

U.P. Fisheries (Development and, Control) Rules, 1954

UTTAR PRADESH

India

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Rule

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U.P. Fisheries (Development and, Control) Rules, 1954Published vide Notification No. 778/12-F-469-48, dated September 11, 1954Last Updated 4th February, 2020In exercise of the powers conferred by sub-section (1) of Section 3 of the U.P. Fisheries Act, 1948 (U.P. Act No. 45 of 1948), the Governor is pleased to make the following rules under the aforesaid Act, the draft of the same having been already published in Notification No. 60/12-F-469-48, dated April 6, 1953 :

1.

(i)These rules may be called the Uttar Pradesh Fisheries (Development and Control) Rules, 1954.(ii)They shall apply to waters other than the private waters and religious waters as may be defined by the District Magistrates concerned in their respective districts.

1A. [Definition. [Inserted by Notification No-26/2019/ 1675 / XVII-MA-2019-6-9(85)/2017, dated 5.12.2019 (w.e.f. 11.9.1954).]

- In these rules unless the context otherwise requires:-(a)"Fisherman/Machhuara/Machhua" means any person who earns livelihood actively from the production and sale of fishes as well as its connected activities;(b)"Matsya Jivi Sahkari Samiti" means the Society which is registered by Registrar Fisheries under Uttar Pradesh Cooperative Societies Act, 1965.(c)"Family of Fisherman" means his or her wife/husband, son (up to the age of 21 years), unmarried daughter, adopted child, dependent parents (mother and father), minor child/ward of son, widow/divorcee daughter who is dependent on him.(d)"Machhuwa Avas" means the house having been constructed as per standard and area fixed by Central Government or Uttar Pradesh Government for homeless Fisherman

(Machhuara).(e)"Fisherman (Machhuara) Accident" means death of fisherman/Machhuara in any accident, permanently or partially disabled falling under any rules prescribed by Central Government.(f)"Natural Calamities" means flood, drought, hailstorm, deluge/spate (Ativrasti), fire break and other natural calamities notified by Revenue Department of State of Uttar Pradesh.(g)"Family living below poverty lines" means family living below the minimum income fixed by the Central Government / State Government for treating below poverty line.(h)"High-school and Intermediate Examination Pass" means the certificate issued by Board of High School and Intermediate Education, Uttar Pradesh, Central Board of Secondary Education, Council for the Indian School Certificate Examinations or any other Board recognized by the Central Government /State Government.(i)"University" means a University recognized by University Grants Commission.(j)"Fund Operating Committee" means the Committee constituted under rule 5 of these rules.(k)"Concerning amount of fund" means the amount which has been provided/granted by the Central Government/State Government for the welfare of fishermen as well as earned money from interest and dividend.]

2.

No person shall destroy or attempt to destroy fish by any explosive substance or by poisoning or pollution of waters by trade effluents.

3.

No person shall be allowed to catch, destroy or sell fry and fingerlings (2"-10") from July 15 to September 30 and breeding fish from June 15 to July 30 in the prohibited areas for fishing and the district as given in Schedule-A appended hereto except under a licence issued by the Director of Animal Husbandry, Uttar Pradesh.

3A. [[Added, by Notification No. 387/XIII-F-90-47, dated May 30, 1963, published in U. P. Gazette, Part I-A, dated June 8, 1963, p. 1564.]

No person shall erect a fixed engine or catch or destroy any fry, fingerling or fish by using, at any point in river Ganga between Bithoor Ferry Ghat, in Kanpur and Sangam at Allahabad].

4.

Any apparatus erected or used for fishing in contravention of these rules and the fish caught by means of such apparatus shall be liable to seizure, removal and forfeiture and any consignment of fish held or transported in contravention of these rules shall be liable to be forfeited.

5. [The Uttar Pradesh Fishermen Welfare Fund. [Inserted by Notification No-26/2019/ 1675 / XVII-MA-2019-6-9(85)/2017, dated 5.12.2019 (w.e.f. 11.9.1954).]

