

श्रीर डक
SPEED POST



भारत सरकार / GOVERNMENT OF INDIA

पोत परिवहन मंत्रालय / MINISTRY OF SHIPPING

नौवहन महानिदेशालय / DIRECTORATE GENERAL OF SHIPPING

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F.No. CS-7(1)/2009-VII

Dated: 04.11.16

DGS Order No. 6 of 2016

- 8 NOV 2016

Sub:- Registration, survey and certification of Indian fishing boats by the Mercantile Marine Departments [MMDs] and Maritime States & Union Territories – reg.

1. Whereas, Part XV-A of the Merchant Shipping Act, 1958, as amended [hereinafter referred to as the 'Act'] provides for the registration, survey and certification of Indian flag fishing boats;
2. Whereas, as per sub-section(1) of section 435-D ibid, a port of registry of such fishing boats shall be a port of place in India as the Central Government may, by a notification in the official gazette, declare as a port or place of registry thereof.
3. Whereas, as per section 435E supra, the Central Government may, by a notification in the official gazette, appoint an officer to be a Registrar of Indian flag fishing boats (hereinafter referred to as 'Registrar') at every port or place declared as a port or place of registry under sub-section (1) of section 435E of the Act.
4. Whereas, the Ministry of Shipping, Govt. of India had, in the year 2013, issued a Notification GSR-449(E) [F. No. SR-19014/01/2009-MG] dated 02.07.13, through which ports/places of registry and corresponding Registrars for Indian flag fishing boats were notified. In this notification, Indian flag fishing boats of length 20 meters and above were required to be registered with the Mercantile Marine Department [MMDs] of the Govt. of India.
5. Whereas, the Ministry of Shipping, Govt. of India vide its subsequent Notification GSR-594 (E) [F. No. SR-19014/01/2009-MG] dated 14.08.14 has made the provisions of sub-section (1) of section 9 ibid [i.e., the power to appoint Surveyors] applicable to Part XV-A [fishing boats] supra. Contextually, attention is invited to the fact that the said Notification GSR 594(E) dated 14.08.14 provisions, inter-alia, that such work of survey and certification could be delegated to any person or persons with the previous approval

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of the Central Govt.

6. Whereas, the Ministry of Shipping, Govt. of India vide its other Notification GSR-595(E) [F. No. SR-19014/01/2009-MG] dated 14.08.14 had superseded its earlier notification adverted to in para 4 herein above i.e., G.S.R. 449(E) [F. No. SR-19014/01/2009-MG] dated 02.07.13, and has in the same notification directed that;

6.1. The power, authority & jurisdiction exercisable under sub-section (1) of section 9 of the said Act shall also be exercisable by the Secretary of the Govt. of the respective Maritime States in charge of their Departments of Fisheries or by the Administrators / Chief Secretaries of the respective Union Territory (UT) Administrations, for the purpose of Part XV-A *ibid*.

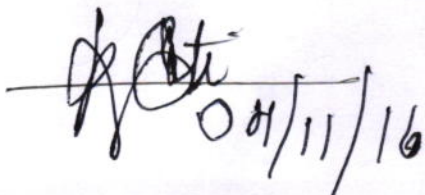
6.2. Ports of registry and corresponding Registrars for Indian flag fishing boats were also notified for the convenience of the Indian fishing industry.

6.3 In effect, the MMDs are not required to carry out registration of Indian fishing boats of length 20 meters and above.

7. Whereas the work relating to registration, survey and certification of all Indian flag fishing boats, irrespective of their length, may now be undertaken by the Maritime State/ UT authorities concerned in terms of the two notifications mentioned herein above viz., GSR-594 (E) [F. No. SR-19014/01/2009-MG] dated 14.08.14 & GSR-595 (E) [F. No. SR-19014/01/2009-MG] dated 14.08.14.

8. Whereas, the respective Maritime State / UT authorities may take some more time to effectively undertake the said work related to registration, survey and certification of Indian flag fishing boats, the transfer of documents thereto of their past registration from their present registry to the respective State / UT authorities, and also for an appointment of Surveyors for carrying out the functions related to registration, survey and certification of Indian flag fishing boats.

9. Now, therefore, reckoning the convenience of Indian flag fishing boat owners to undertake change of registry from the present Registrars to the respective new Registrars under the Maritime State / UT Administrations concerned, factoring the administrative convenience of the jurisdictional Maritime State / UT authorities and also taking into account that the latter may, as yet, not be fully equipped to deal with the aforesaid works, this office hereby extends the validity of its preceding DGS Order No. 1 of 2015 [F.No. CS-7(1)/2009-VI] dated 13.04.2015, DGS Order No. 5 of 2015 [F.No. CS-7(1)/2009-VII] dated 17.11.15 and DGS Order No. 3 of 2016 [F.No. CS-7(1)/2009-


04/11/16

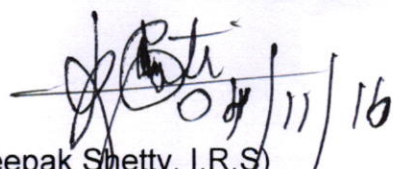
VII] dated 11.04.16 upto 30.09.17.

10. The subject matter was also discussed in the 23rd meeting of the Inter-Ministerial Empowered Committee on Marine Fisheries held at New Delhi, on 09.06.15, in the Ministry of Agriculture, Govt. of India [agenda item no. 5]. It was recommended therein that – “.... considering the inadequate competence of State Fisheries Departments to undertake these responsibilities, shortage of qualified Surveyors, and the ground realities regarding difficulties being faced in registration of large sized fishing vessels, it was recommended by the EC that DG Shipping/Ministry of Shipping may consider reverting back to the previous system , and therefore to consider to withdraw its notification GSR-595(E) dated 14.08.14, which authorizes the State/UT Fisheries Departments to carry out registration of all Indian fishing boats(irrespective if length); and to adopt the earlier practice of MMDs under DG Shipping being authorized to carry out the work related to registration, survey and certification of Indian fishing boats of length 20 meters and above, whereas fishing vessels of below 20 meters length may be registered by the Fisheries Departments of States/UTs”.

