

The Maritime Zones of India (Regulation of Fishing by Foreign Vessels) Rules, 1982

G.S.R. 619(E). - In exercise of the powers conferred by section 25 of the Maritime Zones of India (Regulation of Fishing by Foreign Vessels) Act, 1981 (42 of 1981), the Central Government hereby make the following rules, namely:

1. - Short title and commencement. - (1) These rules may be called the Maritime Zones of India (Regulation of Fishing by Foreign Vessels) Rules 1982.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. - Definitions. - In these rules, unless the context otherwise requires:

- (a) "Act" means the Maritime Zones of India (Regulation of Fishing by Foreign Vessels Act, 1981 (42 of 1981);
- (b) "crew" includes the team of technical, semi-technical and non-technical member associated with the operation of the fishing vessels;
- (c) "flag state" in relation to a foreign vessel means the State in which the vessel is registered or, where the vessel is not registered, the State whose flag the vessel is entitled to fly;
- (d) "Form" means a Form annexed to these rules;
- (e) "licence" means a licence granted under section 4;
- (f) "permit" means a permit granted under section 5 or under section 8, as the case may be;
- (g) "Schedule" means Schedule to these rules;
- (h) words and expressions used but not defined in these rules but defined in the Maritime Zones of India (Regulation of Fishing by Foreign Vessels) Act, 1981 (42 of 1981) shall have the meanings respectively assigned to them in that Act.

3. - Licences. - (1) Every owner of a foreign vessel or any other person described in section 4, who intends to use such vessel for fishing within any maritime zone of India, shall make an application in Form A to the Central Government. This form shall include the following information:

- (a) the name and description of the vessel, its equipment and complement;
- (b) the flag state and home port of the vessel;

- (c) the name and address of the owner and master of the vessel and, where applicable, its character;
- (d) the side number of the vessel, the radio frequencies and call sign;
- (e) a description of the proposed purpose and the period for which the licence is required;
- (f) the name and address of a person resident in India having a permanent office or establishment in India who is authorised by the owner of the vessel to represent him for the purpose of providing liaison with the Government of India; and
- (g) any information required by the Central Government or by an officer designated by it to grant a licence in any case where, in its opinion the information furnished by the applicant requires clarification or amplification.

(2) Every application referred to in sub-rule (1) shall be made not less than thirty days prior to the first day on which the licence is required.

(3) Every such application shall be accompanied by a fee of rupees five hundred which shall not be refundable.

(4) The Central Government or an officer designated by it may, on receipt of an application, after making such enquiry as may be relevant, grant a licence in Form B for all or any of the following purposes, namely:

- (i) to engage in commercial fishing;
- (ii) to tranship or to take on board any fish, outfit or supplies while at sea;
- (iii) to process fish at sea;
- (iv) to transport fish from fishing grounds;
- (v) to land fish or fish products at an Indian port;
- (vi) to purchase or obtain bait, outfits, provisions or supplies (including fuel) at an Indian port;
- (vii) to effect repairs at an Indian port.

4. - Validity of Licence. - (1) Every licence shall:

- (a) be issued in original duplicates; and authenticated copies shall be distributed to enforcement and other concerned authorities;

- (b) apply only to the foreign vessel described in the licence and, where applicable, to the crew of that vessel; and
- (c) be valid for the period specified in the licence.

(2) The disposition of the duplicates referred to in clause (a) of sub-rule (1) shall be as follows:

- (a) one licence shall be for the use of the licensee; and
- (b) one licence shall be retained by the Central Government.

5. - Terms and conditions of licence. - (1) Every licence, shall be subject to the following terms and conditions, namely:

- (a) the licensee shall pay to the Central Government an amount set out in the Schedule I for the purposes mentioned therein at the time of taking delivery of the licence;
- (b) the master of the foreign vessel for which a licence is granted or a person acting on behalf of the master shall give twenty four hours prior notice to the authorized officer of:
 - (i) the estimated time of entry of the vessel into the maritime zones of India;
 - (ii) of the location of such entry; and
 - (iii) of the approximate schedule of activities to be conducted.
- (c) the vessel and its crew shall engage only in the activities that are authorised by the licence;
- (d) the activities authorised by the licence shall be carried out only at the time and in the areas of the maritime zone of India or ports set out in the licence;
- (e) the licensee shall ensure that foreign members of the crew are employed only after obtaining necessary clearance from the Central Government. The licensee shall further ensure that every subsequent change in the foreign members of the crew is made only after the clearance from the Central Government;
- (f) the master of each foreign fishing vessel during fishing operations shall notify the authorised officer the following:
 - (i) time and position of commencement of fishing;