(1)The object of making Uttar Pradesh Fishermen Welfare Fund is to make available financial assistance to fishermen and to the welfare and development programmes for welfare of fishermen.(2)The Uttar Pradesh Fishermen Welfare Fund would operate for fishermen and Machhuara of all districts of the State of Uttar Pradesh. For fulfillment of its objectives, works would be executed by employees of Fisheries Department, Uttar Pradesh and Uttar Pradesh Fishermen Co-operative Federation Limited. The Headquarter of this Fund would be at Fisheries Directorate, 7-Faizabad Road Babuganj, Lucknow.(3)Assistance would be granted from this fund for the following items -(a)establishment of infrastructure facilities in Fishermen (Machhuaras) dominated villages that also includes construction of community hall;(b)to provide financial assistance to fishermen/Machhua family in the event of any damage occurred by natural calamities;(c)marriage assistance;(d)assistance for education (coaching, progression of skill, scholarship etc.);(e)medical assistance;(f)old age assistance;(g)machhua avas construction assistance apart from Central Government on the standards fixed by them;(h)expenditure upto two percent of total fund on the training/visit of fishermen/Machhua for providing higher technical knowledge, arrangement of inter state visit, skill development, exhibition and seminars;(i)empowerment of women of fishermen/Machhua families;(j)to provide facility of net for catching fish/equipments and make available Moped ice box etc. for selling of fish;(k)subvention of interest for fisheries short term and long term bank loans/ Fishermen credit card. Subvention rates will be as per decision of State Government of Uttar Pradesh;(l)electricity subsidy for aquaculture activities;No additional amount would be provided beyond the standards prescribed by Central Government /State Government. The establishment of infrastructure facilities would be executed after obtaining the financial sanctions by the competent authority up to the estimated limit submitted by any authorized government agency as per the Public Works Department schedule of rates.(4)The following would be Financial Sources of this fund;-(a)Departmental Budget received from the State Government and the financial assistance from the Central Government or any other organization or body;(b)Self-contributory fund received from Public Undertakings of Central/State Government and all nationalized banks;(c)Interest received on fund/dividend s/Bonus amount;(d)Amount received through charity/donation;(e)Nidhi /amount received under different schemes, programs and policies of State Government / Central Government.(5)The arrangement and operation of Uttar Pradesh Fishermen Welfare Fund would be done by the Managing Committee. The Managing Committee would be as follows:-

(a) Agriculture Production Commissioner	Chairman
(b) Additional Chief Secretary/ Principal Secretary/Secretary, Fisheries	Vice Chairman
(c) Director, Fisheries	Member Secretary
(d) Additional Chief Secretary/ Principal Secretary/Secretary, Finance Department or officer nominated by him	Member
Chief Engineer or Executive Engineer of PublicWorks Department nominated by	
(e) Additional Chief Secretary/Principal Secretary/Secretary of Public Works Department	Member
(f) Managing Director, Uttar Pradesh Matsya VikasNigam Limited, Lucknow.	Member

(g) Managing Director, Uttar Pradesh Matsya JiviSahkari Sangh Limited, Lucknow Member

(h) Finance and Accounts Officer, Fisheries Directorate and Treasurer Member

(6) The managing Committee will take the decision on the following functions:- (a) The determination of amount of item-wise financial assistance from Welfare Fund; (b) The annual activities which will be operated; (c) Approval of eligibility of beneficiaries and their names; (d) The sanction of relief/assistance from this fund on new programs for welfare of Fishermen/Machhua; (e) Decision on the investment amount of fund; (f) Standardization of programmes which are operating from the assistance of fund; (g) Decision on dovetailing for the assistance of this fund with any other scheme of Central/State Government; (h) Decision on expenditure for advertising and extension of the fund from interest earned from the fund. (7) The quorum of meeting would be fifty percent members apart from the Chairman of Managing Committee. The meeting of Managing Committee would be convened at least twice in a year. In special circumstances the same shall be convened at any time. The period of notice of meeting would be seven days whereas in the event of emergent situation the period of notice would be three days. (8) Chairman of Managing Committee would have power to release amount of relief by declaring financial assistance in emergent situation as per the provisions contained under the Fund and sanction of which would be approved in the next meeting of Managing Committee. The State Government would have power to double the amount of assistance received from this fund for any activity. (9) Under special circumstances, the sub-committee under the Chairmanship of Principal Secretary, Fisheries Department would be as follows ;

(1) Additional Chief Secretary/ Principal Secretary/Secretary, Fisheries Chairman

