

**The Goa, Daman and Diu Marine Fishing
Regulation Act, 1980 and Rules, 1982**

The Goa, Daman and Diu Marine Fishing Regulation Act, 1980

1. **The Goa, Daman and Diu Marine Fishing Regulation Act, 1980 (Act No. 3 of 1981) [28-2-1981]** published in the Official Gazette, Series I No. 50 dated 12th March, 1981.
2. **The Goa Marine Fishing Regulation (Amendment) Act, 1989 (Act No. 14 of 1989) [06-07-1989]** published in the Official Gazette, Series I No. 17 dated 27th July 1989 and came into force at once.
3. **The Goa, Daman and Diu Marine Fishing Regulation Rules, 1982** published in the Official Gazette, Series I No. 50 (Extraordinary) dtd. 12-3-1982.

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GOVERNMENT OF GOA
Law Department (Legal Advice)

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Notification

LD/6/34

The following Act which was passed by the Legislative Assembly of Goa, Daman and Diu on the 16th day of October, 1980 and assented to by the Administrator on 28-2-1981 is hereby published for the general information of the public.

B. S. Subbanna, Under Secretary.

Panaji, 6th March, 1981.

The Goa, Daman and Diu Marine Fishing Regulation Act, 1980

(Act No. 3 of 1981)

AN

ACT

to provide for the regulation of fishing by fishing vessels in the sea along the coastline of the Union territory of Goa, Daman and Diu.

Be it enacted by the Legislative Assembly of Goa, Daman and Diu in the Thirty-first Year of the Republic of India as follows:—

CHAPTER I

Preliminary

1. Short title, extent and commencement.— (1) This Act may be called the Goa, Daman and Diu Marine Fishing Regulation Act, 1980.

(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 Government may by notification in the Official Gazette, appoint.

2. Definitions.— In this Act, unless the context otherwise requires:—

(a) “adjudicating Officer”¹ [means a Group “A” Officer of the Government of Goa on whom the powers of Adjudicating officer are conferred by the Government under this Act.];

(b) “Appellate Board” means an Appellate Board constituted under section 22;

(c) “authorised officer” means such officer as the Government may by notification in the Official Gazette authorise in respect of the matter to which reference is made in the provision of this Act in which the expression occurs;

(d) “Fishing vessel” means a ship or boat, whether or not fitted with mechanical means of propulsion, which is engaged in sea fishing and includes—

(i) a catamaran,

(ii) a country craft and

(iii) a canoe engaged in sea fishing;

¹ Substituted in place of word and letters “means a special Judicial Magistrate appointed under the provisions of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974) for the purposes of this Act” and shall be deemed to have always been so substituted by the amendment Act 14 of 1989. Section 3 of the amendment Act further provide that “Notwithstanding any defect in the appointment of an adjudicating Officer made prior to coming into force of this Act, any such appointment shall be deemed to have been validly made and no order or decision of such Adjudicating Officer shall be deemed to be invalid merely because of irregularity or defect in his appointment.

- (e) “Government” means the Government of Goa, Daman and Diu;
- (f) “port” means the space within such limits as may from time to time be defined by the Government by notification in the Official Gazette, for the purpose of this Act;
- (g) “registered fishing vessel” means—
- (i) a fishing vessel registered under section 11 of the Marine Products Export Development Authority Act, 1972 or; Central Act
13 of 1972.
 - (ii) a fishing vessel registered under section 12;
- (h) “specified area” means such area in the sea along the entire coastline of the Union territory, or such portion of it, but not beyond the territorial waters, as may be specified by the Government by notification in the Official Gazette;
- (i) “Union territory” means the Union territory of Goa, Daman and Diu and includes the territorial waters along the entire coastline of the Union territory.

3. Authorisation of officers for the purpose of any provisions of this Act.—
The Government may by notification in the Official Gazette, authorize—

- (a) any officer of the Government not being an officer below the rank of a Gazetted Officer; or
- (b) any Officer of the Central Government, not being any officer below the rank of a Gazetted Officer or a Commissioned Officer in the armed forces of the Union, with the consent of that Government, to exercise the powers conferred on and discharge the duties imposed upon any such authorised officer under this Act in such area as may be specified in the notification.

CHAPTER II

Regulation of Fishing

4. Power to regulate restrict or prohibit certain matters within specified area.—
(1) The Government may, having regard to the matters referred to in sub-section (2) by an order notified in the Official Gazette, regulate, restrict or prohibit—

- (a) the fishing in any specified area by such class or classes of fishing vessels as may be prescribed; or
- (b) the number of fishing vessels which may be used for fishing in any specified area; or
- (c) the catching in any specified area of such species of fish and for such period as may be specified in the notification; or
- (d) the use of such fishing gear in any specified area as may be prescribed; or
- (e) the fishing in any specified area during such period of day or night as may be prescribed.

