

Rajasthan Fisheries Rules, 1958

RAJASTHAN

India

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Rule RAJASTHAN-FISHERIES-RULES-1958 of 1958

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Rajasthan Fisheries Rules, 1958 Published vide Notification No. F.29 (46) Agri/54. dated 11-9-1958. RJ87 No. F. 29 [46] Agr/54. Jaipur, August 22, 1958- In exercise of the powers conferred by section 5 of the Rajasthan Fisheries Act, 1953 [Act No. XVI of 1953], the Government of Rajasthan makes after previous publication the following Rules, namely:-

1. Title, extent & commencement.

(a) These rules may be called the Rajasthan Fisheries Rules, 1958. (b) They shall come into force on their publication in the Rajasthan Gazette and shall apply to all the waters in Rajasthan except [---] [Substituted vide Notification No. F5 agri/6/88/GSR 9 dated 10-3-1997.] (i) private waters [---] [Substituted vide Notification No. F5 agri/6/88/GSR 9 dated 10-3-1997.]

2. Definition.

- In these rules the 'Act' means the Rajasthan Fisheries Act, 1953 (No. XVI of 1953)

3. Issue of Licence.

- Licences under the Act shall be granted by the Fishery Officer in one of the forms annexed to these rules.

4. Fee.

- Fees for licences under the Act shall be as follows:- (1) Seasonal Fishery Licence (Form No. 1) [-----] [Deleted by GSR 45 dated 26-8-1981.] (2) Angling Licence (Form No. 2 Rod and Line and Head line)

(a) For a year Rs. 60/-

(b) For a period of on month Rs. 20/-

(c) For one day Rs. 5/-]

(3) In case of licence by auction/tender (Form No. 3) the fees shall be the amount at which the highest bid/tender has been accepted: Provided that the Government may by notification in the Official Gazette from time to time after these fees.

5. [Procedure for inviting tender/auction:] [Substituted vide Notification No. F5 agri/6/88/GSR 9 dated 10-3-1997.]

(1)(a) By 15th March every year, Director of Fisheries shall prepare a list of water of the following category alongwith their reserve price on the basis of average revenue during the last 3 years. Category 'A' Waters fetching revenue of Rs. 1.00 Lac. And above per annum. Category 'B' Waters fetching revenue of Rs. 25,000 and above but below Rs. 1.00 lac. Per annum. (aa) Regional Dy. Directors of Fisheries shall prepare a list of waters of their region alongwith reserve price of the following category. Category 'C' Water fetching revenue of Rs. 10,000/- and above but below Rs. 25,000/- per annum. Category 'D' Waters fetching revenue below Rs. 10,000/- per annum. (b) Prior to inviting tender/auction in respect of water classified under different categories, the reserve price shall be estimated by the following committee:-

For Category 'A'

Administrative Secretary Fisheries Department	Chairman, Director,
Fisheries Department	Member Secretary,
Dy. Secretary, Fisheries Department	Member,
Dy. Secretary, Finance Department	Member,

Category 'B'

Director, Fisheries Department	Member,
Dy. Secretary, Fisheries Department	Member,
Regional Dy. Director, Fisheries Department	Member Secretary
Accounts Officer, Fisheries Department	Member

Category 'C' and 'D'

Director Fisheries Department	Chairman
Regional Dy. Director, Fisheries Department	Member Secretary
Accounts Officer, Fisheries Department	Member

The reserve price shall be made public. If the highest tender/bid is lower upto 5% than the reserve price, the Director, Fisheries may accept it. If the offered highest tender/bid is 5% to 25% lower than the reserve price, the same may be accepted with the approval of Administrative Department in the case of 'A' and 'B' category waters. In case of 'C' and 'D' Category water such tender or bid may be accepted by District fisheries Officer with the approval of District Collector. If the offered tender/bid is more than 25% lesser than the reserve price, the same may be accepted after approval of Finance Department in case of 'A' and 'B' category waters while in case of 'C' and 'D' category waters such tender/bid may be accepted with approval of the District Collector. (c) Director, Fisheries should

complete all the procedure for inviting tender/auction for fishing rights as far as possible before expiry of previous lease period. Highest tender/bidder shall have right of fishing only after confirmation of acceptance of his tender/bid by the Director, Fisheries and issue of licence in the form no. 3 or 3A as the case may be: Provided that (a) In some special circumstances as the need be tender procedure can be adopted after 31st March. (b) Registered Fishermen Cooperative Societies if participate in the tender/bid alongwith the other participants shall be eligible for 5% price preference. (d) The Director Fisheries or auction committee authorised for accepting tenders or conducting auction shall have the right to reject any tender/ bid offered without assigning any reasons. (e) Specified waters of all the category may be, by inviting tender/open auction in accordance with the procedure already prescribed, leased out for a period of five years except 'A' category. The 'A' Category waters will be leased for 3 years only. The lessee will have to pay cumulative increasing amount of lease money each year, such increase will be made by 12.5%, 15%, 17.5% and 20% for 2nd, 3rd, 4th and 5th year respectively, in case of 'B', 'C' and 'D' category waters and 12.5% and 15% in case of 'A' category waters. Accordingly 1/4th of the increased lease for coming year shall be deposited up to 31st January of the current year and rest 3/4th shall be deposited up to 15th March [-----] [Word 'if the lessee fails to deposit the lease amount in the prescribed period, the Fishing Licence for the remaining period shall be automatically cancelled and the water shall be reauctioned' deleted by Notification No. F. 5(8) AH-97 GSR 118 dated 15-12-1999 (Published in Rajasthan Gazette Extraordinary 5(Ga) dated 23-2-2000 at page 198.](f) For the water leased out according to Rule 5 (1) (e), procedure to lease out the same for next term may start in 4th year in case of 'B', 'C' and 'D' category waters and 2nd year in case of 'A' category waters of the lease. New Lessee shall deposit 1/4 of the lease amount in cash or through demand draft at the time of acceptance of tender/bid. Lessee will be given 18% interest on the amount which will be adjusted at the time of deposition of 3/4 of the lease amount by the lessee. (g) Tenders/Bids shall be invited at the Directorate of Fisheries for the 'A' and 'B' category waters, while for 'C' and 'D' category of waters tender/bids shall be invited at their respective District Head Quarters. (h) Committees for tenders/auction shall be constituted as under: For 'A' and 'B' category waters: Dy. Secretary, Fisheries, Dy. Secretary, Finance Department nominee of Director Fisheries, (not below the rank of Dy. Director) Accounts Officers, Fisheries Department. For 'C' and 'D' category waters: concerned Regional Dy. Director, Fisheries, Fisheries Development Officer/Fisheries Project Officer/Assistant Director, Fisheries and nominee of District Collector. (2) [Water of "C" and "D" category suitable for fisheries production/seed rearing may be allowed on approved terms and conditions for a period of 10 years to the Fish Farmers Development Agencies of the District which in the turn shall allot these waters as per terms and conditions in Form 3B to the trained fish farmers : Provided that in case of waters of "C" category, the lease amount shall be average revenue of preceding 3 years with a 10% increase every year. In case of "D" class waters FFDA shall charge Rs. 400/- per has. water area while agency shall pay Rs. 300/- per ha. as lease amount to the department, and use rest of the amount for development activities. The rates charged by FFDA shall be increased by 10% each year. Water of "C" category shall be assessed in the month of January by a committee of office including : (1) Executive Engineer, irrigation of his nominee not below the rank of A. En. (2) Chief Executive officer of concerned FFDA. (3) Vikash Adhikari in case of Panchayat water. (4) Treasury officer/A.T.O. In case of "D" Class water/seasonal water to be leased out for seed rearing, the water area shall be assessed in the month of July by the committee of- (1) Chief Executive Officer of FFDA. (2) T.O./A.T.O. (3) Fishing Development Officer] [Substituted vide GSR No. 17 & 19 dated

