishing vessel to the Authorized Officer within the date stipulated in sub rule (k) any fishing activity conducted by the said fishing vessel after expiration of the stipulated in sub-rule (k) shall amount to unauthorized fishing and the owner of the said fishing vessel shall be liable for prosecution under section 14 read with section 15.
- (o) 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 authorized for the purpose.
- (p) The owner of the fishing vessel, holding a valid licence shall submit to the Authorized 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:

- (a) With a view to regulate fishing by different classes of fishing vessels and having regard to different provisions of section 4, territorial waters of Union Territory is divided in two fishing zones as shown in table below:

Table

	Specified Area for Fishing	Class of Fishing Vessels for Plying	Type of Gear / Mesh Size to be Used
(i)	Fishing Zone – A (Territorial waters up to 6 nautical miles from appropriate base line).	Vessels fitted with 30 HP engines including traditional and non-mechanized boats.	(i) Gill net not below 25 mm mesh (knot to knot diagonally). (ii) Hook & Line. (iii) Shore seine/drag net of mesh size not below 25 mm. (iv) Fish traps.
(ii)	Fishing Zone – B (Territorial waters beyond 6 nautical miles from appropriate base line).	Vessels fitted with engines of more than 30 HP.	(i) Gill net not below 25 mm mesh. (ii) Trawl net of standard mesh size fitted with turtle excluder device suitable to the trawl net. (iii) Long line, purse seine, squid Jigger. (iv) Hook & Line.

Note: (i) Distance in Nautical Miles shown in column 3 of the table denotes shortest distance from appropriate base line:

- (ii) 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.
- (b) The Authorized Officer shall issue fishing licence in Form No. MFR-9 indicating therein the specified area of fishing.
- (c) 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 14 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 of another fishing vessel set for or engaged in fishing with a valid fishing licence for that area. Similarly, if the licensed fishing area falls outside/adjacent to IV limits under IV Act and Marine National Parks / Sanctuaries under Wildlife Protection Act, 1972, innocent passage without causing any damage to movements of other vessels and marine eco-system respectively is allowed without seeking permission separately from Registering Authority under IV Act and Chief Wildlife Warden of Forests & Environment respectively. However, it will be the responsibility of the Authorized Officer to provide such list of licences granted to Registering Authority of IV Act and Chief Wildlife Warden of concerned area respectively for close monitoring and reporting to the Authorized Officer.

CHAPTER-V

Authorised Officer

6. Authorized Officer:

- (a) The Authorized Officer shall allot a number to every mechanized fishing vessel and motorized fishing vessel in course of its registration under section 9 (3) and the number so allotted shall not be allotted to another mechanized fishing vessel in course of its registration:

Note: Mechanized / Motorized fishing vessels with Principal Fishing Base within the jurisdiction of South Andaman may be allotted numbers with pre-fix "ANB-MV-SA /.....". Similarly, within the jurisdiction of Middle and North Andamans, it may be "ANB-MV-MN /....." and for Nicobar District "ANB"- MV-NB/-

Provided that when registration of a mechanized / motorized fishing vessel is cancelled, the number allotted to the fishing vessel, whose registration stands cancelled, may be allotted to another fishing vessel.

- (b) Non-mechanized fishing vessel shall be allotted a separate registration number different from registration number of the mechanized vessels by the Authorized Officer at the time of registration of a non-mechanized fishing vessel.

Note: Non-mechanized fishing vessel with Principal Fishing Base within the jurisdiction of South Andaman may be allotted numbers with pre-fix "ANB-TC-SA/.....". Similarly, within the jurisdiction of Middle and North Andamans it may be "ANB-TC-MN/....." and for Nicobar District "ANB-TC-NB/....."

- (c) The Authorized Officer shall, besides consulting the register of fishing vessels maintained at his office, obtain from the concerned Fishery Officer a report in part III of Form No. MFR-1 and satisfy himself about the availability of the proposed number for the purpose of allotment.
- (d) The Authorized Officer shall send, within 7 days from the date of the receipt in his office, the application form to the concerned Fishery Officer for report in part III therein. Any delay in this matter shall have to be accounted for.
- (e) Every report in part III of Form No. MFR-1 shall be sent by the Fishery 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.
- (f) The Authorized 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.
- (g) In the case of an application for transfer of ownership involving change in the registered name of a mechanized fishing vessel, the procedure laid down in sub-rule (d), sub-rule (e) and sub-rule (f) of rule 6 shall be followed *mutatis mutandis*.
- (h) The Authorized 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 mechanized fishing vessels.
- (i) The Authorized Officer shall maintain separate registers for mechanized fishing vessels and non-mechanized fishing vessels in MFR-15.

- (j) The Authorized Officer shall maintain a register of applications received at his office for grant/renewal of fishing licence.
- (k) The Authorized Officer shall maintain registers for grant or renewal of fishing licence for mechanized fishing vessel and non-mechanized fishing vessel separately in MFR-16.
- (l) The Authorized Officer shall allot separate identity card number to every crew members or fisherman or diver engaged onboard the fishing vessel and maintain a register there on in MFR-17.

Note: Crew members / fisherman / diver engaged onboard fishing vessel with Principal Fishing Base within the jurisdiction of South Andaman may be allotted identity card number with pre-fix "ANF-SA-Id. No". Similarly, within the jurisdiction of Middle and North Andamans, it may be "ANF-MN-Id. No" and for Nicobar District "ANF-NB-Id. No"

- (m) The Authorized Officer shall inform the applicant as well as the Adjudicating Officer every order of refusal –
 - (i) under the proviso to sub-rule (g) of Rule 3 in the matter of registration of fishing vessel, and
 - (ii) under the proviso to sub rule (h) of Rule 3 in the matter of transfer of ownership and replacement of engine of a fishing vessel.
- (n) The Authorized Officer shall inform the applicant as well as the Adjudicating Officer every order under sub-rule (i) of Rule 3 in the matter of modification or amendment or cancellation of certificate of registration.
- (o) The Authorized Officer shall inform the applicant as well as the Adjudicating Officer every order under sub-rule (i) of Rule 4 of refusal in the matter of grant of fishing licence and identity card or renewal of fishing license and identity card.
- (q) The Authorized Officer shall inform the applicant as well as the Adjudicating Officer every order under sub-rule (j) of rule 4 of modification, amendment or cancellation of a fishing licence.
- (r) The Director of Fisheries and all Assistant Director of Fisheries, Fisheries Department of the Administration and such other officer as may be authorized by either of them for the purpose, shall have the power to enter into a fishing vessel for inspection.
- (s) All officers of Fisheries Department of the Administration not below the rank of Assistant Director of Fisheries, shall act as Authorized Officer in the matter of discharging duties under sections 14 and 15 and sub section (1) of section 16.
- (s) 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 powers conferred by section 15, the Authorized Officer shall prepare a seizure list as detailed in MFR-18, in triplicate, and obtain signature thereon of the owner of the fishing vessel or any crew or 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 Authorized 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 Regulation and the rules made thereunder.

- (t) The Authorized Officer shall report to the Adjudicating Officer within 7 working days from the date of commission of the act of every incidence of –
 - (i) impounding of fishing vessel and seizure of fish under section 14 and
 - (ii) disposal of seized fish under sub-section (2) of section 15.
- (u) The Authorized Officer shall consult Adjudicating Officer before disposing off, any fish seized under section 15 and, thereafter, arrange for disposal of seized fish in the manner as directed by the Adjudicating Officer.

Provided that if, in the opinion of the Authorized Officer, such consultation will cause delay leading 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 off the fish by public auction and remit the sale proceeds to the government in the form of Revenue Deposit.

Provided further that every incidence of disposal of fish by public auction without consulting the Adjudicating Officer shall be forthwith, reported by the Authorized Officer to the Adjudicating Officer attributing the reason for disposal of fish by public auction, under intimation to the Director of Fisheries.

- (v) The Authorized Officer shall submit periodic report of offences committed under any section by the owner of fishing vessels to the Adjudicating Officer in such form as may be prescribed.
- (w) The Authorized Officer shall communicate every order issued by him under sub-rules (g), (h) and (i) of rule 3 and sub-rules (j) and (k) of rule 4 by tendering a copy thereof signed by himself to the owner of fishing vessel or his authorized agent, free of cost.

CHAPTER-VI

Adjudicating Officer

7. Adjudicating Officer:

- (a) The Director of Fisheries, Andaman and Nicobar Islands, shall act as the Adjudicating Officer in all matters pertaining to any action taken by the Authorized Officer under any provision of the Regulation.
- (b) In discharging his duties as Adjudicating Officer, the Director of Fisheries, Andaman & Nicobar Islands', who shall be assisted at the Directorate office by the Assistant 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 Assistant Director of Fisheries as and when necessary.
- (c) The Adjudicating Officer shall have jurisdiction, in general overall matters relevant to the Regulation and, in particular, overall dispute occasioned through any order issued or any action taken by the Authorized 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 (g) of rule 3.

- (ii) Modification or amendment or cancellation of fishing vessel under sub-rule (i) of rule 3,
- (iii) Refusal in granting fishing licence or renewal of fishing licences under sub-section (3) of section 6, read with sub-rule (i) of rule 4,
 - (a) Modification or amendment or cancellation of fishing licence under sub-section (1). or sub-section (2) of section 8, read with sub-rule (j) of rule 4.
 - (b) Impounding of fishing vessel with accessories on board and seizure of fish found on board under section 15 read with sub-rule (q) of rule 6, and
 - (c) Disposal of seized fish under sub-section (2) of section 15, read with sub-rule (s) of rule 6.
- (d) 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 Authorized Officer under any provision of the Regulation or under any provisions of these rules.
- (e) The Adjudicating Officer shall hold enquiry and try all disputes in Port Blair Provided that—
 - (i) if, in the opinion of the Adjudicating Officer, an enquiry or trial in a place other than in Port Blair will be advantageous in the interest of justice, or
 - (ii) if the Adjudicating Officer on an application of the party aggrieved by an order or action of the Authorized Officer, is satisfied that attendance of the aggrieved party, either in person or through an authorized agent, during the course of enquiry or trial at Port Blair will ease undue hardship to the aggrieved party, the Adjudicating Officer may fix up a suitable place other than in Port Blair for enquiry or trial of the point at issue.
- (f) While holding an enquiry or conducting a trial under the Regulation, the Adjudicating Officer shall enjoy and exercise all the powers vested in him under sub-section (1) and sub-section (2), of section 16.
- (g) 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.
- (h) The Adjudicating Officer shall issue order under section 17.
- (i) The Adjudicating Officer shall report to the Appellate Authority every order issued by him under section 17.
- (j) The Adjudicating Officer shall communicate every order issued by him under section 17 by tendering a copy thereof, signed by himself to the owner of fishing vessel or his authorized agent, free of cost.

CHAPTER-VII

Appellate Authority

8. Appellate Authority

- (a) District Judge appointed by Andaman and Nicobar Administration, shall act as the Appellate Authority for the purposes of the Regulation and for the purpose of hearing any matter within the purview of the Regulation.

- (b) Secretary (Fisheries), Andaman and Nicobar Administration shall act as the Secretary to the Appellate Authority.
- (c) The Appellate Authority shall further be assisted by such other officer of the Andaman and Nicobar Administration /Department of Fisheries as the State Government may, by suitable notification, from time to time, appoint for the purpose.
- (d) While holding an enquiry or trying any dispute, the Appellate Authority shall exercise the powers vested on it under sub-sections (1), (2) and (3) of section 20.

CHAPTER-VIII

Miscellaneous

9. Appointment of Agent:

- (a) The owner of a fishing vessel may appoint an agent to represent his/their interest in the matter of—
 - (i) registration of fishing vessel by Authorized Officer;
 - (ii) grant/renewal of fishing licence by Authorized Officer;
 - (iii) appeal against any order or action of Authorized Officer or Adjudicating Officer.

Appointment of an agent for the purpose, as aforesaid shall be made by the owner of the fishing vessels 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 Regulation.

- (b) Application for appointment of an agent, as provided for in sub-rule (a) 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 (a) of rule 9.
- (c) Any direction or instruction or order issued by or served by Authorized 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 Authorized 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 the owner 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.25/- (twenty five) per copy.

11. Service of instruction or direction or order

- (a) Any instruction or direction or order of the Authorized 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 of fishing vessel, individually and separately.

- (b) Such communication of direction or instruction or order shall be made in either of the two means, namely:
- (i) 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
 - (ii) through postal service with acknowledgement due.
- (c) 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 effect 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.
- (d) The Authorized 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

- (a) 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 lie before –
- (i) an Adjudicating Officer excepting from an absolute order of Authorized Officer, or
 - (ii) an Appellate Authority excepting from an absolute order of Adjudicating Officer.
- (b) Every application for appeal shall be submitted before the competent authority by–
- (i) the owner of the fishing vessel, or
 - (ii) an agent, appointed for the purpose, by owner 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 of the fishing vessel.
- (c) 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 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.
- (d) Every application for appeal shall comprise –
- (i) one certified copy of the order (obtainable from Authorized Officer or Adjudicating Officer issuing the order) appealed against:
 - (ii) one application stating—
 - (a) ground(s) of appeal
 - (b) relief prayed for and
 - (c) justification and/or reasons for delay in preferring appeal.
 - (iii) 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 (C) the provisions of sub-clause (iii) of clause (b) of sub-rule (d) shall not operate.

