

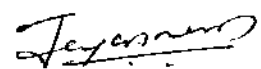
പതിമൂന്നാം കേരള നിയമസഭ  
പതിമൂന്നാം സമ്മേളനം

നക്ഷത്ര ചിഹ്നമിടാത്ത  
ചോദ്യം നമ്പർ : 1866

17-03-2015 - രു മറുപടിയ്ക്ക്

ഡോ. മീനാകുമാരി കമ്മീഷൻ റിപ്പോർട്ട്

	ചോദ്യം		ഉത്തരം
എ)	<p>ശ്രീ. എ. എം. ആരിഫ്</p> <p>ഡോ. മീനാകുമാരി ചെയർമാനായുള്ള കമ്മിറ്റിയെ കേന്ദ്രസർക്കാർ നിയമിച്ചത് എന്നാണ്;</p>	എ)	<p>ശ്രീ. കെ. ബാബു</p> <p>മത്സ്യബന്ധനവും തുറമുഖവും എക്സൈസും വകുപ്പ് മന്ത്രി</p> <p>2013 ആഗസ്റ്റ് മാസം 1-ാം തീയതിയാണ് കേന്ദ്രസർക്കാർ ഡോ. മീനാകുമാരി ചെയർമാനായുള്ള കമ്മിറ്റിയെ നിയമിച്ചത്.</p>
ബി)	<p>തീര മേഖലയുമായി ബന്ധപ്പെട്ട് കേന്ദ്രസർക്കാർ 2014 നവംബർ 12 നും 28 നും പുറപ്പെടുവിച്ച ഉത്തരവും പൊതു നോട്ടീസും ലഭിച്ചിട്ടുണ്ടോ ; ആയതിന്റെ കോപ്പി നൽകുമോ ;</p>	ബി)	<p>ഇന്ത്യൻ EEZ-ൽ ആഴക്കടൽ മത്സ്യബന്ധനം നടത്തുന്നതുമായി ബന്ധപ്പെട്ട് കേന്ദ്രസർക്കാർ 2014 നവംബർ മാസം 12-ന് പുറപ്പെടുവിച്ച F.No.21002/12/2011-Fy(Ind) നമ്പർ ഉത്തരവും, 2014 നവംബർ 28 ന് പുറപ്പെടുവിച്ച F.No.21002/12/2011-Fy(Ind) നമ്പർ പൊതു നോട്ടീസും ലഭിച്ചിട്ടുണ്ട്. ആയത് ഇതോടൊപ്പം ഉള്ളടക്കം ചെയ്യുന്നു.</p>
സി)	<p>ധീവര സഭയും മത്സ്യത്തൊഴിലാളി സംഘടനകളും റിപ്പോർട്ട് സംബന്ധിച്ച് നിവേദനങ്ങൾ നൽകിയിട്ടുണ്ടോ ;</p>	സി)	<p>ഉണ്ട്.</p>
ഡി)	<p>എങ്കിൽ ധീവര സഭയുമായോ മത്സ്യത്തൊഴിലാളി സംഘടനകളുമായോ ചർച്ച നടത്തിയിട്ടുണ്ടോ ?</p>	ഡി)	<p>ഉണ്ട്. 10-02-15 ന് ബഹു.ഫിഷറീസ് വകുപ്പ് മന്ത്രിയുടെ അധ്യക്ഷതയിൽ എല്ലാ മത്സ്യത്തൊഴിലാളി സംഘടനാ നേതാക്കളെയും ഉൾപ്പെടുത്തി ഒരു മീറ്റിംഗ് നടത്തുകയുണ്ടായി.</p>

  
സെക്ഷൻ ഓഫീസർ

①  
F.No.21002/12/2011-FY(Ind)

Government of India

Ministry of Agriculture

Department of Animal Husbandry, Dairying & Fisheries

Speed Post  
ED-7843168451N  
17/11/14

Krishi Bhawan, New Delhi.