20-9-1990 & 19-6-1991.](3)[The State Government reserves the right for allotment of any water to the Tribal Area Development Cooperative Federation, Udaipur falling within its area of jurisdiction for the purpose of exploitation and management of fishery at the reserve price or predetermined annual lease and on the approved terms and conditions specified by the State Government from time to time for a period of 5 years in the initial stage and thereafter on yearly renewal. However the total period of such an allotment shall exceed years.] [Added vide GSR 87 dated 11-12-1981 7 Substituted vide GSR No. 19 dated 24-6-1993.]

4. [Director, Fisheries shall have right to allot specified 'C' and 'D' category waters in the vicinity of A and B category waters leased on long term basis to lessee of such waters for fish Seed rearing on predetermined reserve price. Fish Seed shall be reared in such 'C' and 'D' category water up to fingerling stage by the lessee and the such reared seed shall be leased out in accordance with the terms and conditions as specified in form No. 3C appended to these rules.] [Added by Notification No. F. 5(8) Agri. 6/88 GSR 9 dated 10-3-1997 (Published in Rajasthan Gazette Extraordinary 4(Ga)(I) dated 11-4-1997 at Page 9(12).]

(5)[(i) Following procedure shall be followed for leasing out of the waters transferred to Panchayati Raj Institutions [Added by Notification No. F.5(8)AH/97, G.S.R. 76, dated 24.12.2010 (Published in Rajasthan Gazette Extraordinary 4(Ga)(I), dated 29.12.2010.):-(a)By 15th March of each year, a list of waters to be leased out, on the basis of average revenue during the last 3 years, shall be prepared by Chief Executive Officer of Zila Parishad for "B" category waters and by Vikas Adhikari of Panchayat Samiti for "C" and "D" category waters.(b)Prior to invite tender or auction in respect of water classified under different categories, the reserve price shall be estimated by the following committee:-

(i) For Category "B" waters -

Chief Executive Officer, Zila Parishad	Chairman
District Fisheries Officer	Member
Senior Most Accounts Officer Zila Parishad	Member-Secretary

(ii) For Category "C" and "D" water -

Vikas Adhikari, Panchayat Samiti	Chairman
District, Fisheries Officer or his nominee not below the rank of Fisheries Inspector	Member
Senior Accounts Personnel of Panchayat Samiti	Member-Secretary

(c)The reserve price determined by the committee shall be made public. If the highest tender/bid is lower up to 10%, than the reserve price, the Chief Executive Officer/Vikas Adhikari may accept it. If the offered highest tender/bid is more than 10% lesser and up to 25% lower than the reserve price, the same may be accepted with the approval of Director Fisheries in case of "B" category waters and in case of "C" and "D" category waters such bids shall be accepted with the approval of District

Collector. If the offered tender/bid is more than 25% lesser than the reserve price, the same may be accepted with the approval of Secretary, Fisheries.(d)The Chief Executive Officer in the case of "B" category waters and Vikas Adhikari in case of "C" and "D" category waters should complete, all the procedure for inviting tender/auction for fishing rights as far as possible before expiry of previous lease period. Highest tender/bidder shall have right of fishing only after acceptance of his tender/bid and grant of licence in the form No. 3A by Chief Executive Officer in case "B" category waters and by Vikas Adhikari in case of "C" and "D" category waters.Provided that:-(i)In some special circumstances, tender procedure can be adopted after 31st March.(ii)Registered Fishermen Co-operative Societies, if participate in the tender/bid along with the other participants, shall be eligible for 5% price preference.(e)The Auction Committee constituted under clause (h) shall have right to reject any tender/bid offered without assigning any reasons.(f)All category of waters shall be leasaed out for a period of five years. The lessee shall have to pay cumulative increasing amount of lease money each year, such increase shall be 12% of the previous year's lease money. Accordingly 1/4th of the increased lease amount for coming year shall be deposited upto 31st January of the current year and rest 3/4th shall be deposited upto 15th March.(g)Tenders/Bids shall be invited at the Zila Parishad headquarters for the "B" category waters and Panchayat Samiti headquarter for C and D category waters.(h)Committees for tenders/auction shall be constituted as under:-

(i) For Category "B" waters -

Chief Executive Officer, Zila Parishad	Chairman
District Fisheries Officer	Member
Senior Most Accounts Officer Zila Parishad	Member-Secretary

(ii) For Category "C" and "D" water -

Vikas Adhikari, Panchayat Samiti	Chairman
Nominee of District, Fisheries Officer (Not below the rank of Fisheries Inspector)	Member
Senior Most Accounts Personnel of Panchayat Samiti	Member-Secretary

(ii)Notwithstanding anything contained in sub-rule (1), waters of C and D category suitable for fish production and seed rearing, concerned Panchayati Raj Institutions may allot on approved terms and conditions for a period of ten years to Fish Farmers Development Agencies. The Fish Farmers Development Agency may further sub-lease these waters as per terms and conditions in form No. 3-B to the trained fish farmers and preference shall be given to the members of Scheduled Castes, Scheduled Tribes, and Below Poverty Line families as per policy of the State Government(iii)In case of cancellation of licence, the water body shall be leased out afresh following the procedures as prescribed under the rules.

