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**PART II — Section 1**

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Separate paging is given to this Part in order that it may be filed as a separate compilation.

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**MINISTRY OF LAW AND JUSTICE**  
(Legislative Department)

*New Delhi, the 20th February, 2026/Phalguna 1, 1947 (Saka)*

**THE LAKSHADWEEP MARINE FISHERIES REGULATION, 2026**

No. 1 of 2026

Promulgated by the President in the Seventy-seventh Year of the Republic of India.

A Regulation to provide for the promotion of sustainable development and management of fisheries in the Union territory of Lakshadweep and for matters connected therewith or incidental thereto.

In exercise of the powers conferred by article 240 of the Constitution, the President is pleased to promulgate the following Regulation made by her:—

**CHAPTER I**

**PRELIMINARY**

1. (1) This Regulation may be called the Lakshadweep Marine Fisheries Regulation, 2026.

(2) It extends to the whole of the Union territory of Lakshadweep.

(3) It shall come into force on such date as the Administrator may, by notification in the Official Gazette, appoint.

Short title,  
extent and  
commencement.

## Definitions.

2. In this Regulation, unless the context otherwise requires,—

(a) “adjudicating officer” means an officer authorised by the Administrator, by notification under sub-section (2) of section 13;

(b) “Administration” means the Administration of the Union territory of Lakshadweep;

(c) “Administrator” means the Administrator of the Union territory of Lakshadweep appointed by the President under article 239 of the Constitution;

(d) “Appellate Authority” means an Authority appointed by the Administrator by notification under sub-section (1) of section 16;

(e) “authorised officer” means an officer appointed by the Administrator, by notification under section 3;

(f) “Department” means the Department of Fisheries in the Union territory of Lakshadweep;

(g) “fish” includes all marine flora and fauna, live or dead, excluding the species covered under the Wild Life Protection Act, 1972;

53 of 1972.

(h) “fish aggregating device” means man-made drifting or anchored buoys or raft or boats or any other object with or without light connected to it, so as to attract and aggregate fishes and other organisms;

(i) “fisheries” means fishing and fishing related activities and includes harnessing, conservation, research, recreation and management thereof;

(j) “fishing” means searching for or trailing or pursuing fish, catching or taking or harvesting fish by any method including recreational and sport fishing;

(k) “fishing gear” means any net, cage, trap or other contrivance used for fishing;

(l) “fishing related activities” includes collection, landing, packaging, marketing, processing, preserving, or live transportation of fish, transshipping or transporting of fish that have not been previously landed at port;

(m) “fishing vessel” means a ship or a boat whether or not, fitted with mechanical means of propulsion which is engaged in sea fishing or allied activities and includes wooden or fibre reinforced plastic canoes, dinghies, sailing vessel, catamaran, country craft and the like;

(n) “Master” means any person, by whatever name called, having command or charge of the fishing vessel;

(o) “notification” means a notification published in the Official Gazette and the expressions “notify” or “notified” shall be construed accordingly;

(p) “Official Gazette” means the Official Gazette of the Union territory of Lakshadweep;

(q) “owner” in relation to a fishing vessel, means the person in whose name the fishing vessel is registered under the provisions of the Merchant Shipping Act, 1958.

44 of 1958.

*Explanation.*—For the purposes of this clause, the expression “person” includes any company or association or body of individuals, whether incorporated or not;

(r) “port” means the place such as port, fishing harbour, wharf, pier, dock, jetty and fish landing centre where landing or berthing facilities have been provided for fishing vessels and their adjoining areas set apart for repair yards, fuel and ice supply installations, auction hall, fish processing plant and within such limits as may be notified by the Administrator from time to time;

(s) “prescribed” means prescribed by the rules made by the Administrator under this Regulation;

(t) “specified area” means such area or areas in the sea, land, lagoon and internal waters around the Union territory of Lakshadweep, but not beyond the territorial waters, as may be notified by the Administrator;

(u) “territorial waters” shall have the same meaning as referred to in section 3 of the Territorial Waters, Continental Shelf, Exclusive Economic Zone and Other Maritime Zones Act, 1976;

(v) “Union territory” means the Union territory of Lakshadweep.