Dated the 12<sup>th</sup> November, 2014

**ORDER**

The Government of India, Ministry of Agriculture, Department of Animal Husbandry, Dairying & Fisheries being the nodal Department for developing fisheries in the Indian Exclusive Economic Zone (EEZ) vide Entry 57 list 1 of Seventh Schedule of the Constitution in exercise of the powers conferred orders hereunder prescribe the new Guidelines for conduct of fishing operation in the Indian Exclusive Economic Zone. The guidelines will be binding on all deep-sea fishing vessels operating in the Indian EEZ from the date of issue of this order. The earlier Guidelines prescribed in above regard by this Department are rescinded herewith.

(Dr. Raja Sekhar Vondru)

Joint Secretary to the Government of India

(डा. राजा सेखर वंदरु)

(DR. RAJA SEKHAR VONDURU)

संयुक्त सचिव/Joint Secretary

भारत सरकार/Govt. of India

पशु पालन डेयरी और मत्स्य पालन विभाग

Dir Animal Husbandry Dairying & Fisheries

कृषि विभाग/Ministry of Agriculture

कृषि भवन, नई दिल्ली

Krishi Bhawan, New Delhi

**Distribution:**

- (i) Members of the Inter-Ministerial Empowered Committee on Marine Fisheries
- (ii) Secretaries in-charge of Fisheries of all coastal States/UTs
- (iii) Secretary, Ministry of External Affairs
- (iv) Secretary, Ministry of Law & Justice
- (v) Secretary, Ministry of Earth Sciences
- (vi) Chairman, Central Board of Excise & Customs,
- (vii) DG, ICAR
- (viii) CE, NFDB
- (ix) President, All India Association of Deep Sea Fisheries
- (x) Secretary, Fishing Trawlers and Allied Industries Owner's Welfare Association
- (xi) All Deep Sea fishing vessel operator companies
- (xii) NIC, DAHDF, Krishi Bhawan, New Delhi [with request for posting the above Guidelines in the website of this Department].

12 2

**List of Secretaries in-charge of Fisheries of all Coastal States/Union Territories**

1	Secretary (Fisheries), Government of Goa, Secretariat, Porvorim Panaji- 403 521 (Goa) Ph:- 0832-2419415,Fax:- 0832-22419630
2	Secretary, Government of Gujarat, Department of Agriculture & Cooperation (Animal Husbandry, Cow Breeding, Dairying and Fisheries), 5/2, Sardar Bhawan, Sachivalaya, Government of Gujarat, Gandhinagar- 382 010 Ph:- 079-23250328. Fax:- 033-22141346/22143929
3	Principal Secretary, Govt. of Karnataka, Animal Husbandry & Fisheries Department, Secretariat, 4 <sup>th</sup> Floor, Room no-404, Vikasa Saudha, B.R. Ambedkar Veedhi, Bangalore- 560 001 Ph:- 080-2253977; Fax:- 080-2225374
4	Secretary, Government of Kerala, Department of Fisheries, Secretariat, Thiruvananthapuram – 695 001 Ph:- 0471-2333407/2518554; Fax:- 0471-2322475
5	Secretary, Government of Maharashtra, Department of Agriculture, Animal Husbandry, Dairy Development & Fisheries, Mantralaya Annexe, Mumbai- 400 030 Ph:- 022-22027018 Fax:- 022-2206139
6	Commissioner-cum-Secretary (Fisheries), Government of Orissa Fisheries & A.R.D Department, Bhubaneshwar- 751 001 Ph:- 0674-2536985; Fax:- 0674-2390681
7	Special Secretary, Government of Puducherry, Department of Fisheries, Chief Secretariat, Goubert Avenue, Puducherry- 605 001 Ph:- 0413-2336161,Fax:- 0413-2334448
8	Secretary, Government of Tamil Nadu, Animal Husbandry, Dairying and Fisheries Department, Secretariat, Chennai- 600 009 Ph:- 044-25672937; Fax:- 044-25677590