(2) In making an order under sub-section (1) the Government shall have regard to the following matters, namely:—

- (a) the need to protect the interest of different sections of persons engaged in fishing, particularly those engaged in fishing using traditional fishing crafts such as catamaran, country craft or a canoe;
- (b) the need to conserve fish and to regulate fishing on a scientific basis;
- (c) the need to maintain law and order in the sea;
- (d) any other matter that may be prescribed.

5. Prohibition of use of fishing vessels in contravention to the Regulations made under section 4.— No owner or master of a fishing vessel shall use, or cause or allow to be used, such fishing vessels for fishing in any manner which contravenes an order made under section 4:

Provided that nothing in such order shall be construed as preventing the passage of any fishing vessel from, or to, the shore, through any specified area for the purpose of fishing in such other area or for any other purpose:

Provided further that the passing of such fishing vessel through any specified area shall not in any manner cause any damage to any fishing nets or tackles belonging to any person who is engaged in fishing in the specified water area by using any traditional fishing craft such as catamaran, country craft, or canoe.

6. Licensing of fishing vessels.— (1) The owner of a fishing vessel may make an application to the authorised officer for the grant of a licence for using such fishing vessel for fishing in any specified area.

(2) Every application under sub-section (1) shall be in such form, containing such particulars, and be accompanied by such fees, as may be prescribed.

(3) The authorised officer after making such enquiry as he deems fit and having regard to the matters referred to in sub-section (4), either grant or refuse to grant, to the owner of fishing vessel, a licence for using such fishing vessel for fishing in the specified area or specified areas mentioned in such licence.

(4) In granting or refusing such licence under sub-section (3) the authorised officer shall have regard to the following namely:—

- (a) whether the fishing vessel is a registered fishing vessel;
- (b) the condition of the fishing vessel including the accessories and fishing gear with which it is fitted;
- (c) any order that may be made under section 4;
- (d) any other matter that may be prescribed.

(5) A licence granted under this section shall be in such form and subject to such conditions, including conditions as to payment of such fees and furnishing such security for due performance of the conditions, as may be prescribed:

Provided that different fees and different amounts by way of security may be prescribed in respect of licences for different classes of fishing vessels.

(6) A licence granted under this section shall be valid for the period specified therein or for such extended periods as the authorised officer may think fit to allow in any case.

7. Power to regulate the mesh size of fishing nets.— The Government may having regard to the nature and mode of fishing and the need to conserve fish and to regulate fishing on a scientific basis by an order notified in the Official Gazette regulate or restrict the size of mesh of a fishing net.

8. Licensing of Fishing nets.— (1) The owner of a fishing net may make an application to the authorized officer for grant of licence for using a fishing net.

(2) Such application shall be in such form containing such particulars and be accompanied by such fees as may be prescribed.

(3) A licence granted under this section shall be in such form and subject to such conditions as to payment of such fees and furnishing of such security for due performance of the conditions as may be prescribed:

Provided that different fees and different amount by way of security may be prescribed in respect of licences for different classes of fishing nets.

(4) A licence granted under this section shall be valid for the period specified therein or for such extended periods as the authorized officer may think fit to allow in any case.

9. Prohibition of fishing using fishing vessels which are not licenced.— No person shall, after the commencement of this Act, carry on fishing in any specified area using a fishing vessel which is not licenced under section 6:

Provided that nothing in this section shall apply to any fishing vessel, which was being used immediately before the commencement of this Act, for such period as may be specified by the Government by notification in the Official Gazette.

10. Control on manufacture, sale or use of fishing nets.— No person shall after the commencement of this Act manufacture or use for fishing any net in contravention of any order passed under section 7 or without obtaining any licence as required under section 8.

11. Cancellation, suspension and amendment of licences.— (1) If the authorised officer is satisfied either on a reference made to him in this behalf or otherwise, that—

(a) a licence granted under section 6 or section 8 has been obtained by misrepresentation as to an essential fact; or

(b) the holder of the licence has, without reasonable cause, failed to comply with the conditions subject to which the licence has been granted or has contravened any of the provisions of this Act or any order or rule made thereunder, then, without prejudice to any

other penalty to which the holder of the licence may be liable under this Act, the authorised officer may, after giving the holder of the licence a reasonable opportunity of showing cause, can cancel or suspend the licence or forfeit the whole or any part of the security, if any, furnished for the due performance of the conditions subject to which the licence has been granted.

(2) Subject to any rules that may be made in this behalf, the authorised officer may also vary or amend a licence granted under section 6 or section 8.

12. Registration of vessels.— (1) The owner of every vessel used or intended to be used for the purposes of fishing and kept on the Union territory shall register such vessel under this Act irrespective of whether or not it is registered under section 11 of the Marine Products Export Development Authority Central Act, 1972. Central Act,
13 of 1972.