- (iv) 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 Authorized Officer is presented before the Adjudicating Officer, the provisions of clause (s) of sub-rule (d) 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 (5) of section 18, has dispensed with the deposit of penalty or fine by the owner of fishing vessel prior to preferring appeal, the provisions of clause (iv) of sub-rule (d) of rule 12 shall not operate.

13. Enquiry by the Adjudicating Officer under section 17

- (a) On receipt of a report from Authorized Officer or from any other source about violation or contravention of any of the provisions of the Regulation by the owner 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 Regulation and satisfy himself about the act of violation or contravention of the Regulation, as reported.
- (b) If, on examination, it appears that there exists, prima facie, an instance of violation or contravention of the Regulation. 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 Regulation is—

- (i) due to ignorance of the owner of the fishing vessel or the crew or the fishermen on board the fishing vessel and not willful, and
- (ii) arising out of a situation beyond control of the owner of the fishing vessel or the crew or the fishermen on board the fishing vessel.
- (c) 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 of the fishing vessel or to his/their appointed agent if one such agent exists, directing appearance before the Adjudicating Officer.
- (d) A notice under the sub rule (c) shall be served in Form No. MFR-12.
- (e) Should a situation so required the Adjudicating Officer shall fix subsequent date, time and place of hearing and declare the same in presence of the owner of the fishing vessel or the appointed agent.
- (f) The Adjudicating Officer may adjourn or postpone hearing if he considers it necessary.
- (g) The Adjudicating Officer shall direct the Authorized 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.
- (h) While holding enquiry under section 16, the Adjudicating Officer shall, apart from considering written statement in defence, give every opportunity to the owner of the fishing vessel of being heard either personally or through appointed agent.

- (i) The Adjudicating Officer, after satisfying himself about service of notice under sub-rule (c) read with sub-rule (d) and sub-rule (j) and receipt thereof by the concerned party, may decide the issue ex-parte and pass order under section 17. on the point at issue.
- (j) While serving a notice under sub-rule (d) or communicating an order issued under section 17, the Adjudicating Officer shall follow the procedure laid down in Rule 11.

14. Hearing of appeal application

- (a) An appeal application preferred in violation of procedure laid down in Rule 12 shall not lie and does not become maintainable and 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.

- (b) An appeal application found on scrutiny as maintainable will be heard by Adjudicating Officer or Appellate Authority, as prescribed in sub-rule (a) of Rule 12.
- (c) 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.
- (d) Such notice for appearance will be served on appointed agent in prescribed Form No. MFR-13 or, when served on the owner of fishing vessel, in Form No. MFR-14.
- (e) In the matter of serving notice in either Form No. MFR-13 or Form No.14, the procedure laid down in rule 11 shall be followed.
- (f) In hearing an application for appeal or issuing an order thereon, the Adjudicating Officer or the appellate 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.

15. Leasing of Sea Area for fish culture or installation of fish aggregating devices

- (a) The Director of Fisheries, Andaman and Nicobar Islands shall be the Leasing Officer for lease of sea areas on the basis of recommendation of the committee constituted for the purpose.
- (b) The Director of Fisheries shall issue an advertisement incorporating the terms and conditions of the Government for leasing of such sea areas in the leading newspapers calling applications from interested persons, firms and organization. The application shall be submitted by the interested persons, firms and organization in the forms as may be prescribed by the Director of Fisheries.
- (c) The evaluation of applications and selection of eligible persons, firms and organization for lease of sea area shall be done by a committee comprising of the following:
 - (i) Secretary (Fisheries) — Chairman
Andaman and Nicobar Administration
 - (ii) Deputy Commissioner of the concerned District — Member
 - (iii) Chief Port Administrator — Member
Andaman and Nicobar Administration

Sub-Section (2)
(e) of section 4
of regulation.

- (iv) Chief Wildlife Warden — Member
Andaman and Nicobar Islands
- (v) Technical Expert from any Central Govt. — Member
Organization or Ministry of Agriculture, GOI
- (vi) Director of Fisheries — Member Secretary
Andaman and Nicobar Administration
- (d) The Committee shall lay down the terms and conditions for leasing of sea area and the same shall be published by the Director of Fisheries while inviting applications.
- (e) The terms and conditions of lease and conditions for implementation or monitoring of the project shall be specified by the Director of Fisheries while leasing the sea areas to the selected person, firm and organization.
- (f) The detail of sea areas identified for leasing for fish culture or installation of fish aggregating devices shall be as listed in Schedule - V, annexed with these rules.

Sub-Section (2) (b) and (2) (f) of section 4 of regulation.

16. Transportation of Fish or fish product from the islands

- (a) Any person, trader, fish vendor or any organization engaged in transport of fish or fish products outside the jurisdiction of the islands shall register his or her name with the Authorized Officer of his respective area and shall pay royalty to the Director of Fisheries as prescribed in Schedule- VI annexed with these rules.
- (b) 100% Export Oriented Units (EOU's) possessing valid green card issued by the Madras Export Processing Zone (MEPZ) having their establishment or project base in the islands shall be exempted from payment of royalty. However, such units shall furnish the details of export consignment and obtain No Objection Certificate from the Director of Fisheries on consignment basis.
- (c) All Deep sea fishing vessels when engaged in fishing within the territorial waters of Andaman and Nicobar Islands on the basis of fishing licence issued under these rule shall sell prescribed quantity of their catch after each voyage to the Andaman and Nicobar Fisheries Cooperative Federation Ltd. or Fish Processing Industries established in the islands at the prevailing wholesale market price in the local market, unless they are exempted by the Administrator, Andaman and Nicobar Islands.
- (d) Any person, trader, fish vendor or any organization including owner of fishing vessel shall not engage himself in exporting the juveniles or brood stock of the below mentioned crustaceans and fish from the jurisdiction of the islands.

(A) Lobster

- (i) "Panulirus polyphagus 300 grams as whole chilled frozen, 250 grams as whole cooked; 90 grams as tail"
- (ii) P. homarus 200 grams as whole live, chilled or frozen; 170 grams as whole cooked; 50 grams as tail"
- (iii) P. Ornatus 500 grams as whole live, chilled or frozen; 425 grams as whole cooked; 150 grams as tail"
- (iv) Thenus orientalis 150 grams as whole; 45 grams as tail".
- "Note: "as tail" means without head.

(B) Crab

- (i) *Scylla serrata* - 8.4 cm carapace width (CW) whole live, chilled or frozen.
- (ii) *S. tranquebarica*-12.3 cm(CW) whole, chilled or frozen.
- (iii) All crab with the egg mass in abdomen.

(C) Grouper

- (i) All groupers (except Giant Grouper “*Epinephelus lanceolatus*” banned under Wild Life (Protection) Act, 1972) less than 30 cm overall length, whole live, chilled or frozen.

(D) Shrimp Brooders (Live)

- (i) *Penaeus monodon*. *Penaeus merguensis*

(E) Pearl Oyster

- (i) *Pinctada margaritifera*

Provided that such export outside the jurisdiction of the islands by any organization of State or Central or Public Undertaking is purely for research or scientific purpose, shall obtain permission from the Director of Fisheries.

- (e) Person, trader, firm or organization shall not import any species of fish (live) fresh water or marine including its juvenile or seedlings whether indigenous or exotic to the islands.

Provided such import is allowed for research or scientific or demonstration purpose by the Director of Fisheries on production of necessary quarantine clearance issued in respect of the consignment by the competent authority.

17. Closed season for fishing

- (a) The following periods shall be a closed season for fishing in the Territorial Water of Andaman and Nicobar Islands.
 - (i) The period commencing from 15th day of April to 31st day of May every year (inclusive of the day of commencement and day of expiry) shall be a closed season for fishing vessels employing bottom trawling gear and for shark fishing.
 - (ii) The period commencing from 1st day of May and expiring on 30th day of September (inclusive of the day of commencement and day of expiry) during every year shall be the closed season for fishing sea shells.

Provided that any person or organization of State or Central or Public Undertaking intend to collect sea shells for purely research and scientific purpose, shall obtain necessary prior permission from the Director of Fisheries.

18. Prohibition in use of fishing gear

- (a) The following fishing gears specified below is prohibited to be used in the Territorial Water of Andaman and Nicobar Islands.
 - (i) Barrier net or behundi net or any other bag net made of mosquito netting or cloth for the purpose of catching any kind of fish including seedlings in the coastal areas, estuary mouth and creeks.

- (ii) Fishing by using knotless gill net made of monofilament twine locally known as "Plastic Jal" for catching of any kind of fish including seedlings in the coastal areas, estuary mouth and creeks.
- (iii) Use of fishing net or part of fishing net having mesh size below 20 mm. for catching any kind of fish.
- (iv) Use of any such fishing gear which involves anchorage for fishing in the coral reef areas.

19. Prohibition in catching of certain species of fish

- (a) The following species of fish is prohibited for catching in the Territorial Water of Andaman and Nicobar Islands
 - (i) Catching or collection of all animals covered under Wildlife (Protection) Act, 1972 (Act 53 of 1972) which includes fish, crustacean, shell fish, sea-cucumber (beche-de-mer), Sea grasses and Corals (dead or living).
 - (ii) Catching or collection of all marine ornamental fishes. (Explanation: Marine Ornamental Fish means and include Butterfly, Scorpion, Damsel, Parrot, Angel, Doctor, Puffer, Cat Fish, Surgeon, Sea anemone, Clown fish, Turbo worm, Sponges and any other fishes as may be specified by Notification in the Official Gazette from time to time).

Provided that any person or organization of State or Central or Public Undertaking intending to collect the said species for purely research and scientific purpose, shall obtain necessary permission from the Director of Fisheries.

- (iii) Catching or collection of brooders, juveniles and under size species which has a weight or length less than that specified below against each:
 - (a) Lobster
 - (i) "Penulirus polyphagus" 300 grams as whole.
 - (ii) *P. homarus* 200 grams as whole.
 - (iii) *P. ornatus* 500 grams as whole.
 - (iv) *Thenus orientalis* 150 grams.
 - (b) Crab
 - (i) *Scylla serrata* - 8.4 cms. carapace width (CW) whole live.
 - (ii) *S. tranquebarica* - 12.3 cm (CW) whole.
 - (iii) All crab with the egg mass in abdomen.
 - (d) Grouper
 - (i) All species of groupers (except Giant Grouper "Ephinephelus lanceolatus" covered under Wild Life (Protection) Act. 1972) less than 30 cm overall length.

20. Prohibition in fishing in a specified area

- (a) The following areas specified is prohibited for fishing in the Territorial Water of Andaman and Nicobar Islands
 - (i) Areas falling within in the port limits as defined in the Indian Ports Act 1908 (15 of 1908)

- (ii) Areas reserved for Aboriginal Tribes of the Islands under the Andaman and Nicobar Islands (Protection of Aboriginal Tribes) (Regulation) 1936 (Regulation No 3 of 1956)
- (iii) Areas Protected or Prohibited in the Islands under the Wildlife (Protection) Act, 1972.

Nothing contained in the said rule shall apply to any class or classes of fishing vessels for innocent passage to carry out fishing in permitted areas.

Sd/-
(Prof. Ramchandra Ganesh Kapse)
Lieutenant Governor,
Andaman and Nicobar Islands.

By order and in the name of the Lt. Governor.

Sd/-
(Theresa Sandanam)
Assistant Secretary (Fy.)

SCHEDULE-I

See Rule 3(e)

List of Standard Forms and Prices Thereof

Form Number	Particulars	Price in Rupees
MFR-1	Application for registration of mechanized fishing vessel	10.00
MFR-2	Application for registration of non mechanized fishing vessel	5.00
MFR-3	Certificate of Registration of fishing vessel	Nil
MFR-4	Application for transfer of ownership of mechanized fishing vessel	10.00
MFR-5	Application for transfer of ownership on non mechanized fishing vessel	5.00
MFR-6	Application for change of Authorized Officer	5.00
MFR-7	Application for replacement of Engine	10.00
MFR-8	Application for grant/renewal of fishing licence	5.00
MFR-9	Licence for undertaking fishing activity	Nil
MFR-10	Monthly return of fishing vessel	Nil
MFR-11	Application for appointment of agent	10.00
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
MFR-15	Format of Register for Registration of Fishing Vessels	Nil
MFR-16	Format of Register for issue of Fishing Licences	Nil
MFR-17	Format of Register for grant of Identity Cards to Fishermen, Crew members and Divers	Nil
MFR-18	Format of Seizure List	Nil

- Note:** 1. Form No. MFR-10 will be issued by the Authorized Officer free of cost as specimen copy alongwith licence in Form No. MFR-9.
2. Form No. MFR-1 to MFR-18 Annexed.

Sd/-
(Prof. Ramchandra Ganesh Kapse)
Lieutenant Governor,
Andaman and Nicobar Islands.

By order and in the name of the Lt. Governor.

Sd/-
(Theresa Sandanam)
Assistant Secretary (Fy.)