- (ii) the time and position of the temporary departure from the fishing grounds for the purpose of embarking or disembarking an observer or for a call at an Indian port or any other temporary departure from the grounds which will involve departure from any authorised fishing area but which does not include departure from seaward limit of the fishing area beyond the Exclusive Economic Zone of India;
- (iii) the time and position of return to the fishing grounds following temporary departure described in sub-clause (ii) above;
- (iv) the time and position of any shift in its fishing area;
- (v) the time and position at which it will cease fishing and leave the fishing area;
- (g) the master of the vessel shall communicate the information, to be notified under clause (f), to the officer of the Coast Guard in Porbander, Bombay Cochin, Tuticorin, Madras, Vishakhapatnam, Paradeep, Haldia or Port Blair, at least twenty four hours before the commencement or cessation of fishing. He shall record in communication log, the Indian Standard Time and the contents of each communication made under this clause. All the communications shall be in English;
- (h) where the fishing is authorised by the licence:
 - (i) the crew of the vessel shall fish only for the stocks or groups of stocks described in the licence;
 - (ii) the crew of the vessel shall not catch any fish by a species, size or age set out in the licence as prohibited catches, that are covered under the Wildlife (Protection) Act, 1972 (53 of 1972) and where such fish are caught they shall be retained and preserved on board the vessel, accounted for in Form C and shall be surrendered at such places as may be directed by the authorised officer;
 - (iii) the quantities of fish of any stock or group of stocks caught in any area of the maritime zone of India during the terms of licence, or during any specified portion thereof, shall not exceed the quantities set out in the licence;

- (iv) the crew of the vessel shall not discard any substantial quantities of fish of a stock or group of stocks caught in excess of the quantities set in the licence. Such quantities of stock or group of stocks shall be retained and preserved on board the vessel accounted for in Form D and shall be surrendered at such place as may be directed by the authorised officer;
 - (v) the crew of the vessel shall fish only by means of fishing equipment and gear of a kind set out in the licence; and
 - (vi) the master of the vessel shall cause written records to be maintained on a daily basis of the fishing effort and catch of the vessel and of any transshipment and other dispositions of the catch by quantities, species, size and weight in Form E.
- (i) where the transporting of fish from fishing grounds is authorised by the licence:
- (i) Only the species and quantities of fish set out in the licence shall be taken on board the vessel for that purpose;
 - (ii) the fish may be taken on board only from vessel of a class set out in the licence; and
 - (iii) the master of the vessel shall cause written records to be maintained on a daily basis of the fish taken on board the vessel for transportation in Form F;
- (j) where the processing of fish is authorised by the licence, the master of the vessel shall cause written records to be maintained on a daily basis of the processing operations carried out and of the species, quantity and the state of processing of the fish taken on board the vessel for that purpose in Form G;
- (k) the vessel shall have on board at all time during the period it is in maritime zone of India, equipment and fishing gear, including communications equipment described in the licence as "required equipment";
- (l) the master of the vessel or a person acting on behalf of the master shall, when authorised by the licence to visit an Indian Port, notify the authority specified in the licence of the estimated time of entry of the vessel into that port not less than twenty four hours prior to that estimated time;

- (m) where the vessel is in an area of the maritime zone of India and is not authorised by its licence to engage in fishing at that time in that area, all fishing gear on board the vessel shall be stowed in the manner specified in rule 14;
- (n) the master of the vessel shall cause reports to be made of the position of the vessel in space and time, operational conditions, and the nature of fishing including, where applicable, its catch statistics, and any transshipments or other dispositions of its catch, at such times, to such persons and by such means as are set out in the licence;
- (o) where the Central Government requires the vessel to carry out, from time to time, a programme of sampling, observation or research in connection with fisheries in the maritime zone of India, the master shall comply with instructions issued to him by the Government in respect of that programme;
- (p) the master of the vessel shall, where required by the Central Government or an officer authorised in this behalf, permit a technical observer or observers designated in writing by that Government to go on board and remain on board, at a time and for a period specified in that behalf, for the purpose of recording scientific data and observations or taking samples and records or any other purpose specified in the order;
- (q) the master of the vessel shall take all reasonable precautions to ensure the safety of any authorised officer or technical observer boarding or leaving the vessel at sea including the observance of practice of good seamanship and, where necessary, the placing of a boarding ladder of good quality and design and safety line over the side of the vessel;
- (r) where an authorised officer or technical observer is on board the vessel for a period of more than four hours, the master of the vessel shall provide the authorised officer or technical observer with suitable food and accommodation;
- (s) the master of the vessel shall:
 - (i) at the request of an authorised officer or technical observer, arrange for that officer or observer to send or receive messages by means of communication facilities on board the vessel;
 - (ii) provide all reasonable assistance in his power to enable an authorised officer or technical observer to carry out his duties and functions, and to the use of vessel's navigation equipment and personnel as necessary to determine the vessel's position.