(2) Every application for registration of such vessel shall be made by the owner thereof in such form, and shall be accompanied by such fees, as may be prescribed within the time limit as indicated below,—

(a) before the expiration of one month from the date on which he first becomes the owner of such vessel; or

(b) before the expiration of three months from the commencement of this Act; whichever is later:

Provided that the authorised officer may, for sufficient reasons to be recorded in writing, extend the time limit for registration by such periods as he thinks fit. However, such period shall not extend three months.

(3) The authorised officer shall issue to the owner of the vessel registered by him, a certificate of registration in the prescribed form and shall enter in the Register to be kept by him, in such form as may be prescribed, the particulars of such certificate.

(4) Registration once made shall continue to be in force until it is cancelled by the authorised officer.

(5) Every vessel registered under this section shall carry a registration mark assigned to it by the authorised officer, displayed in the prescribed manner on the vessel.

(6) No vessel, other than a registered fishing vessel, shall be entitled to a licence under section 6.

13. Information to be given to the authorised officer about movement of fishing vessels.— Where a registered fishing vessel moves from the area of one Port to the area of another Port, the owner of such fishing vessel shall give information to that effect, in the prescribed manner, to the authorised officer, by whom such fishing vessel was registered and also to Port Officer having jurisdiction over the area whereto such fishing vessel has been moved.

14. Returns to be made by owners of fishing vessels.— (1) Every owner of a registered fishing vessel shall furnish to the authorised officer at the prescribed time and in the prescribed manner such returns as may be prescribed.

(2) The authorised officer may inspect any registered fishing vessel at any time to verify the accuracy of any returns made under this section.

15. Finality of orders under sections 6, 11 and 12.— Every decision of the authorised officer under section 6, section 11 or section 12, granting or refusing to grant licence for a fishing vessel or a fishing net or cancelling, suspending, varying or amending such licence or registering or cancelling the registration of a vessel shall, subject to any right of appeal under section 16, be final.

16. Appeals against orders refusing grant of licence etc.— (1) Any person aggrieved by an order of an authorised officer refusing to grant licence for a fishing vessel or a fishing net or cancelling, suspending or varying or amending such licence or refusing to register a vessel or cancelling the registration of such vessel may, within thirty days from the date on which the order is communicated to him, prefer an appeal to such authority as may be prescribed (hereinafter in this section referred to as the Appellate Authority):

Provided that the Appellate Authority may entertain the appeal after the expiry of the said period of thirty days if it is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.

(2) On receipt of an appeal under sub-section (1), the Appellate Authority shall, after giving the appellant a reasonable opportunity of being heard, pass such orders thereon as it deems fit as expeditiously as possible.

(3) Every order passed by the Appellate Authority under this section shall be final.

17. Demarcation of specified areas.— The Government shall subject to such conditions as may be prescribed demarcate the specified areas.

CHAPTER III

Penalties

18. Power to enter and search fishing vessels.— The authorised officer may, if he has reason to believe that any fishing vessel is being or has been used in contravention of any of the provisions of this Act, or of any order or rule made thereunder or any of the conditions of the licence, enter and search such vessels and impound the same and seize any fish found in it.

19. Disposal of seized fish, etc.— (1) The authorised officer shall keep the fishing vessel impounded under section 18 in such place and in such manner as may be prescribed.

(2) In the absence of suitable facilities for the storage of fish seized, the authorised officer may if he is of opinion that the disposal of such fish is necessary, dispose of such

fish and deposit the proceeds thereof in the prescribed manner in the office of the adjudicating officer.

20. Adjudication.— (1) Where any authorised officer, referred to in section 18, has reason to believe that any fishing vessel is being or has been used in contravention of any of the provisions of this Act or any order or rule made thereunder, or any of the conditions of the licence, he shall make a report thereof to the adjudicating officer.

(2) The adjudicating officer shall hold an enquiry, into the matters mentioned in the report in the prescribed manner, after giving all the parties concerned a reasonable opportunity of being heard.

21. Penalty.— (1) The adjudicating officer shall, after the enquiry under section 20, decide whether any person has used or caused or allowed to be used any fishing vessel in contravention of any of the provisions of this Act or of any order or rule made thereunder or any of the conditions of licence and any such person on being found guilty by the adjudicating officer, shall be liable to such penalty not exceeding:—

(a) five thousand rupees, if the value of the fish involved is one thousand rupees or less; or

(b) five times the value of the fish, if the value of the fish involved is more than one thousand rupees; or

(c) five thousand rupees, in any other case, being a case not involving in any fish, as may be adjudged by the adjudicating officer.