3. The Administrator may, by notification, authorise,—

(a) any officer of the Administration, not being an officer below the rank of a Gazetted Officer; or

(b) any officer of the Central Government, not being an officer below the rank of a Gazetted Officer, with the consent of that Government,

to exercise the powers conferred on, and discharge the duties imposed upon, as an authorised officer in such area as may be notified.

4. The Administrator may, notify from time to time,—

(a) such area or areas in the sea, land, lagoon and internal waters around the Union territory, but not beyond the territorial waters, as specified area;

(b) any area or place or space within the specified area as port, fishing harbour or fish landing centre, as the case may be.

5. (1) Subject to the provisions of sub-section (2), the Administrator may, by notification, regulate, restrict or prohibit the matters relating to—

(a) fishing in specified area by such class or classes of fishing vessels;

(b) the number of fishing vessels which may be used for fishing in specified area;

(c) fishing in any specified area of such species of fish and for such period;

(d) the use of such fishing gear or engine power or fish aggregating devices in specified area;

(e) fishing and fishing related activities in respect of such size in specified area;

(f) juvenile fishing and fishing related activities in specified area.

*Explanation.*—For the purposes of this clause, the expression “juvenile fishing” means fishing of a young fish or organism that has not reached sexual maturity and not yet capable of breeding;

(g) the size including the size of the mesh of fishing nets;

(h) the use of dynamites or any other explosive substances, poisons or noxious chemicals, or destructive materials or any destructive methods for fishing; and

80 of 1976.

Authorisation of Officers.

Power to notify specified area, port, fishing harbour and fish landing centre.

Power to regulate or prohibit certain matters within specified areas.

(i) the hours in a day during which any person may carry on fishing or fishing related activities in specified area using such class or classes of fishing vessels.

(2) While issuing a notification under sub-section (1), the Administrator shall have due regard to the following, namely:—

(a) protect the interests of different sections of persons engaged in fishing, exempting country crafts and other small vessels and fishers from the purview of regulation for licence;

(b) conserve fish and regulate fishing on a scientific basis;

(c) maintain law and order at the sea; and

(d) any other matter as may be prescribed.

(3) No owner or Master of a fishing vessel shall use, or allow such fishing vessel to be used, for fishing or fishing related activities in any manner, which contravenes the provisions of this section:

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

Provided further that the passing of such fishing vessel through any specified area shall not, in any manner, cause damage to fishing nets or tackles belonging to any person who engages in fishing in the specified area by using any traditional fishing craft such as catamaran, country craft and canoe, in accordance with the provisions of this Regulation.

## CHAPTER II

### LICENSING OF FISHING AND FISHING RELATED ACTIVITIES

Prohibition of fishing or fishing related activities without licence.

6. (1) No person shall, after the commencement of this Regulation, undertake fishing or fishing related activities in any specified area without a valid licence issued under this section.

(2) The authorised officer shall have the power to issue licence for using fishing vessel under this section.

(3) The owner of a fishing vessel shall make an application to the authorised officer for the grant of licence under sub-section (1) for using such a fishing vessel for fishing and fishing related activities in any specified area.

(4) No fishing vessel shall be granted a licence under sub-section (3), unless it is registered as a fishing vessel under the Merchant Shipping Act, 1958:

44 of 1958.

Provided that nothing contained in this sub-section shall apply to a fishing vessel which is not required to be registered or exempted from being registered under the Merchant Shipping Act, 1958.

44 of 1958.

(5) Nothing contained in this section shall apply to a fishing vessel, which was being used for fishing immediately before the commencement of this Regulation, for such period as may be notified by the Administrator.

(6) No person shall establish or operate any offshore platform without a valid licence.

*Explanation.*—For the purposes of this sub-section and sub-sections (7), (8), (10), (13) and (14) the expression “Offshore platforms” means platforms established within the territorial waters including internal waters for collection, processing, transhipment of fish or any other fishing related activities including the temporary berthing of fishing vessels.

(7) The authorised officer shall have the power to issue licence for operating an offshore platform under this section.

(8) Any person desirous of establishing or operating an offshore platform shall make an application to the authorised officer for the grant of licence.