- (t) the master of the vessel shall, at any time, while within the maritime zone of India, at the request of an authorised officer, proceed forthwith for inspection to a place at sea and to a port as may be specified by that officer;
- (u) the master of the vessel, upon being approached by an authorised officer in a vessel or ship or in an aircraft, shall immediately comply with any directions given to him by such authorised officer. For this purpose, the International Code of Signals shall be used;
- (v) the vessel shall, at all time while within the maritime zone of India:
 - (i) fly the flag of the flag state;
 - (ii) display in a place that is clearly visible both from the air and from sea level the letters and numbers identifying the vessel as set out in its licence, in white markings of at least one metre in height in the case of a vessel whose overall length exceeds twenty metres or one half metre in height in any other case, on a black background, and where the markings are painted, the paint work shall be maintained in good conditions so that the markings are clearly legible at all times;
- (w) where the vessel is in the maritime zone of India, the master of the vessel or a person acting on behalf of the master shall notify the Central Government of the estimated time of departure from those waters not less than seventy two hours prior to that estimated time;
- (x) the licensee shall, when required to do so, make arrangements for training of Indian crew and personnel on board the vessel.

(2) The licensee shall be bound to all or any of the terms and conditions mentioned in sub rule (1) and such additional conditions or restrictions as may be specified in the licence.

6. - Permits. - (1) Every Indian citizen and person described in section 5 who intends to use any foreign vessel for fishing within any maritime zone of India shall make an application to the Central Government for a permit.

(2) Every application referred to in sub-rule (1) shall be in Form H and shall be made not less than thirty days prior to the first day on which the permit is required.

(3) Every such application shall be accompanied by a fee of rupees five hundred which shall not be refundable.

(4) The Central Government or an officer designated by it may on receipt of an application after making such enquiry as may be relevant, grant a permit in Form I for all or any of the purposes mentioned in sub-rule (4) or rule 3 of these rules.

7. Validity of permit. - (1) Every permit shall:

- (a) be issued in original duplicates and authenticated copies are to be distributed to enforcement and other connected authorities;
- (b) be valid for a period as may be specified in the permit and in no case exceed more than five years.

(2) The disposition of the duplicates referred to in clause (a) of sub-rule (1) shall be as follows:

- (a) one permit shall be for the use of the permit holder; and
- (b) one permit shall be retained by the Central Government.

8. - Terms and conditions of permit. - (1) Every permit shall be subject to the following terms and conditions, namely:

- (a) the permit holder (hereinafter referred to as the charterer in this rule) shall pay to the Central Government an amount of rupees ten thousand per vessel per year at the time of taking delivery of the permit;
- (b) the charterer shall have the requisite managerial personnel who possess the necessary experience of fishing;
- (c) the charterer shall give an undertaking in the form of bank guarantee, before the commencement of the charter, of an amount to be decided by the Central Government in each case to the Central Government that he shall purchase required number of vessels and put them in fishing operation in the Exclusive Economic Zone of India before the end of the stipulated period specified in the Schedule II.
- (d) the charterer shall ensure that at least twenty percent of the crew are Indian citizens and are posted as under studies to the foreign skipper, the engineer and to the other operational crew and that they shall be kept in readiness to embark on the chartered vessel at the time of inspection of the vessel by the authorised officer and shall remain on board the vessel throughout the charter period.
- (e) the charterer shall ensure that the charter party provides for the settlement of disputes between the parties by arbitration in India.

- (f) the Central Government may post scientist/observer on board each of the chartered vessel; the charterer shall ensure that the Indian scientists and observers, when so directed by the Central Government are permitted on board the chartered vessel for collection and examination of such data and material as may be required by that Government and shall see that such scientists and observers are provided proper food and accommodation on board the vessel by the master of the vessel;
- (g) the charterer shall furnish to the Central Government valuation and sea worthiness certificates for the chartered vessel from an appropriate authority of its flag state and also furnish a copy thereof to the Director General of Shipping, Bombay;
- (h) the charterer shall cause to furnish to the Central Government the necessary certificates to the effect that the chartered vessel meets with the requirements in respect of safety of vessels and crew as per the provisions of the Merchant Shipping Act, 1958 (44 of 1958);
- (i) The charterer shall ensure that:
 - (i) no fishing is done for the protected species which are covered under the Wild Life (Protection) Act, 1972 (53 of 1972);
 - (ii) such protected species, if caught are immediately returned to water alive, if possible, and if not they shall be retained and preserved on board the vessel and accounted for in Form C and shall be surrendered at such place as may be directed by the authorised officer;
- (j) the charterer shall not undertake shrimping operations for exploitation of coastal shrimps;
- (k) where the charterer is a company, the paid up share capital of the company shall not be less than rupees five lakhs, during the charter period;
- (l) the charterer shall not pay any marketing commission without the prior approval of the Central Government;
- (m) the charterer shall ensure that the chartered vessel reports to the authorised officer before and after every fishing voyage and delivers the copy of the permit in its possession to the charterer before every departure to the foreign port;
- (n) the charterer shall ensure that the foreign members of the crew on the chartered vessel are employed only after obtaining necessary clearance from the Central Government;

