

# Marine Fishing Regulation Rules, 1980

KERALA

India

## Marine Fishing Regulation Rules, 1980

### Rule MARINE-FISHING-REGULATION-RULES-1980 of 1980

- Published on 29 November 1980
- Commenced on 29 November 1980
- [This is the version of this document from 29 November 1980.]
- [Note: The original publication document is not available and this content could not be verified.]

Marine Fishing Regulation Rules, 1980Published vide Notification No. S.R.O. No.1141/80, dated 29.11.1980S.R.O. No.1141/80. - In exercise of the powers conferred by sub-section (1) and (2) of section 24 of the Kerala Marine Fishing Regulation Ordinance, 1980 (12 of 1980), the Government of Kerala hereby make the following rules, namely:-

#### 1. Short title and commencement.

(1)These rules may be called the Marine Fishing Regulation Rules, 1980.

#### 2. They shall come into force at once

#### 2. Definition.

- In these rules, unless the context otherwise requires:-(a)"Form" means a form appended to these rules,(b)"Ordinance" means the Kerala Marine Fishing Regulation Ordinance, 1980 (12 of 1980)(c)"Section" means a section of the Ordinance.

#### 3. Class of Fishing Vessels, fishing by which may be regulated restricted or prohibited.

- Fishing by a ship or boat fitted with mechanized means of propulsion may be registered, restricted or prohibited in any specified area under clause (a) of sub-section (1) of section 4.

#### 4. Kinds of fishing gear, the use of which may be regulated, restricted, or prohibited.

- Use of the following kinds of fishing gear may be regulated, restricted or prohibited in any specified area under clause (d) of sub-section (1) of section 4, namely:- (a) Purse-seine; (b) Ring seine; (c) Pelagic trawl; (d) Mid water trawl; and (e) Bottom trawl.

## 5. Application for the grant of licence.

(1) Every application for the grant of a licence for using fishing vessel of the class specified in column (1) of the Table below shall be accompanied by the fees specified in the corresponding entry in column (2) of the Table. The applicant shall also furnish such security for the due performance of the conditions of the licence as specified in column (3) of the Table.

Class of the fishing vessel	Amount of fees Rs.	Amount of security to be furnished. Rs.
1	2	3
1. Country fishing crafts fitted with mechanical means of propulsion.	5	50
2. Mechanised fishing boats up to 30' in length.	50	500
3. Mechanised fishing boats of more than 30' but less than 37' in length.	75	1000
4. Mechanised fishing boats of 37' and above but less than 56' in length.	100	1500
5. Mechanised fishing vessels of 56' and above in length.	150	2000

## 6. Grant of licence.

(1) A licence granted under section 6 shall be in form II and shall be subject to the conditions specified in the licence. [The licence shall either be granted or refused within a period of one month from the date of receipt of the application.] [Inserted by Notification No. S.R.O.No. 569/87, dated 23.4.1988 (w.e.f. 29.11.1980).] (2) Where the application for the grant of licence is refused, the reasons for refusal shall be recorded in writing and a copy of the same along with the order or refusal shall be furnished to the applicant, where the order refusing the grant of licence has become final the security furnished and one half of the amount of fees paid by the applicant, shall be refunded to him.

## 7. Application for registration of vessels.

(1) Every application for the registration of a vessel under section 9 shall be in form III obtainable from the office of the authorized officer on payment of rupee one for each form. (2) Every application under sub-rule (1) for the registration of a vessel of the class specified in column (1) of the Table shall be accompanied by the fees specified in the corresponding entry in column (2) of the said Table.

Class of vessel	Amount of fees
1	2
1. Non-mechanised country crafts.	Rs. 1
2. Country crafts fitted with mechanical means of propulsion	Rs. 5
3. Mechanised fishing boats upto 36' in length	Rs. 20
4. All other kinds of vessels	Rs. 50

## **8. Grant of registration certificate.**

(1) On receipt of an application under rule 7, the authorized officer, shall after making such enquiry as he deems necessary, register the fishing vessel or by order refuse such registration. [Such registration or refusal, as the case may be, shall be made within a period of one month from the date of receipt of application.] [Inserted by Notification No. S.R.O.No. 569/87, dated 23.4.1988 (w.e.f. 29.11.1980).](2) Where the application for registration is refused, the reasons for such refusal shall be recorded in writing and a copy of the same along with the order of refusal shall be furnished to the applicant.(3) Where the application of registration is not refused a certificate of registration shall be granted in Form IV and shall be subject to the conditions specified in the certificate.(4) Every certificate of registration issued by the authorized officer shall be entered in a register to be kept by him in Form V.(5) The registration mark assigned to a vessel by the authorized officer shall be displayed by painting the mark in white colour on yellow background on the fore-bow of the vessel.

## **9. Furnishing of information about movement of Fishing vessel:.**

- The information to be furnished about the movement of a registered fishing vessel from the area of one port to the area of another port under section 10, shall be in writing and shall be sent by registered post or delivered in person before the vessel moves from the area of the former port.

## **10. Appellate Authority.**

- An appeal under section 13 shall, if the authorized officer who passed the order is an Assistant Director of Fisheries, be preferred to the Deputy Director of Fisheries having jurisdiction over the area and in other cases to the Director of Fisheries.