(9) Every application under sub-section (3) or sub-section (8) shall be in such form, contain such particulars, and be accompanied by such fee, as may be prescribed.

(10) The authorised officer may, after making such inquiry as he may deem fit and having regard to the matters referred to in sub-section (12) or sub-section (13), as the case may be, either grant or refuse to grant a licence to the owner of a fishing vessel for use of his fishing vessel for fishing or fishing related activities or to the applicant who is desirous of establishing or operating an offshore platform, as the case may be:

Provided that if the authorised officer refuses to grant a licence under this section, he shall record his reasons for such refusal in writing, which shall be communicated to the applicant, in such form, manner and within such time as may be prescribed.

(11) A licence granted to a fishing vessel under sub-section (10) shall provide the specified area within which such fishing vessel may be permitted for fishing or fishing related activities, as the case may be.

(12) In granting or refusing to grant a licence to a fishing vessel for fishing or fishing related activities under sub-section (10), the authorised officer shall have regard to the following, namely:—

- (a) sea safety, communication systems, transponders and insurance for such class or classes of fishing vessel;
- (b) condition of the fishing vessel including the accessories and fishing gear with which it is fitted;
- (c) maintenance of law and order at sea;
- (d) the matters related to public interest and national security;
- (e) compliance of the fishing vessel to any notification issued under section 5; and
- (f) any other matter as may be prescribed.

(13) In granting or refusing to grant a licence for establishing or operating an offshore platform, as the case may be, under sub-section (10), the authorised officer shall have regard to the following, namely:—

- (a) sea safety conditions of the offshore platform;
- (b) suitability of the location;
- (c) communication systems onboard the platform;
- (d) maintenance of law and order at sea;
- (e) matters related to public interest and national security;
- (f) obtaining necessary statutory clearances under the Environment Protection Act, 1986; the Air (Prevention and Control of Pollution) Act, 1981; and the Water (Prevention and Control of Pollution) Act, 1974, as applicable; and
- (g) any other matter as may be prescribed.

(14) The licence granted under this section shall be in such form, manner, time and be subject to such conditions, as may be prescribed:

Provided that different fee and different amounts by way of security may be prescribed in respect of licences for different classes of fishing vessels used for fishing and fishing related activities and for different classes of offshore platforms and installation therein.

(15) The licence granted under this section shall be valid for the period specified therein or for an extended period, not exceeding such intervals of period as may be prescribed.

(16) Every application for extension of the licence period shall be made in such form, contain such particulars, and be accompanied by such fee, as may be prescribed.

(17) Subject to the rules that may be made in this behalf, the authorised officer may, by order, vary or amend a licence or the conditions of a licence granted under this section:

Provided that before varying or amending a licence or its conditions under this section, the authorised officer shall provide the licence holder an opportunity of being heard and shall record the reasons for such variation or amendment in writing.

7. (1) If the authorised officer is satisfied, either on a reference made to him in this behalf or when he has sufficient reasons to believe that—

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

(b) the holder of a licence has, without reasonable cause, failed to comply with the conditions subject to which the licence has been granted; or

(c) the holder of a licence has contravened any of the provisions of this Regulation or any order or rule made thereunder,

then, without prejudice to any penalty to which the holder of the licence may be liable under this Regulation, the authorised officer may, after giving the holder of the licence an opportunity of showing cause, and on being heard, suspend or cancel 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) Notwithstanding anything contained in this section and without prejudice to any other penalty to which the licence holder may be liable under this Regulation, the Administrator may, for the protection of the public interest or for maintenance of law and order, cancel a licence granted under section 6.

8. Where a licensed fishing vessel moves from the area of one port to the area of another port, for use in the area of such other port, the owner of such fishing vessel shall furnish information in such form and manner as may be prescribed, to the authorised officer who had granted licence and to the port authority having jurisdiction over the area of such other port to which the fishing vessel moves.

9. Every owner of a licensed fishing vessel shall furnish to the authorised officer, voyage reports at such intervals and in such form and manner, as may be prescribed.

10. The authorised officer may, at any time, without giving notice, enter and inspect any fishing vessel to verify the compliance of the provisions of this Regulation, rules, notifications or orders made thereunder.