(o) the charterer shall further ensure that every subsequent change in the foreign members of the crew is made only after the clearance from the Central Government;

(p) the charterer shall furnish to the Central Government voyage-wise statement of fish catch and exports from the chartered vessels with all the necessary details as set out in Form J;

(2) The charterer shall be bound by:

(i) all or any of the terms and conditions mentioned in sub-rule (1);

(ii) all or any of the terms and conditions applicable to the licence except condition prescribed in clause (a) of sub-rule (1) of rule 5, and

(iii) such additional conditions or restrictions as may be specified in the permit.

9. - Display of licence or permit on board the vessel. - (1) Subject to sub-rule (2), a copy of the licence or permit, duly attested by the issuing authority, shall be kept on board the foreign vessel described in the licence or permit while that vessel is in the maritime zone of India and shall be produced for examination by an authorised officer at his request.

(2) Every foreign vessel described in the licence or permit may enter in the maritime zone of India and proceed directly to an Indian port for the purpose of obtaining a copy of the licence or permit if:

(a) all fishing gear on board the vessel is stowed in the manner specified in rule 14;

(b) the master of the vessel complies with any directions given to him by an authorized officer.

10. - Damage to Indian vessels prohibited. - No foreign vessel fishing in the maritime zone of India under the licence or a permit granted under these rules shall cause any damage either wilfully or through gross negligence to any fishing vessel, fishing stakes, fishing gear, fishing net or other fishing appliances owned or in possession of an Indian citizen.

11. - Commencement of fishing operations. - No foreign vessel fishing in the maritime zone of India under the licence or the permit granted under these rules shall commence fishing operations without the clearance from the Coast Guards.

12. - Fishing in territorial waters prohibited. - No foreign vessel shall undertake fishing operations within the territorial waters of India, unless otherwise specifically permitted for any specialised type of fishing and shall be subject to any other restrictions that may be specified in the licence or permit.

13. - Prohibition to carry any explosives, poisonous or noxious substances.

(1) No foreign vessel or any person shall carry or have in its possession or control any explosives, poisonous or other noxious substances or apparatus fitted for or capable of utilising an electric current, with the intention of using such explosives, poisonous or other noxious substances, or apparatus for killing, stunning, disabling or catching fish. Any explosives, poisonous or other noxious substance found on board any vessel or in possession of any person, shall be presumed, unless the contrary is proved, to be intended for the use specified above.

(2) No foreign vessel or any person shall attempt to destroy or abandon any fishing gear, fishing net or other fishing appliances, explosives, poisonous or other noxious substances or any other object or thing with the intention to avoid their detection or seizure.

14. - Entry into maritime zone of India without licence permit. - (1) Subject to sub-rule (2), a foreign vessel may, without the authority of a licence or a permit enter the maritime zone of India for the purpose of passing through such waters in the course of a voyage to a destination outside the maritime zone of India.

(2) A foreign vessel that has entered in the maritime zone of India without the authority of a licence or a permit shall comply with the following conditions while in the maritime zone of India:

- (a) all fishing gear on board the vessel shall be stowed below deck or otherwise removed from the place where it is normally used for fishing and placed where it is not readily available for fishing;
- (b) all fishing nets, fishing lines, hooks, jigs, trawl boards, weights and floats shall be disconnected from their towing connecting or hauling wires, ropes or rigid frames;
- (c) the master of the vessel shall comply with any directions given to him by an authorised officer; and
- (d) where an authorized officer requests information respecting the name, flag state, location, route or destination of the vessel, or the circumstances under which it entered maritime zone of India, the master of the vessel shall promptly convey the information to the officer.

15. - Fishing or scientific research, investigation, etc. - Where a foreign vessel is to be used for fishing within any maritime zone of India for the purpose of carrying out any scientific research or investigation or for any experimental fishing, the Central Government may grant a permit to such foreign vessel under section 8 of the Act. Where such a permission is granted, the Central Government may apply all or any of the terms and conditions prescribed for the licence under rule 5 or for permit under rule 8, as well as such additional conditions as may be specified.