9	Secretary, Fisheries Department, Government of West Bengal, Writer's Building, Kolkata – 700 001 Ph:- 033-22145776, Fax:- 033-22143776
10	Secretary (Fisheries), Andaman & Nicobar Administration, Port Blair- 744 101 Ph:- 03192-233250 Fax:- 03192-232479
11	Principal Secretary (Fisheries), Animal Husbandry, Dairy Development & Fisheries Department Government of Andhra Pradesh H - Block, Secretariat <u>Hyderabad - 500 022</u> (Fax No. 040-23450279)
12	Secretary (Fisheries), Union Territories of Daman & Diu, And Dadra & Nagar Haveli, Secretariat Moti Daman – 396 220 Ph:- 0260-2230088, Fax:- 0260-2230689
13	Collector-cum-Development Commissioner and Secretary, Administration of the Union Territory of Lakshadweep, Department of Fisheries, Kavaratti- 682 555 Fax:- 04896-263896/262184

3  
-9-

**GUIDELINES FOR FISHING OPERATIONS IN INDIAN  
EXCLUSIVE ECONOMIC ZONE, 2014**

## DEFINITIONS

S.No.	Item	Definitions
1.	EEZ	Exclusive Economic Zone of India which is upto 200 nautical miles from the shore line and beyond & adjacent territorial water which comes under the jurisdiction of Union Government
2.	Deep Sea Fishing	Fishing activities beyond 12 nautical miles from the shore line (Territorial waters)
3.	Deep Sea Fishing Vessels	Fishing vessels of 15 meter overall length (OAL) and above or any resource specific vessel or any vessel fit for deep sea operations
4.	Operator	Any Indian citizen; Indian entrepreneur; Partnership Firm; Private Ltd. company; Public Ltd. Company; joint venture company (at least 51% Indian equity) and Corporation; Registered cooperative society.
5.	CCRF	The code of conduct for responsible fisheries circulated by the FAO of the United Nations
6.	IOTC	Indian Ocean Tuna Commission

## Guidelines for operation of Deep Sea Fishing Vessels in Indian EEZ, 2014

The Constitution of India empowers the Central Government in the Department of Animal Husbandry, Dairying and Fisheries on Fishing and Fisheries beyond the Territorial waters vide Entry 57, List I, Seventh Schedule of the Constitution.

The Territorial Waters, Continental Shelf, Exclusive Economic Zone and Other Maritime Zones Act, 1976 in Section 7 further empowers the Central Government with sovereign rights in the Exclusive Economic Zone of India, for the purpose of exploration, exploitation, conservation and management of the natural resources, including fishery resources; exclusive jurisdiction to authorise, regulate and control scientific research exclusive jurisdiction to preserve and protect the marine environment and to prevent and control marine pollution; and such other rights as are recognised by International Law. Further, no person (including a foreign Government) shall, except under, and in accordance with, the terms of any agreement with the Central Government or of a licence or a letter of authority granted by the Central Government, explore or exploit any resources of the exclusive economic zone or carry out any search or excavation or conduct any research within the exclusive economic zone or drill therein or construct, maintain or operate any artificial island, off-shore terminal, installation or other structure or device therein for any purpose whatsoever.

The Territorial Waters, Continental Shelf, Exclusive Economic Zone and Other Maritime Zones Act, 1976 allows any Indian citizen to fish in EEZ. The Act further makes India also responsible for the conservation and management of natural resources including fishery resources. In accordance to such responsibility the Central government regulates fishing operations in the EEZ through guidelines for fishing operations. The guidelines have been revised to create an enabling environment for fishing operation, simplify procedures, and create transparency. Any fishing operation in EEZ are bound by the Code of Conduct for Responsible Fisheries (CCRF) and compliance of international Laws, Conventions and other international instruments to which India is a Party and compliance of IOTC.