## **11. Impounding of fishing vessel.**

- A fishing vessel impounded by the authorized officer under section 14 shall be kept in the nearest Boatyard under the control of the Fisheries Department and the vessel shall be under the control of the officer in charge of the yard. [The 'fuel pump' of the vessel impounded shall be removed by the authorized officer with the help of a Mechanic and hand over the same to the nearest Fishery Office, to avoid the forcible escape of such vessel from the custody.] [Added by Notification No. S.R.O.No. 1658/88, dated 8.12.1988 (w.e.f. 29.11.1980).]

## 12. Manner of holding enquiry by the adjudicating officer.

- [(1) on receipt of a report from the adjudicating officer under subsection (1) of section 16, the adjudicating officer shall issue notice thereof to the parties concerned directing them to file objections, if any, and to appear before him for being on a specified date which shall not be later than ten days from the date of impounding.] [Substituted by Notification No. S.R.O.No. 569/87, dated 23.4.1988 (w.e.f. 29.11.1980).](2)The objections filed if any to the report of the authorized officer shall be considered by the adjudicating officer, before an order is passed by him. Form I (see rule 5) Form of application for Licencing of Fishing Vessels

1	Name and address of owner /s	:
2	Occupation of owner/s	:
3	Place of permanent residence of owner/s	:
4	Name of the fishing vessel	:
5	Registration No and date	:
6	Place of registration and agency/Office with which registered	:
7	Whether previously licensed and if so, No. of licence and period for which licensed	:
8	Particulars of fishing vessel	:
(a)	Length	:
(b)	Breadth	:
(c)	Draft	:
(d)	Make and HP of engine	:
(e)	Type of vessel	:
9	Place where constructed	:
10	Year of construction	:
11	How & when acquired	:
12	No. of Crew	:
13	Particulars of trained crew and their qualification	:
14	Type of fishing gear proposed to be operated	:
15	Specified area of operation for which licence is applied for	:
16	Period for which licence is requested	:
17	Amount of fees remitted and mode of remittance	:

Place: Date: Signature of owner/s

Declaration I/we ..... by this declaration subscribed by me / us pursuant to and in compliance with section 6 of The Kerala Marine Fishing Regulation Ordinance 1980 do hereby certify and declare that I am /we are the owner, owners of the fishing vessel.....above described and that I/we fully understand all the provisions of the said Ordinance and Rules and Orders issued there under and agree to abide by them. As witness,

I/we set my hand / our hands this .....date of .....19.

Witness: Signature of owner/s.

Form II(see Rule 6)Licence Granted for Using Fishing Vessel for Fishing Specified Area.

- 1 No. and date of Licence :
- 2 Name and address of the person /s to whom the licence is issued :
- 3 Particulars of the fishing vessel licenced :
- 4 Fishing gear licenced :
- 5 Specified area for which the licence is issued :
- 6 Period for which the licence is issued :

Place:Date: Signature of the Authorised Officer(Seal)

Conditions of the Licence

- 1. This licence is granted subject to the provisions of the Kerala Marine Fishing Regulation Ordinance 1980 (12 of 1980), and the rules and orders issued there under.**
- 2. The fishing vessel should be operated only within the specified area for which Licence is granted.**
- 3. Any change in the layout, design, capacity of the vessel should be effected only with the prior approval of the Authorised Officer.**
- 4. Any change in the type of gear licenced shall be effected only with the prior approval of the Authorised Officer.**
- 5. It shall be competent for the Authorised Officer or any Officer authorized by him to enter the fishing vessel for the purpose of inspection whether in the waters on shore.**
- 6. This licence is liable to be cancelled or suspended and the security if any furnished shall be liable to be forfeited in whole or in part for failure to comply with the conditions subject to which the licence has been granted or for contravention of any of the provisions of the Kerala Marine Fishing Regulation Ordinance, 1980 or the rules or orders issued there under.**
- 7. This licence is also liable to be cancelled or suspended if the licence has been obtained by misrepresentation as to an essential fact.**

Form III(See Rule 7)Application for registration of fishing vessel

- 1 Name and address of the Owner /s full :
- 2 Name of the fishing vessel :
- 3 Particulars of registration, if any done previously :
- 4 Where and when the fishing vessel was secured :
- 5 Particulars of fishing vessel :
  - (a) Length :
  - (b) Breadth :
  - (c) Draft :
  - (d) Make and HP of engine :
  - (e) Type of vessel :
- 6 Place where constructed :
- 7 Year of construction :
- 8 How & when acquired :
- 9 Base of operation :
- 10 Number of crew :
- 11 Particulars of trained crew and qualifications :
- 12 Details of life saving appliances provided in the vessel :
- 13 Amount of fees remitted and mode of remittance :

Place: Date: Signature of the Owner/s.

#### Form IV (See Rule 8) Certificate of Registration

- 1 Number and date of certificate of registration :
- 2 Registration mark assigned :
- 3 Name and address of the person/s to whom the certificate of registration is issued :
- 4 Particulars of fishing vessel :
  - (a) Length :
  - (b) Breadth :
  - (c) Draft :
  - (d) Make and HP of engine :
  - (e) Type of vessel :
- 5 Base of operation :

Place: Date: Signature of the Authorised Officer

(Seal)

Conditions of the certificate of registration

**1. This certificate of registration is granted subject to the provision of the Kerala Marine Fishing Regulation Ordinance 1980 and the rules and orders issued there under.**

**2. Any change in the layout, design, capacity of the vessel should be effected only with the prior approval of the authorized officer.**

Form V(See Rule 8 (4)Register of Certificate of Registration

Office of  
the.....  
(Authorised officer)

Sl. No.

Regn.  
No.&  
Date

Length

Breadth