

II - THE PUNJAB FISHERIES ACT, 1914

PUNJAB ACT NO. II OF 1914

(As modified up to the 30th November 1923).

PASSED BY THE LIEUTENANT GOVERNMENT OF THE PUNJAB IN COUNCIL

(Received the assent of His Honour the Lieutenant-Governor on the 15th January 1914 and that of his

Excellency the Viceroy and Governor-General on

the 29th January 1914, and was first published in the Gazette of the 13th February 1914).

AN ACT TO EXTEND THE LAW RELATING TO FISHERIES IN THE PUNJAB

Whereas it is expedient to extend the law relating to Fisheries in the Punjab :

It is hereby enacted as follows :-

Title :

1. (1) This Act may be called the Punjab Fisheries Act 1914.

Extent

(2) It extends to the whole of the Punjab.

2. In this Act and the Rules thereunder unless there is something repugnant in the subject or context, the expressions "fish" and "private water" shall have the meanings assigned to them in Section 3 of the Indian India Act IV of 1897.

Definitions

(2-A 1. In this Act, unless there is anything repugnant in the subject or context,

(1) "Fishery Officer" means any person when the provincial Government or any Officer empowered by the provincial Government in this behalf may from time to time appoint any name, or as holding an office to carry out all or any of the purposes of this act or to do anything required by this Act or any rule made thereunder to be done by a Fishery Officer :

Provided that no police officer below the rank of Sub-Inspector shall be so empowered.

(2) "Fishing Offence" means an offence punishable under this act or under any rule made thereunder.

3. (1) The Provincial Government may make rules for the purposes hereinafter in this section mentioned, and, shall in such rules declare the waters, not being private waters, to which all or any of them shall apply.

Prohibition

of licensing

of fishing in selected waters by rules of Provincial Government.

(2) The provincial Government may by notification apply such rules or any of them to any private waters with the consent in writing of the owner thereof and of all persons having for the time being any exclusive right of fishery therein.

(3) Such rules may :-

- (a) Prohibit fishing except under licence and regulate the granting of such licenses, the fees payable therefor, and the conditions to be inserted therein ;
- (b) Prescribe seasons in which the killing of any fish of any prescribed species shall be prohibited ; and
- (c) prescribe a minimum size or weight below which no fish or any prescribed species shall be killed.

(4) In making any rule under this section the provincial Govt. may provide for :-

- (a) The seizure, forfeiture and removal of any apparatus erected or used for fishing in contravention of the rules, and
- (b) the forfeiture of any fish taken by means of any such apparatus.

(5) The power to make rules under this section is subject to the condition that they shall be made after previous publication.

4. The provincial Government may by notification power to prohibit in any specified areas the offering or exposure for sale or barter of any fish killed in sale of contravention of any rule made under section 3(3)(b) fish and (c)(1) of this Act.

5. The breach of any rule made under section 3 penalty, or of any prohibition notified under section 4 shall be punishable with the fine which may extend to one hundred rupees, and when the breach is a continuing breach, with a further fine which may extend to ten rupees for every day after the date of the first conviction during which the breach is proved to have been persisted in.

6. (1) Any Police Officer, or other person specifically empowered by the Provincial Government in this behalf, may without warrant arrest any person committing in his view a breach of any rule made under section 3 or of any prohibition notified under section 4-
Arrest with warrant for offences under the Act.

- (a) If the name and address of the person are unknown to him, and
-2.....

(b) If the person declines to give his name and address, or if there is reason to doubt the accuracy of the name and address, if given.

(2) A person arrested under this section may be detained until his name and address have been correctly ascertained ;

Provided that no person so arrested shall be detained longer than may be necessary for bringing him before a Magistrate, except under the order of a Magistrate for his retention.

7. Nothing in this Act shall be deemed to limit the powers of the Provincial Government to make rules under section 6 of the Indian Fisheries Act, 1937. India Act IV of 1897

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(8.1) (1) The Provincial Government may by notification empower a fishery officer by name or as holding an office.

(a) To accept from any person concerning whom evidence exists which if un rebutted would prove that he has committed any fishing offence as described in the first column of the Schedule a sum of money by way of compensation for the offence with regard to which such evidence exists and on the payment of such sum to such officer such person if in custody shall be discharged and no further proceedings shall be taken against him ;

(b) When any property has been seized as liable to confiscation, to release the same without further payment, or on payment of the value thereof as estimated by such officer, and on the payment of such value such property shall be released and no further proceedings shall be taken in respect thereof.

(2) The sum of money acceptable as compensation under clause (a) of sub-section (1) shall in no case exceed the amount mentioned in the second column of the Schedule as the amount acceptable as compensation for the particular offence described in the first column of the Schedule.)