16. - Contravention of conditions of licence, permits of rules. -

Contravention of any of the provisions of these rules shall be punishable with fine, which may extend to Rs. 50,000 without prejudice to the penalties which may be awarded under the Act.

SCHEDULE I

[See rule 5(1)(a)]
Amount payable under rule 5(1)(a)

Purpose of licence	Amount Payable
1. Fishing by squid jigging	Rs. 1,000/per tonne of fish the vessel is permitted by the terms and conditions of the licence.
2. Fishing by trawling	Rs. 2,000/per tonne of fish the vessels is permitted by the terms and conditions of the licences.
3. Fishing by long lining/ gill-netting	Rs. 1,500/per tonne of fish the vessel is permitted by the terms and conditions of the licence.
4. Fishing for tuna by long-lining/ purse-seining/pole and line fishing	Rs. 1,000/per tonne of fish the vessel is permitted by the terms and conditions of the licence.
5. Transporting of fish	Rs. 500/per tonne of fish carrying capacity of the vessel for each voyage.
6. For any other purpose mentioned in rule 3(4)	Rs. 200/per gross registered tonne of the craft for each voyage.

SCHEDULE II

[See rule 8(1)(c)]
Schedule of purchase of vessels

No of vessels/ or pair of vessels	No. of months from the beginning of the charter operation when obligatory purchase and fishing operation becomes due				
	First vessel of first pair of vessel	Second vessel of second pair of vessel	Third vessel of third pair of vessel	Fourth vessel of fourth pair of vessel	Fifth vessel of fifth pair of vessel
1	18
2	18	30
3	18	24	33
4	18	24	33	42	..
5	18	24	33	42	51

FORM A

[See rule 3(1)]

Form of Application of Licence

To: The Secretary to the Government of India
Department of Agriculture and Cooperation
Ministry of Agriculture
Krishi Bhavan
New Delhi-110001
India

Sir,

I hereby apply for a licence under section 4 of the Maritime Zones of India (Regulation of Fishing by Foreign Vessels) Act, 1981, in respect of which the following particulars are furnished:

1. Name of the applicant and postal address.
2. Status of the applicant and his financial position (if the applicant is a company, full details thereof).
3. Present activities of the applicant including the specific activities relating to fishing.
4. Details of fishing: vessels/fish processing units/export/import of fish as in the past three years.
5. Details of the proposed fishing project indicating particulars on fishing vessels, number of vessels to be operated, anticipated fish catch, project economies, processing and marketing arrangements, area and base of operation, etc.
6. Description of the vessel, equipment and complements:
 - (a) Name of the Vessel:
 - (b) Flag state and home port of Vessel:
 - (c) Country and port of registration:
 - (d) Registration number:
 - (e) Radio call sign/signal letter/radio frequencies:
 - (f) Name of owner and master of the vessel:
 - (g) Nationality and address of owner and master:
 - (h) Purpose of vessel (kind of vessel):
 - (i) Kind of vessel's hull:
 - (j) Vessel's year (date of construction) and date of launching:
 - (k) Number of deck:
 - (l) Number of mast:
 - (m) Registered length:
 - (n) Registered breadth:

- (o) Registered depth (draft):
 - (p) Gross tonnage and net tonnage:
 - (q) Fish Hold capacity and Refrigeration Capacity:
 - (r) Kind of main engine, name and place of main engine manufactured:
 - (s) Rated H.P. of main engine:
 - (t) Kind of propeller:
 - (u) Class of equipments (list):
 - (v) Certified crew capacity:
 - (w) Service limitations of the vessel:
 - (x) Name and address of the ship builder:
 - (y) Value of the vessel:
 - (z) Any other remarks:
7. The electrical specifications of the craft and its equipment.
8. Description of the proposed fishing operations:
- (a) the species to be fished;
 - (b) the method of fishing and type and dimensions of gear to be used and mesh sizes of different parts of fishing net;
 - (c) area/areas to be fished;
 - (d) the amount of fish to be caught;
 - (e) the period of time for which licence is sought;
 - (f) the place in which the fish is to be landed and/or processed;
 - (g) a description of support operations and the name and licence number (if any) of fishing vessels in support of which related activities are to be carried out.
9. Name and address of the person resident in India appointed by the owner to represent him in all dealings with the Government and evidence of the extent to which he is authorised to undertake legal and financial obligations on behalf of the owner.
10. Plans for the use of Indian facilities in the support, provisioning and maintenance of vessels.
11. Such other information as may be required by the Government of India.