6. [Procedure of payment of fee and security money in case of licence by tender/auction. [Added by Notification No. F. 5(8) Agri. 6/88, GSR 9, dated 10.3.1997 (Published in Rajasthan Gazette Extraordinary 4(Ga)(1), dated 11.4.1997 at Page 9[12]).] (1) The person whose tender/bid has been accepted shall pay 1/4 of the amount offered at the time of acceptance of his tender/bid and shall deposit the rest of the amount within a period of one

month from the date of acceptance of his tender/bid, failing which the amount deposited by the date of acceptance/bidder at the time of acceptance of his tender/bid shall be forfeited and the same tenders/bidder shall be debarred from participating in auction/submitting tender for a period of 2 years :

Provided that in case the lessee fails to deposit 3/4 lease amount in the prescribed time, [Director Fisheries and in case of waters transferred to Panchayati Raj Institutions, Chief Executive Officer of Zila Parishad or Vikas Adhikari of Panchayat Samiti, as the case may be,] [Added by Notification No. F.5(8)AH/97, G.S.R. 76, dated 24.12.2010 (Published in Rajasthan Gazette Extraordinary 4(Ga)(I), dated 29.12.2010).] can extend the period up to 15 days if he is satisfied on the reasons for further 15 days with interest at the rate of 24%.(2)The licensee shall deposit 7 1/2% of the total tender/bid amount as Security money alongwith the second instalment or at the time of taking the licence. The amount shall be refunded after the term of licence is over after deducting any dues of penalty if any imposed as a result of failure to comply with any of the term and conditions of licence.(3)For the water leased out, the lessee shall deposit the 1/4th of the lease amount of subsequent year alongwith security amount before 31st January and rest of the amount alongwith security money shall be forfeited and the tenderer/bidder shall be debarred from entering into fishing contract for a period of 2 years.(4)If the tenderer/bidder, to whom the water has been leased out, agrees to deposit the lease amount of entire lease period in single instalment to then to calculate such lease amount procedure shall be adopted to deposit lease money of entire lease period on discounted value of the sum of the lease of first year.

7. [Term of licence. - Licence granted under rule 5 shall remain in force from the date of the issue of licence to 31st March, each year including the closed season, declared by the State Government under Rajasthan Fisheries Rule, 1958] [Substituted by GSR 45, dated 26.8.1981].

8. Refund of fees.

- The licence fee may be refund to the licensee or his legal heir on the presentation of a claim for refund within one week from the date of issue of licence, if it is proved to the satisfaction of the Officer issuing the licence that the licence was not availed of under special circumstances such as change of residence to a place where the licence can not be made use or the death of the licensee immediately after the licence was issued.

9. Loss of licence.

- When the licence is lost or destroyed the authority is empowered to grant a duplicate copy of the original licence on payment of a fee of rupee one and thereupon, the original licence which is lost shall be considered as cancelled.

10. Conditions of the licence.

(1)A Licensee shall be entitled to fishing personally or by his agent or nominee and shall be provided with written permits (Form No. 4) by the Fishery Officer.(2)The Fishery Officer may from time to time as the need be supply to the licensee a sufficient number of blank permits (Form No. 4) duly signed by him or any officer empowered by him in this behalf.(3)A licensee by [auction/tender] [Substituted by GSR 45, dated 26.8.1981.] (Form No. 3) may use the following kinds of gear only for the purpose of fishing:-(a)Nets of all kinds [.....] [Omitted by ibid.] not having any portion of a mesh less than 11/2 inches in size from knot to knot or 6 inches all round and a mesh of 1' size or 4' all round in the case of cast nets.(b)long line with hooks,(c)rod and line,(d)spear.Provided that:-(i)no gear except rod and line shall be used in river or stream within a distance of 200 yards of a bridge.(ii)no net meant for prawn (Jhingas) catching shall be used without the permission for the Fishery Officer.(4)(i)no licensee shall erect without the permission of the Fishery officer any fixed engines except in the case of stake nets when they are temporarily fixed in water for use in conjunction with other nets.(ii)[the licensee shall not catch any fish less than 500 grams in weight of the species namely, Rohu, Catla, Mahaseer silver Carp. and grass Carp, if caught, should be immediately liberated alive in the water.] [Substituted by GSR 17, dated 20.9.1990 & GSR 19, dated 19.8.1991.](iii)the licensee except the holder of art Angling licence shall maintain regular account of each and every catch, which shall always be open for check without notice by the Fishery Officer or any person authorised in writing by the director of Animal Husbandry. He shall be bound to send fortnightly copies of such account under registered cover in form No. 5.(iv)the licensee or his agent or nominee shall report to the nearest fisheries station or office wherever any remarkable feature of scientific or economical importance is noticed by him.(v)the licensee shall not fish in religious waters or places or bathing ghats.(vi)the licensee shall always transport fish under cover so as not to rouse public sentiment.(vii)the licensee shall not use state property or interfere with material or tackle belonging to the State.(viii)the licensee shall not erect any hut or shed or any other structure or any embankment etc. except under special orders of the Fishery Officer.(ix)on demand the licensee or his agent shall show his licence or permit to any person empowered to arrest without warrant under section 9 of the Act.(x)[the licensee or his agent shall not dry the fish]] [Added by GSR 17, dated 20.9.1990 & GSR 19, dated 19.8.1991.]

11. [Closed season. - The period from 16th June to 31st August in each year shall be closed season during which no fishing shall be allowed :

Provided that the State Government may, by a notification published in the Official Gazette, reduce the period of closed season for any part of Rajasthan, in any year.] [Substituted by ibid.]