(2) In addition to any penalty that may be imposed under sub-section (1), the adjudicating officer may direct that—

(a) the registration certificate of the fishing vessels which has been used or caused or allowed to be used, in the manner referred to in sub-section (1) or the licence, any condition of which has been contravened, shall be —

(i) cancelled or revoked, as the case may be; or

(ii) suspend for such period as the adjudicating officer deems fit; or

(b) the fish that might have been impounded or seized or the proceeds thereof as the case may be, under sections 18 or 19 shall be forfeited to the Government:

22. Constitution of Appellate Board and appeal to Appellate Board.— (1) The Government may, by notification in the Official Gazette, constitute one or more Appellate Board or Boards.

(2) The Appellate Board shall consist of three members of whom one shall be a person who is or has been a District Judge, who shall be appointed as the Chairman of the Appellate Board.

(3) Where only one Appellate Board is appointed that Appellate Board shall have jurisdiction throughout the Union territory and where more than one Appellate Board is appointed by the Government, Government may by notification in the Official Gazette, define the jurisdiction of each Appellate Board.

(4) Any person aggrieved by an order of the adjudicating officer may, within thirty days from the date on which the order is made, prefer an appeal to the Appellate Board having jurisdiction to hear such appeal:

Provided that the Appellate Board may entertain any appeal after the expiry of said period of thirty days, but not after the expiry of sixty days from the date aforesaid if it is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.

(5) On receipt of an appeal under sub-section (4), the Appellate Board may, after holding such enquiry as it deems fit, and after giving the parties concerned a reasonable opportunity of being heard, confirm, modify or set aside the order appealed against and the decision of the Appellate Board shall be final;

23. Revision by Appellate Board.— The Appellate Board may call for and examine the records of any order passed by an adjudicating officer under section 21 and against which no appeal has been preferred under section 22 for the purpose of satisfying itself as to the legality or propriety of such order or as to the regularity of the procedure and pass such order with respect thereto as it may think fit:

Provided that no such order shall be made except after giving the person affected a reasonable opportunity of being heard in the matter.

24. Powers of the adjudicating officer and the Appellate Board in relation to holding an enquiry under this Act.— The adjudicating officer and the Appellate Board shall, while holding an enquiry, have all the powers of a Court under the Code of Criminal Procedure, 1973 (Central Act 2 of 1974) while trying a suit, in respect of the following matters, namely:—

- (a) summoning and enforcing the attendance of witnesses;
- (b) requiring the discovery and production of any documents;
- (c) requisitioning any public record or copy thereof from any Court or office;
- (d) receiving evidence or affidavits; and
- (e) issuing commissions for the examination of witnesses or documents.

25. Offences by Companies.— (1) Where an offence under this Act has been committed by a company, every person, who at the time the offence was committed, was in charge of, and was responsible to the company for the conduct of the business of the company as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment, if he proves that the offence was committed without his knowledge or that he has exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where any offence under this Act has been committed with the consent or connivance of or is attributable to any neglect on the part of, any director, manager, secretary or other officer, such director,

manager, secretary or other officer shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation.— for the purposes of this section: —

(a) “company” means any Body Corporate and includes a firm or association of individuals; and

(b) “director” in relation to a firm means a partner in the firm.

CHAPTER IV

Miscellaneous

26. Exemptions.— (1) Nothing contained in this Act shall apply to survey vessels belonging to the Central Government or any State Government or any public undertaking.

(2) If the Government is of the opinion that, having regard to the purpose of this Act, it would not be in the public interest to apply all or any of the provisions of this Act to any class or classes of fishing vessels used for fishing in specified area or areas, it may by notification in the Official Gazette, exempt, subject to such conditions as it may think fit to impose, such classes or classes of fishing vessels used for fishing in such specified area or areas as it may specify in the notification, from the operation of all or any of the provisions of this Act.

27. Protection of action taken in good faith.— (1) No suit, prosecution or other legal proceeding shall lie against the Government or any officer or authority for anything which is in good faith done or intended to be done in pursuance of this Act or any order or rule made thereunder.

(2) No suit or legal proceeding shall lie against the Government or any officer or authority for any damage caused or likely to be caused by anything which is in good faith done or intended to be done in pursuance of this Act or any order or rule made thereunder.

28. Power to make rules.— (1) Government may, by notification in the Official Gazette, make rules for carrying out the provisions of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may be provided for all or any of the following matters, namely:—

(a) the matters to which regard shall be had in making an order under sub-section (1) of section 4;

(b) the form of application for licence under sub-section (1) of section 6, the particulars which it shall contain and the fees which shall accompany it.