GOVERNMENT OF PUNJAB

DEPARTMENT OF ANIMAL HUSBANDRY AND FISHERIES

Notification

The 5th June, 1985

No. G.S.R.40/P.A.2/14/S.3 and C.A.IV/1897/S.6/85.—With reference to Government of Punjab, Department of Animal Husbandry and Fisheries, Notification No. G.S.R.12/P.A.2/14/Ss.3 and C.A.IV/1897/Ss.3 and 6/85, dated the 4th February, 1985 and in exercise of the powers conferred by section 3 of the Punjab Fisheries Act, 1914 (Punjab Act No. 2 of 1914) and section 6 of Indian Fisheries Act, 1897 (Central Act No. IV of 1897), the President of India is pleased to make the following rules, namely :—

RULES

1. **Short title and commencement.**—(1) These rules may be called the Punjab Fisheries Rules, 1985.

(2) They shall come into force at once.

(3) They shall apply to the Waters specified in Schedule I.

2. **Definitions.**—In these rules, unless the context otherwise requires,—

(a) "auctioning authority" means the officer empowered by the Director in writing, to hold auction under these rules ;

(b) "Director" means the Director and Warden of Fisheries, Punjab ;

(c) "Form" means a form appended to these rules ;

(d) "licence" means a licence granted under these rules ;

(e) "licencee" means a person in whose favour a licence is granted under these rules ;

(f) "Licensing Authority" means the Director or an Officer authorised by him in that behalf ;

(g) "licence fee" means the money on which the bid for auctioning the fishing rights under these rules is closed ; and

(h) "Schedule" means a Schedule appended to these rules.

3. **Licence for fishing.**—Fishing in any of the waters specified in Schedule-I shall be prohibited save under and in accordance with the terms and conditions of a licence granted by the Licensing Authority under these rules.

4. **Auction for grant of licence.**—(1) On or after the first day of July each year, the auctioning authority shall put to public auction the licensing of the fishing rights in any water specified in Schedule I or portion of such water.

(2) No person shall be allowed to bid—

- (i) unless he has deposited an amount of one thousand rupees in cash as earnest money with the auctioning authority ; and
- (ii) if outstanding recovery cases of fisheries revenue are pending against him in any court or before any revenue authority.

(3) In case the highest bid is below the average of the licence fee received during the previous three years, the auctioning authority may not accept the highest bid and in such a case the fishing rights shall be re-auctioned. In case the bid above the average of the last three years is not received in three subsequent auctions also, the auctioning authority may accept the highest bid at the fourth auction.

(4) In case the bidder in whose name the auction is closed fails to pay the amount specified in sub-rule (1) of rule 5 at the fall of hammer along with the amount of security required to be deposited under sub-rule (3) of that rule or fails to furnish the security bond as required under sub-rule (4) of the said rule 5, the auctioning authority shall have the right to forfeit the earnest money paid under sub-rule (2), cancel his bid, re-auction the fishing right and blacklist or debar him from bidding for a period of five years :

Provided that before a person is blacklisted or is debarred from bidding, an opportunity of being heard shall be afforded to him.

(5) In case the bidder in whose name the auction is closed, later on fails or refuses to accept the sanction issued for the grant of a licence in his name or does not furnish the security bond as required under sub-rule (4) of rule 5 within ten days from the date of such sanction, the auctioning authority shall have the right to forfeit the amount paid by him under sub-rule (1) of rule 5 at the fall of hammer along with earnest money paid under sub-rule (2) of this rule, cancel the sanction, re-auction the fishing rights and blacklist to debar him from bidding for a period of five years :

Provided that before the sanction is cancelled and the person is blacklisted or debarred from bidding an opportunity of being heard shall be afforded to him.

5. Payment of licence fee.—(1) The person, in whose favour the auction is closed shall pay one-third of the licence fee at the fall of hammer and the remaining amount shall be paid in two equal instalments. The first instalment shall be paid on or before the first day of December of the year in which auction is held and the second on or before the fifteenth day of February of the succeeding year :

Provided that the person in whose favour, the auction is closed shall always have a right to pay the full licence fee at the fall of hammer :

Provided further that in case the licence fee is less than ten thousand rupees he shall have to pay the whole amount of fee at the fall of hammer.

(2) In case the licensee fails to pay any instalment on or before the due date, the auctioning authority shall have the right to cancel the licence, forfeit the licence fee paid so far along with the amount of security deposited under sub-rule (3) and re-auction the fishing rights:

Provided that the defaulting licensee shall be liable to compensate the loss, if any, suffered by the Government in re-auctioning the fishing rights :

Provided further that in case the defaulting licensee pays the entire licence fee due from him along with ten per cent interest from the date of cancellation of the licence to the date of its restoration to him on or before the re-auctioning of the fishing rights, the licensing authority may restore the licence to him.