(2) Director, Fisheries Member Secretary

(3) Joint Director, Fisheries Member

(4) Finance and Accounts Officer, Fisheries Directorate Member

(10) The meeting of sub-committee may be called at any time in emergency, but it is necessary to take post facto approval of managing committee on the decision taken by sub-committee. (11) The power to give financial sanction up to the approved limit of amount granted by Managing Committee and sub-committee would be vested in Director Fisheries under the powers delegated to Head of Department according to the Financial Hand Book Volume I and upto the financial sanction limit as provided by the State Government orders issued from time to time and power to all financial sanction beyond that limit would be vested in Administrative Department of Uttar Pradesh Government. (12) Any fishermen/Machhua would get relief only once from one scheme of State Government or Central Government. (13) For getting assistance from aforesaid fund, application completed in all respect would be submitted to District Magistrate on the prescribed format. After verifying the application, all the formalities would be completed by the fisheries department within one month from the date, the application is received in the department. Eligibility criteria of beneficiaries would be made applicable as per the prescribed eligibility conditions fixed by Revenue Department/ Backward Welfare Department/Social Welfare Department of Uttar Pradesh Government, under Blue Revolution Integrated Development & Management of Fisheries Scheme of Central Government from time to time. (14) In case the State Government finds that any person is getting assistance by concealing any fact or by fraud then the recovery shall be done as land revenue in accordance with the provision of the Civil Procedure Code. (15) Accounts of Fund would be maintained regularly and audited by the Department and Auditor General. (16) An annual report would be sent to the State Government within six months from the beginning of a calendar year in

which the list of number of beneficiaries having obtained financial assistance under different schemes as well as scheme-wise and audited details of accounts would be made available.(17)Accounts would be opened in Nationalized Bank/Post-office as per requirements with the permission of Finance Department, Uttar Pradesh Government. The account would be operated jointly by Director, Fisheries and Finance and Account Officer, Fisheries Directorate. Rupees One Crore would remain deposited in the account opened for providing immediate relief in emergent situation. The interest received on deposited money obtained from other sources would be utilized for activities of fund after sanction of Managing Committee.(18)Twenty five percent amount of received grant from State Government in every year would be deposited in the account of Bank/Post-office of Rakshit Nidhi so that in the event of non-receipt of government grant in future, activities of the Fund would be operated from its interest.(19)Financial Power of Fund would be vested in Director, Fisheries.(20)For proper maintenance of the Fund a unit would be established in Fisheries Directorate and posting of employees/staff would be made by Director, Fisheries who would execute the works of the unit simultaneously with their works. The following personnel would be posted in the unit:-

(a) Deputy Director, Fisheries	01
(b) Assistant Director, Fisheries, Directorate	01
(c) Assistant Accounts officer, Directorate	01
(d) Additional Statistics Officer, Directorate	01
(e) Fisheries Inspector or Fisheries Development Officer	01
(f) Senior Assistant	01
(g) Junior Assistant	01
(h) Computer Operator	01

(21)The payment of pay/honorarium to contractual employees engaged from Service Provider would be done from the interest received from deposit fund.]

A

List of Prohibited Areas Referred to in Rule 3

District	Name of the river	Name of breeding centre or "prohibited areas" of fishing
1. Jaunpur	Gomti	The river Gomti within the limits of Jaunpur District from village Gajenpur on the western-end up to village Bheree on the far eastern end and all nalas including the Pili Nadi connected with this river.
	Sai	The river Sai within the limits of Jaunpur District from village Hareepur in tahsil Machhlisahar at the western end up to village Rajepur, in tahsil Kerakat at the confluence of rivers Sai and Gomti and all the nalas connected with this river within these limits.
2. Banaras	Ganga	

		Kaithi (Ganga-Gomti-Sangam) to the limits of village Tarpur up to the Nagwa Ghat all nalas connecting it.
	Varuna	From Rajghat (Ganga-Varuna-Sangam) up to the Northern Railway bridge at Shivpur.
3. Allahabad	Yamuna	Nihara Ghat to junction Sasurkhaderi Nadi with Yamuna.
	Ganga	Dropadi Ghat to Sangam.
4. Mirzapur	do	Sheopur Ghat near Vindhyachal and Barainihat near Kachwa.
5. Kanpur	do	Four furlongs west of Jajmaughat, Jaimuka Nala and Dabka Nala connected with river Ganga.
6. Agra	Yamuna	One mile on either side of the Yamuna bridges in Agra City, one mile on either side of Mau Nala and one mile either side of Kithan Nala, Jharna Nala, from one mile above the bridge on Agra-Tundla Road down to its junction with the Yamuna.
	Khari Nadi	Portion from Terah Mohri to Singharpur bridge on the Agra-Fatehpur Sikri Road.
	Ban Nadi	One mile on either side of the causeway near village Kohlua.
	Utangan Nadi	One mile up and down the junction of the Utangan Nadi and the Yamuna River near village Pendra.
7. Unnao	Ganga	Water-logged area of river Ganga from Sahjanivillage to Suckhlganj, a distance of about 4 miles on either side of Lucknow-Kanpur Road including the water-logged areas under Choti Pulia, Bari Pulia and in villages Pipar Khera Kori and Rajwa Khera.
		River Ganga one mile on either side of Kanpur bridge.
		Water-logged areas of river Ganga from Sahjaniturn to Gangaghat along Lucknow-Kanpur rail road belonging to Northern Railway.
	Kalyani	Water-logged areas of Kalyani river and Gangain villages Straham, Barmaula, Kandhai Khera and popularly known as Suroha Tal and Kandhai Khera Tal.
	Fariar Nadi	Fariar Ki Nadia or Nala connected with Kalyani Nadi.
	Bhandi Nadi	Bhandi Nadi from village Nagwa to Korat, a distance of about 6 miles.