11. (1) Any person aggrieved by an order of the authorised officer refusing to grant licence to a fishing vessel or offshore platform or cancelling, suspending, varying or amending such licence, or forfeiting of any security furnished, as the case may be, may, within a period of thirty days from the date on which the order is communicated to such person, prefer an appeal to the adjudicating officer, in such form and manner as may be prescribed:

Cancellation and suspension of licence.

Information to authorised officer and port authority.

Voyage report to be furnished by owner of licensed fishing vessel.

Power to enter any fishing vessel.

Appeal to adjudicating officer.

Provided that the adjudicating officer may entertain the appeal after the expiry of the said period of thirty days, if he is satisfied that the appellant was prevented by sufficient cause from preferring the appeal within such time.

(2) On receipt of an appeal under sub-section (1), the adjudicating officer shall, after giving the parties an opportunity of being heard, pass such order, thereon as he deems fit, as expeditiously as possible and in any case before the expiry of three months from the date of presenting the appeal before him.

12. (1) The authorised officer may, if he has sufficient reason to believe that any fishing vessel is being or has been used in contravention of any of the provisions of this Regulation or of any order, notification or rules issued or made thereunder or any of the conditions of the licence granted under this Regulation, enter and search such fishing vessel and seize such fishing vessel and fish found on it and shall submit a report under sub-section (1) of section 13 to the adjudicating officer within such time as may be prescribed.

Power to enter, search and seizure of fishing vessel.

(2) The authorised officer shall detain the seized fishing vessel, at such place and in such manner as may be prescribed.

(3) The authorised officer may seize any fishing gear or fish aggregating devices as are prohibited for use under section 5, if he has found such fishing gear or fish aggregating devices onboard the fishing vessel, or used for the purpose of fishing or fishing related activities and shall submit a report under sub-section (1) of section 13 to the adjudicating officer within seven days from the date of such seizure.

(4) In the absence of suitable facilities for the storage of the fish seized, and where the authorised officer considers the disposal of such fish necessary, dispose of such fish and deposit the proceeds thereof in such manner as may be prescribed.

13. (1) Where the authorised officer has reasonable grounds to believe that a fishing vessel is being or has been used in contravention of any of the provisions of this Regulation or of any order, notification or rules issued or made thereunder or any of the conditions of the licence granted under this Regulation, he shall prepare and submit a report thereof to the adjudicating officer regarding the contravention committed, in such form and manner as may be prescribed.

Adjudication.

(2) The adjudicating officer referred to in sub-section (1) shall be any officer of the Department or Central Government, not below the rank of Deputy Director of Fisheries authorised by the Administrator, by notification, to exercise the powers conferred on, and discharge the duties imposed upon, by this Regulation for such areas as may be specified therein.

(3) The adjudicating officer appointed under sub-section (2) shall be at least one rank above the rank of authorised officer.

(4) Upon receipt of the report from the authorised officer, the adjudicating officer shall hold an inquiry into the matter mentioned in the report in such manner as may be prescribed, and after being satisfied that a contravention has been committed, shall issue a notice to the owner or Master of the fishing vessel requiring him to show cause as to why penalty should not be levied or other action should not be taken against him under this Regulation:

Provided that the adjudicating officer shall along with such notice, provide a copy of the report submitted by the authorised officer under sub-section (1) and all other relevant material to the owner or Master of the fishing vessel, as the case may be:

Provided further that any fishing vessel seized or fishing gear seized under section 12, shall be released if no notice under this sub-section is issued within a period of fourteen days from the date of seizure of such fishing vessel or fishing gear.

(5) The owner or Master of the fishing vessel, as the case may be, may at any time, before or after the issuance of a notice under sub-section (4), may make an application before the adjudicating officer for release of the fishing vessel seized under sub-section (1) of section 12, and the adjudicating officer shall release such seized fishing vessel upon the owner or Master, as the case may be, furnishing a security deposit in the form of bond or such other form, subject to such conditions as may be prescribed:

Provided that any such bond furnished shall automatically stand discharged, if no notice under sub-section (4) is issued within a period of fourteen days from the date of seizure of such fishing vessel:

Provided further that if no application for release is made by the owner or Master, as the case may be, in respect of any seized fishing vessel within a period of six months from the date of receipt of a notice under sub-section (4), the adjudicating officer shall declare the seized fishing vessel as abandoned and upon such declaration, the fishing vessel shall vest with the Administration, free from all encumbrances and such fishing vessel may be disposed of by the Administration in such manner as may be prescribed.

