



# महाराष्ट्र शासन राजपत्र

## असाधारण भाग आठ

वर्ष १, अंक २७]

सोमवार, जून १, २०१५/ज्येष्ठ ११, शके १९३७

[ पृष्ठे ३, किंमत : रुपये २७.००

असाधारण क्रमांक ५४

प्राधिकृत प्रकाशन

महाराष्ट्र विधानमंडळाचे अधिनियम व राज्यपालांनी प्रख्यापित केलेले अध्यादेश व केलेले विनियम आणि विधी व न्याय विभागाकडून आलेली विधेयके (इंग्रजी अनुवाद).

In pursuance of clause (3) of article 348 of the Constitution of India, the following translation in English of the Maharashtra Marine Fishing Regulation (Amendment) Ordinance, 2015 (Mah. Ord. VIII of 2015), is hereby published under the authority of the Governor.

By order and in the name of the Governor of Maharashtra,

M. A. SAYEED,  
Principal Secretary and R.L.A. to Government,  
Law and Judiciary Department.

[Translation in English of the Maharashtra Marine Fishing Regulation (Amendment) Ordinance, 2015 (Mah. Ord. VIII of 2015), published under the authority of the Governor].

### AGRICULTURE, ANIMAL HUSBANDRY, DAIRY DEVELOPMENT AND FISHERIES DEPARTMENT

Mantralaya, Madam Cama Marg, Hutatma Rajguru Chowk,  
Mumbai 400 032, dated the 1st June 2015.

### MAHARASHTRA ORDINANCE No. VIII OF 2015.

#### AN ORDINANCE

*to amend the Maharashtra Marine Fishing Regulation Act, 1981.*

WHEREAS both Houses of the State Legislature are not in session ;

AND WHEREAS the Governor of Maharashtra is satisfied that circumstances exist which render it necessary for him to take immediate action to amend the Maharashtra Marine Fishing Regulation Act, 1981, for the purposes hereinafter appearing ;

Mah.  
LIV of  
1981.

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 213 of the Constitution of India, the Governor of Maharashtra is hereby pleased to promulgate the following Ordinance, namely :—

1. (1) This Ordinance may be called the Maharashtra Marine Fishing Regulation (Amendment) Ordinance, 2015.

(2) It shall come into force at once.

Short title  
and  
commence-  
ment.

(१)

Amendment of section 2 of Mah. LIV of 1981. **2.** In section 2 of the Maharashtra Marine Fishing Regulation Act, 1981 (hereinafter referred to as “the principal Act”), for clause (i), the following clause shall be substituted, namely :— Mah. LIV of 1981.

“(i) “Registration Officer” means the Assistant Commissioner of Fisheries and includes any other Officer authorised by the State Government by notification in the *Official Gazette*, to exercise the powers conferred on, and discharge the duties imposed upon, a Registration Officer by this Act, in such area as may be specified in the notification ;”.

Amendment of section 13 of Mah. LIV of 1981. **3.** In section 13 of the principal Act, in sub-section (1), for the words “the Chief Ports Officer of the State Port Organisation” the words “the Commissioner of Fisheries, Government of Maharashtra” shall be substituted.

STATEMENT

The Maharashtra Marine Fishing Regulation Act, 1981 (Mah. LIV of 1981), is enacted for regulation of fishing by fishing vessels in the sea along the coastline of the State of Maharashtra. The term "Licencing Officer" is defined in clause (e) and the term "Registration Officer" is defined in clause (i) of section 2 of the said Act. The Licencing Officer is the Assistant Fisheries Development Officer and the Registration Officer is the Officer or servant in the State Port Organisation, *i.e.* Maharashtra Maritime Board authorised by the Chief Port Officer for any specified area. Thus, the granting of registration of fishing vessels and licence for using such fishing vessel for fishing is assigned to two different authorities of two different Departments of the Government of Maharashtra.

2. On the background of terrorist threat to coastline of the country it is necessary to ensure coastal security and for that it is necessary to keep the uniformity in licensing and registration procedure in all over the country, the Government of India has decided that the licensing and registration of fishing vessels should be done by the single authority, *i.e.* the State Fisheries Department.

The Central Government has declared the ports in Maharashtra for the purpose of section 435D and also appointed Assistant Commissioner of Fisheries to be the Registrars of Indian fishing boats for the purposes of section 435E of the Merchant Shipping Act, 1958 (44 of 1958), by notification, dated the 14th August 2014.

In order to ensure coastal security and to keep the uniformity in licensing and registration of fishing vessels in the State of Maharashtra it is considered expedient to give powers of granting registration and licence to fishing vessels to only one Department, *i.e.* the Fisheries Department as is done in other coastal State and Union Territories. Therefore, the Government considers it expedient to suitably amend the definition of the term "Registration Officer" provided in clause (i) of section 2 of the said Act.

The Government of Maharashtra also considers it expedient to empower the Commissioner of Fisheries, Government of Maharashtra, to be the Appellate Authority instead of the Chief Ports Officer of the State Port Organisation by suitably amending section 13 of the said Act.

3. As both Houses of the State Legislature are not in session and the Governor of Maharashtra is satisfied that circumstances exist which render it necessary for him to take immediate action to amend the Maharashtra Marine Fishing Regulation Act, 1981, for the purposes aforesaid, this Ordinance is promulgated.

Mumbai,  
Dated the 30th May 2015.

CH. VIDYASAGAR RAO,  
Governor of Maharashtra.

By order and in the name of the Governor of Maharashtra,

MAHESH PATHAK,  
Secretary to Government.