

# **The Indian Fisheries (Goa, Daman and Diu Amendment No. 1) Act, 1970**

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### **Act 11 of 1970**

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The Indian Fisheries (Goa, Daman and Diu Amendment No. 1) Act, 1970(Act No. 11 of 1970)[Dated 6th October, 1970]An Act to amend the Indian Fisheries Act, 1897 in its application to the Union territory of Goa, Daman and Diu and for the repeal of certain erstwhile Portuguese Legislation relating to Fisheries in force in the said Union territory.Be it enacted by the Legislative Assembly of Goa, Daman and Diu in the Twenty-first Year of the Republic of India as follows:-

### **1. Short title, extent and commencement.**

(1)This Act may be called the Indian Fisheries (Goa, Daman and Diu Amendment No. 1) Act, 1970.(2)It extends to the whole of the Union territory of Goa, Daman and Diu.(3)It shall come into force on such date as the Lieutenant Governor of Goa, Daman and Diu may, by notification in the Official Gazette, appoint.

### **2. Amendment of section 3.**

- In clause (2) of section 3 of the Indian Fisheries Act, 1897 (hereinafter referred to as the "principal Act"), after the word "trap" and before the words "or other contrivance", the words "fishing stakes" shall be inserted.

### **3. Amendment of section 6.**

(1)In sub-section (3) of section 6 of the principal Act,-(i)in clause (b), the word "and" shall be deleted;(ii)in clause (c), for the full stop, a semicolon shall be substituted; and(iii)after clause (c), the following shall be added, namely:-"(d) the ejection into water of any solid, liquid or gaseous matter, including industrial effluents, which may be harmful to the fishes in such water.".(2)For

sub-section (4) of section 6 of the principal Act, substitute the following, namely:-"(4) Such rules may also prohibit all fishing in any specified water except under a lease or licence granted by the Government of Goa, Daman and Diu and regulate the grant of such leases or licences and prescribe the rents or fees payable therefore and the terms and conditions to be specified therein.".(3)After sub-section (6) of section 6 of the principal Act, the following shall be added, namely:-"(7) Every rule made under this Act shall be laid as soon as may be after it is made before the Legislature of the Union territory of Goa, Daman and Diu while it is in session for a total period of thirty days which may be comprised in one session or in two successive sessions and if before the expiry of the session in which it is so laid or the session immediately following the Legislature agree in making any modification in the rule or the Legislature agree that the rule should not be made and notify such decision in the Official Gazette, the rule shall from the date of publication of such notification have effect only in such modified form or be of no effect, as the case may be, so however that any such modification or annulment shall be without prejudice to the validity of anything previously done or omitted to be done under that rule."

#### **4. Addition of new section 8.**

- After section 7 of the principal Act, the following shall be added, namely:-"8. Repeal and savings. - As from the date of coming into force of the provisions of the Indian Fisheries (Goa, Daman and Diu Amendment No. 1) Act, 1970, in the Union territory of Goa, Daman and Diu, the provisions of -(a)Legislative Diploma No. 114 dated the 1st December, 1924,(b)Legislative Diploma No. 669 dated 18th July, 1933 and any other corresponding order or rule or law in force in the Union territory of Goa, Daman and Diu shall stand repealed:Provided that the repeal shall not affect -(a)the previous operation of any order or rule or law so repealed or anything duly done or suffered thereunder; or(b)any right, privilege, obligation or liabilities acquired, accrued or incurred under any order, rule or law so repealed; or(c)any penalty, forfeiture or punishment incurred in respect of any offence committed against any order, rule or law so repealed; or(d)any investigation, prosecution, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as aforesaid;and any such investigation, prosecution, legal proceeding or remedy may be instituted, continued or enforced and any such penalty, forfeiture or punishment may be imposed as if this Act had not been passed."