(c) the matters to which regard be had in granting or refusing a licence, under clause (d) of sub-section (4) of section 6, the fees payable for the licence and the security for the due performance of the conditions of licence;

(d) the procedure to be followed in granting or refusing a licence under section 6 or cancelling, suspending, varying or amending such licence or in registering a vessel under section 12 or cancelling such registration;

(e) the form of application for registration of a vessel under section 12, the particulars which such application shall contain and the fees which shall accompany the application, the form of the certificate of registration and the form of the register referred to in sub-section (3) of that section, the manner in which the registration mark referred to in sub-section (4) of that section shall be displayed;

(f) the manner in which the information referred to in section 13 shall be given;

(g) the item and manner in which their returns referred to in sub-section (1) of section 14 shall be furnished;

(h) the authority to whom appeals shall be preferred under sub-section (1) of section 16;

(i) the place and the manner in which an impounded fishing vessel shall be kept under sub-section (1) of section 19 and the manner in which the proceeds of the disposal of the seized fish shall be deposited with the adjudicating officer under sub-section (2) of that section;

(j) the procedure of the enquiry by the adjudicating officer under sub-section (2) of section 20;

(k) the qualifications of the members of the Appellate Board other than the Chairman, the fees and allowances payable to the Chairman and other members of the Appellate Board, the procedure of the Appellate Board;

(l) the fees payable for supply of copies of documents or orders or for any other purpose or matter involving the rendering of any service by any officer or authority under this Act;

(m) any other matter which is to be or may be provided for by rules under this Act.

Secretariat,
Panaji-Goa.
6th March, 1981.

U. D. SHARMA,
Secretary to the Government of Goa,
Daman and Diu,
Law Department (Legal Advice).

GOVERNMENT OF GOA, DAMAN AND DIU**Forest and Agriculture Department****Notification**

2-2-81-FSH

In exercise of the powers conferred by section 28 of the Goa, Daman and Diu Marine Fishing Regulation Act, 1980 (3 of 1981) the Government of Goa, Daman and Diu hereby makes the following rules, namely: —

1. **Short title and commencement.**— (1) These rules may be called the Goa, Daman and Diu Marine Fishing Regulation Rules, 1982.

(2) They shall come into force at once.

2. **Definitions.**— In these rules,—

(a) ‘Act’ means the Goa, Daman and Diu Marine Fishing Regulation Act, 1980 (3 of 1981);

(b) ‘form’ means a form appended to these rules;

(c) ‘section’ means a section of the Act.

3. **Application for licensing of fishing vessels under section 6.**— (1) Every owner of a fishing vessel which is mechanically propelled shall make an application accompanied by a licence fee of Rs. 205/- to the authorised officer, for the grant of a licence for using such fishing vessel in the specified area in Form A.

(2) The authorised officer shall, while granting or refusing the licence, apart from the conditions specified in clause (a), (b) & (c) of sub-section (4) of section 6, have regard to the number of fishing vessels already licensed in the area where the fishing vessel is sought to be operated.

(3) If the authorised officer, after making such enquiries as deemed fit, decides to grant the licence applied for he shall issue a licence in Form B, which shall be valid for a period of one year from the date of issue.

(4) The authorised officer, having regard to the area in which the fishing vessel is sought to be operated, may direct the applicant to deposit an amount which shall be not less than Rs. 210/- but not more than Rs. 250/- as security deposit for the due observance of the conditions of the licence.

(5) Licence issued will be valid for one year and will have to be renewed annually by paying renewal fee of Rs. 50/-.

4. **Licensing of fishing nets.**— (1) The owner of a fishing net desirous of obtaining a licence for the same shall make an application to the authorised officer in Form C. The application shall be accompanied by a fee of Rs. 50/-.

(2) A licence in Form D shall be issued to the applicant on depositing of a sum not less than Rs. 50/- but not more than Rs. 75/- as may be directed by the authorised officer, as security deposit, for the due observance of the conditions specified in the licence.

(3) Notwithstanding anything contained in this rule net which has been registered under the Goa, Daman and Diu Fisheries Rules, 1981, shall subject to the condition of depositing the security deposit, referred to in sub-rule (2) be deemed to have been licensed under these rules.

5. Amendment of licences.— (1) The authorised officer, if after holding an enquiry under sub-section (1) of section 11 is satisfied that the additional conditions should be imposed upon the licensee who has been granted a licence either under section 6 or under section 8, may call upon such licensee to produce the licence for amending it and on such production, he may after any condition or add one or more conditions or demand, subject to the provisions of rule 3 or rule 4 as the case may be, and after giving an opportunity of being heard to the licensee additional security deposit.

(2) If such a licensee fails to comply with any order passed by the authorised officer under sub-rule (1), the licence shall be cancelled forthwith.

6. Registration of vessels.— (1) Every application under sub-rule (2) of section 12 for registration of a vessel shall be made in Form E.

(2) Every application under sub-rule (1) shall be accompanied with a fee of Rs. 50/-.