FORM NO.-MFR-I

See Rule 3 (d)

**Application for Registration of Mechanised / Motorized
Fishing Vessel****Serial No.:**
Office of Issue:**Price: Rs.**
Date of Issue:**PART-I**

To be filled in by owner(s) of vessel

To

The Authorized Officer

With reference to section 9(1) of Andaman and Nicobar Islands Marine Fishing Regulation 2003 read with rule 3 (d) of the rules framed thereunder. I/We apply for registration of a mechanized / motorized fishing vessel owned by me / us. Necessary particulars for this purpose are furnished below:

1. Name of owner	:
2. Father's name	:
3. Present address	:
4. Particulars of hull	:
(i) Manner of acquisition	:
(ii) Construction material	:
(iii) Principal dimensions (in 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	:
<hr/> Total	:
9. Name of Authorized Officer	:
10. Type of fishing	:

11. Name of fishing vessel :

- (a)
- (b)
- (c)
- (d)

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:

Place:

Signature of the Owner

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 Regulation and Rules and the orders issued under the said Rules and agree to abide by them.

I/We agree and accept that the Authorized 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 Regulation and Rules, and
 - (b) any commercial activity not connected with fishing.

Date:

Place:

Signature of the Owner(s)

Note:

- (a) Application should be submitted to the respective Authorized Officer with reference to the Authorized Officer 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 owners should sign the application and verification both.
- (c) When a vessel is a survey vessel or research vessel owned by central government or a state government or a public undertaking as defined and explained in section 22(1) of the Regulation, this is not necessary.
- (d) Evidence, to be produced to the satisfaction of Authorized 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 Authorized Officer with reference to its definition in rule 2(f) 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 Authorized 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 Authorized Officer will ask for further names.
- (j) Registration fee should conform with the rate prescribed in rule 3 (f) of the Rules.
- (k) The expressions "Regulation" and "Rules" wherever occur in this application form denote "Andaman and Nicobar Islands Marine Fishing Regulation 2003" and Andaman and Nicobar Islands Marine Fishing Rules, 2004 respectively.

PART-II

To be filled in by Authorized Officer and sent to Fishery Officer for report in

PART-III

Memo No.

Dated

To

Name:

Designation:

The Fishery Officer

.....

Please comment on the names proposed vide column No. 11 in Part 1 of the application and verification of correctness of particulars furnished by the owner.

Authorized Officer

PART-III

To be filled in by Reporting Officer (For Part II) and returned back to Authorized Officer

Memo No.

Dated

To

The Authorized Officer

.....

1. The factual position of correctness of information furnished by owner in Part No. (1-12) verified and found correct.
2. The factual position could not be verified due to following reasons.
3. Particulars of registration in respect of this fishing vessel may be intimated in Form No. MFR-3 for record.
4. This disposes your memo No dated

Name:

Designation:

Fishery Officer

PART-IV

Notes and Orders of Authorized 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. Allotted name & Registration No 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 rejection of application, stating grounds as recorded in item 5 above under intimation to the Adjudicating Officer as required under rule
7.
(any other order)

Date:

Signature of Authorized officer

- Note:**
1. Authorized 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 name in the application form and orders, if any, of the Authorized Officer should be communicated to him.

FORM NO.-MFR-2

See rule 3 (d)

Application for Registration of Non-Mechanised Fishing Vessel

Serial No.:

Price: Rs.

Office of Issue:

Date of Issue:

PART-I

To be filled in by owner(s) of vessel

To

The Authorized Officer

.....

Sir,

With reference to section 9(1) of Andaman and Nicobar Islands Marine Fishing Regulation 2003 read with rule 3(d) 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 | : |
| 2. Father's name | : |
| 3. Present address | : |
| 4. Particulars of hull | : |
| (i) Manner of acquisition | : |
| (ii) Principal dimensions (in metre) | : |
| Overall length | : |
| Maximum breadth | : |
| Draught | : |
| 5. Year of acquisition/construction of hull | : |
| 6. Cost details (Rs.) | : |
| Hull | : |
| Other cost | : |
| <hr/> | |
| Total | : |
| <hr/> | |
| 7. Name of Principal Fishing Base | : |
| 8. Type of fishing | : |
| (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:**Place:****Signature of the 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 provisos of the Regulation and Rules and the orders issued under the said Rules and agree to abide by them.
3. I/We agree and accept that the Authorized 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 Regulation and Rules, and
 - (b) any commercial activity not connected with fishing.

Date:

Place:

Signature of the Owner(s)

Note:

- (a) Application should be submitted to the Authorized Officer in relation with the Authorized Officer 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 owners should sign the application and verification both.
- (c) When a vessel is a survey vessel or research vessel owned by central government or a state government or a public undertaking as defined and explained in section 22(1) of the Regulation, this is not necessary.
- (d) Evidence to be produced to the satisfaction of Authorized 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(f) 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 (f) of the Rules.
- (i) The expressions "Regulation" and "Rules" wherever occur in this application form denote "A&N Islands Marine Fishing Regulation, 2003 and Andaman and Nicobar Islands Marine Fishing Rules, 2004" respectively.

PART-II

Notes and Orders of Authorized 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 the Money Receipt towards deposit of Registration fee alongwith 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(g).
 7.
(any other order)

Date:

Signature of Authorized Officer

- Note:**
1. Authorized 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 name in the application form and orders, if any, of the Authorized Officer should be communicated to him.

FORM NO.-MFR-3

See Rule 3 (g)

Certificate of Registration of Fishing Vessel

- 1 Registered name (for mechanized vessel) only. :
 2. Registration number :
 3. Year of Registration :
 4 Name(s) of owner(s) :
 5. Address(es) of owner(s) :
 6. Authorized Officer :
 7. Type of vessel :
 8. Description of vessel :
 (i) Construction material :
 (ii) Overall length :
 (iii) Maximum breadth :
 (iv) Draught :

For Mechanized vessel only

9. Gross tonnage :
 10. Particulars of engine :
 (i) Brand name :
 (ii) Model name and/or numbers :
 (iii) Engine numbers :
 (iv) Horse power :

Previous registration issued to this fishing vessel vide Registration numbers has been cancelled in terms of rule 3(h) of Andaman & Nicobar Islands Marine Fishing Rules, 2004. (Strike off if not applicable).

Instruction: 1. Mechanized fishing vessel must prominently display registered name close to the port side and starboard side lamps, (see rule 3(j) for further details).

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

Official seal**Signature of Authorized Officer****Date:**

Note: For item No. 7 write either (i) mechanized fishing vessel or (ii) non-mechanized fishing vessel as the case may be.

Memo No.

Dated

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

Forwarded to the Assistant Director of Fisheries for record.

This disposes his memo dated

Official seal**Signature of Authorized 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

See Rule 3 (d)

Application for Transfer of Ownership of Mechanised Fishing Vessel

Serial No.:

Price: Rs.

Office of Issue:

Date of Issue:

PART-I

To be filled in by owner(s) of vessel

To

The Authorized Officer

.....

Sir,

With reference to section 3(4) of Andaman and Nicobar Islands Marine Fishing Regulation 2003, I/We apply 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 Authorized Officer of the fishing vessel from (base station) in (district) to (base station) in (district). Necessary particulars for the purpose are furnished below:

1. Name of owner :
 2. Father's Name :
 3. Present address :
 4. Name of Principal Fishing Base :
 5. Name of fishing vessel :
- (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:**Place:****Signature of the 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 provisos of the Regulation and Rules and the orders issued under the said Rules and agree to abide by them.
3. I/We agree and accept that the Authorized 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 Regulation and Rules, and
 - (b) any commercial activity not connected with fishing.

Date:

Place:

Signature of the Owner(s)

Note:

- (a) Application should be submitted to the Authorized 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 a survey vessel or a research vessel owned by central government or a state government or a public undertaking as defined and explained in section 22(1) of the Regulation, this is not necessary.
- (d) Evidence, to the satisfaction of Authorized Officer, is necessary.
- (e) State name of Principal Fishing Base with reference to its definition in Rule 2(f) of the Rules.
- (f) Suggest 4 names in order of preference. Subject to availability for the purpose of allotment Authorized Officer will allot one name keeping in view the order of preference of owner. If none of the 4 names is available for allotment, Authorized Officer will ask for further names.
- (g) Prescribed fee should conform with the rate prescribed in rule 3 (f) of the Rules.
- (h) The expressions "Regulation" and "Rules" wherever occur in this application form denote "Andaman and Nicobar Islands Marine Fishing Regulation, 2003 and Andaman and Nicobar Islands Marine Fishing Rules, 2004" respectively.

CERTIFICATE

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)

PART-II

To be filled in by Authorized Officer and sent to Fishery Officer for report in

PART-III

Form No.:

Dated:

To

Name:

Designation:

Fishery Officer

.....

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

Authorized Officer**PART-III**

To be filled in by Reporting Officer (for Part II) and returned back to Authorized Officer

Form No.:

Dated:

To

The Authorized Officer,

.....

1. There is nothing adverse on record which may impair transfer of ownership applied for. Transfer of ownership accepted in cancellation of existing registration as required in rule 3 (h) of the Rules.
2. Certificate of Registration, duly cancelled at this end, is returned and re-allotted to new owner.
3. Particulars of registration in respect of this fishing vessel may be intimated in Form No. MFR-3 for record.
4. This disposes his memo No dated

Fishery Officer

Note: Reporting Officer must delete the different items appropriately as the situation would call for.

PART-IV**Notes and Orders of Authorized 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 Authorized Officer. Issue Certificate of Registration in form No. MFR-3 under intimation to reporting officer in Part III of the application form.

Allot Number as stated by reporting officer in Part III of the application form Return to the applicant(s) the following:

- (i) Money Receipt
- (ii) New certificate of Registration
- (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 Authorized Officer is rejected on the following ground(s).

Inform applicant(s) about rejection of application, stating the ground as recorded in item 6 above, with intimation to the Adjudicating Officer as required under rule 3(h).

.....

(any other order)

Date:

Signature of Authorized Officer

Note: Authorized Officer must delete the items appropriately under his dated initial so that his order becomes clear and specific.

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 name in the application form and orders, if any, of the Authorized Officer should be communicated to him.

FORM NO.-MFR-5

See Rule 3 (d)

**Application for Transfer of Ownership of Non-Mechanised
Fishing Vessel**Serial No.:
Office of IssuePrice: Rs.
Date of Issue:**PART-I**

To be filled in by owner(s) of vessel

To
The Authorized Officer

.....

Sir,

With reference to section 3(4) of Andaman and Nicobar Islands Marine Fishing Regulation 2003. I/We apply for transfer of ownership of fishing vessel bearing Registration Number

.....

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 Authorized Officer of the fishing vessel from (base station) to (base station) in (district).

Necessary particulars for the purpose of (i) transfer of ownership and (ii) change or Authorized Officer are furnished below:

1. Name of owner :
2. Father's Name :
3. Present address :
4. Name of Authorized Officer :

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

Date:**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 Regulation (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 Authorized 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 Regulation and Rules, and
 - (b) any commercial activity not connected with fishing.

Date:**Place:****Signature of the Owner(s)****Note:**

- (a) Application should be submitted to the Authorized 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 a survey vessel or a research vessel owned by central government or a state government or a public undertaking as defined and explained in section 22(1) of the Regulation, this is not necessary.
- (d) Evidence, to the satisfaction of Authorized Officer, is necessary.
- (e) State name of Principal Fishing Base with reference to its definition in rule 2(f) of the Rules.
- (f) Prescribed fee should conform with the rate prescribed in Rule 3 (f) of the Rules.
- (g) The expressions "Regulation" and "Rules" wherever occur in this application form denote "A&N Islands Marine Fishing Regulation, 2003 and A&N Islands Marine Fishing Rules, 2004" respectively.

CERTIFICATE**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 Authorized Officer and sent to Fishery Officer for report in Part III

Memo No.:

Dated:

To

The Fishery Officer,
.....

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

Authorized Officer

PART-III*

To be filled in by reporting officer (for part II) and returned back to Authorized Officer

Memo No.:

Dated:

To

The Authorized Officer,
.....

1. There is nothing adverse on record which may impair transfer of ownership applied for. Transfer of ownership accepted in cancellation of existing registration as required in rule 3 (h) of the Rules.
2. Certificate of Registration, duly cancelled at this end, is returned and re-allotted to new owner.
3.
(any other remarks)
4. This disposes his memo No dated

Authorized Officer

PART-IV**Notes and Orders of Authorized Officer**

1. 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
 - (ii) New Certificate of Registration
 - (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 ground(s).
6. Inform applicant(s) about rejection of application, stating the ground as recorded in item 5 above, with intimation to the Adjudicating Officer as required under rule 3(h).
7.
(any other order)

Date:

Signature of Authorized Officer

- Note:**
1. Authorized 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 the Authorized Officer should be communicated to him.

FORM NO.-MFR-6

See Rule 3(d)

Application for Change of Principal Fishing Base**Serial No.:****Price: Rs.****Office of Issue:****Date of Issue:****PART-I**

To be filled in by owner(s) of vessel

To

The Authorized Officer

.....