(6) The owner or Master of a fishing vessel, who has received a notice under sub-section (4), shall file his reply before the adjudicating officer within a period of thirty days from the date of receipt of such notice.

(7) The adjudicating officer shall, upon considering the reply of the owner or Master of the fishing vessel who has received a notice under sub-section (4), if any, placed before him and after providing an opportunity of being heard to such owner or Master, either pass an order in accordance with section 17 or dismiss the proceedings, as the case may be:

Provided that any fishing vessel seized and released pursuant to an application made under sub-section (5) shall be liable to be seized by the adjudicating officer under section 15, in such manner as may be prescribed:

Provided further that any fishing gear seized under section 12 shall be liable to be dealt with in such manner as provided in section 15:

Provided also that any fishing vessel seized under section 12, in respect of which any security deposit in the form of bond or such other form is furnished by the owner or Master of the fishing vessel shall automatically be discharged upon dismissal of the proceedings:

Provided also that any fishing gear seized under section 12 shall be released upon dismissal of the proceedings.

### CHAPTER III

#### MONITORING, CONTROL AND SURVEILLANCE SYSTEM

Monitoring,  
control,  
surveillance  
measures and  
enforcement.

14. (1) The Administrator shall, in consultation with the Indian Coast Guard, Marine Police and such other authorities, as he may deem fit, notify the monitoring, control and surveillance measures for implementation of the provisions of this Regulation:

Provided that different levels of monitoring, control and surveillance measures may be prescribed for different classes of fishing vessels and different specified areas.

(2) Every owner or Master of a fishing vessel and every fisherman and member of the crew onboard a fishing vessel shall carry such proof of his identity including Aadhaar number or any other alternate and viable means of identification, as may be notified by the Administrator.

18 of 2016.

*Explanation.*—For the purposes of this sub-section, the expression “Aadhaar number” means the twelve digit unique identification number of an individual generated by the Unique Identification Authority of India, under the Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services) Act, 2016.

(3) Every owner or Master of the fishing vessel licensed under this Regulation, as the case may be, shall keep and maintain onboard such fishing vessel, communication and positioning systems or devices, and ensure that such systems and devices are in working condition before every voyage at all times when the fishing vessel is at sea:

Provided that any class or classes of fishing vessels may be exempted, from keeping and maintaining onboard, such systems or devices, in such manner as may be prescribed.

#### CHAPTER IV

##### CONTRAVENTIONS AND PENALTIES

15. (1) If the adjudicating officer, after following the procedure under section 13, is satisfied that any owner or Master, as the case may be, has used or caused or allowed to be used any fishing vessel in contravention of the provisions of sub-section (1) of section 6, he shall by an order—

Penalties for  
contravention by  
fishing vessels.

(a) impose a penalty on such owner or Master, as the case may be, of not more than ten thousand rupees in case of a fishing vessel of less than twelve metres in length and seize the fishing vessel along with its catch, fishing gear, equipment, stores or cargo onboard for a period up to six months or till the time a valid licence is presented to the adjudicating officer, by the owner or Master, whichever is earlier;

(b) impose a penalty on such owner or Master, as the case may be, of not more than twenty-five thousand rupees in case of a fishing vessel of equal to or more than twelve metres in length and seize the fishing vessel along with its catch, fishing gear, equipment, stores or cargo onboard for a period of not more than six months or till the time a valid licence is presented to the adjudicating officer, by the owner or Master, whichever is earlier:

Provided that upon presentation of a valid licence by the owner or Master of the fishing vessel before the expiry of six months, the adjudicating officer shall release the vessel, in such manner as may be prescribed:

Provided further that upon the expiry of six months, if no valid licence has been presented before the adjudicating officer, the adjudicating officer shall declare that the seized fishing vessel as abandoned and upon such declaration, the fishing vessel shall vest with the Administration, free from all encumbrances and such fishing vessel may be disposed of by the Administration in such manner as may be prescribed.