(3) The authorised officer shall, after making such inquiry as he deems fit, issue a registration certificate in Form F.

(4) The authorised officer shall maintain a register in Form G in respect of all vessels registered under this rule.

(5) Every vessel registered under this rule shall display the registration number allotted to it by the authorised officer on both sides of the bow and the aft side of the vessel.

7. Information regarding the movement of fishing vessels.— If the owner of a fishing vessel desires to shift the vessel from one port area to the other, he shall inform such movement in Form H to the authorised officer and also to the port officer, having jurisdiction over the area where such fishing vessel has been moved.

8. Returns to be made by the owners of fishing vessels.— Every owner of a fishing vessel shall, on or before the 7th of every month, submit a return in Form I to the authorised officer in respect of his vessel.

9. Appeals against the order of authorised officer.— Every appeal under section 16 shall be made to the Secretary to the Government of Goa, Daman and Diu, Secretariat-Panaji dealing with the Department of Fisheries.

10. Disposal of seized fish, etc.— (1) Every fishing vessel impounded under section 18 shall be kept in the port nearest to the place of seizure and so long as it continues to be impounded, shall be under the control of the port officer concerned.

(2) Every owner of the impounded fishing vessel shall keep on board of such vessel, at his cost, such number of crew which are necessary for keeping the vessel in good condition.

(3) The authorised officer shall, if suitable facilities are not available for storage of fish seized, dispose such fish by holding public auction and deposit the amount so realised in the first instance in the office of the Directorate of Fisheries and as soon as the amount excess Rs. 500/- he shall deposit in the office of the adjudicating officer. The authorized officer shall also furnish to the adjudicating officer full details regarding the date, time, place of auction, the number of persons who were present for bidding and other relevant particulars.

11. Manner of conducting inquiry by the adjudicating Officer.— (1) On receipt of the report of the authorised officer under sub-section (1) of section 20, the adjudicating officer shall cause a notice to be served on the owner of the fishing vessel in any of the manners provided in rule 16.

(2) The notice shall give the details of the contravention of the provisions of Act or Rules or any of the conditions of the licence by the fishing vessel concerned and call upon the owner to show cause as to why he should not be punished for the aforesaid contraventions.

(3) When a notice has been duly served and the owner fails to appear on the date fixed for hearing, the adjudicating officer may proceed to hear the matter ex-parte and pass such order on the basis of the material before him, as he may deem fit.

(4) Where the owner appears and contests the notice, he shall forthwith file a written statement verified in the same manner as a pleading under the Code of Civil Procedure, 1908 stating the reasons why he should not be punished for any such alleged contravention of the provisions of Act or the Rules or the conditions of the licence. The adjudicating officer shall, then either on the same day or on any subsequent day to which the hearing may be adjourned, proceed to hear the evidence, if any, which may be adduced before him.

(5) After the evidence has been recorded in a summary manner, the adjudicating officer may also hear the parties and pass such order as may deem fit in accordance with the provision of section 21 of the Act.

(6) Every order passed by the adjudicating officer shall be communicated to the owner of the vessel and also to the authorised officer.

12. Qualifications of the members of the Appellate Board.— No person shall be qualified for appointment as a Member unless he is : —

(i) an advocate for not less than five years;

or

(ii) holding a superior post in the legal Department of any Government for not less than five years.

(iii) a Judicial officer of five years standing.

13. Procedure of the Appellate Board.— (1) Every petition of appeal from an order of the adjudicating officer shall be presented to the Appellate Board in person or through a legal practitioner or a recognised agent.

(2) Every petition shall state succinctly the grounds of appeal and shall be accompanied by a copy of the order appealed against unless the Appellate Board dispenses with such copy.

(3) The Appellate Board, shall on receipt of a petition of appeal, give notice of such appeal to all persons concerned who, in its opinion may be interested in the same.

(4) The Appellate Board, while hearing an appeal, may admit additional evidence before its final disposal or may remand the case for admission of additional evidence and report or a fresh decision, as it may deem fit.

(5) A fee of Rupees fifty in the form of court fee adhesive stamps shall be payable in respect of each appeal.

(6) The Appellate Board shall, while hearing an appeal, follow the procedure followed by an Appellate Court under the Criminal Procedure Code, 1973 (Central Act 2 of 1974) while disposing criminal appeals.

14. Allowances payable to Chairman and Members of the Appellate Board.—

(1) The Chairman shall be paid a sum of Rs.100/- per sitting as honorarium:

(2) Each member of the Appellate Board shall be paid a sum of Rs. 50/- per sitting as honorarium:

Provided that the Board shall not have more than ten sittings per month.

15. Fees payable for certified copies of orders.— (1) A fee of Rs. 2/- shall be payable for supply of a certified copy of any order passed by any officer or authority under the Act.

(2) The fees shall be paid in the form of Court fee adhesive stamps.