### Guidelines:

1. A Letter of Permission in writing (LOP) is required from the Department of Animal Husbandry, Dairying and Fisheries for operating any fishing vessel in Indian EEZ. Taking into consideration the Report of the Expert Committee to revalidate potential of Marine fishery resources, 2010 permission is accorded for the following fishing methods:

- a) Long Lining for tuna
- b) Tuna Purse Seining
- c) Mid-water pelagic trawler
- d) Mid-water pelagic trawler
- e) Trap Fishing
- f) Hook and Line Fishing
- g) Pole and Line Fishing

LOP

20/10/14

2. The operation of Indian deep sea fishing vessels will be governed by the executive Orders issued /to be issued from time to time.
3. The letter of permission should not be transferred to any other company or individual unless specifically approved by the Government.
4. The area of operation of the deep sea fishing vessels will be regulated by the instructions / orders issued by the GOI from time to time. The vessel should engage in no activity other than fishing in the Indian EEZ and will not be permitted to fish in the areas covered by the coastline and the line adjoining the following points:

A. Off Orissa, West Bengal Coast

- (i)  $19^{\circ}20'N-85^{\circ}30'E$
- (ii)  $20^{\circ}-86^{\circ}56'E$
- (iii)  $20^{\circ}42'N-88^{\circ}E$
- (iv)  $21^{\circ}8'N-89^{\circ}7'E$
- (v)  $21^{\circ}16'N-89^{\circ}14'E$

B. Off Maharashtra and Gujarat Coastline

- (vi)  $22^{\circ}54'N-67^{\circ}33'E$
- (vii)  $21^{\circ}33'N-68^{\circ}56'E$
- (viii)  $19^{\circ}2'N-72^{\circ}E$
- (ix)  $18^{\circ}33'N-72^{\circ}E$
- (x)  $18^{\circ}N-72^{\circ}31'E$

C. Off Kerala and TamilNadu Coastline

- (xi)  $7^{\circ}45'N-77^{\circ}E$
- (xii)  $7^{\circ}45'N-78^{\circ}$
- (xiii)  $7^{\circ}30'N-78^{\circ}$
- (xiv)  $7^{\circ}30'N-77^{\circ}$

- D. Fishing will be permitted only beyond 24 nautical miles between the Nizampatnam (Andhra Pradesh) and Paradeep Port (Orissa).
- E. The vessel should not encroach into areas demarcated for mechanized and Traditional fishing craft as prescribed by the Central/State/UT Government through Marine Fishing Regulation Acts (MFRAs) notification /executive order, etc. from time to time.
- F. The vessel at any time, should not engage in fishing within the territorial waters of India.
- G. The vessels will not be allowed to fish in Indian EEZ at any particular coast at any particular time during such ban periods as notified by the Government from time to time.



- 13
5. The operator shall not resort to any type of fishing other than what has been permitted to them; will not exploit any endangered species of marine turtles, mammals and fish species declared as per Wild Life (Protection) Act, 1972; the vessel will not resort to Bottom Trawling/ Pair Trawling/ Bull Trawling; and will not violate the Code of Conduct for Responsible Fisheries (CCRF).
  6. The base port for operation of vessel would be any one on the east coast and one on the west coast.
  7. Those operators who are desirous of engaging foreign crew will comply with such Visa/ clearances/ landing permit as applicable.
  8. The operator will provide the Department a list of foreign crew with details in respect of each foreign crew name, father's name, passport no./sea-man book, nationality and designation.
  9. Any change in foreign crew during the operation of vessel in the EEZ is to be reported to the Coast Guard Head quarters and this Ministry well in advance.
  10. Date of commencement of voyage along-with duration of voyage with crew list will be furnished to Coast Guard before for each sailing. Intimation on completion of each voyage shall also be furnished to Coast Guard on return of the vessel.
  11. Inspection of vessel by nearest Coast Guard authority before and after completion of each voyage at the shore or sea will be carried out.
  12. The operator will submit the voyage report in the prescribed format (Annexure-i) to FSI Mumbai on quarterly basis.
  13. Mid-sea transfer of fish catch will be governed by Reserve Bank of India regulations in this regard. Place and time of mid sea transfer of catch together with particular of ship into which catches are to be transferred should be intimated to coast guard authorities and this Ministry in advance.
  14. For proper monitoring of the operations of Indian deep sea fishing vessels and sea Safety point of view, deep sea fishing vessel operators shall report their vessels' position daily at 0800 hrs, to Coast Guard, during the fishing operations.
  15. All the vessels should be fitted with appropriate communication equipments as prescribed under the GSR 253 of Merchant Shipping (Distress and Safety Radio Communication) Rules, 1995.
  16. Government reserves the right to inspect the vessel and machinery and equipments on the vessel and shore based processing plants of the operators at any time without notice.
  17. The vessel should be registered with MMD or any designated authority.
  18. The operator will give prior intimation to the Ministry as well as to Coast Guard before Leaving the Indian EEZ.