(2) If the adjudicating officer, after following the procedure under section 13, is satisfied that any owner or Master, as the case may be, has used or caused or allowed to be used any fishing vessel in contravention of the provisions of this Regulation, other than sub-section (1) of section 6 or of any order, notification or rules issued or made thereunder or any of the conditions of the licence granted under section 6, he shall by an order—

(a) impose a penalty on such owner or Master, as the case may be, of not more than five thousand rupees in case of a fishing vessel of less than twelve metres in length and not more than ten thousand rupees for a fishing vessel equal to or more than twelve metres in length for the first contravention;

(b) impose a penalty on such owner or Master, as the case may be, of not more than ten thousand rupees in case of a fishing vessel of less than twelve metres in length and not more than twenty thousand rupees for a fishing vessel equal to or more than twelve metres in length for the second contravention;

(c) impose a penalty on such owner or Master, as the case may be, of not more than twenty thousand rupees in case of a fishing vessel of less than twelve metres in length and not more than forty thousand rupees for a fishing vessel equal to or more than twelve metres in length for a third contravention;

(d) suspend the licence of the fishing vessel for a period of one month and impose a penalty of not more than forty thousand rupees for a vessel of less than twelve metres in length and not more than eighty thousand rupees for a fishing vessel equal to or more than twelve metres in length for a fourth contravention; or

(e) cancel the licence of the fishing vessel and forfeit any security deposit made by the licence holder for any subsequent contravention:

Provided that no licence shall be suspended or cancelled by the adjudicating officer without providing an opportunity of being heard to the licence holder.

(3) Without prejudice to any penalty that may be imposed under the preceding sub-sections, if the adjudicating officer, after following the procedure under section 13, has sufficient reason to believe that fishing gear seized under sub-section (3) of section 12 was used in contravention of any provisions of this Regulation, he shall direct the authorised officer to destroy such gear beyond use before two independent witnesses, by adopting such procedure as may be prescribed.

*Explanation.*—For the purposes of this section, the expression “metres in length” means the overall length of the fishing vessel.

Appeal.

**16.** (1) The Administrator may, by notification, appoint an Appellate Authority for hearing the appeals against the orders of the adjudicating officer.

(2) The Appellate Authority referred to in sub-section (1) shall be any officer not below the rank of Director of the Administration.

(3) Any person aggrieved by an order of the adjudicating officer may, within a period of thirty days from the date on which the order is communicated to him, prefer an appeal to the Appellate Authority, having jurisdiction to hear such appeal:

Provided that the Appellate Authority may entertain an appeal after the expiry of the said period of thirty days of communication of the order, 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 preferring an appeal within such time.

(4) No appeal under this section shall be entertained by the Appellate Authority unless the appellant has, at the time of preferring the appeal, deposited a sum equal to fifty per cent. of the amount of penalty imposed, if any, under the order in respect of which an appeal has been filed:

Provided that on an application made by the appellant in this behalf, the Appellate Authority may, if it is of the opinion that the deposit to be made under this sub-section shall cause undue hardship to the appellant, by order in writing, dispense with such deposit either in part or full, subject to such conditions as it may deem fit.

(5) On receipt of an appeal under sub-section (3), the Appellate Authority may, after making such inquiry as it deems fit and after giving the parties concerned an opportunity of being heard, confirm, modify or set aside the order in respect of which an appeal has been preferred and the decision of the Appellate Authority shall be final and binding on the parties.

(6) If the sum deposited by way of penalty under sub-section (4) exceeds the penalty directed to be paid by the Appellate Authority, the excess amount, or if the Appellate Authority sets aside the order imposing penalty, the whole of the sum deposited by way of penalty, shall be refunded to the appellant.

17. The Appellate Authority may call for and examine the records of any order passed by an adjudicating officer and against which no appeal has been preferred under section 16, for the purpose of satisfying itself as to the legality or propriety of such order or as to the adherence to the procedure and pass such order with respect thereto as it may deem fit:

Power of Appellate Authority to call for and examine record of any order passed by adjudicating officer.