16. Manner of service or publication of notice, summons or order.— Every notice, summons or order under the Act or under these rules shall be served in one or more of the following modes, namely: —

a) by delivering or tendering it to the person concerned or his manager or agent, if any;

b) by leaving it at the last known place of business of the person concerned or by delivering or tendering it to some adult member of the family;

c) by sending it by registered post A/D;

d) by affixing it on some conspicuous part of the premises concerned or at the last known place of business or residence of the person concerned or by publication in a daily newspaper or by proclamation by beat of drum in the locality or in any other customary mode.

FORM "A"
[See sub-rule (1) of rule 3]

**Application for grant of a licence for fishing vessel
for use in a specified area**

From:

(Name and full address of the applicant)

To,

The Authorised Officer,
Directorate of Fisheries,
Panaji-Goa.

Sir,

Please grant me a licence to operate in
(Type of Vessel)

..... under the provisions of/Section 6 of the Goa, Daman and Diu Marine Fishing
(Locality/Area)

Regulation Act, 1980.

I submit that my said vessel is registered with . . . and bear registration No.
Authority

I have paid the necessary fee of Rs. vide receipt No.dated

Yours faithfully,

FORM "B"
 [See sub-rule (3) of rule 3]
 GOVERNMENT OF GOA, DAMAN AND DIU
 Directorate of Fisheries
 Panaji
Fishing Vessel Licence
 Licence No.

Date of issue
 Valid up to
 Director of Fisheries
 (Facsimile Signature)

Signature & Designation of the Issuing Officer
 Office issuing licence

I. Particulars of Licence
 1. Name of the licensee
 2. Address

II. Particulars of vessel
 1. Type of vessel
 2. Specification of vessel
 Length
 Breadth
 Registration No.
 Other particulars, if any

III. Place of Operation of Vessel...
 1. Name of the specified area
 for operation of fishing vessel.

FORM "C"
 [See sub-rule (1) of rule 4]
Application for grant of Fishing net licence

From: _____
 (Name and full address of the applicant)

To,
 The Authorised Officer,
 Directorate of Fisheries,
 Panaji-Goa.

Sir,

Please grant me a licence to operate
 (Type of net)
 in
 (Locality/Area)

2. A fee of Rs. has been deposited vide receipt No. dated

Yours faithfully,

FORM "D"

(See sub-rule (2) of rule 4)
GOVERNMENT OF GOA, DAMAN AND DIV
Directorate of Fisheries,
Panaji
Fishing Net Licence

Date of issue...
REG. No.
Directorate of Fisheries
(Facsimile Signature)

Licence No. (NEW).

I. Particulars of licence

1. Name of the licensee
2. Address ...

II. Particulars of Net

1. Type of Net
 2. Specifications of Net
- Length ...
Breadth ...
Mesh size ...
Other particulars, if any.....

III. Place of Operation of net.....

1. Name of the specified area.....for operation of net.

IV. Change size of net

1. Length

FORM "E"

[See sub-rule (1) of rule 6]

Issued by the Government of Goa, Daman & Diu

Application for Registration of a Fishing Vessel

Under section 12 of the Goa, Daman and Diu Marine Fishing
Regulation Act, 1980

To,

The Authorised Officer,
Directorate of Fisheries,
Panaji-Goa.

Sir,

I/We ... of ... son of ... and ... BEING THE OWNER(S) OF FISHING VESSEL CALLED ... hereby request that the said vessel be registered in my/our name and a certificate of Registration issued to me/us.

2. The particulars in respect to the said vessel are as under:

- (1) Owner's name and address in full:.....
- (2) Occupation:
- (3) Where, when and how the vessel was secured:
- (4) Place and year of build:.....
- (5) Type of craft: Whether open/semi-decked/decked/fitted with auxiliary engine:
- (6) Description and type of engine with the name of the manufacturers, horsepower and speed in full loaded condition:
- (7) Nature of Employment
- (8) Port of Registry and Official No. if registered previously
- (9) Whether the craft has any previous mortgage, if so, the particulars thereof
- (10) Any other information

Signature or L. T. I. of Owner

Place:

Date:

FORM "E"
ANNEXURE

Notice of Name Proposed for a Vessel

(Note: The form is not to be used for an application to change the name of a vessel already on the register)

1. NAME PROPOSED: (In block letters)
 1. Alternative name(s) in order of preference
 2. should be given in case the first name cannot be authorized.
 - 3.
2. NAME AND ADDRESS OF THE OWNER:
3. IF A NEW VESSEL STATE:
 - (a) Name and address of builder:
 - (b) Yard No.
4. IF THE VESSEL HAS BEEN PURCHASED STATE:
 - (a) Previous name(s) if any:
 - (b) Port at which ship is now plying:
5. TONNAGE OF VESSEL (approx.) and method of propulsion:
Steam or Motor:

Applicant's Signature

Datedday of19.....