Dated:Day of of the year

Signature of the applicant

FORM B

[See rule 3(4)]

Government of India
MINISTRY OF AGRICULTURE
Department of Agriculture and Cooperation
New Delhi

No.:

Dated:

Licence to Fish in the Exclusive Economic Zone of India

1. This Licence is granted in pursuant to section 4 of the Maritime Zones of India (Regulation of Fishing by Foreign Vessels) Act, 1981 (42 of 1981).

2. The foreign fishing vessel described hereunder is hereby licensed for the purposes specified in paragraph 3 of this licence and in accordance with the conditions set out in paragraphs 6 and 8 of this licence and shall be subject to all the Indian laws that apply to the vessels in the Maritime Zones of India.

Description of the vessel

Name of the vessel
Name of the owner
Type of vessel
Country of registration/Flag State
Registration number
Overall length
Gross tonnage
International radio call sign and radio frequency
Name and address of the master

3. The purposes for which the vessel may be used:

4. Area:

5. Period:

6. The licensee shall be bound by the terms and conditions specified in rule 5 and the additional condition/restriction specified in paragraph 8.

7. Exemptions in the terms and conditions, if any:

8. Additional conditions:

9. Names of the foreign crew:

10. List of required equipments:

11. Subject to the provisions of the Maritime Zones of India (Regulation of Fishing by Foreign Vessels) Rules, 1982, this licence is valid from the day of 198 in the day of 198..

12. This licence is not transferable.

Secretary to the Government of India

FORM C

[See rule 5(i)(h)(ii)]

Data on catch of prohibited fish species

1. Name and address of fishing company:
2. Particulars of fishing vessels:
Name:
Size:
Horse Power of Main Engine:
Base of operation:
3. Licence Number and period of validity:
4. Description of fishing operations authorised in the licence.
5. Details of fishing gear used: (a) Length of headline
(b) Greatest depth
(c) Mesh size
6. Description of the catch

SI No.	Location of the vessel		Date & Time	Gear in operation	Fish. Zone	Depth (metre)	Species (prohib.)	Average Length (CM)	Average Weight (Kg)	No.
	Latit.	Longit.								
1	2	3	4	5	6	7	8	9	10	11

- 1.
- 2.
- 3.

7. Place of surrendering the catch.
8. Conditions of the catch at the time of surrendering.
9. Comments of the Master/Skipper.

Signature of owner/owners representatives

FORM D

[See rule 5(1)(h)(iv)]

Data on quantity of fish caught in excess of permitted quantum

1. Name and address of the fishing company:

2. Particulars of fishing vessels:

Name:

Size:

Horse Power of Main Engine:

Base of operation:

3. Licence Number and period of validity:

4. Description of fishing operations authorised in the licence:

5. Species-wise quantity of fish permitted in the licence.

6. Details of catch particulars:

No.	Location of fish- ing vessel	Date & Time	Fishing Zone	Length, Depth & mesh size of fishing gear	Species caught	Raw weight (Kg.)	Processed products prepared on board the vessel if any	Weight (Kg.)	Total catch (Kg.)
1	2	3	4	5	6	7	8	9	10

7. Details of excess catch.

SI No.	Location of fish- ing vessel	Date & Time	Fishing Zone	Depth (Metres)	Species caught in excess	Average weight (Kg.)	Average length (cm)	Condition of fish	Reasons for excess catch
1	2	3	4	5	6	7	8	9	10

8. Particulars of excess catch surrendered.

Species	Weight (Kg.)	Place of surrendering	Authority to whom surrendered
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9. Remarks of Master/Skipper.

Signature of owner/owners representatives

FORM E

[See Rule 5(1)(h)(vi)]

Daily Cumulative catch Log

1. Name and address of the fishing company:

2. Particulars of fishing vessels:

Name:

Size:

Horse Power of Main Engine:

Base of operation:

3. Licence Number and period of validity:

4. Description of fishing operations authorised:

5. Species-wise quantity of fish permitted in the licence:

6. Fishing Area:

7. Date of entry to Indian Exclusive Economic Zone:

No.	Vessel No.	Position	Date & Time	Time of shooting gear	Time of hauling gear	Hours of fishing	Depth (metre)	Type of gear
1	2	3	4	5	6	/	8	9

Mesh size	Species caught	Quantity	Disposition	Cumulative total	Cumulative disposition	Details of transhipment
10	11	12	13	14	15	16

Details of Disposition of catch

Item	Quantity (Kg.)
(a) Consumption:	
(b) Fish gutted:	
(c) Head on (or off):	
(d) Filletted.	
(e) Frozen.	
(f) Canned.	
(g) Fish meal.	
(h) Oil.	