Provided that no such order shall be made without giving the person affected an opportunity of being heard in the matter.

18. The adjudicating officer and the Appellate Authority shall, while holding an inquiry, have all the powers of a civil court under the Code of Civil Procedure, 1908 for the purposes of—

Powers of adjudicating officer and Appellate Authority.

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

19. (1) Where a contravention of any of the provisions of this Regulation or of any order, notification or rules issued or made thereunder or any of the conditions of the licence granted under this Regulation has been committed, by a company, every person who, at the time the contravention 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 contravention and shall be liable to be proceeded against and punished accordingly:

Contraventions by companies.

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

(2) Notwithstanding anything contained in sub-section (1), where any such contravention under this Regulation 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 contravention and shall be liable to be proceeded against and punished accordingly.

*Explanation.*—For the purposes of this section, the expressions—

- (a) “company” means any body corporate and includes a firm or other association of individuals; and
- (b) “director”, in relation to a firm, means a partner in the firm.

## CHAPTER V

### MISCELLANEOUS

20. (1) The Administrator may, by notification, provide for such measures as may be necessary to ensure sustainable fishing and fishing related activities within the Union territory of Lakshadweep.

Measures for sustainable fishing and fishing related activities.

(2) Without prejudice to the generality of the powers conferred under sub-section (1), the Administrator may, by such notification, establish or designate such planning tools, mechanisms, committees, advisory bodies or other institutional frameworks, as may be prescribed, for the purposes of—

(a) regulating, monitoring or managing fishing and fishing related activities;

(b) conserving and protecting marine resources, habitats and ecosystems;

(c) ensuring adherence to scientific, seasonal, species-specific, or area-based sustainability norms;

(d) implementing, enforcing, or operationalising any guidelines, codes of practice, schemes or management plans formulated under this Regulation or under any other law for the time being in force.

(3) The constitution, powers, functions, duties and procedures of the tools, mechanisms or bodies established or designated under sub-section (2), and the norms, criteria, or standards to be followed by them, shall be such as may be prescribed.

(4) All measures notified under this section shall be consistent with the objectives of sustainable utilisation, scientific management, conservation of marine wealth, and long-term ecological security of the Union territory of Lakshadweep.

(5) The Administrator may, by notification, issue a policy for leasing of land, lagoon and sea areas within the territorial waters for the promotion of culture fisheries, including mariculture.

Power to exempt.

**21.** (1) Nothing contained in this Regulation shall apply to survey vessels belonging to the Central Government, State Government, Public Undertaking or the Administration.

*Explanation.*—For the purposes of this sub-section, the expression “Public Undertaking” means any company or corporation owned or controlled by the Central Government including a Union territory Administration or by a State Government.

(2) If the Administrator is of the opinion that, it would not be in the public interest to apply all or any of the provisions of this Regulation to any class or classes of fishing vessels or any specified area or areas, he may, by notification, exempt the application of all or any of the provisions of this Regulation, subject to such conditions as he may deem fit to impose:

Provided that no notification issued under this sub-section shall remain in force for more than six months at a time from the date of issuance of such notification.

Protection of action taken in good faith.

**22.** (1) No suit, prosecution or other legal proceeding shall lie against the Administrator or any officer or authority for anything which is done in good faith or intended to be done in pursuance of this Regulation or any order or rule made thereunder.

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

Recovery of dues under Regulation.

**23.** All amounts, penalties and other sums required to be paid under this Regulation or any order, notification or rules issued or made thereunder, may be recovered by the Administration by distress and sale of any property of the person from whom the same are due, or as an arrear of land revenue.

24. (1) The Administrator may, by notification, make rules, not inconsistent with the provisions of this Regulation for carrying out the purposes of this Regulation.

Power to make rules.