FORM "F"

[See sub-rule (3) of rule 6]

Certificate of Registration of Fishing Vessel under Section 12 of the Goa, Daman and Diu Marine Fishing Regulation Act, 1980

Official No Year of Registration ...

THIS IS TO CERTIFY that.... of... has declared that he is a resident of the Union territory of Goa, Daman and Diu and the sole owner of the Fishing Vessel called ...and that the said Fishing Vessel was built at ... by ... of ...in the year.....

The said ... has been duly registered under the Goa, Daman and Diu Marine Fishing Regulation Act, 1980.

CERTIFIED under my hand this the ...day of ...19

Description of Engines

Name and address of makers... When made. ...No. of sets of engines No. of shafts ... N.H.P. B.H.P.... Estimated speed of vessel Type of Engine Reciprocating Engines: No. and diameter of cylinders in each set: ... Rotary Engines: No. of cylinders in each set:

Particulars of Vessel and Tonnage

Extreme length	Number of Decks:
Length:	Number of bulkheads:
Breadth:	Build and Material:
Depth :	Stern:
	Description:
GROSS TONS:	
REGISTERED TONS:	

Authorised Officer

- Footnote: 1. This certificate of registration to be produced for inspection on demand by any authority authorised by the Government.
2. This certificate must be surrendered to the Registering Authority if so required by him.
 3. While the certificate is in force, the vessel's name and registration mark as painted or otherwise marked position approved by the Government of Goa, Daman and Diu, must not be removed or defaced.
 4. In case of any accident occasioning loss of life, or efficiency of the vessel, either in the hull, or in any part of the machinery, a report by letter, signed by the owner or master, is to be forwarded to the Registering Authority, within 24 hours after the happening of the accident, or as soon thereafter as possible.

FORM No. "G"

Registration Book

[See sub-rule (4) of rule 6]

Name of Owner (S): Address of Owner (S):

Name of Vessel: Registration Mark:

1. (a) Gross tonnage:

2. *Particulars of vessel:**Description of vessel:*

- | | |
|---------------------------------|----------------------------|
| (a) Length Overall: | (b) Net Registered tonnage |
| (c) Depth: | (d) Breadth: |
| (e) Place of build: | (f) Material of hull: |
| (g) Year of build: | (h) Number of bulk-head: |
| (i) Builder's name and address: | (j) Description: |
| (k) Number of decks: | (l) Stern: |

3. *Engine(s)*

- | | |
|--|-------------------------------------|
| (a) Steam or internal combustion Engine: | (b) Number of sets: |
| (c) Description: | (d) Builders: |
| (e) Year of make: | (f) Surface, jet or non condensing: |
| (g) No. of cylinders per set: | (h) Diameter of cylinder: |
| (i) Stroke: | (j) Revolution per minute: |
| (k) N.H.P. B.H.P./I.H.P.: | |

4. *Boilers :*

- | | |
|--|-------------------------------|
| (a) Type: | (b) Number of Boilers: |
| (c) Heating surface: | (d) Grate area: |
| (e) Working pressure:
Lbs. per square inch. | (f) Year of build: |
| (g) Builders: | (h) Material of construction: |

5. *Propulsion:*

- (a) Single, twin screw, side, quarter or stern paddle etc.
- (b) Revolutions: per minute
- (c) Speed of vessel
- (d) Propulsion geared or direct driven:

Dated at this day of 19

REGISTERING AUTHORITY
Goa, Daman and Diu
Panaji/Mormugao.
FORM "H"
(See rule 7)

From:

(Name and address)

To,

The Authorised Officer,
Directorate of Fisheries,
Panaji.

Sir,

I, owner of fishing vessel.....bearing registration No. do
(name)

hereby inform you that I intend to move my said vessel from the limit ofto the limits
(name of Port)

of..... on.....
(name of Port)

Yours faithfully,

Signature

Copy to:

The Port Officer

.....
(name of the Port)

FORM "F"

(See rule 8)

From:

Name of Owner

Address

To,

The Authorised Officer,
Directorate of Fisheries,
Panaji.

Sir,

I herewith submit the returns in respect of fishing vessel bearing Registration No. for the month of

- 1) No. of fishing trips
- 2) Total time spent in actual fishing
- 3) Total catch
- 4) Total amount returned
- 5) No. of persons on board
- 6) Amount spent on fuel
- 7) Amount spent on the repairs of the vessel
- 8) Actual working hours of the engines daily
- 9) Horse power of the engines

By order and in the name of the Administrator of Goa, Daman and Diu.

N. P. Gaunekar, Under Secretary to the Government of Goa, Daman and Diu.

Panaji, 9th March, 1982.