8. Balia	Ganga	Two miles east of Kotwa Ghat, Kather Nala and from Haibatpur village at the Sangam of Ganga to the east up to Haldigram. Ditches from Phephna Railway Station (N.E.R.) to Reoti Station on both sides of the Railway line for fingerling collection.
	Ghaghra	Haldirampur Nala and 2 miles east and west of Haldirampur village at the confluence of Ghaghra.
9. Kheri	Ull	River Ull between Mothana and Nagar (about 7 miles) and the following nalas connecting it : Pipraha Ghat Nala, Balu Diha, Chhoran, Gonda Nala, Seth Ghat, Leth Ghat Nala Purani Ghandmari Chhoran.
	Ghaghi	The portion of Ghaghi River from Behamanpur to where it joins the Ghauka River about 8 miles.
	Ghauka or Sharda	Within a radius of 3 miles from Pachperi Ghat including all connecting nalas located with the said radius and also Bahatia Nala between Sauna and Lodhauri.
	Kandawa	River Kandawa or Kandhala between Pipra Farmand Mechanized State Farm Mandjhara and all nalas connecting it.
10. Lucknow	Gomti	Within a radius of 2 miles from Kalidah.
	Gomti	Gaughat to Pip-ahaghat (a distance of about 9 miles) including water, logged areas of Chiraiya Lake, Sikandar Bagh, Bhainsa Kund and La-Martinere.
11. Jhansi	Pahuj	From the railway reservoir near village Athauna up to about Nibi near Chrigaon village 5 miles on Bhandar Road with all nalas connecting it, viz. Palipahari, Raksha Bhadai Karra, Bachawali, Burha (along with Ganrhmaun Tank where fingerling isolate), Naunia and Ganga Nala.
	Betwa	Portion of river from village Gursaur (Kisalwans Ghat) up to Erachh with all the nalas connecting it and stretch of the river in and around village Geora along with the ponds.
	Shahjad	Portion of the river 2 miles up the Lalitpur Dam and below up to village Semra Dang with the nalas connecting it.
	Sajnam	Portion of the river between Khitbans and Sitawan and the nalas connecting it.
	Janvni	From Chaprat to Bir (where it joins river Dhasan) and the nalas connecting it.

	Banai	From village Anaure upto village Maraut along with the bank in village Kalyanpura.
	Dhasan	From Deori Ghat upto Lachura Ghat and the nala connecting it.
	Larwan	Three miles above Banks Pahari and down upto Barwar Reservoir.
12. Shahjahanpur	Garrah	From Danyapur to one mile above Railway bridge and all nalas connecting it in this portion.
	Khannaut	From Danyapur to one mile above Railway bridge and all nalas connecting it in this portion.
	Ramganga	Bijpura Ghat to village Kandhar and all nalas connecting it in this portion.
	Sawai Nala	Sawai Nala, whole length.
	Khandanya Nala	Khandanya Nala, whole length.
13. Bara Banki	Chauka	Water-logged areas of river Chauka on either side of the road from Ram-nagar to village Mahadeva (about one mile). Water-logged areas of river Chauka along the Kachcha road from Mahadeva to Bado Sarai and Kintur villages (about 2-1/2 miles). Sisaura Nala connected with river Chauka near Chauka Ghat Railway station. Water-logged areas of river Chauka popularly known as Putaria Kund, Babunia Kund, Nauraiya Kund, and Railway tank near Chauka Ghat Railway Station. Sota Nala connecting Nauraiya Kund with river Chauka. Pharhi Bhatauli Nala connected with river Chauka. Ibrahimabad Nala, Kutwa
	Gomti	Nala, Babhanpurwa-ka-Nala connected with river Gomti.
	Kalyani	Kalyani Nadi 1/2 mile on either side of Safdarganj Railway Station.
	Retti	Retti Nadi from Chilhatta to Sharifabad (a distance of about 5 miles).
14. Gonda	Suon	From Chandey to Pahtiwa, a stretch of about 3 miles inclusive of Chandey Tal, Mugahar Nala, Berahi Nala, reaches of Suon through Nahar, Tawa, Gelhpur and Subhayapur.