12. Seizure, removal and forfeiture in official enquiries.

- Any fixed engine erected or used in contravention of the provisions of rule 10 sub rule 4(1) may be seized or removed by the Fishery Officer or any person specially empowered by name or by virtue of his office by the Govt. in this behalf, and it shall be liable by the order of the Fishery Officer or the licensing authority concerned, to forfeiture.

13. Forfeiture of apparatuses used in contravention of these rules.

- All apparatus erected or used for fishing in contravention of these rules may be seized, taken and removed to the nearest police station or the fisheries office by any person empowered under section 9 of the Rajasthan Fisheries Act, 1953 and all such apparatus and the fish caught shall be forfeited on conviction of the offender in addition to any punishment awarded under the Act :Provided that the seized fish which is subject to speedy and natural decay may be sold by open bids by the Fishery Officer and the sale proceeds there of dealt within accordance with the procedure laid down for the receipts under head [Appointment receipt head of fisheries] [Substituted by GSR 45, dated 26.8.1981.] subject to any orders by the Court.

14. Cancellation of a licence.

- If any licensee or his agent breaks any of the conditions of the licence the Fishery Officer may cancel the licence or permit. On the cancellation of the licence all permits issued along with it shall also be considered as cancelled and the amount already paid by the licensee shall not be refunded to him.

15. Fishing by the Department for scientific purpose.

- Nothing in these rules shall prevent the Officers and staff of the Fisheries Department in catching fish of any species and size and in any water at any time and by any means for scientific purpose

16. [Prohibition on the sale/purchase of fish less than 500 grams. [Added by GSR 17, dated 20.9.1990 & GSR 19, dated 19.8.1991.]

- Purchase and sale of fish like Catla, mahaseer, Rohu, mrigal, Grass Carp and Silver Carp less than 500 grams in weight prohibited.Explanation. The aforesaid regulation does not include the fishes sold alive for the purpose of stocking in the tanks. The fish so found being sold shall be seized by the fisheries officer empowered in the Section '9' and shall be destroyed in his presence or shall be handed over to local zoo authorities if existing in the town by the Fisheries Officer with the permission of the 1st class magistrate.]

17. [Interpretation. [Added by Notification No. F.5(8)AH/97, G.S.R. 76, dated 24.12.2010 (Published in Rajasthan Gazette Extraordinary 4(Ga)(I), dated 29.12.2010).]

- If any doubt arises relating to application and interpretation of these rules it shall be referred to the State Government and the interpretation of the State Government whose decision thereon, shall be final.]

18. [Removal of Difficulties. [Added by Notification No. F.5(8)AH/97, G.S.R. 76, dated 24.12.2010 (Published in Rajasthan Gazette Extraordinary 4(Ga)(I), dated 29.12.2010).]

- If any difficulty arises in implementation of these rules it shall be referred to the State Government whose decision thereon, shall be final.]Form No. 1Seasonal Fishing Licence

- | | |
|---|-----------------------------------|
| 1. BookNo..... | 2. Licence No. |
| 3. Class Dragnet/Castnet..... | 4. Date of payment to fee |
| 5. Free paid..... | 6. Date of issue of licence |
| 7. Period for which issued | 8. Name of the licensee |
| 9. Resident of | S/o..... |
| 10. Identification mark of the licensee | 11. Licensee's Age |

Permission is hereby granted to the licensee to fish in the waters specified below from the date of issue up to the 200--- Subject to the conditions laid down under the Rajasthan Fisheries Rules, 1958.Waters District Rs Fishery Officer
.....Conditions under which this licence is issued:-

1. The licensee may fish with nets of all kinds (except phalsa) provided that no net shall have at any portion of it a mesh of less than 1- 2 in size from knot to knot or 6' around except for casting nets where the size of mesh may be up to 4" or 1" from knot to knot,

2. Erection of dams or weirs, diversion of water, use of fixed engines (except stake nets) when they are temporarily in water for use in conjunction with other nets, explosive substances, poison, lime or other noxious material are prohibited. No stake net as such and phalsa in any case should be used without the permission of the licencing authority.

3. This licence must be produced on demand by any person authorised to demand it.

Form No. 2

1. District

2. Period for which issued

3. Date of payment of fee

4. Fees paid Rs

5. Name and address of the licensee

Permission is hereby granted to the licensee to fish in the water specified below from the date of issue of this licence subject to the conditions laid down under (the Rajasthan Fisheries Rules, 1958.)Water

.....Conditions under which the licence is issued:-

1. The licensee may fish with:-

(a)Rod and line, hand line and long line only and can use not more than two rods or two lines or one rod and line at a time. The line should not contain more than 10 hooks.

2. The licensee shall not employ or engage any person (other than his own children under the age of 16) to help him with his rods unless the person so employed is also licence holder.

Form No. 3Fishing Licence (Rule No. 5)NoThis Indenture made thisday of200--- between the Governor of Rajasthan (hereinafter referred to as The Government', which expression shall where the context so admits be deemed to include his successors and assigns) of the one part and son of casteage occupation resident of (hereinafter referred to as the licensee which expressed on shall, where the context so admits, be deemed to include his heirs, executors, administrators and permitted assigns of the other part.Whereas upon an auction of the fishing in the waters describe in the schedule annexed hereunder (hereinafter described as 'the said waters') the boundaries of which were shown to the licensee, the licensee gave the highest bid of Rs as fee, which was accepted by the Director of Fisheries Rajasthan, and the licensee has paid the said amount i.e on and Rs on and the Government have agreed to grant the said licensee a licence on the consideration and conditions hereafter appearing.Now these presents witness-In consideration of the fees paid by the licensee as aforementioned and agreements hereafter contained and on the part of the licensee to be observed and performed, the Government hereby grants to the licensee this licence to enter in and upon the said waters to search for, catch and carry fish upon the following conditions namely:-(1)The licensee shall observe all the provisions of Rules and Regulations of the Fisheries Department, and agrees to carry out duly all instructions and inconsistent with these presents of the said department.(2)No application from the contractor shall be entertained regarding the rise or fall in level of the water of the place auctioned as compared to its position at the time of auctioning nor can be claimed compensation.(3)The licensee shall take reasonable precautions to protect Government property in the area under his possession.(4)The security money shall be realised from the licensee as per Rule No. 6 (b) of [the Rajasthan Fisheries Rules, 1958](5)The licensee has no right to take out anything