With reference to section 3(4) of Andaman and Nicobar Islands Marine Fishing Regulation 2004, I/We apply for changing Authorized Officer of (b) mechanized/non-mechanized fishing vessel bearing Registration Number and carrying (c) Registered Name

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

(a) Prescribed fee for changing the registered Authorized Officer 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:**Place:****Signature of the Owner(s)**

- Note:**(a) Application should be submitted to the Authorized Officer in relation to the Principal Fishing Base to which a change has been proposed. For further details see definition in rule 2(f) of the Rules.
- (b) Strike out appropriately.
- (c) Not applicable in case of Non-mechanized fishing vessel.
- (d) State name of Principal Fishing Base with reference to its definition in rule 2(f) of the Rules.
- (e) Prescribed fee should conform with the rate prescribed in rule 3(f) of the Rules.

PART-II

To be filled in by Authorized Officer and sent to Fishery Officer for report

Memo No.:

Dated:

To

The Fishery Officer,
.....

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

Authorized Officer

Note: See Note below Part III.

PART-III

To be filled in by reporting officer (for part II) and returned back to Authorized Officer

Memo No.:

Dated:

To

The Authorized Officer,
.....

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 cancelled in Form No. MFR-3 for record.
4. This disposes his memo No dated

Fishery Officer

***Note:** Part II and Part III of the application form is not necessary if the change in Authorized Officer does not necessitate a change in Authorized Officer. In such an event Authorized Officer will make necessary correction in Column No. 6 of Certificate of Registration (Form No. MFR-3) and send an intimation in this regard to the Fishery Officer for record.

PART-IV

Notes and Orders of Authorized Officer

1. Verified and confirmed receipt of prescribed fees vide Money Receipt No dated as stated in the application.
2. Accepted application for change of Authorized Officer and made necessary correction in column No. 6 of Certificate of Registration.
3. Return to the applicant (s) the following:
 - (i) Money receipt
 - (ii) Certificate of Registration duly cancelled
 - (iii) "intimation letter to Authorized Officer of proposed base port.
4. Application for change of Authorized Officer is rejected on the following ground(s).
5. Inform applicant(s) about rejection of application, stating the ground as recorded in item 5 above, with intimation to the Adjudicating Officer as required under rule 3(h).
6.
(any other order)

Date:

Signature of Authorized Officer

- Note:**
1. Authorized 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, 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 the Authorized Officer should be communicated to him.

FORM NO.-MFR-7

See Rule 3 (d)

Application for Replacement of Engine

Serial No.:

Price: Rs.

Office of Issue:

Date of Issue:

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

To

The Authorized Officer

.....

With reference to section 3(4) of Andaman and Nicobar Islands Marine Fishing Regulation Rules, 2004, I/We apply for replacement of engine installed in my/our fishing boat bearing Registration Number 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 and Certificate of Registration of the fishing vessel are enclosed herewith for verification and return thereafter.

Date:**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.

Date:**Place:****Signature of the Owner(s)****Note:**

- (a) Application should be given to same authority which issued Certificate of Registration.
- b&c) Full name and complete address respectively of transferrer(s).
- d) Fee should conform with the rate prescribed in rule 3 (f) of the Rules.

PART - II**Notes and Orders of Authorized Officer**

1. Verified and confirmed receipt of prescribed fees 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 of MFR-3 and sub columns thereunder of 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 the Adjudicating Officer as required under rule 3(h).
6.
(any other order)

Date:

Signature of Authorized Officer

- Note:**
1. Authorized 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. 3 in part II should be returned to the person first named in the Certificate of Registration and orders, if any, of the Authorized Officer should be communicated to him.

FORM NO.-MFR-8

See Rule 4(f)

Application for Grant/Renewal of Fishing Licence

Serial No.:

Price: Rs.

Office of Issue:

Date of Issue:

PART-I

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

To

The Authorized Officer

.....

With reference to section 6(1) of Andaman and Nicobar Islands Marine Fishing Regulation 2003, read with rule 4(f) of the items framed thereunder. I/We apply for grant/renewal of fishing licence. Necessary particulars for this purpose are furnished below:

1. Name of fishing vessel :
2. Registration Number :
3. Registering authority :
4. Principal fishing base :
5. Fishing licence number (if any) :
6. Date of expiry of fishing licence :
7. Type of fishing proposed :
8. Specified area applied for :
9. Number of fishermen and crew on board :
10. Particulars of insurance coverage for the fishing vessel
 - (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 :
11. Particulars of the crew member / fisherman or diver engaged onboard the vessel

S.No.	Name and Father's name	Age	Address	Status	Id. Card No. in case of renewal
(a)					
(b)					
(c)					
(d)					
(e)					
(f)					

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

(i) Licence fee for vessel	:	Rs. _____
(ii) Id card fee for _____ nos. of crew / fisherman	:	Rs. _____
(iii) Renewal fee	:	Rs. _____
(iv) Penalty for delay / month	:	Rs. _____
Total	:	Rs. _____

Certificate of Registration and the insurance policy referred to in item 10 and 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 fisherman or crew unless the said fishermen or crew 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-mechanized one).

Date:

Place:

Signature of the 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 Andaman and Nicobar Marine Fishing Regulation 2003 or
 - (ii) Authorized Officer in relation to the Principal Fishing Base mentioned in column No. 4 of the application where the vessel is registered under any other appropriate Regulation or law, for the time being in force.
 - (b) Not required in case of a non-mechanized fishing vessel.
 - (c) Write full details if the vessel is not registered under Andaman and Nicobar Islands Marine Fishing Regulation 2003.
 - (d) State name of Principal Fishing Base with reference to its definition in rule 2 (f) 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 gill netting, fixed bag netting, trawling, purse seining, hook & lining etc.
 - (g) See rule 5 (a) of the Rules and write "Fishing Zone" accordingly.
 - (h) Strike out if the fishing vessel is a non-mechanized one.
 - (i) Fee should confirm with the rate prescribed in schedule III of the Rules.
 - (j) Delete when a new licence is applied for.

PART-II

Notes and Orders of Authorized 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 of fishing licence for during the current financial year i.e (specified area) is
4. Alongwith 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(j).
7.
(any other order)

Date:

Signature of Authorized Officer

- Note:**
1. Authorized 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 II should be returned to the person first named in the Certificate of Registration and orders, if any, of the Authorized Officer should be communicated to him.

FORM NO.-MFR-9

See Rule 4(i)

Licence for Undertaking Fishing Activity

Form-MFR-8. Sl. No. _____ Fee collected Rs. _____

Fishing Licence No. _____

Date of Issue: _____

Subject to various provisions of Andaman & Nicobar Islands Marine Fishing Regulation, 2003 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 mechanized one, till expiry of licensing period, licence for fishing is hereby granted as below:

1. Name of fishing vessel :
(for mechanized vessel only)
2. Registration Number :
3. Registration Authority :
4. Type of fishing authorized :
5. Specified area of fishing :
6. Date of expiry of fishing licence :
7. Particulars of the crew members,
divers and fishermen onboard
the vessel

S.No.	Name and Father's name	Age	Address	Status	Id. Card No.
(a)					
(b)					
(c)					
(d)					
(e)					
(f)					

Official Seal:**Date:****Signature of Authorized Officer**

Subject to the terms and conditions given overleaf, fishing licence is hereby renewed up to the date stated last in the table below:

Sl.No.	Date	Signature of Authorized Officer with his Official Seal
1.		
2.		
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 Andaman & Nicobar Islands Marine Fishing Regulation. 2004.
 - (ii) shall submit in prescribed form No. MFR-10 a monthly return within 10 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 agent 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 utilized for gain in such a manner which is not connected with fishing activity.
3. Fishing vessel shall be painted a distinctive mark of 1 ft. yellow border all along the hull above the water line and also shall fly Indian National Flag while engaged in fishing activities at sea.
4. Fishing vessel shall be fitted with sufficient life saving and fire fighting appliances and communication safety devices.
5. The owner / person incharge of the fishing vessel shall keep the licence during fishing and shall produce it for inspection on demand to the control and surveillance authority like Navy. Coast Guard, Port Management Board and Fisheries Department or their authorized representatives.
6. The owner / incharge of the vessel shall not operate the vessel for fishing in coral reef areas, tribal belt of the islands, marine national parks / sanctuaries and such other areas may be notified in the official gazette from time to time.
7. The owner / incharge of the vessel shall give the voyage programme including the date of sailing and arrival at the Principal Fishing Base in advance to the Authorized Officer and other authorities. He shall also report his position in the sea from time to time to the Port Management Board, Coast Guard and Director of Fisheries.
8. Fishing vessel, while proceeding to the specified area or returning therefrom, 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 authorized manner in such area.
9. Either of the Authorized Officers listed in Schedule IV of the Rules or any other officer authorized under the Rules shall have the power to enter in the fishing vessel for inspection.
10. 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 6 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 fishing licence, shall amount to unauthorized and illegal fishing.

FORM NO.-MFR-10

See Rule 3(p)

Monthly Return of Fishing Vessel

- | | | | |
|----------------------------------|---|---------------------------|----------------|
| 1. Name of fishing vessel | : | | |
| 2. Month of report | : | | |
| 3. Registration number | : | | |
| 4. Fishing licence number | : | | |
| 5. Description of fishing vessel | : | Mechanized/Non-Mechanized | |
| 6. Number of fishing days | : | | |
| 7. Fuel consumed (in litre) | : | | |
| 8. Catch statistics (in ton) | : | | |
| (i) Prawn | | | |
| (ii) Hilsa | | (viii) | Silver bellies |
| (iii) Sardine | | (ix) | Groupers |
| (iv) Mackerel | | (x) | Snappers |
| (v) Emperors | | (xi) | Caranx |
| (vi) Other perches | | (xii) | Sharks |
| (vii) Cat fishes | | (xiii) | Rays |
| | | Total | |

Certified that no fisherman or crew or diver was deployed on board the vessel 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

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 & 8 should be submitted within 10 days from the last date of month under report.

FORM NO.–MFR–11

See Rule 9(b)

Application for Appointment of Agent

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

Sl.No	Name	Address
(i)		
(ii)		
(iii)		
(iv)		
4. Name and address of agent :
 - (i) Name :
 - (ii) Address :
5. Purpose of appointment of agent :
 - (i) Registration of fishing vessel :
 - (ii) Grant/renewal of fishing licence :
 - (iii) Appeal against order of Authorized 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 Regulation, 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 has/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 accept his appointment as my/our agent.

Date:**Place:****Signature(s) of the Owner(s)****Note:** (a) Application should be addressed to

- (i) Authorized 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-mechanized 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 Authorized 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,

Your 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

See Rule 13(d)

Notice for Settlement of Issues

Memo No.:

Dated:

To

.....

(Name and place of residence)

It appears that you have contravened the provisions of Andaman & Nicobar Islands Marine Fishing Regulation, 2003 for the reasons stated below:

.....
.....

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

An enquiry into the matter under section 16(2) of Andaman & Nicobar Islands Marine Fishing Regulation, 2003 will be held into the matter by the undersigned at (place of enquiry) on (Date) at (Time)

You are hereby directed to appear before the undersigned for the purpose of enquiry, as per schedule before mentioned, either personally or through agent, duly appointed by you in FORM NO.MFR-11 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-11, representation on owner(s) of fishing vessel, by an agent will not be accepted.

FORM NO.-MFR-13

See Rule 14(d)

Notice to Agent for Appearance

Memo No.:

Dated:

To

.....

(Name of agent and his residence)

Whereas you have been appointed as agent by the owner(s) of fishing vessel bearing registration No. and carrying registered name to present him/them and his/their interest in connection with an appeal application preferred by him/them against an order dated or Authorized Officer/Adjudicating Officer and

Whereas your appointment 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 (place of hearing) on (date) at (time) when the 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**

FORM NO.-MFR-14

See Rule 14(d)

Notice to Owner of Fishing Vessel for Appearance

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 Authorized Officer Adjudicating Officer will be heard by the undersigned at (place of hearing) on (date) at (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**

FORM NO.-MFR-15

See Rule 3 (g)

Format of Register for Registration of Fishing Vessel

**NAME OF PRINCIPAL FISHING BASE:
NAME OF FISH LANDING CENTRE / FISHING VILLAGE:**

Regn. No.	Name of the Owner and Father's Name	Present Address	Name of Fishing Vessel	Name of Crew/ Fisherman/ Diver	Manner of Acquisition	Construction Material	Principal Dimensions (in Metre)			Particulars of Engine								
							Overall Length	Maximum Breadth	Draught	Gross Tonnage	Brand Name	Model Name and/ or Number	Engine Number	Horse Power				
															8	9	10	11
1		3	4	5	6	7												

Year of Acquisition/ Construction of Hull	Year of Acquisition of Engine	Cost Details (Rs.)			Type of Fishing Gear Proposed to be Used	Proposed Area of Operation	Remarks	
		Hull	Engine	Other Cost				
16	17	18	19	20	21	22	23	24

FORM NO.-MFR-16

See Rule 6 (k)

Format of Register for Issue of Fishing Licence

NAME OF PRINCIPAL FISHING BASE:

NAME OF FISH LANDING CENTRE / FISHING VILLAGE:

Licence No.	Particulars of Crew / Fishermen / Diver										Particulars of Gears			
	Name of the Owner and Father's Name	Present Address	Name of Fishing Vessel	Name & Father's Name	Age	Address	Name of Nominee for Group Insurance Scheme	Relationship	Address of Nominee	Type of Gear	Total No./Size/Weight	Approx. Cost of the Gear	Proposed Area of Operation	Remarks
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15

FORM NO.-MFR-17

See Rule 4 i (ii)

Format of Register for Grant of Identity Cards to Fishermen, Crew Members and Divers

NAME OF PRINCIPAL FISHING BASE:

NAME OF FISH LANDING CENTRE / FISHING VILLAGE:

Fishing Identity Card No.	Particulars of Crew / Fishermen / Diver									
	Name of the Owner and Father's Name	Present Address	Name of Fishing Vessel	Name & Father's Name	Age	Address	Name of Nominee for Group Accident Insurance Scheme	Relationship	Address of Nominee	
1	2	3	4	5	6	7	8	9	10	

FORM NO.–MFR–18

See Rule 6 (s)

Format of Seizure List

In exercise of powers conferred under Section 14 and Section 15 of the Andaman and Nicobar Islands Marine Fishing Regulation 2003 read with sub-rule (18) of Rules 3, I Smti. / Shri Authorized Officer of Jurisdiction, hereby seize the following items on at from Smti./ Shri owner of fishing vessel having Registration No and fishing licence no

Sl. No.	Item Seized	Specification	Quantity in Nos. / Kgs.	Remarks

Place:

Signature of Authorized Officer
(Name, Seal and Date)

Witness

1. Name, Address and Signature
2. Name, Address and Signature

Copy of Seizure List handed over to Shri Owner / Agent / Crew Member / Fishermen of the seized item.