15. Sultanpur	Rapti	Water-logged areas of river Suon in village Nakhanala known as Bhain-sahia Tal, Bhagwatpur, Banjari, Baluha and Sapahi.
		A stretch of 5 miles up and down Sisai Ghat at Balrampur.
	Tehri	Water-logged areas of river Rapti known as Renuva, Khajua and Vinda Tala on Balrampur Bahraich road.
		From Tarabganj downstream up to village Patparganj near Nawabganj, a stretch of about 24 miles.
15. Sultanpur	Gomti	Water-logged areas of Tehri River known as Jhilia.
		River Gomti from Katawan to Hathia, a stretch of 7 miles.
		Ganga Nala discharging city drainage water into the river Gomti.
		The two tributaries of Chunha Nala one from Hasanpur to Chunha and the other from Utri village to Kundwar Pull and discharging into river Gomti, a stretch of 7 miles.
		Hathia Nala from Gharaha village to its confluence with river Gomti a stretch of one mile.
		Basurdhi Nala from village Basurdhi to its confluence with river Gomti, a stretch of 4 furlongs, Jamuria Nala from Saffullaganj to its confluence with river Gomti, a stretch of 4 furlongs, Kharya Nala from village Katawan to its confluence with river Gomti.
		Manhara Nala from village Amkal to its confluence with river Gomti, a stretch of 4 furlongs.
		Agai ka Nala from village Agai to its confluence with the river Gomti.
		Dudhya Nala from Police Line and Chunha village to its confluence with river Gomti.
		Water-logged areas of river Gomti known as Golaghat on either side of Kharkhane village and the waters behind Deputy Commissioner's bungalow.
		Water-logged areas on river Gomti in village Amai and Bhadra.
		Water-logged areas on river Gomti in village Jejour.

		Main or Paranjot-ka-Churan of river Gomti in village Main, Narhi and Paranjot.
16. Pratapgarh	Sai	River Sai from Dardehlama to Karbala, a stretch of 7 miles. Chaphaila Nala from Mohli and Nawabganj to Sai, a stretch of 2 miles. Baraicha-Chilhia to Sai, a stretch of one mile. Tilia Dehka Nala from Idgah to Sai Gulra Nala from Partakpura to Sai, a stretch of 5 furlongs. Ganda Nala discharging city drainage water into Sai Nala, Belhamai temple.
	Bakulahi	From Vishwanathganj village to Sai.
17. Faizabad	Ghaghra	From Miranghat to Fatehpur Sariyayan.
	Tons	From Mirzapur to Johardih at Akbarpur.
18. Bareilly	Ram Ganga	From Fatehganj (west) down to the Pontoon bridge near village Chanbari in Tahsil Bareilly and one mile lower down.
	Gallot Nadi	From village Salehnagar down to its confluence with Ram Ganga near village Kundra in Tahsil Bareilly.
19. Meerut	Yamuna	From Ghoripur down to Baghpat, Katha up to Delhi border.
	Hindon	Three miles on either side of Hindon bridge on Meerut Bhagpat Road, including the back-waters near village Baleni, i.e. Peerwala, Dalso-Khera and Dhaulri.
20. Farrukhabad	Ganga	One mile on either side of Quia Ghat, Bargadhla Ghat to Kutcherri Ghat (excluding the immediate vicinity of the Ghats), Military Nala near Quia Ghat, Garhia Khaley near the Kutcherri in Farrukhabad, half mile on either side of "Katri" opposite to Bargahdia Ghat across the Sot (water channel).
21. [Gorakhpur [Added by Notification No. 6221/XII-F-88-54, dated September 1, 1960, published in U. P. Gazette, Part I-A, dated September 10, 1960, p. 1903.]	Rapti	River Rapti within the limits of Gorakhpur District from Dhani Bazar in the North up to Ghazipur in the South (in Bansaon Tahsil) with all nalas and water-logged areas (including Hanumangarhi, Rajghat, Bahrapur, Durwar and Chakia Mahewa) connected with this river within these limits.
	Rohin	River Rohin within the limits of Gorakhpur District from Tal Khandi upto Gorakhpur with all nalas and waterlogged areas, including areas of

		Domingarh (belonging to N.E. Railway) connected with this river within these limits.
	Jhun Jhun Nala	Whole length in Gorakhpur District.
	Jati Nala	Whole length in Gorakhpur District.
	Gorra Nala	Whole length in Gorakhpur District.
	River Ammi	Within the jurisdiction of Gorakhpur District.
22. Basti	Rapti	River Rapti within the limits of Basti District from Domariaganj to Phanghatiyaghats, (in Basti Tahsil) with all nalas and water logged areas, connected with the river within these limits.]