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

- (a) any other matters under clause (d) of sub-section (2) of section 5;
- (b) the form, particulars and fee for application for the grant of licence under sub-section (9) of section 6;
- (c) the form, manner and time for communicating the refusal to grant licence under the proviso to sub-section (10) of section 6;
- (d) any other matter under clause (f) of sub-section (12) of section 6;
- (e) any other matter under clause (g) of sub-section (13) of section 6;
- (f) the form, manner, time and conditions for grant of licence under sub-section (14) of section 6;
- (g) the different fee and different amount of security for different classes of fishing vessels and offshore platforms under the proviso to sub-section (14) of section 6;
- (h) the intervals of period for extension of the period of licence under sub-section (15) of section 6;
- (i) the form, particulars and fee for extension of the licence period under sub-section (16) of section 6;
- (j) the form and manner of information to be furnished by the owner of fishing vessel to the authorised officer and port authority under section 8;
- (k) the form, manner and intervals of voyage report to be furnished by the owner of the licensed fishing vessel to the authorised officer under section 9;
- (l) the form and manner of preferring an appeal to the adjudicating officer under sub-section (1) of section 11;
- (m) the time for submission of report by the authorised officer to the adjudicating officer under sub-section (1) of section 12;
- (n) the place and manner of detention of seized fishing vessel by the authorised officer under sub-section (2) of section 12;
- (o) the manner of disposal of fish and deposition of the proceeds thereunder under sub-section (4) of section 12;
- (p) the form and manner of report to be prepared by the authorised officer for submission to the adjudicating officer for contravention of provisions of this Regulation under sub-section (1) of section 13;
- (q) the manner of holding inquiry by the adjudicating officer under sub-section (4) of section 13;
- (r) the conditions for release of seized fishing vessels by adjudicating officer under sub-section (5) of section 13;
- (s) the manner of disposal of the fishing vessel by the Administration under the second proviso to sub-section (5) of section 13;

(t) the manner of seizure by adjudicating officer for contravention of section 15 under the first proviso to sub-section (7) of section 13;

(u) the different levels of monitoring, control and surveillance measures for different classes of fishing vessels and different specified areas under the proviso to sub-section (1) of section 14;

(v) the manner of exemption of the class or classes of fishing vessels from keeping and maintaining onboard communication and positioning systems or devices under the proviso to sub-section (3) of section 14;

(w) the manner of release of the fishing vessel by the adjudicating officer under the first proviso to sub-section (1) of section 15;

(x) the manner of disposing of fishing vessel by the Administration under the second proviso to sub-section (1) of section 15;

(y) the procedure for destruction of fishing gear seized by the adjudicating officer under sub-section (3) of section 15;

(z) any other matter which is to be, or may be provided for by rules under this Regulation.

Laying of rules  
before  
Parliament.

**25.** Every rule made under this Regulation shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

Power to remove  
difficulties.

**26.** (1) If any difficulty arises in giving effect to the provisions of this Regulation, the Administrator may, by an order published in the Official Gazette, make such provisions, not inconsistent with the provisions of this Regulation, as may appear to it to be necessary or expedient for removing the difficulty:

Provided that no such order shall be made after the expiry of a period of two years from the date of commencement of this Regulation.

(2) Every order made under this section shall be laid, as soon as may be after it is made, before each House of Parliament.

Repeal and  
saving.

**27.** (1) The Lakshadweep Marine Fishing Regulation, 2000 is hereby repealed.

Reg. 3 of 2000.

(2) Notwithstanding such repeal, this Regulation shall not,—

(a) revive anything not in force or existing at the time at which the repeal takes effect;

(b) affect the previous operation of the Regulation or anything duly done or suffered thereunder;

(c) affect any notification, order, appointment, certificate, notice, receipt, application made, or licence granted, which is not inconsistent with the provisions of this Regulation; and the same shall be deemed to have been done or taken under the corresponding provisions of this Regulation;

(d) affect any penalty, forfeiture or punishment incurred in respect of any contravention committed against the Regulation; or

(e) affect any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment as aforesaid,

and any such investigation, legal proceeding or remedy may be instituted, continued or enforced, and any such penalty, forfeiture or punishment may be imposed as if this Regulation had not been promulgated.

(3) The mention of particular matters referred to in sub-section (2) shall not be held to prejudice or affect the general application of section 6 of the General Clauses Act, 1897, with regard to the effect of repeal.

10 of 1897.

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DROUPADI MURMU,  
*President.*

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DR. RAJIV MANI,  
*Secretary to the Govt. of India.*