Received copy

Signature of Owner / Agent / Crew Member / Fishermen
(Name, Address and Date)

Copy to Adjudicating Officer (Director of Fisheries), Andaman and Nicobar Islands, Port Blair.

SCHEDULE-II

See Rule 3 (f)

Fees Payable for Registration, Transfer of Ownership, Change of Principal Fishing Base and Replacement of Engine

Description of Fishing Vessel	Registration	Transfer of Ownership	Change of Authorized Officer	Replacement of Engine
1. Mechanized fishing vessel powered and propelled by an engine				
(i) more than 30 BHP upto 200 BHP (vessels between 15–20 metres OAL)	Rs. 100/-	Rs. 50/-	Rs. 50/-	Rs. 50/-
(ii) more than 200 BHP (vessels more than 20 metres OAL)	Rs. 1000/-	Rs. 100/-	Rs. 100/-	Rs. 100/-
(iii) upto 30 BHP including motorized fishing vessel (vessels upto 15 metres OAL)	Rs. 25/-	Rs. 10/-	Rs. 10/-	Rs. 10/-
(iv) sport fishing vessel	Rs. 1000/-	Rs. 100/-	Rs. 100/-	Rs. 100/-
2. Country craft powered by oars and sails	Rs. 10/-	Rs. 5/-	Rs. 5/-	Rs. 5/-

- Note:** 1. When change of principal base is occasioned through transfer of ownership no fees are separately payable for change of Authorized Officer.
2. The rates are subject to revision under rules 3(f) of Andaman and Nicobar Islands Marine Fishing Rules, 2004.

Sd/-
(Prof. Ramchandra Ganesh Kapse)
Lieutenant Governor,
Andaman and Nicobar Islands.

By order and in the name of the Lt. Governor,

Sd/-
(Theresa Sandanam)
Assistant Secretary (Fy.)

SCHEDULE—III

See Rule 4 (h)

Fees Payable for Fishing Licence, Renewal of Fishing Licence and Penalty for Delay in Renewal of Fishing Licence

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. Mechanized / Motorized fishing vessel		
(i) Upto 30 BHP (vessels upto 15 metres OAL)	Rs. 100/-	Rs. 10/-
(ii) above 30 BHP (vessels above 15 metres OAL)	Rs. 1000/-	Rs. 100/-
(iii) for crew members / fishermen / divers per head	Rs. 10/-	Rs. 2/-
(iv) sport fishing vessel	Rs. 2000/-	Rs. 100/-
2. Non-mechanized boat		
(i) Non-mechanized country crafts powered by oars and sails	Rs. 25/-	Rs. 5/-
(ii) for crew members / fishermen divers	Rs. 10/-	Rs. 2/-

- Note: 1. Renewal of fishing licence is not admissible after expiration of 6 months from the date of expiry of fishing licence.
2. The rates are subject to revision under rule 4(h) of Andaman & Nicobar Islands Marine Fishing Rules, 2004.

Sd/-
(Prof. Ramchandra Ganesh Kapse)
Lieutenant Governor,
Andaman and Nicobar Islands.

By order and in the name of the Lt. Governor.

Sd/-
(Theresa Sandanam)
Assistant Secretary (Fy.)

SCHEDULE-IV

See Rule 3 (c)

**List of Officers Empowered to Act as Adjudicating Officer,
Authorised Officer and Fishery Officer in Respect of
Registration, Transfer of Ownership, Change of Principal
Fishing Base and Replacement of Engine of Fishing Vessel and
Grant / Renewal of Fishing Licence / Identity Card**

Sl. No.	Designation of the Officer	Jurisdictional Zone and Authorized Officer	Fish Landing Centres Covered
1.	Adjudicating Officer Director of Fisheries. Andaman and Nicobar Islands	Whole of the Territorial waters of the Union Territory of Andaman & Nicobar Islands	All Fish landing centres in A&N Islands
2.	Authorized Officer i) Assistant Director of Fisheries (South Andaman)	Authorized Officer within the jurisdiction of South Andaman (Port Blair, Havelock, Neil & Little Andaman)	All fish landing centres in Port Blair, Ferrargunj. Neil, Havelock and Little Andaman
	ii) Assistant Director of Fisheries (Middle & North Andaman)	Authorized Officer within the jurisdiction of Middle & North Andamans (Kadamtalla, Rangat, Billiground, Mayabunder and Diglipur)	All fish landing centres in Kadamtalla, Rangat, Billiground. Mayabunder and Diglipur
	iii) Assistant Director of Fisheries (Nicobars)	Authorized Officer within the jurisdiction of Nicobars District (Car Nicobar, Katchal, Nancowry and Campbell Bay).	All fish landing centres in Car Nicobar, Nancowry Katchal, Great Nicobar
3.	Fishery Officer All Officers of Fisheries Department not below the rank of Assistant Fisheries Guard & not above the rank of Assistant Fisheries Development Officer	As per their places of posting	All fish landing centres in their places of posting

Note: In case of change of Authorized Officer or transfer of ownership and change of Authorized Officer simultaneously, Assistant Director of Fisheries in whose jurisdiction proposed Authorized Officer lies shall act as Authorized Officer.

Sd/-
(Prof. Ramchandra Ganesh Kapse)
Lieutenant Governor,
Andaman and Nicobar Islands.

By order and in the name of the Lt. Governor.

Sd/-
(Theresa Sandanam)
Assistant Secretary (Fy.)

SCHEDULE-V

See rule 15 (f)

Identified Sea Areas for Leasing for Fish Culture or Installation of Fish Aggregating Devices

(a) South Andaman

Location – 1, off Port Blair

Bearings

92° 45' E & 11° 42' N North Bay, 0, 4 km²

and

92° 45' – 46' E & 11° 34' – 38' N Port Blair to Rangachang 7 km² in NNE to SSW in belt 1 km wide.

and

92° 46' – 47' E & 11° 42' – 47' N North Pt. to Cape Masy 9 km² in SN direction.

and

92° 47' – 48' E & 11° 47' – 55' N North of Cape Masy, 14 km² in SN-direction.

Location – 2 off Chidiatapu

Bearings

92° 41' E & 11° 29' N Mac pherson Strait, 4 km²

and

92° 44' – 45' E & 11° 30' – 34' N Chidiatapu to Rangachang, 7 km² in SSW to NNE belt, 1 km wide.

Location – 3 off Havelock Islands

Bearings

92° 55' – 57' E & 12° 01' – 03' N Melville Pt. to Stowe, 13 km²

and

92° 55' – 57' E & 12° 04' – 06' N North to Stowe, W of Nicholson 1st, 13 km²

and

92° 55' – 59' E & 11° 56' – 59' N South of Melville Pt., SW of Havelock, 8 km², in 0.9 km wide belt.

b) Middle Andaman

Location – 1, off Rangat Bay

Bearings

92° 59' – 93° 02' E & 12° 25' – 28' N Outside Rangat Bay, 29 km²

and

92° 59' – 93° 01' E & 12° 30' – 35' N North of Rangat Bay, 32 km²92° 59' – 93° 01' E & 12° 35' – 40' N North of Rangat Bay, 24 km²

and

92° 59' – 93° 01' E & 12° 20' – 25' N South of Rangat Bay, 32 km²

Location – 2, off Mayabunder

Bearings

92° 56' – 59' E Outside Mayabunder Bay, 19 km²

12° 53' – 55' N

and

92° 57' – 59' E & 12° 45' – 52° N

South of Mayabunder Bay, 29 km²

c) North Andaman

Location – 1, off Diglipur, Ariel Bay

Bearings

93° 04' E & 13° 17' N Ariel Bay, 1 km².

and

93° 04' – 05' E & 13° 11' – 16' N

South of Ariel Bay, 9 km² in

1 km wide belt.

Sd/-

(Prof. Ramchandra Ganesh Kapse)

Lieutenant Governor,

Andaman and Nicobar Islands.

By order and in the name of the Lt. Governor.

Sd/-

(Theresa Sandanam)

Assistant Secretary (Fy.)

SCHEDULE-VI

See Rule 16 (a)

**Prescribed Rates of Royalty Payable to Director of Fisheries,
Andaman and Nicobar Islands for Transportation
of Fish and Fishery Products from Andaman and Nicobar Islands
to Outside the Islands**

- | | | | |
|-----|--|---|--------------------------|
| (a) | Shark fins | : | Rs. 50.00 per kg |
| (b) | Prawns, shrimps, lobsters, crabs
(chilled / frozen) | : | Rs. 05.00 per kg |
| (c) | All live fishes including crustaceans,
snappers and groupers (except Giant
grouper "Epinepheleus lanceolatus"
banned under Wild Life (Protection),
Act 1972) | : | Rs. 05.00 per kg |
| (d) | All other fishes (salted / chilled /
frozen) | : | Re. 1.00 per kg |
| (e) | Shrimp nauplii | : | Rs. 6,000.00 per million |
| (f) | Any species of sea shells not covered
under Wild Life (Protection), Act
1972) in raw form | : | Rs. 10.00 per kg |

(2) 100% Export Oriented Units (EOUs) possessing valid green card issued by the Madras Export Processing Zone (MEPZ) having their establishment or project base in the islands shall be exempted from payment of royalty. However, such units shall furnish the details of export consignment and obtain No Objection Certificate from the Director of Fisheries on consignment basis.

Sd/-
(Prof. Ramchandra Ganesh Kapse)
Lieutenant Governor,
Andaman and Nicobar Islands.

By order and in the name of the Lt. Governor,

Sd/-
(Theresa Sandanam)
Assistant Secretary (Fy.)

ANDAMAN AND NICOBAR ADMINISTRATION SECRETARIAT

NOTIFICATION

Port Blair, dated the 22nd July, 2009

No. 89/2009/F.No.3-85/2008-09/TS/DF.— In exercise of the powers conferred under section 3 of the Andaman and Nicobar Islands Marine Fishing Regulation, 2003 (No. 1 of 2003) read with Notification No. 221/2007/F.No.5-1(276)/2002-Dev.I, dated 12th October, 2007, the Lieutenant Governor (Administrator), Andaman and Nicobar Islands is pleased to appoint and include the following Officers to be the Authorized Officer, Marine Engineer and Fishery Officer as mentioned against respective column for the purposes of the said Regulation namely:

(1)	All Station House Officers of Police Department, Andaman and Nicobar Islands and Adhikari Sahayak Engineer / Pradhan Yantrik, Uttam Adhikari / Uttam Sahayak Engineer, Pradhan Adhikari, / Pradhan Sahayak Engineer of Indian Coast Guard.	Authorized Officer for entire Andaman and Nicobar Islands except for registration of fishing vessels, licencing fishing vessels and issuance of ID card.
(2)	An Engineer not below the rank of Junior Engineer (Mechanical) in the Department of Fisheries, Andaman and Nicobar Administration, not below the rank of Assistant Marine Engineer in the Department of Shipping Services, Andaman and Nicobar Administration and an Engineer not below the rank of Service Engineer (Mech.) in the Fishery Survey of India, Government of India.	Marine Engineer
(3)	“Fishery Officer” means an officer of the rank of Assistant Fisheries Guard, Sub-Inspector of Fisheries, Fisheries Inspector, Supdt. of Fisheries, Sr. Fisheries Inspector and Assistant Fisheries Development Officer in the Department of Fisheries, Police Officer of the rank of Head Constable, Asst. Sub-Inspector of Police, Sub-Inspector of Police in the Police Department, Andaman and Nicobar Islands and Forest Officer of the rank of Head Forest Guard, Forester, Dy. Ranger and Forest Ranger in the Forest Department.	Fishery Officer

Sd/-
Lt. Genl. (Retd.) Bhopinder Singh,
Lieutenant Governor (Administrator),
Andaman and Nicobar Islands.