11. Accordingly, the Surveyors under the respective/jurisdictional MMDs of the Govt. of India shall continue to discharge, in the meanwhile, the responsibilities of registration, survey and certification of Indian flag fishing boats of length 20 meters & above upto 30.09.17. However, the Maritime State/UT authorities who are equipped to deal with the said tasks are not precluded from performing such works as per the Govt. of India's notifications mentioned in para 7 hereinabove.

12. This order shall come into force with an immediate effect.




(Deepak Shetty, I.R.S)
Director General of Shipping &
Secretary to the Govt. of India,
Mumbai

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भारत का राजपत्र The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (i)
PART II—Section 3—Sub-section (i)
प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं. 93]	नई दिल्ली, सोमवार, फरवरी 16, 2015/माघ 27, 1936
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पोत परिवहन मंत्रालय

अधिसूचना

नई दिल्ली, 16 फरवरी, 2014

सा.का.नि. 97(अ).—केन्द्रीय सरकार, वाणिज्य पोत परिवहन अधिनियम, 1958 (1958 का 44) की धारा 435-भ के साथ पठित धारा 285 की उप-धारा (1), धारा 288 की उप-धारा (1) और उप-धारा (2), धारा 289, धारा 296 की उप-धारा (1) और उप-धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह समाधान हो जाने पर कि उक्त अधिनियम के भाग-15क (मत्स्य नौकाएं) के अधीन बनाए गए वाणिज्यिक पोत परिवहन (भारतीय मत्स्य नौका निरीक्षण) नियम, 1988 की अपेक्षाओं का अनुपालन करना असाधनीय है, उनके रजिस्ट्री प्रमाण-पत्र में यथा अभिलेखबद्ध निम्नलिखित विनिर्देशों वाली भारतीय मत्स्य नौकाओं को, वाणिज्यिक पोत परिवहन (भारतीय मत्स्य नौका निरीक्षण) नियम, 1988 की अपेक्षाओं से, नौकाओं के विनिर्देशों के साथ नीचे वर्णित तारीखों से छूट प्रदान करती है, अर्थात् :-

(i) 24 मीटर से कम वाली भारतीय मत्स्य नौकाओं, इस अधिसूचना के प्रकाशन की तारीख से

(ii) 20 मीटर से कम वाली भारतीय मत्स्य नौकाओं, 13 जनवरी 2014 से इस अधिसूचना के प्रकाशन की तारीख तक ।

2. पैरा 1 के अधीन प्राप्त छूट, इस शर्त के अध्वधीन होगी कि ऐसी मत्स्य नौकाएं, निम्नलिखित नियमों और विनियमों में विहित उपस्कर ले जाएंगी और उनका दक्ष अनुरक्षण हो :-

(क) वाणिज्यिक पोत परिवहन (अग्निशमन उपयंत्र) नियम, 1990;

(ख) वाणिज्यिक पोत परिवहन (समुद्र के टकराव रोकना) विनियम, 1975; और

(ग) वाणिज्यिक पोत परिवहन (जीवन रक्षक उपयंत्र) नियम, 1982 या वाणिज्यिक पोत परिवहन (जीवन रक्षक उपयंत्र) नियम, 1991 ।

[फा. सं. एसआर-11013/3/92-एमए (एमजी)-भाग-2]

दिव्या प्रसाद, संयुक्त सचिव

स्पष्टीकरण ज्ञापन :- केन्द्रीय सरकार, ने अधिसूचना सं. सा.का.नि. 9(अ), तारीख 13 जनवरी, 2012 द्वारा 20 मीटर से कम की मत्स्य नौकाओं को, वाणिज्यिक पोत परिवहन (भारतीय मत्स्य नौका निरीक्षण) नियम, 1988 की अपेक्षाओं से दो वर्ष की अवधि के लिए छूट दी थी और वह छूट 12 जनवरी, 2014 को व्यपगत हो गई है । इस अधिसूचना के खंड (ii) के अधीन, उस सीमा तक भूतलक्षी प्रभाव देने से कोई भी व्यक्ति प्रतिकूल रूप से प्रभावित नहीं होगा ।

✓ 1. All MMDs 14 copy

✓ 2. Fishery Survey of India, Dept of Animal Husbandry, Dairying and Fisheries, Plot 2, Unit No. 12, New Fishing Harbour, Sassoon Dock, Colaba, Mumbai- 400 005.

✓ 3. Dr(Smt) Beela Rajesh, IAS, Commissioner of Fisheries, Administrative office Building, DMS Campus, Teynampet, Chennai-600 006.

✓ 4. Rama Sankar Naik, IAS, Commissioner of Fisheries, Govt. of Andhra Pradesh, Matsya Bhavan, 4th Street, Shanti Nagar, Masab Tank, Hyderabad- 500 028.

✓ 5. Directorate of Fisheries, 4th Floor, Vikas Bhavan, Thiruvananthapuram- 695 033.

✓ 6. Central Institute of Fisheries, Nautical and Engineering Training, Fine Arts Avenue, Kochi- 682016.

✓ 7. Additional Chief Secretary, Department of Fisheries, Govt. of West Bengal, IT Buildings, (7th & 8th Floor), 31, G N Block, Sector – V, Salt Lake city, Kolkata – 700 091

✓ 8. The Director of Fisheries, Andaman & Nicobar Administration, Directorate of Fisheries, Port Blair- 744 101.