19. Since the fishing vessel industry with reference to resource specific deep sea fishing vessels is by and large not available in India, any operator may import such fishing vessels for fishing in Indian EEZ through existing import procedures as may be laid down from time to time.
20. The Indian company shall undertake to maintain and operate the vessel in good condition and pay for all operating and maintenance expenses including insurance, wages of crew, surveys, etc. and the crew shall be insured against all risks, acts of God, insurrection, etc. with an approved Insurance Company.
21. The Indian company shall ensure that the vessels imported by them should comply with various requirements of Indian Ocean tuna commission (IOTC).
22. The government may reserve the right to suspended or cancelled the letter of permission after due procedure as may be prescribed.

\*\*\*\*\*

No.21002/12/2011-Fy(Ind)  
Government of India  
Ministry of Agriculture  
Department of Animal Husbandry, Dairying & fisheries

Dated 28<sup>th</sup> November, 2014  
Krishi Bhawan, New Delhi

**PUBLIC NOTICE**

All Indian entrepreneurs, who intend to do fishing in the Exclusive Economic Zone of India i.e., the area beyond and adjacent to the territorial waters, and the limit of such zone is two hundred nautical miles from the baseline, will have to obtain Letter of Permission (LOP) from Department of Animal Husbandry, Dairying and Fisheries, Ministry of Agriculture, Government of India.

1. The LOP will be issued to all eligible Indian entrepreneurs who satisfy the following conditions:
  - i) Grant of LOPs would be considered only to resource specific deep-sea fishing vessels (DSFVs) of following categories:
    - a. Tuna Long Liners,
    - b. Purse Seiners,
    - c. Trap/Hook & Line vessels,
    - d. Squid Jiggers,
    - e. Pelagic/Mid Water Trawlers, and
    - f. Pole & Line.
  - ii) The DSFVs owned/being acquired are of over all length 15 meters and above.
  - iii) The mode of acquisition can be, a) outright purchase; b) deferred payment; and c) Joint Venture with not less than 51% Indian equity.
  - iv) Any vessel upon transfer of ownership by any method of acquisition including deferred payment shall be considered as an fully owned Indian fishing vessel.
  - v) A maximum of 04 Tuna Long Liners/Mid-Water Pelagic Trawlers per company will be permitted for issue of LOPs. In addition to that, the entrepreneurs can apply for any other categories as mentioned at point i) above for additional number of vessels. However, in case of full payment made by the entrepreneur for first 04 vessels, additional 04 tuna long liners/mid-water pelagic trawlers may also be permitted.
  - vi) A processing fee @ Rs. 10,000/- per DSFV has to be furnished along with the application in the form of Demand Draft payable to Pay & Accounts Officer, Department of Animal Husbandry, Dairying & Fisheries, Ministry of Agriculture, New Delhi.
  - vii) Applicant Company/firm should have minimum paid up capital of Rs.10.00 lakhs to apply for up to 2 DSFVs. In case of additional two DSFVs permitted for grant of LOP, the paid up capital should be @ Rs. 5.00 lakhs per each additional DSFV proposed.