By order and in the name of the Lt. Governor

Sd/-
(V. Krishnamurthy)
Additional Secretary (Fisheries)

ANDAMAN AND NICOBAR ADMINISTRATION SECRETARIAT

NOTIFICATION

Port Blair, dated the 22nd July, 2009

No. 90/2009/F.No.3-85/2008-09/TS/DF.— In exercise of the powers conferred under section 24 of the Andaman and Nicobar Islands Marine Fishing Regulation, 2003 (No. 1 of 2003) read with sub-section (1) (b) and (c) of section 2 of Andaman and Nicobar Islands Marine Fishing (Amendment) Rules, 2007 read with sub-section (e) of section 2 and sub-section (m) of section 4 of Andaman and Nicobar Islands Marine Fishing Rules, 2004, the Lieutenant Governor (Administrator), Andaman and Nicobar Islands hereby makes the following amendment in the Andaman and Nicobar Islands Marine Fishing Rules, 2004. as published in the Andaman and Nicobar Gazette vide Notification No. 103/2004/F.No.5-1(276)/2002-Dev. I, dated 01/06/2004 and Andaman and Nicobar Islands Marine Fishing Rules, 2007 as published in the Andaman and Nicobar Gazette vide Notification No. 222/2007/F.No.5-1(276)/02-Dev. I, dated 12th October, 2007 and notifies as follows:

1. Short Title and Commencement:

- (a) These rules may be called the Andaman and Nicobar Islands Marine Fishing (Amendment) Rules, 2009.
- (b) They shall come into force with effect from the date of publication in the Official Gazette of Andaman and Nicobar Administration.

2. Amendment:

In the Andaman and Nicobar Islands Marine Fishing (Amendment) Rules, 2007 (herein after called said Rules), definition appearing in amendment 2 (1)(b) and (c) and Andaman and Nicobar Islands Marine Rules, 2004, definitions appearing in chapter-I, 2 (e) and in chapter- III, 4 (m) shall be substituted as under:

- (a) “Authorized Officer” means an Officer not below the rank of an Assistant Director of Fisheries in the Department of Fisheries, Andaman and Nicobar Administration, an Officer not below the rank of Adhikari Sahayak Engineer/Pradhan Yantrik, Uttam Adhikari/ Uttam Sahayak Engineer, Pradhan Adhikari/Pradhan Sahayak Engineer, Deputy Commandant in the Indian Coast Guard and all Station House Officers of Police Department, Andaman and Nicobar Islands.
- (b) “Marine Engineer” means an Engineer not below the rank of Junior Engineer (Mechanical) in the Department of Fisheries, Andaman and Nicobar Administration, not below the rank of Assistant Marine Engineer in the Department of Shipping Services, Andaman and Nicobar Administration and an Engineer not below the rank of Service Engineer (Mech.) in the Fishery Survey of India, Govt, of India.
- (c) “Fishery Officer” means an officer of the rank of Assistant Fisheries Guard, Sub-Inspector of Fisheries, Fisheries Inspector, Supt. of Fisheries, Sr. Fisheries Inspector and Assistant Fisheries Development Officer in the Department of Fisheries. Police Officer of the rank of head Constable, Asst. Sub-Inspector of Police, Sub-Inspector of Police in the Police Department, Andaman and Nicobar Islands or Forest Officer of

the rank of Head Forest Guard, Forester, Dy. Ranger and Forest Ranger in the Forest Department.

In the Andaman and Nicobar Islands Marine Fishing (Amendment) Rules, 2007, under subsection 3 (a) of section 2, si. (ii), (iii), (iv) and (v) are inserted as follows:

- 3(a) (ii) Before issuance of fresh fishing license, the Authorized Officer of the Department of Fisheries shall ascertain the antecedents of the applicants from the Police Department of Andaman and Nicobar Islands.
- (iii) “The Authorized Officers from Indian Coast Guard and Police Department, A&N Islands shall have all powers of Authorized Officer under the Regulation and Rules except registration of fishing vessel licensing of the fishing vessel and issuance of ID card.”
- (iv) All fishing licence to be renewed by 31st March, however, fishing licence can be renewed with late fee at the rate prescribed in the amended schedule III annexed with these rules but within one month i.e., by 30th April. After 30th April, the fishing license shall stand cancelled.
- (v) The Crew members/ fisherman/ divers engaged onboard fishing vessel can do fishing from any registered fishing vessel registered under Andaman and Nicobar Islands Marine Fishing Rules, 2004.

Sd/-

Lt. Genl. (Retd.) Bhopinder Singh,
Lieutenant Governor (Administrator),
Andaman and Nicobar Islands.

By order and in the name of the Lt. Governor

Sd/-

(V. Krishnamurthy)
Additional Secretary (Fisheries)

SCHEDULE-III

See Rule 4 (h) & (m)

Fees Payable for Fishing Licence, Renewal of Fishing Licence and Penalty for Delay in Renewal of Fishing Licence

Sl. No.	Description of Fishing Vessel	Fishing Licence/ Renewal of Fishing Licence	Penalty with Late Fee for Delay in Renewal of Licence by on Month or Part thereof
1.	Mechanical/Motorized fishing vessel		
(i)	Upto 30 BHP (vessels upto 15 meters OAL)	Rs. 100/-	Rs. 10/-
(ii)	Above 30 BHP (vessels above 15 meters OAL)	Rs, 1000/-	Rs. 100/-
(iii)	For crew members/fishermen/ drivers per head	Rs. 10/-	Rs. 2/-
(iv)	Sport fishing vessel	Rs. 2000/-	Rs. 100/-
2.	Non-mechanized boat		
(i)	Non-mechanized country crafts powered by oars and sails	Rs. 25/-	Rs. 5/-
(ii)	For crew members/fishermen divers	Rs. 10/-	Rs. 2/-

Note: Renewal of fishing licence with late fee is admissible upto 30th April of each year. After 30th April, the fishing licence shall stand cancelled.

Sd/-
Lt. Genl. (Retd.) Bhopinder Singh,
Lieutenant Governor (Administrator),
Andaman and Nicobar Islands.

By order and in the name of the Lt. Governor
Sd/-
(V. Krishnamurthy)
Additional Secretary (Fisheries)

ANDAMAN AND NICOBAR ADMINISTRATION SECRETARIAT

NOTIFICATION

Port Blair, dated the 14th May, 2004

No.93/2004/F.No.5-1/(276)/2002-Dev.I.—The Andaman and Nicobar Islands Marine Fishing Regulation, 2003 (No.1 of 2003)- Part II — Section I (No. 63 dated 18th December, 2003) is hereby republished for the information of general public.

By order and in the name of the Lieutenant Governor,
Sd/-
(Theresa Sandanam)
Assistant Secretary (Fisheries)

MINISTRY OF LAW AND JUSTICE

(Legislative Department)

New Delhi, the 18th December, 2003/Agrahayana 27, 1925 (Saka)

The Andaman and Nicobar Islands Marine Fishing Regulation, 2003 **No. 1 of 2003**

Promulgated by the President in the Fifty-fourth Year of the Republic of India.

A Regulation to provide for the regulation of sea fishing of fishing vessels in the waters surrounding the Union Territory of the Andaman and Nicobar Islands and for matters connected therewith.

In exercise of the powers conferred by article 240 of the Constitution, the President is pleased to promulgate the following Regulation mad by him:—

CHAPTER—I

Preliminary

Short title, extent and commencement.

1. (1) This regulation may be called the Andaman and Nicobar Islands Marine Fishing Regulation, 2003.
- (2) It extends to the whole of the Union Territory of the Andaman and Nicobar Islands.
- (3) It shall come into force on such date the Administrator may, by notification in the Official Gazette, appoint; and different dates may be appointed for different provisions of this Regulation and any reference in any such provision to the commencement of this Regulation shall be construed as a reference to the coming into force of that provision.

Definitions.

2. In this Regulation, unless the context otherwise requires,—

- (a) “adjudicating officer” means any officer of the Fisheries Department not below the rank of an Assistant Director of Fisheries authorised under section 3 to exercise the powers conferred on, and to discharge the duties imposed upon, such an officer by this Regulation for such areas as may be specified by notification in the Official Gazette.
- (b) “Administration” means the Administration of the Union territory of the Andaman and Nicobar Islands;
- (c) “Administrator” means the Administrator of the Union territory of the Andaman and Nicobar Islands appointed by the President under article 239 of the Constitution;
- (d) “Appellate Board” means the Appellate Board constituted under section 18;
- (e) “authorised officer” means an officer not below the rank of an Assistant Director of Fisheries, authorised by the Administrator by notification in the Official Gazette, to exercise the powers conferred on, and discharge the duties imposed upon such officer by this Regulation;
- (f) “fish” means any vertebrate and invertebrate animal in the sea, and includes fish, crustacean, shellfish, sea cucumber (beche-de-mer), sea grasses and corals (dead or living), excluding the animals covered under the Wild Life (Protection) Act, 1972;
- (g) “Fisheries Department” means the Fisheries Department of the Administration;
- (h) “fishery officer” means an officer of the rank of Assistant Fisheries Guard but not above the rank of Assistant Fisheries Development Officer in the Department of Fisheries or any other officer of the Administration or the Central Government, as may be appointed by the Administrator by notification in the Official Gazette;
- (i) “fishing” means exploitation, catching or collection of vertebrate and invertebrate animals in the sea excluding animals covered under the Wild Life (Protection) Act, 1972, and includes fish, crustacean, shellfish, sea cucumber (bcche-de-mer), sea grasses and corals (dead or living) by applying or operating any fishing gears or culture of fish and its harvest in the waters surrounding the Union territory of the Andaman and Nicobar Islands;
- (j) “fishing gears” in relation to fishing, includes implements, nets, hooks and lines, cages, traps harpoons but does not include the explosives, poisons and chemicals or any other device of mass destruction;
- (k) “fishing vessels” means a ship or boat, whether or not fitted with mechanised means of propulsion, which is engaged in sea fishing for profit and includes a catamaran, country craft, canoe and dinghy engaged in sea fishing;
- (l) “port” means the space within such limits as may, from time to time, be defined by the Administrator, by notification in the Official Gazette, for the purposes of this Regulation;
- (m) “prescribed” means prescribed by rules made under this Regulation;
- (n) “registered fishing vessel” means -
- (i) a fishing vessel registered under section 11 of the Marine Products Export Development Authority Act, 1972;
- (ii) a vessel registered as a fishing vessel under section 9;**

53 of 1972

53 of 1972

53 of 1972

(o) "specified area" means such area or areas in the waters surrounding the Union territory of the Andaman and Nicobar Islands, but not beyond the territorial waters, as may be specified by the Administrator, by notification in the Official Gazette.

Authorisation of officers.

3. The Administrator may, by notification in the Official Gazette, authorise any officer of the Administration or of Central Government to exercise the powers conferred on, and to discharge the duties imposed upon, an authorised officer under this Regulation in such area or areas as may be specified in the notification.

CHAPTER-II

Regulation of Fishing

Power to regulate, restrict or prohibit certain matters within specified area.

- 4.(1) The Administrator, may, having regard to the provisions of sub-section (2), by order notified in the Official Gazette, regulate, restrict or prohibit—

- (a) the fishing in any specified area by such class or classes of fishing vessels as may be prescribed; or
 (b) the number of fishing vessels which may be used for fishing in any specified area; or
 (c) the catching in any specified area of such species of fish and for such period as may be specified in the notification; or
 (d) the use of such fishing gear in any specified area as may be prescribed; or
 (e) fishing in any specified area during such period of day or night as may be prescribed.

- (2) In making an order under sub-section (1), the Administrator shall have due regard to the following matters, namely:

- (a) the need to protect the interest of different sections of persons engaged in fishing, particularly those engaged in fishing by using traditional fishing crafts such as catamaran, country craft, canoe or dinghy;
 (b) the need to conserve fish and to regulate fishing on a scientific basis;
 (c) the need to maintain law and order in the sea;
 (d) the need to lease any specified area surrounding the islands to conserve the fish or shellfish or to culture the fish or shellfish;
 (e) the need to lease out right to fish in the territorial waters for fish culture and harvest; and
 (f) any other matter as may be prescribed.

Prohibition on use of fishing vessels in contravention of any order made under section 4.

5. No owner or master of a fishing vessel shall use, or cause to allow such vessel to be used, for fishing in any manner which contravenes an order made under section 4:

Provided that nothing in such order shall be construed as preventing the passage of any fishing vessel from, or to, the shore, through any area whether specified area or otherwise:

Provided further that the passing of such fishing vessel through any specified area shall not, in any manner, cause any damage to any fishing nets or tackles belonging to any person who engages in fishing in the specified area by using any traditional fishing craft such as catamaran, country craft, canoe or dinghy in accordance with the provisions of this Regulation.