else than the fish from the water auctioned to him, e g; prawns, crocodiles, etc.(6)Licence granted by inviting tenders auction shall remain in force from the date of issue up to the 31st march each year.(7)When the licence is lost or destroyed, the authority granting this licence may grant another licence which shall be a duplicate copy of the original on payment of a fee or rupee one. The original licence which is lost shall be considered as cancelled.(8)A licensee shall be entitled to fish personally or by his agent or nominee and shall be provided with blank written permits by the Fishery Officer.(9)A licensee may use the following kinds of gear only for the purpose of fishing;-(a)Nets of all kinds [---] not having any portion of a net less than 1 1/2 inches in size from knot to knot to 6 inches all round and a mesh of 1" size, or 4" all round the case of cast nets.(b)Long line with hooks nets.(c)Rod and line.(d)Spear,Provided that:-(i)No net for prawn (Jhingas) catching shall be used without the permission of the Fishery Officer.(ii)No gear except rod and line shall be used in river or stream within a distance of 200 yards of bridge.(10)No licensee shall be entitled to erect any fixed engines except in the case of stake nets when temporarily fixed in water for use in conjunction with dragnets.(11)The licensee shall not catch any fish less than 500 grams in weight of the species (Rohu-Narain catla, Mohasser Silver carp and Grass Carp), if caught, should be immediately liberated alive, into the water.(12)The licensee shall maintain regular account of catch and every catch which shall always be open for check without notice by the Fishery Officer or any body authorised in writing by the Director of Fisheries. He shall be bound to send fortnightly copies of such account under registered cover in form No. 5.(13)The licensee or his agent or nominee shall report to the nearest fisheries station or officer wherever any remarkable feature of scientific or economic importance is noticed by him.(14)The licensee shall not fish in religious waters or places or bathing ghats.(15)the licensee shall always transport fish under cover so as not to rouse public sentiment.(16)The licensee shall not use State property or interfere with material or tackle belonging to the State.(17)The licensee shall not erect any but or shed or any other structure or any embankment etc. except under special order of the Fishery Officer.(18)On demand the licensee is bound to show his licence or permit.(19)Any fixed Engine erected or used in contravention of the provisions of the Rajasthan Fisheries Rules, 1958 may be seized or removed by the Fishery Officer or any person especially empowered by name or by virtue of his office by the Government in this behalf, and it shall be liable by the order of the Fishery Officer or the licencing authority concerned, to forfeiture.(20)All apparatus erected or used for fishing in contravention of these conditions may be seized, taken and removed to the nearest police station or Fisheries Office by any person empowered under section 9 of the Rajasthan Fisheries Act, 1953 and all such apparatus and the fish caught shall be forfeited on conviction of the offender:Provided that the seized fish which is subject to speedy and natural decay may be sold by open bids by the Fishery Officer and the sale proceeds thereof dealt with in accordance with the procedure laid down for all receipts under [appropriate receipt head of Fisheries] subject to any orders by the Court.(21)If the licensee or his agent commits breach of any of the conditions of this licence, the Fishery Officer may cancel the licence or permit. On the cancellation of licence all permits issued along with it shall also be considered as cancelled and the amount already paid by the licensee shall not be refunded to him.(22)Nothing in this licence shall prevent the officers and staff of the Fisheries Department in catching fish of any species and seize in the said waters at any time and by any means for scientific purposes.(23)[The Licensee or his agent shall not dry the Fish.]In witness whereof these presents have been executed in the manner hereunder appearing the day and year first above written.Signed by the Licensee.Signed for and on behalf of the Governor of Rajasthan.

Signature..... Signature.....
 Designation.....
 Witness :- Witness :-

(1)..... (1).....
 (2)..... (2).....

Form No. 3-A [Added by Notification No. F. 5(8) Agri. 6/88 GSR 9 dated 10-3-1997 (Published in Rajasthan Gazette Extraordinary 4(Ga) (I) dated 11-4-1997 at Page 9(12)] Fishing Licence [Rule No. 5 (1) (c)] No This Indenture made this day of 200..... between the Governor of Rajasthan (hereinafter to as 'the Government' which expression shall where the context so admits be deemed to include his successors and assigns) of the one part and son of caste age occupation resident of / or a Fisheries Co-operative Society under Act year and having its registered office at (hereinafter referred to as the licensee which expressed on shall, where the context so admits, be deemed to include his heirs, executors, administrators and permitted assigns) of the other part. Witnesses as Follows: The 'Government' hereby grants to the 'Licensee' the rights and liberty to undertake fish culture in the Tank/pond/other water area known as (hereinafter referred to as 'The Said Tank') situated in the Village Tehsil District and to develop exploit and remove the fish contained therein by adopting appropriate techniques, for a period of years from day month year to the end of day month and year subject to the following conditions; [1. The licensee shall pay to the Government for exercising the said rights, cumulatively increasing amount of lease money taking in to account the increase factor of 12.5%, 15%, 17.5% and ,20% at the end of 1st, 2nd, 3rd and 4th year respectively in case of B', 'C' & 'D' category waters and 12.5% and 15% at the end of 1st, 2nd year in care of 'A' category water. Hence the licensee shall pay a sum of Rs for the first year lease period and Rs for the 2nd year of lease period and Rs for the third year of lease period and Rs for the fourth year of lease period and Rs for the fifth year of the lease period. The prescribed annual lease money will have to be paid with in one month from the acceptance of his tender/bid in the first year, while the annual lease amount for the 2nd, 3rd, 4th and 5th, as the case may be, will be paid in two instalments. First instalment i.e. one-fourth of lease amount of coming year shall be deposited on before 31st January, of current year, while second instalment i.e. three-fourth amount shall be deposited on or before 15th March, of the first, second, third and fourth year of the lease period as the case may be.] [Added by Notification No. F. 5(8) Agri. 6/88 GSR 9 dated 10-3-1997 (Published in Rajasthan Gazette Extraordinary 4(Ga) (I) dated 11-4-1997 at Page 9(12)] At the end of the lease period [-----] [Word 'earlier' dated by Notification No. F. 5(8) AH-97 GSR 118 dated 15-12-1999 (Published in Rajasthan Gazette Extraordinary 4(Ga-I) dated 23-2-2000 at page 198.) in case of conditions in agreement are not fulfilled, the Fisheries right shall stand reverted to the Government." 2(2) Stocking the lease water with 500 fingerlings or 2500 fry of Indian Major Carps per hectare water area every year. The water area of the said tank shall be assessed by the Department of Fisheries from time to time and conveyed to the lessee. Fish Seed will be stocked by the lessee up to the month of December of calendar year." "The licensee has no right to take out anything else than the fish from the water leased to him e.g. turtles, crocodilers and others protected a aquatic animals."