- viii) In case of application for setting up Joint Venture with foreign equity collaboration, the company/firm has to produce evidence of at least 51% Indian Equity.
  - ix) In addition, the entrepreneurs has to abide by the Guidelines prescribed for operation of deep-sea fishing vessels in the Indian EEZ dated 12<sup>th</sup> November, 2014 and provide the undertakings as required.
2. The eligible applicants will be initially issued Provisional LOP for a period of one year, which will be converted into LOP on submission of following :
    - a) Submission of proof (i.e., Bill of Entry) showing import of DSFV.
    - b) Proof of registration of vessel with the Indian Mercantile Marine Department (MMD) or any designated authority as per applicable laws.
    - c) Evidence of payment made towards the cost of the vessel.

In the event of non furnishing of the above documents, the provisional LOP will be automatically cancelled.

3. The LOP will be valid for a period of five years from the date of issue. The LOP after the period of its five year validity can be extended for another five year on fulfillment of following conditions:
  - a) Submission of proof that the entire payments towards the cost of the vessels have been made.
  - b) No major violation of LOP conditions/guidelines have been proved.

There will be no bar on number of such extensions, provided that the above conditions are fulfilled.

4. In addition to above, any other conditions/modifications may be applicable as may be specified from time to time.
5. The Inter Ministerial Empowered Committee on Marine Fisheries (EC) would consider proposals complete in all respect, on merit and in accordance with the approved fleet plan.
6. Interested entrepreneurs may apply to in the prescribed format, as Annexed:

## FORMAT OF APPLICATION FOR LETTER OF PERMISSION

### A. Company Details:

1. Name of the Company/Firm
2. Address of Company/Firm with Pin Code
3. Tel/Fax Nos./E mail of the Company/Firm
4. Project Report alongwith the commercial feasibility and economical viability analysis with the following enclosures:
  - i. Board of Directors /Partners along-with their Bio-Data, Photo, Address & Tele/Fax Nos/E mail.
  - ii. Copy of Certification of Registration of the Company/Firm
  - iii. Memorandum of Articles of Association of the Company/Partnership-deep of Firm
  - iv. Copy of latest Balance Sheet of the Company duly certified by a Chartered Accountant along with CA's registration number
  - v. Authorized capital of the Company
  - vi. Paid up Capital of the Company/Firm

- B. Source /Mode of acquisition of vessel(s) with full address, telephone/fax no. /E. mail of the owner(s) in their letter head, copies of their registration /certificate of incorporation details, number of vessels owned by them, their bank account No. and Bankers details**

### C. Particulars of fishing vessels

- a. Name of vessel, type of vessel and fishing gears
- b. Certified copy of registration certificate of vessel
- c. Year of construction and reconstruction (if any) of vessel
- d. Overall length (OAL) / registered length
- e. Gross tonnage and Net / registered Tonnage
- f. Horse Power of main engine
- g. Certified copy of latest Annual Survey Certificate
- h. Certified copy of sea worthiness certificate
- i. Fish hold capacity in Cu meters and tones
- j. Crew capacity
- k. Copy of GA drawing of the vessel
- l. Copy of Radio Licence Certificate along with call sign
- m. Price of the vessels in US\$ and Indian Rupees

**List of Documents:** In addition to above mentioned details, following documents are required:

- (i) Photocopy of Sale Deed/Buyer-Seller Agreement certified by CA
- (ii) Terms of payment for acquisition
- (iii) Copy of Buy Back Agreement, Technical Service Agreement, etc. (if any)
- (iv) Undertaking in the format as prescribed in the Guidelines dt. 12<sup>th</sup> Nov 2014.
- (v) Statement of number of foreign and Indian crew proposed to be employed on each vessel. and phasing out of foreign crew along with the period by which they will be completely phased out.

*Jayaram*  
omadn 312014