Signature of owner/owner's representative

FORM F

[See rule 5(1)(i)(iii)]

Particulars of transhipment

1. Name and address of the fishing company:

2. Particulars of fishing vessels:

Name:

Size:

Horse Power of Main Engine:

Base of operation:

3. Licence Number and period of validity:

4. Catch and Effort Data:

Area	Species	Number of days fished	Catch (in Kg.)	Product from vessel
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5. Licence Number and side number of vessel receiving transhipment.

6. Position at the time of transhipment:

Latitude

Longitude

7. Date of message from vessel:

8. Species and quantities transferred:

Species	Gross weight (Kg.)	Value
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Signature of own licencee/his representatives

FORM G

[See rule 5(1)(i)]

Particulars of processing operations on board the vessel under licence

1. Name and address of the fishing company:

2. Particulars of fishing vessels:

Name:

Size:

Horse Power of Main Engine:

Base of operation:

3. Licence Number and period of validity:

4. Description of fishing operations authorised in licence:

5. Name of the port to be used as base:

6. Processing Machinery and Equipment:

Type	Number of Units	Specifications and daily capacity	Percentage utilisation of capacity
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8. Storage and holding

Nature of storage	Number of species	Dimensions/volume of fish hold
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4. Present activities of the applicant, if any:

- (a) Specified activities undertaken;
- (b) Details of fishing vessels/fish processing units and fish export made during the past three years.
- (c) Name of all Directors/Chief Executive/Operations Manager/other employees of the Indian Company, their experience in marine fisheries indicating specified fields.

5. Details of the Project proposed to be taken up (enclose project report covering particulars on fishing vessels, anticipated fish production, processing and marketing organisation, management, including financial sources, economics of operation, area and base of operation, identity of fishery resources to be exploited, catching methods, gear to be employed, etc.)

- (a) Type of vessels, type of gear and number of vessels proposed to be chartered (Enclose detailed specifications and general arrangement drawings and also a full list of machinery and equipment, navigational lights, life saving appliances, fire fighting equipment, inventory items, etc.).
- (b) Description of the vessel, equipment and crew complement (Enclose certificate given by competent authorities regarding valuation and sea worthiness of the vessels):

- (i) Name of the vessel
- (ii) Flag state and home port of vessel
- (iii) Country and port of registration
- (iv) Registration number
- (v) Radio call sign/signal letter/radio frequencies
- (vi) Name of owner and master of the vessel
- (vii) Nationality and address of owner and master
- (viii) Purpose of vessel (kind of vessel)
- (ix) Kind of Vessel's hull
- (x) Vessel year (date of construction and date of launching)
- (xi) Number of deck
- (xii) Number of mast
- (xiii) Registered length
- (xiv) Registered breadth
- (xv) Registered depth (draft)
- (xvi) Gross tonnage and net tonnage
- (xvii) Fish Hold capacity and refrigeration capacity
- (xviii) Kind of main engine, name and place of main engine manufactured
- (xix) Rated Horse Power of main engine
- (xx) Kind of propeller
- (xxi) Class of equipments (list)
- (xxii) Certified crew capacity
- (xxiii) Service limitations of the vessel
- (xxiv) Name and address of the ship builder
- (xxv) Value of vessel
- (xxvi) Any other remarks

9. Processing details

Species	Area of Operation	Date of Operation	Duration of Operation From To	Catch particulars	Products prepared on vessel & quality (Kg.)
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(Enter in this column, types of products processed on board the vessel by species, viz.: fish gutted, head on (or off) filleted, salted, frozen, canned, meal & oil, etc.)

10. Position and time of reporting:

Latitude
Longitude
Time
Date

Signature of owner/owner's representative

FORM H

[See rule 6(2)]

Form of Application for "Permit"

Outline Details Required for Proposed Operations

1. Name of the applicant and postal address.
2. Whether the applicant is a registered company under the Companies Act, if so, furnish the following particulars:
 - (a) Date and number of Registration and Place.
 - (b) Authorized, Subscribed and paid up share capital.
 - (c) Attach latest Balance-sheet.
 - (d) If the company comes under the provision of Monopolies and Restrictive Trade Practices Act, 1969 (54 of 1969), please state whether necessary clearance is available.
3. The foreign collaborator's name, address, telephone number, ~~telex~~ number and name of Bankers and their activities in India and in other countries.