6. (1) The owner of a fishing vessel may make an application to the authorised officer for the grant of a licence for using such fishing vessel for fishing in any specified area.
- (2) Every application under sub-section (1) shall be in such form, contain such particulars, and be accompanied by such fees, as may be prescribed.
- (3) The authorised officer may, after making such inquiry as he may deem fit and having regard to the matters referred to in sub-section (4), either grant or refuse to grant, to the owner of the fishing vessel a licence for using such fishing vessel for fishing in the specified area or specified areas as may be mentioned in such licence.
- (4) In granting or refusing to grant a licence under sub-section (3), the authorised officer shall have regard to the following matters, namely:
- (a) whether the fishing vessel is registered or not;
 - (b) the condition of the fishing vessel including the accessories and fishing gear with which it is fitted;
 - (c) whether any order has been made under section 4; and
 - (d) any other matter as may be prescribed.
- (5) A licence granted under this section shall be in such form and valid for such period and subject to such conditions, including conditions as to payment of such fees and furnishing such security for the due performance of the conditions, as may be prescribed:

Licensing of fishing vessels.

Provided that different fees and different amounts by way of security may be prescribed in respect of licences for different classes of fishing vessels.

- (6) A licence granted under this section may be renewed by the authorised officer subject to the rules made under sub-section (5).
7. No person shall, after the commencement of this Regulation, carry on fishing in any specified area using a fishing vessel, which is not licenced under section 6:
- Provided that nothing in this section shall apply to a fishing vessel, which was being used for fishing in such area immediately before the commencement of this Regulation, for such period as may be specified by the Administrator, by notification in the Official Gazette.
8. (1) If the Authorised Officer is satisfied, either on a reference made to him in this behalf or otherwise, that—
- (a) a licence granted under section 6 has been obtained by misrepresentation as to an essential fact; or
 - (b) the holder of a licence has, without reasonable cause failed to comply with the conditions subject to which the licence has been granted or has contravened any of the provisions of this Regulation or any order or rule made thereunder.

Prohibition of fishing by using fishing vessels which are not licenced.

Cancellation suspension and amendment of licenses.

then, without prejudice to any other penalty to which the holder of the licence may be liable under this Regulation, the authorised officer may, after giving the holder of the licence a reasonable opportunity of showing cause and being heard, cancel or suspend the licence or forfeit the whole or any part of security, if any, furnished for the due performance of the conditions subject to which the licence has been granted.

- (2) Subject to any rules that may be made in this behalf, the authorised officer may, for reasons to be recorded in writing, also vary or amend a licence granted under section 6.

Registration
fishing vessel.

9. (1) No owner of a vessel other than a fishing vessel registered under section 11 of the Marine Products Export Development Authority Act, 1972, shall use or cause to be used for the purposes of fishing in the specified area, unless such vessel is registered as a fishing vessel under this Regulation. 13 of 1972
- (2) Every application for registration of a vessel as a fishing vessel shall be made by the owner thereof to the authorised officer in such form and in such manner and shall be accompanied by such fees, as may be prescribed,—
- (a) before the expiry of one month from the date on which he became the owner of such vessels; or
- (b) before the expiry of three months from the commencement of this Regulation, whichever is later:
- provided that the authorised officer may, for reasons to be recorded in writing, extend, the time limit for registration by such period or periods not exceeding six months at a time, as he may think fit.
- (3) The authorised officer shall assign a registration number to the vessel and issue to the owner of the vessel registered by him a certificate of registration in the prescribed form and shall enter the particulars of the certificate in the register to be kept by him in such form as may be prescribed:

Provided that the authorised officer may, for reasons to be recorded in writing, refuse to register the vessel.

- (4) The registration once made shall continue to be in force until it is cancelled by the authorised officer.
- (5) Every vessel registered under this section shall carry the registration mark assigned to it by the authorised officer and such mark shall be displayed on the vessel in the prescribed manner.
- (6) No vessel, other than a registered fishing vessel, shall be entitled to apply for a licence under section 6.

Information
to be given to
the authorised
officer about
movement of
fishing vessels.

10. Where a registered fishing vessel moves from the area of one port to the area of another port, for fishing in that area, the owner of such fishing vessel shall give information to that effect, in the prescribed manner, to the authorised officer by whom such fishing vessel was registered and also to the port officer having jurisdiction over the area to which such fishing vessel moves.

Returns to be
furnished by
owner of reg-
istered fishing
vessels.

11. (1) Every owner of a registered fishing vessel shall furnish to the authorised officer at such interval and in such manner such return as may be prescribed.
- (2) The authorised officer may enter upon and inspect any registered fishing vessel at any time to verify the correctness of any return furnished by the owner under sub-section (1).

Appeal against
orders made
under section 6,
section 8 or sec-
tion 9.

12. (1) Any person aggrieved by an order made under section 6 or section 8 or section 9 may, within thirty days from the date on which the order is communicated to him, prefer an appeal before the adjudicating officer in the prescribed manner:

Provided that the adjudicating officer may entertain the appeal after the expiry of the said period of thirty days, but not beyond sixty days, if he is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.

- (2) On receipt of an appeal under sub-section (1), the adjudicating officer shall, after giving the parties a reasonable opportunity of being heard, pass such orders thereon as he deems fit as expeditiously as possible, and in any case before the expiry of three months from the date of filing of appeal.
13. Every fishery officer shall assist the authorised officer in the discharge of his duties and may Powers and duties of fishery officers.
- (a) interpose for the purpose of preventing, and shall to the best of his ability prevent the commission of an offence punishable under this Regulation;
- (b) enter into any vessel or premises, for inspecting fishing implements or fish therein and check the possession of the fishing licence and registration of the vessel;
- (c) conduct field verification of the fishing implements and crafts available with the parties who have applied for fishing licence; and
- (d) on knowing the design of any person to commit an offence punishable under this Regulation, bring the same to the notice of the authorised officer.
14. If the authorised officer has, either on receipt of a report of the fishery officer or otherwise, reason to believe that any fishing vessel is being or has been used in contravention of any provision of his Regulation or of any order or rule made thereunder or of any of the conditions of the licence, he may enter and search such vessel and impound the vessel and seize the fish found in it. Power to enter and search fishing vessels.
15. (1) The authorised officer shall keep the fishing vessel impounded under section 14, in such place and in such manner as may be prescribed. Custody of fishing vessel and disposal of seized fish.
- (2) In the absence of suitable facilities for the storage of the fish seized, the authorised officer may, if he is of the opinion that the disposal of such fish is necessary, dispose of such fish and deposit the proceeds thereof in the prescribed manner in the office of the adjudicating officer.

CHAPTER—III

Adjudication

16. (1) Where any authorised officer has reason to believe that any fishing vessel is being, or has been, used in contravention of any of the provisions of this Regulation, or of any rule or order made thereunder or of any of the conditions of the licence, he shall make a report thereof to the adjudicating officer. Adjudication.
- (2) The adjudicating officer shall hold an inquiry into the matter mentioned in the report in the prescribed manner after giving all the parties concerned a reasonable opportunity of being heard.
17. (1) The adjudicating officer shall after the inquiry under sub-section (2) of section 16, decide whether any persons has used, or caused or allowed to be used, any fishing vessel in contravention of any of the provisions of this Regulation or of any rule or order made thereunder or any of the conditions of the licence, and any such person, on being found guilty by the adjudicating officer, shall be liable to such penalty not exceeding.— Penalty.
- (a) in case the vessel involved is fifty feet or above in length,—

- (i) five thousand rupees, if the value of the fish involved is one thousand rupees or less;
- (ii) five times the value of the fish, if the value of the fish involved is more than one thousand rupees; or
- (iii) five thousand rupees, in any other case, being a case not involving fish, as may be adjudged by the adjudicating officer;
- (b) in case the vessel involved is below fifty feet in length,—
 - (i) one thousand rupees, if the value of the fish involved is not more than one hundred rupees; or
 - (ii) five times the value of the fish, if the value of the fish involved is more than one hundred rupees but not more than one thousand rupees; or
 - (iii) one thousand rupees, in any other case, being a case not involving fish, as may be adjudged by the adjudicating officer.
- (2) In addition to any penalty that may be imposed under sub-section (1), the adjudicating officer may direct that—
 - (a) the registration certificate of the fishing vessel which has been used, or caused or allowed to be used, in contravention of any provision of this Regulation or of any order or rule made thereunder or of any condition of the licence shall be—
 - (i) cancelled; or
 - (ii) suspended for such period as the adjudicating officer deems fit; or
 - (b) the fishing vessel which has been impounded and the fish which has been seized under section 14 shall be forfeited to the Administration:

Provided that no fishing vessel shall be forfeited under clause (b), if the adjudicating officer, after hearing the owner of the vessel or any person claiming any right thereto, is satisfied that the owner or such person had exercised due care and caution for the prevention of the commission of such offence.

Constitution of Appellate Board and appeal to Appellate Board.

- 18.** (1) The Administrator may, by notification in the Official Gazette, constitute an Appellate Board.
- (2) The Appellate Board shall consist of three members one of whom shall be a person who is or has been a District Judge and such person shall be appointed as the Chairperson of the Appellate Board and the other members shall be persons having expertise in fisheries or law and such other qualifications as may be prescribed.
 - (3) The fees and allowances payable to the Chairperson and other members of the Appellate Board shall be such as may be prescribed.
 - (4) Any person aggrieved by an order of the adjudicating officer may, within thirty days from the date on which the order is communicated, prefer an appeal to the Appellate Board:

Provided that the Appellate Board may entertain any appeal after the expiry of the said period of thirty days, but not after the expiry of sixty days from the date aforesaid, if it is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.

- (5) No appeal under this section shall be entertained by the Appellate Board unless the appellant has, at the time of filing the appeal, deposited half of the amount of penalty payable under the order appealed against:

Provided that, on an application made by the appellant in this behalf, the Appellate Board may, if it is satisfied that the deposit to be made under this sub-section will cause undue hardship to the appellant, by order in writing, dispense with such deposit either unconditionally or subject to such conditions as it may deem fit to impose.

- (6) On receipt of an appeal under sub-section (4), the Appellate Board may, after holding such inquiry as it deems fit, and after giving the parties concerned a reasonable opportunity of being heard, confirm, modify or set aside the order appealed against and the decision of the Appellate Board shall be final.
- (7) Where the amount deposited by the appellant by way of penalty under sub-section (5) exceeds the amount directed to be paid by the Appellate Board, the excess amount so deposited, or where the Appellate Board sets aside the order imposing penalty, the whole amount so deposited by way of penalty, shall be refunded to the appellant.

- 19.** The Appellate Board may call for and examine the records of any order made under section 17 and against the order where no appeal has been preferred under section 18, for the purpose of satisfying itself as to the legality or propriety of such order or as to the regularity of the procedure and pass such order with respect thereto as it may think fit:

Revision by
Appellate
Board.

Provided that no such order shall be made without giving a reasonable opportunity of being heard to the parties.

- 20.** (1) The adjudicating officer and the Appellate Board shall have all the powers of a civil court under the Code of Civil Procedure, 1908, while trying a suit in respect of the following matters, namely:
- (a) summoning and enforcing the attendance of witnesses;
 - (b) requiring the discovery and production of any document;
 - (c) requisitioning any public record or copy thereof from any court or office;
 - (d) receiving evidence on affidavits; and
 - (e) issuing commissions for the examination of witnesses or documents;
 - (f) any other matter as may be prescribed.
- (2) The adjudicating officer and the Appellate Board, while exercising any power under this Regulation, shall be deemed to be civil courts for the purposes of sections 345 and 346 of the Code of Criminal Procedure, 1973.
- (3) The Appellate Board shall not be bound by the procedure laid down in the Code of Civil Procedure, 1908, but shall be guided by the principles of natural justice and subject to the other provisions of this Regulation and the rules made by the Administrator, the Appellate Board shall regulate its own procedure.
- 21.** (1) Where a person committing contravention of any of the provisions of this Regulation or any rule or order made thereunder or any of the conditions of a licence granted under it is a company, every person who, at the time the contravention was committed, was in charge of, and was responsible to the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the contravention and shall be liable to be proceeded against and punished accordingly:

Powers of the
adjudicating
officer and
the Appellate
Board.

Contravention
by companies.

Provided that nothing contained in this sub-section shall render any such person liable to any punishment, if he proves that the contravention was committed without his knowledge or that he had exercised all due diligence to prevent the commission of such contravention.

- (2) Notwithstanding anything contained in sub-section (1), where a contravention under this Regulation or any rule or order made thereunder or any of the conditions of a licence granted under it has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall be deemed to be guilty of that contravention and shall be liable to be proceeded against and punished accordingly.

Explanation.—For the purposes of this section,—

- (a) “company” means any body corporate and includes a firm or other association of individuals; and
 (b) “director”, in relation to a firm, means a partner in the firm.

CHAPTER—IV

Miscellaneous

22. (1) Nothing contained in this Regulation shall apply to survey vessels belonging to

- (a) the Central Government;
 (b) a State Government;
 (c) a public undertaking.

Explanation.— For the purposes of this sub-section, “public undertaking” means any company or corporation owned or controlled by the Central Government including a Union territory Administration or by a State Government.