2. The 'LESSEE' agrees to develop the fisheries of the said tank within the time and in the manner specified by the 'Government as under:-

(1)Repairs and renovation of tanks;"(2) Stocking the lease water with 500 fingerlings or 2500 fry of Indian Major Carps per hectare water area every year. The water area of the said tank shall be assessed by the Department of Fisheries from time to time and conveyed to the lessee. Fish Seed will be stocked by the lessee up to the month of December of calendar year."(3)Management of tank which shall include manuring; corrective measures to tone-up the plankton productivity; and eradication of weeds, and unwanted fishes etc.

3. The licensee shall observe all the provisions of Rules and Regulation of Fisheries Department and agrees to carry out duly all instructions not inconsistent with these presents of the said Department.

4. No application from the contractor shall be entertained regarding the rise or fall in level of the water of the place auctioned as compared to its position at the time of auctioning nor can be claim compensation.

5. The licensee shall take reasonable precautions to protect Government property in the area under his possession.

6. The Security money shall be realised from the licensee as per Rule No. 6(b) of 1 (The Rajasthan Fisheries Rules, 1958).

7. [The licensee has no right to take out anything else than the fish from the water leased to him e.g. turtles, crocodiles and others protected aquatic animals.] [Substituted by Notification No. F.5(8) Agri.-6/88. GSR 9, dated 10.3.1997 (Published in Rajasthan Gazette Extraordinary 4(Ga)(I), dated 11.4.1997).]

8. When the licence is lost or destroyed, the authority granting this licence may grant another licence which shall be a duplicate copy of the original on payment of a fee of rupee one. The original licence which is lost shall be considered as cancelled.

9. A licensee shall be entitled to fish personally or by his agent or nominee and shall be provided with blank written permits by the Fishery Officer.

10. A licensee may use following kinds of gear only for the purpose of fishing.-

(a)Nets of all kinds [.....] not having any portion of a net less than 1-1/2 inches in size from knot to knot to 6 inches all round and a mesh of 2' size, or 4' all round in case of cast nets.(b)Long line with hooks(c)Rod and line(d)SpearProvided that(i)No net for prawn (Jhingas) catching shall be used without the permission of the Fishery Officer.(ii)No gear except rod and line shall be used in river or stream within a distance of 200 yards of bridge.

12. No licensee shall be entitled to erect any fixed engines except in the case of stake nets when temporarily fixed in water for use in conjunction with drag-nets.

13. The licensee shall not catch any fish less than 500 grams in weight of the following species (Rohu, Narain-Catla-Mahaseer silver carp and Grass Carp if caught, shall be immediately liberated alive, into the water.

14. The licensee shall maintain regular account of catch and every catch which shall always be open for check without notice by the Fishery Officer or any body authorised in writing by the Director of fisheries. He shall be bound to send fortnightly copies of such account under-registered cover in Form No. 5.

15. The licensee or his agent or nominee shall report to the nearest fisheries station or officer wherever any remarkable feature of scientific or economic importance is noticed by him.

16. The licensee shall always transport fish under cover so as not to rouse public sentiment.

17. The licensee shall not fish in religious water or places or bathing ghats.

18. The licensee shall not use state property or interfere with material or tackle belonging to the State.

19. The licensee shall not erect any hut or shed or any other structure on any embankment etc. except under special orders of the Fishery Officer.

20. On demand the licensee is bound to show his licence or permit.

21. Any fixed Engine erected or used in contravention of the provisions of the Rajasthan Fisheries Rules, 1958 may be seized or removed by the Fishery Officer or any person specially empowered by name or by virtue of his office by the Government in this behalf, and it shall be liable by the order the Fishery Officer or the licensing authority concerned to forfeiture.

22. All apparatus erected or used for fishing in contravention of these conditions may be seized, taken and removed to the nearest police station or Fishery Office by any person empowered under section 9 of the Rajasthan Fisheries Act, 1953 and all such apparatus and the fish caught shall be forfeited on conviction of the offender.:

Provided that the seized fish which is subject to speedy and natural decay may be sold by open bids by the Fishery Officer and the sale proceeds thereof dealt with in accordance with the procedure laid down for all receipts under head [Appropriate receipt head of Fisheries] subject to any orders by the Court.

23. If the licensee or his agent commits breach of any of the conditions of this licence, the Fishery Officer may cancel the licence or permit. On the cancellation of the licence all permits issued along with it shall also be considered as cancelled & the amount paid by the licensee shall not be refunded to him.

24. Nothing in this licence shall prevent the Officers and staff of the Fisheries Department in catching fish of any species and size in the said water at any time and by any means for scientific purposes.

25. The licensee or his agent shall not dry the fish.

In witness whereof these presents have been executed in the manner hereunder appearing the day year first above written. Signed by the licensee :Signature Signed for and on behalf of the Governor of Rajasthan. Signature..... Designation Form No. 3-B Agreement form between the Fish Farmer and the Fish Farmers Development Agency [Rule No. 5 (2)] This agreement made on..... day of..... 200--- between the fish Farmers' Development Agency represented by its Chief Executive Officer (hereinafter referred to as the Agency), which expressions shall unless the context otherwise admits, shall include a successive organisation, administrator, executor, or any person entrusted with the work by the Government of one part and Shri..... S/o..... Caste..... age..... resident of (referred to as the fish farmer, which expression shall unless the