- (c) Number, classification and experience of foreign crew.
 - (d) Number and names of foreign personnel to be employed ashore.
 - (e) Enclose authenticated copy of the offer received from foreign collaborator.
6. Duration of charter.
 7. Annual rate of charterage or charterage for entire duration.
 8. Whether the charterer retains option to purchase vessels after the charter period and terms thereof.
 9. Whether the foreign collaborator is willing to assist in export of catches, if so, the terms and conditions.
 10. Arrangements for training of Indian-counterparts.
 11. Statement of foreign exchange inflow anticipated (excluding payments in foreign exchange out of total earnings by way of exports) for the duration of charter.
 12. Total income, total expenditure and net profit anticipated for the duration of charter.
 13. Form of charter party proposed to be entered into.
 14. Financial arrangements (Describe in detail).
 15. Proposals of shore establishment (if any).
 - (i) Intended location and description of any shore based plant.
 - (ii) Proposal for registration and date of completion of any shore based plant as a Registered Export Establishment.
 - (iii) Arrangements for processing catch.
 - (iv) Estimated annual output of the plant.
 - (v) Percentage of total catch to be processed and/or exported.
 - (vi) Export market and marketing arrangements for total catch.

DECLARATION

I/we by this declaration subscribed by me/us pursuant to and in compliance with section 5 of the Maritime Zones of India (Regulation of Fishing by Foreign Vessels) Act, 1981; (42 of 1981), fully understand all the provisions of the said Act and Rules and orders issued thereunder and agree to abide by them.

I/we further declare that the particulars furnished in the above application are true to the best of my/our knowledge.

Signature of the applicant(s)

FORM I

[See rule 6(4)]

Government of India
MINISTRY OF AGRICULTURE
Department of Agriculture and Cooperation
New Delhi

No.

Dated:

Permit to Fish in the Exclusive Economic Zone of India

1. This Permit is granted in pursuant to section 5 of the Maritime Zones of India (Regulation of Fishing by Foreign Vessels) Act, 1981 (42 of 1981).
2. is hereby permitted to use the foreign fishing vessels under charter described hereunder for the purposes specified in paragraph 5 of this permit and in accordance with the conditions set out in paragraphs 8 and 10 of this permit and shall be subject to all the Indian laws that apply to the vessels in the Maritime Zone of India.
3. Description of the vessel:
 - (i) Name of the vessel
 - (ii) Type of vessel
 - (iii) Country of registration
 - (iv) Registration number
 - (v) Overall length:
 - (vi) Gross tonnage:
 - (vii) International radio call sign and radio frequency
 - (viii) Name and address of the master
 - (ix) Name and address of the foreign collaborators.
4. Details of charter fee, mode of payment and any other stipulation.
5. The purposes for which the vessel may be used.
6. Base and area of operation.
7. Period of operation of the vessel.
8. The permit holder shall bound by the terms and conditions specified in rule 8 and the additional conditions/restrictions specified in paragraph 10.
9. Exemptions in the terms and condition if any.
10. Additional conditions.
11. Names of foreign crew.

12. Subject to the provisions of the Maritime Zones of India (Regulation by Foreign Vessel) Rules, 1982, this permit is valid from the day of 198..... to the day of 198....

13. This permit is not transferable.

Dated:
Secretary of the Government of India

FORM J

[See rule 8(1)(p)]

Voyage-wise Statement to be Furnished by the Charterer

1. Name and address of the Charterer:

2. Particulars of fishing vessels:

Name:
Size: Over length:

Gross Registered Tonnage:
Horse Power of Main Engine:
Base of operation:

3. Number of crew:

Foreign

Indian

4. Period of voyage:

- (i) Date of departure from foreign port:
- (ii) Date of entry into the Maritime Zone of India:
- (iii) Date of reporting at the base of operation:
- (iv) Period of fishing: From To
- (v) Date of departure from the base of operation:
- (vi) Date of leaving the Maritime Zone of India:

5. Details of each fishing operation (for each haul).

- (i) Haul Number:
- (ii) Type and size of Gear:
- (iii) Position Shotting Hauling
 - Latitude
 - Longitude
- (iv) Time
 - Shot
 - Hauled
- (v) Depth (metres)
- (vi) Total catch (in kilograms)

Maintain species caught

Weight (kilograms)

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.
- etc.

6. (i) Value declared at customs for the total catch and for each variety (in foreign currency)

(ii) Value realised on domestic marketing for each variety (in Indian rupees).

7. Quantity, value and country to which each item was exported.

8. Payment made to foreign collaborator:

In foreign exchange.
In Rupees.

9. Payment received from foreign collaborator
In foreign exchange
In Rupees.

Signature of the Charterer

(b) Notification by Ministry of Agriculture, (19 February 1933)

S.O. 127(E). - In exercise of the powers conferred by sub-section (1) of Section 9 of the Maritime Zones of India (Regulation of Fishing by Foreign Vessels) Act, 1931 (42 of 1931), the Central Government hereby authorises all Officers of the Coast Guard constituted under the Coast Guard Act, 1978 (30 of 1978) and the Commissioned Officers of the Indian Navy to exercise powers under sub-section (1) of Section 19 of the said Act.