- (2) If the Administrator is of the opinion that, having regard to the purposes of this Regulation, it would not be in the public interest to apply all or any of the provisions of this Regulation to any class or classes of fishing vessels used for fishing in any specified area or areas, he may, by notification in the Official Gazette, exempt, subject to such conditions as he may think fit to impose upon such class or classes of fishing vessel used for fishing in such specified area or areas, as he may specify in the notification, from the operation of all or any of the provisions of this Regulation:

Provided that no notification under this sub-section shall remain in force for more than six months at a time.

23. (1) No suit, prosecution or other legal proceeding shall lie against the Administrator or any officer or authority for anything which is in good faith done or intended to be done in pursuance of this Regulation or any order or rule made thereunder.
 (2) No suit or other legal proceeding shall lie against the Administrator or any officer or authority for any damage caused or likely to be caused by anything which is in good faith done or intended to be done in pursuance of this Regulation or any order or rule made thereunder.

24. (1) The Administrator may, by notification in the Official Gazette, make rules for carrying out the purposes of this Regulation.
- (2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:
- (a) to regulate, restrict or prohibit the matters under clauses (a), (d) and (e) of sub-section (1) of section 4 and the matter to be considered by the Administrator under clause (f) of sub-section (2) thereof,
 - (b) the form of the application for grant of licence under sub-section (1), the particulars which it shall contain and the fees which shall accompany it under sub-section (2) of section 6;
 - (c) the matters to be considered by the authorized officer in granting or refusing to grant a licence under clause (d) of sub-section (4) of section 6;
 - (d) the form of licence, the fees payable, the conditions therein, and the security for the due performance of the conditions of the licence under sub-section (5) of section 6;
 - (e) the procedure to be followed in varying or modifying a licence under sub-section (2) of section 8;
 - (f) the form of application for registration of a vessel as a fishing vessel and the fees which shall accompany such application under sub-section (2) of Section 9;
 - (g) the form of certificate of registration of a vessel as a fishing vessel, the form of the register referred to in sub-section (3) of section 9 and the manner in which the registration mark of the fishing vessel shall be displayed under sub-section (5) of that section;
 - (h) the manner in which the information relating to movement of a fishing vessel from the area of one port to another port shall be given under section 10;
 - (i) the time and manner in which returns by the owner of a registered fishing vessel shall be furnished under sub-section (1) of section 11;
 - (j) the manner in which appeal shall be preferred before the adjudicating officer under sub-section (1) of section 12;
 - (k) the place and the manner in which an impounded fishing vessel shall be kept under sub-section (1) of section 15 and the manner in which the proceeds of the seized fish disposed off shall be deposited with the adjudicating officer under sub-section (2) of that section;
 - (l) the procedure of the inquiry by the adjudicating officer under sub-section (2) of section 16;
 - (m) the qualifications of the members of the Appellate Board other than the Chairperson under sub-section (2) of section 18;
 - (n) the fees and allowances payable to the Chairperson and other members of the Appellate Board under sub-section (3) of section 18;
 - (o) the matter to be prescribed under clause (f) of sub-section (1) of section 20;
 - (p) the procedure of Appellate Board under sub-section (3) of section 20;

(q) any other matter in respect of which provision is to be, or may be, made by rules under this regulation.

- (3) Every rule made under this regulation shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rules shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

Power to
remove dif-
ficulties.

25. (1) If any difficulty arises in giving effect to the provisions of this regulation, the Administrator may, by order published in the Official Gazette, make such provisions not inconsistent with the provisions of this Regulation as may appear to him to be necessary for removing the difficulty:

Provided that no order shall be made under this section after the expiry of three years from the commencement of this Regulation.

- (2) Every order made under this section shall be laid, as soon as may be after it is made, before each House of Parliament.

Repeal and
Saving.

26. (1) The Andaman and Nicobar Islands Fisheries Regulation, 1938 is hereby repealed.

- (2) The repeal of the said Regulation shall not affect—

1 of 1938.

- (a) The previous operations of the said Regulation or anything done or suffered thereunder; or
- (b) any right, privilege, obligation or liability acquired, accrued, or incurred under the said Regulation; or
- (c) any penalty, forfeiture or punishment imposed in respect of any offence committed against the said Regulation; or
- (d) any investigation, legal proceedings or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as aforesaid, and any such investigation, legal proceeding or remedy may be instituted, continued or enforced and any such penalty, forfeiture or punishment may be imposed as if the said regulation had not been repealed.

A.P.J. ABDUL KALAM,
President.

T.K. VISWANATHAN,
Secy. to the Govt. of India.

**ANDAMAN AND NICOBAR ADMINISTRATION
SECRETARIAT**

NOTIFICATION

Port Blair, dated the 14th May, 2004

No. 99/2004/F. No. 5-1(276)/2002-Dev I.—In exercise of the powers conferred under section 1 (3) of the Andaman and Nicobar Islands Marine Fishing Regulation, 2003 (No. 1 of 2003) the Lt. Governor, Andaman and Nicobar Islands (Administrator) hereby appoint the 1st day of June, 2004 as the date on which the Andaman and Nicobar Islands Marine Fishing Regulation, 2003 (No. 1 of 2003) shall come into force.

Sd/-
Prof. Ram Kapse
Lieutenant Governor
Andaman and Nicobar Islands

By order and in the name of the Lt. Governor.

Sd/-
(Theresa Sandanam)
Assistant Secretary (Fy.)

ANDAMAN AND NICOBAR ADMINISTRATION SECRETARIAT

NOTIFICATION

Port Blair, dated the 19th August, 2005.

No. 153/2005/F.No. 5-1(276)/2002-Dev.I—In exercise of powers conferred by Section-24 of the A&N islands Marine Fishing Regulation, 2003 (No. 1 of 2003) read with sub-section (1) of Section 18 thereof, the Lieutenant Governor (Administrator), Andaman and Nicobar Islands hereby makes the following amendment in the Andaman and Nicobar Islands Marine Fishing Rules, 2004 as published in the Andaman and Nicobar Gazette vide Notification No. 103/2004/F.No. 5-1(276)/2002-Dev.I dated 1st June, 2004, namely:

1. Short Title and Commencement:

- (a) These rules may be called the Andaman and Nicobar Islands Marine Fishing Rules (amendment) 2005.
- (b) It shall come into force with effect from the date of publication in the official gazette of Andaman and Nicobar Administration.

2. Amendment:

- (1) In the Andaman and Nicobar Islands Marine Fishing Rules, 2004 (herein after called said Rules) the word “Appellate Authority” appearing in Chapter-VII shall be read as “Appellate Board”.
- (2) Rule 8 of the said Rules shall be substituted as under:
 - (a) District Judge appointed by the Andaman and Nicobar Administration shall act as the Chairman of the Appellate Board for the purpose of the Regulation and for the purpose of hearing any matter within the purview of the Regulation. Officer-in-Charge, Fishery Survey of India, Ministry of Agriculture, Govt. of India, Port Blair and Deputy Secretary (Law), Andaman and Nicobar Administration shall act as the Members of the Appellate Board.
 - (b) Assistant Secretary (Fisheries), Andaman and Nicobar Administration shall act as the Secretary to Appellate Board.
 - (c) The Appellate Board shall further be assisted by such other officer of the Andaman and Nicobar Administration / Department of Fisheries as the State Government may, by suitable notification, from time to time, appoint for the purpose.
 - (d) While holding an enquiry or trying any dispute, the Appellate Board shall exercise the power vested on it under Sub section (1), (2) and (3) of Section 20.
 - (e) The fees and allowances to the Chairman, Appellate Board and Members shall be Rs. 500/- and Rs. 300/- respectively per sitting.

Sd/-
Lieutenant Governor,
Andaman and Nicobar Islands
By order and in the name of the Lieutenant Governor
Sd/-
(Brij Lal)
Assistant Secretary (Fisheries)

ANDAMAN AND NICOBAR ADMINISTRATION SECRETARIAT

NOTIFICATION

Port Blair, dated the 12th October, 2007

No.221/2007/F.No. 5-1(276)/02-Dev-1.—In exercise of the powers conferred under section 3 of the Andaman and Nicobar Islands Marine Fishing Regulation, 2003 (No. 1 of 2003) the Lieutenant Governor (Administrator), Andaman and Nicobar Islands is pleased to appoint the following Officers to be the Adjudicating Officer and Authorized Officer for the purposes of the said Regulation, namely:

(1)	The Director of Fisheries, Andaman and Nicobar Islands	Adjudicating Officer for entire Andaman and Nicobar Islands
(2)	An officer not below the rank of Assistant Director of Fisheries in the respective Zone of the Department of Fisheries, Andaman and Nicobar Administration	Authorised Officer for the respective zone
(3)	An officer not below the rank of Deputy Commandant Coast Region, Andaman and Nicobar Islands	Authorised Officer for entire Andaman and Nicobar Islands

Lieutenant Governor,
Andaman and Nicobar Islands.

By order and in the name of the Lieutenant Governor.

Sd/-
(Ms. Salina)
Assistant Secretary (Fy.)

ANDAMAN AND NICOBAR ADMINISTRATION SECRETARIAT

NOTIFICATION

Port Blair, dated the 12th October, 2007

No. 222/2007/F.No. 5-1(276)/02-Dev-I.—In exercise of the powers conferred under section 24 of the Andaman and Nicobar Islands Marine Fishing Regulation, 2003 (No. 1 of 2003) read with Sub-Section (a),(e), (o) of Section 2 and Section 3 thereof, the Lieutenant Governor (Administrator), Andaman and Nicobar Islands, hereby makes the following Amendment in the Andaman and Nicobar Islands Marine Fishing Rule, 2004 as published in the Andaman and Nicobar Gazette vide Notification No. 103/2004/F. No. 5-1(276)/2002-Dev-I dated 1st June, 2004, and notifies as follows:

1. Short title and commencement:

- (a) These rules may be called the Andaman and Nicobar Islands Marine Fishing (Amendment) Rules, 2007.
- (b) It shall come into force with effect from the date of publication in the Official Gazette of Andaman and Nicobar Administration.

2. Amendment:

- (1) In the Andaman and Nicobar Islands Marine Fishing Rules, 2004 (hereinafter called said Rules) definitions appearing in Chapter-I shall be substituted as under:
 - (a) “Adjudicating Officer” means the Director of Fisheries, Andaman and Nicobar Islands.
 - (b) “Authorized Officer” means an Officer not below the rank of an Assistant Director of Fisheries in the Department of Fisheries, Andaman and Nicobar Administration and an Officer not below the rank of Deputy Commandant in the Indian Coast Guard.
 - (c) “Marine Engineer” means an Engineer not below the rank of Assistant Marine Engineer in the Department of Shipping Services, Andaman and Nicobar Administration, an Engineer not below the rank of Service Engineer (Mech.) in the Fishery Survey of India, Govt. of India.
 - (d) “Specified area” means areas in the Territorial waters surrounding the Union Territory of Andaman and Nicobar Islands not beyond 12 nautical miles.
- (2) ‘The table in Rule 5 (a) of the said Rules shall be substituted as under:

Specified Area for Fishing		Class of Fishing Vessels for Plying	Type of Gear/Mesh Size to be Used
(i)	Fishing Zone-A (Territorial Waters surrounding Andaman and Nicobar Islands, upto 06 nautical miles from the appropriate baseline	All fishing vessels fitted with either inboard engine (s) or outboard motor (s) having engine horse power below 30 hp	(i) Gill net not below 25 mm mesh (knot to knot diagonally) (ii) Hook and Line (iii) Shore seine/drag net of mesh size not below 25 mm. (iv) Fish Traps
(ii)	Fishing Zone - B (Territorial Waters surrounding Andaman and Nicobar Islands, beyond 06 nautical miles from the appropriate baseline and extending upto 12 nautical miles	All fishing vessels fitted inboard engine (s) or outboard motor (s) having engine horse power of 30 hp and above.	(i) Gill net not below 25 mm mesh (ii) Trawl net of standard mesh size fitted with turtle excluder device suitable to the trawl net (iii) Longline, purse seine, squid jigger (iv) Hook and Line

(3) (a) In the said Rules in Chapter - II after Rule - 3 (a), (a) (I) Is inserted is as follows in chapter-III after Ruies 4(b) and in Chapter - V after Rules 6 (w) the following provision shall be inserted as Rules 3 (a) (i) 4 (b) (i) and 6 (x) respectively.

“Before licensing a fishing vessel the Authorised Officer may require it to be produced for the inspection of the Marine Engineer with a view to ascertain whether it is in good condition and seaworthy. If the Marine Engineer is satisfied on these points he shall grant a seaworthiness certificate accordingly on payment of the prescribed fee. The Authorised Officer shall require such a certificate before licensing if the vessel is to be propelled by mechanical means.”

“The Authorised Officers from Indian Coast Guard shall have all powers of Authorised under Regulation and Rules expect registration and licensing of fishing Vessel”

(b) The fees for grant of certificate by the Marine Engineer for a fishing vessel in good condition and seaworthy shall be Rs. 30/- or as prescribed by the agency issuing the Seaworthy certificate whichever is higher.

Lieutenant Governor,
Andaman and Nicobar Islands.

By order and in the name of the Lieutenant Governor.

Sd/-
(Ms. Salina)
Assistant Secretary (Fy.)