context otherwise admits includes his heirs/executors, and administrators), or the Fish Farmers' Co-operative Society registered under..... Act-(year) and having its registered office at.....(herein referred to 'Lessee') which expression shall, unless the context otherwise admits includes his successors of the second part. Witnesses as follows:-(i)The 'Agency' hereby grants to the Lessee, the rights and liberty to undertake fish culture in the Tank/Pond/other water areas known as(hereinafter referred to as('The said Tank') situated in/near the Village..... Tahsil..... District..... to exploit, and remove the fishes contained therein by adopting appropriate techniques, for a period of..... years from dayof month years together with the right to enter on and repass over such portions of the Government land round the said Tank as well be reasonably necessary for the adequate exercise of the right and liberty aforesaid, subject to the following conditions:-(1)The lessee shall pay to the Agency for exercising the said rights a sum of Rs. 400 / - per ha. water. The first annual lease amount shall be paid before the execution of this lease agreement and annual instalment for subsequent years shall be paid on or before 7th May, every year with 10% increase on the initial lease amount. At the end of the lease period or earlier in case the conditions in the agreement are not fulfilled, fisheries right shall stand reverted to the Agency].(2)The 'Lessee' agrees to develop the fisheries of said Tank within the time, and in the manner specified below by the Agency.2.1Improvements to the said Tank,2.2Specified schedule of manuring, stocking with seed of cultivable species, and feeding the fish,2.3Checking plankton intensity and growth of fish,2.4General corrective measures necessary to tone-up plankton production, eradication of weeds and Parasites.2.5Timely purchase of required No. of fish seed of cultivable species from the agency.(3)The 'Lessee' shall obtain fish seed of cultivable species in whatever combination on the prescribed price from the Agency.(4)No request from the lessee shall be entertained regarding the rise, or fall in the level of the said Tank. The Lessee shall not prevent / any person concern department entitled to use the water from the Tank either for drinking purpose.(5)The Lessee shall take reasonable precautions to protect the said Tank including its banks, fences, hedges, trees or other Government property, and agrees to give such compensation to the Agency as may be determined by him in respect of any damages which may be caused to the said Tank. Provided that decision of the Agency regarding such damage shall be final.(6)The lessee shall not open or shut any sluice belonging to the said Tank whether for the exercise of the fishing rights or privilege for fishing or for any purpose whatsoever without the permission of Agency.(7)The Lessee has no right to take out anything else than the fish from the said Tank leased to him.(8)The lease year for the purposes of harvesting of fish shall be from the date of issue of licence 31st March every year.(9)When the licence is lost or destroyed, the Agency may agree to give another licence which shall be a duplicate of the original on payment of Re. 17-. The original licence which is lost or destroyed shall be considered as cancelled.(10)The Lessee shall be entitled to fish personally or to issue permits to those who fish or and on his behalf in the said Tank and not to allow or permit any other person to do fishing in the said Tank.(11)The Lessee agreed to avail of the facilities for conducting fishing provided by the Agency subject to the terms and conditions as may be stipulated in this regard. If for no reason the facilities cannot be provided by the Agency the Lessee agrees to make his own arrangement for fishing.(12)The Lessee may use the following kinds of gear only for the purpose of fishing:-(a)Nets of all kinds [-----] not having any portion of net less in one and half inches in size from knot to knot to make six inches all round and mesh of three inches size.(b)Long line with hooks.(c)Rod and line, 'Provided that no net for prawn (Jhingas) catching shall be used without permission of the Agency.'(13)The Lessee shall not be entitled to erect in fixed engine except

in the case of stakenets when temporarily fixed in water for use in conjunction with dragnets.(14)The Lessee shall not catch any fish less than 500 grams in weight of the following cultivable species; Rohu, Catla, Mirgla, Silver-carp, Grass carp, Common carp, Mahaseer, if caught should be immediately liberated alive, in the water.(15)The Lessee shall maintain regular account of catch and every catch which shall always be open for check without notice by the Agency or any body authorised in writing by the Agency. He shall be bound to send fortnightly copies of such account in prescribed form under registered cover to the Agency.(16)The Lessee shall report to the Agency wherever any remarkable feature of scientific.or economic importance is noticed by him.(17)The lessee shall always transport fish under cover so as not to rouse public sentiment.(18)The Lessee shall not use state property or interfere with material or tackle belonging to the State.(19)The Lessee shall not erect any permanent structures on the Tank/Ponds or in Vicinity of Tank/Ponds. However he may be permitted to put such temporary structures for supervision of fish culture activities, as approved by the Agency provided be agrees to remove all such structures within fifteen days of the expiry of the lease.(20)On demand the Lessee is bound to show his licence or permit.(21)The Lessee shall not discharge or permit the discharge into the said Tank of any solid or fluid of a poisonous nature or contaminated or polluted water which may destroy, sicken or injure the fish, cattle or other animals or humans, who may use the water for drinking or other purpose.(22)The Lessee agrees to any arrangement introduced by Irrigation or any other State Government's Department for the release or regulation of water supply for irrigation purposes or to regulate operation of fishing nets or sluices in order to prevent damage of the said Tank.(23)Any fixed Engine erected or used in contravention of the provisions of the Rajasthan Fisheries Rules, 1958 may be seized or removed by the Agency or by the Fishery Officer or any other person specially empowered by name or by virtue of his office by the Government in this behalf, and it shall be liable by the order of the Fishery Officer or the licencing authority concerned to forfeiture.(24)All apparatus erected or used for fishing in contravention of these conditions may be seized, taken and removed to the nearest police station or Fishery Officer or the Agency Office, by any person empowered under section 9 of the Rajasthan Fisheries Act, 1953 and all such apparatus and the Fish caught shall be forfeited on conviction of the offender:Provided that the seized fish which is subject to speedy and natural decay may be sold by open bids by the Fishery Officer or the Officer empowered by the Agency and the sale proceeds thereof dealt with in accordance with the procedure laid down for all receipts under the relevant head of the Agency subject to any order by the Court.(25)The Lessee agrees to observe all the provisions of Rajasthan Fisheries Rules, 1958, made under Rajasthan Fisheries Act, 1953.(26)If the Licensee or his agent commits breach of any of the conditions of his licence, the Fishery officer may cancel the licence or permit. On the cancellation of the licence all permits issued alongwith it shall also be considered as cancelled and the amount paid by the lessee shall not be refunded to him.(27)Nothing in this licence shall prevent the Officer or staff of the Fisheries Department in catching fish of any species and size in the said waters at any time and by any means for scientific purposes.(28)Lessee shall not claim any compensation for any losses due to natural causes, defective methods adopted for fisheries development or due to theft of fish or any other reasons whatsoever.(29)The licensee or his agent shall not dry the fish.]In witness whereof these presents have been executed in the manner hereunder appearing the day and year first above written.Signed by the LesseeSignatureSigned for and on behalf of the Agency,SignatureDesignationForm No. 3(c)Licence[Rule No. 5(4)]This Indenture made thisdays of..... 200..... between the Governor of Rajasthan (hereinafter referred to as the Government" which expression

shall where the context so admits be deemed to include his successors and assigns) of the one part and son of Shri Caste..... age..... occupation..... resident of...../or a Fisheries Cooperative Society, registered under....Act....year....and having its registered of where the context so admits be deemed to include his heirs, executors, administrators and permitted assigns) of the other part. The Government" hereby grant to the Licensee" the rights and liberty to undertake fish seed rearing in the tank/ponds/other water area known as (hereinafter referred to as The Said Tank") situated in the fingerling stage to stock the fish fingerlings in the A" & B" category waters of the licensee herein by adopting appropriate techniques, for a period of..... year from day monthyear..... to the end ofdaymonth andyear subject to the following;Conditions:-

1. . The Licensee shall pay to the Government for exercising the said rights, cumulatively increasing amounts of lease money taking in to account the increase factor of 12.5%, 15% 17.5% and 20% at the end of 1st, 2nd, 3rd and 4th year respectively. Hence the licensee shall pay a sum of Rs for the first year of lease period and Rsfor the second year and Rs..... for the third year and Rs..... for the fourth year and Rs..... for the fifth year.

The prescribed annual lease money will have to be paid within one month from the allotment of the said tank in the first year while the annual lease amount for the 2nd, 3rd, 4th and 5th year will be paid to the Government on advance in or before 15th March of every year".At the end of the lease period [---] [Word 'or earlier' deleted by Notification No. F.5(8) AH 97 GSR 118 dated 15-11-1999 (Published in Rajasthan Gazette Extraordinary 4(Ga) (I) dated 23-2-2000 at page 198.] in case of condition in agreement are not fulfilled, the Fisheries rights shall stand reverted to the Government."

2. The Licensee" agree to utilize the said tank only for the purpose of rearing fish up to fingerling stage which shall be stocked later in the tank namely.... given on the long lease to him. The said tank will not be used for any purpose other than fish seed rearing.

3. The Licensee shall observe all the provisions of Rules Regulations of the Fisheries Department.

4. No application from the contractor shall be entertained regarding the raise or fall in level of the said water of the place allotted as compared to its position at the time of auctioning nor can claim compensation.

- 5. The Licensee shall take reasonable precautions to protect Govt. Property in the area under his possession.**
- 6. The security money shall be realised from the licensee as per rule No. 6(2) of the Rajasthan Fisheries Rules**
- 7. The Licensee has no right to take out anything else than the fish fingerlings from the said water allotted to him e.g. crocodiles, turtles and other protected aquatic animals.**
- 8. Licence granted shall remain in force from the date of issue of licence to 31st March each year.**
- 9. When the licence is lost or destroyed, the authority granting this licence may grant another licence which shall be a duplicate copy of the original on payment of a fee of rupee one. The original licence which is lost shall be considered as cancelled.**
- 10. A licensee shall be entitled to rear and stock the fish seed personally or by his agent or nominee and shall be provided with blank written permits by the Fisheries Officer.**
- 11. The Licensee, may use the nets of suitable mesh size to harvest the fish seed However, the harvesting of seed will be done after obtaining permission of the fisheries Officer of the Fisheries Department at the district. The seed will be harvested in the presence of an official of fisheries department not below the rank of Inspector. The fish seed thus harvested shall be stocked in live condition.**
- 12. The licensee shall not be entitled to erect any fixed engines except in the case of stake nets when temporarily fixed in water for use in conjunction with fingerling collection net.**
- 13. The licensee shall maintain regular account of fish seed stocked which shall always be open for check without notice by the Fishery Officer or any body authorized in writing by the Director of Fisheries. He shall be bound to send fortnightly copies of such account under registered cover.**

14. The licensee or his agent or nominee shall report to the nearest fisheries officer or officer where-ever any remarkable feature of scientific or economic importance is noticed by him.

15. The license shall always transport alive fish seed.

16. The licensee shall not use State property or interfere with material on hackle belonging to the State.

17. The licensee shall not erect any hut or shed or any other structure on any embankment etc. except under special orders of the fishery officer.

18. On demand the licensee is bound to show his licence or permit.

19. Any fixed Engine erected or used in contravention of the provisions of the Rajasthan Fisheries Rules, 1958, 1981 and 1991 may be seized or removed by the Fishery Officer or any person specially empowered by name or by virtue of his office by the Government in this behalf and it shall be liable by the order of the Fishery Officer or the licensing authority concerned to forfeiture.

20. All apparatus erected or used for fishing in contravention of these conditions may be seized, taken and removed to the nearest police station or Fisheries Officer by any person empowered under section 9 of the Rajasthan Fisheries Act, 1953 and all such apparatus and the fish caught shall be forfeited on conviction of the offender:

Provided that the seized fish which is subject to speedy and natural decay may be sold by open bids by the Fishery Officer and the sale proceeds thereof dealt with in accordance with the procedure laid down for all receipts under appropriate receipt head of Fisheries subject to any order by the court.

21. If the licensee or his agent commits breach of any of the conditions of this licence, the Fishery Officer may cancel the licence or permit. On the cancellation of the licence all permits issued along with it shall also be considered as cancelled and the amount already paid by the licensee shall not be refunded.

22. Nothing in this-licence shall prevent the officer and staff of the Fisheries Department in catching fish of any species and size in the said waters at any time and by any means for scientific purposes.

23. The licensee or his agent shall not dry the fish".

In witness whereof these presents have been executed in the manner here under appearing on the day and year first above written. Signed by the Licensee: Signed for and on behalf of the Government of Rajasthan Director Department of Fisheries, Rajasthan, Jaipur Form No. 4 Permit Name The Fishing permit is valid for and is granted under Licence No dated for the period from to This shall be cancelled along with the above licence, or earlier under the orders of the authority issuing. Issuing Authority. Form No 5 Catch Statement

1. Name of the contractor

2. Licence No.

3. Water

4. Area

S. No. Dated Detail of Species Weight in kgs. Remarks

1	2	3	4	5