(3) A person in whose favour the auction is closed shall at the fall of hammer, also deposit with the Licensing Authority an amount equal to 5 per cent. of the licence fee as security for faithful observance of the provisions of these rules and the terms and conditions of his licence. If the licensee commits a breach of any provision of these rules or any terms and conditions of his licence, then without prejudice to any other action that may be taken against him, the security or such portion thereof, as the Licensing Authority may deem fit, shall be forfeited to Government. If the licence is not cancelled the licensee on receiving an intimation of forfeiture from the Licensing Authority shall replenish his security forthwith.

(4) In case the licence fee is to be paid by instalments the person in whose favour the sanction for the grant of a licence is issued shall within ten days from the date of issue of such sanction furnish a security bond in Form 'A' to the satisfaction of the Licensing Authority for the payment of the balance of the licence fee.

(5) After the licensee has furnished security as required under sub-rule (3) and a security bond as required under sub-rule (4), he shall be granted a licence in Form 'B' and the earnest money paid under sub-rule (2) of rule 4 shall be refunded to him.

6. Duration of licence.—A licence granted under rule 5, unless sooner determined, shall remain in force from the date of its issue upto the 31st August following.

7. Conditions of fishing.—(1) The licensee or his agent or nominee shall not fish except with rod and line during the close season from 1st July to 31st August.

(2) The licensee shall fish either personally or through such of his agents or nominees as are provided with permits signed by the District Fisheries Officer concerned.

(3) The licensee shall not either personally or through his agents or nominees, fish any water closed to fishing under these rules.

(4) The licensee or his agent or nominee shall not use for fishing any kind of gear except those mentioned below :—

(i) nets of all kinds not having at any portion a mesh bar measure less than 4 centimetres from knot to knot or 16 centimetres all round ;

(ii) long line with hooks ;

(iii) rod and line ;

(iv) hand line :

Provided that no gear except rod and line shall be used in the waters within a distance of 200 metres on either side of the road, bridges and within a distance of 500 metres on either side of the rail and road bridges as specified in Schedule II.

(5) The licensee or his agent or nominee shall not erect or cause to be erected any fixed engines (except in the case of stake nets when they are temporarily fixed in waters for use in conjunction with drag nets), dam or weirs for catching fish nor shall he use or allow his agents or nominees the use of poison, electric current, lime, dynamite or any other noxious or explosive substance in catching fish.

(6) The licensee shall be bound to show his licence on demand to any police officer or any other person who is empowered under section 6 of the Punjab Fisheries Act, 1914 (Punjab Act No. 2 of 1914) to arrest without warrant.

(7) The licensee or his agent or nominee shall not catch nor expose for sale or barter fish of any of the following species below the length of 30 centimetres each :—

- (i) Rohu ;
- (ii) Catla ;
- (iii) Mirgal ;
- (iv) Kalbans ;
- (v) Mirror Carp ;
- (vi) Mahaseer ;
- (vii) Grass Carp ;
- (viii) Silver Carp ;
- (ix) Common Carp.

(8) The licensee shall not transfer his rights and liabilities under the license without the previous sanction in writing, of the Director.

(9) The licensee shall maintain a permit book for issuing fishing permits specifying the names and addresses of the persons authorised for fishing on his behalf and issue these permits for fishing within the area covered by his licence after getting these signed by the District Fisheries Officer and will show the permit book on demand to any officer authorised by the Director in this behalf ;

(10) The licensee shall maintain a register showing :—

- (i) weight of fish caught, purchased and sold ;

- (ii) the gear employed for catching the fish ;
- (iii) the varieties of fish obtained ;
- (iv) location of fishing places ; and
- (v) whole sale and retail prices of different species of fish and shall show the register on demand to the persons authorised by the Director in this behalf.

(11) The licensee shall send, a monthly statement regarding the items mentioned in sub-rule (10) to the District Fisheries Officer concerned by the 5th of each month following that to which it relates failing which a penalty of twenty rupees per day will be charged and will be recovered from the security deposited under sub-rule (3) of rule 5.

(12) The licensee shall not charge any commission for the sale of any fish given to him by any official or officer working under the control of the Director.

(13) Every licensee and every agent or nominee of a licensee shall be bound to report to the Fisheries Officer concerned any infringement of the rules that comes to his notice.

8. Licensee not entitled to claim any damage from Government.—(1) The licensee shall not be entitled to claim any damage or compensation from the Government for any loss that may be suffered by him due to floods, pollution, slump in prices, litigation or any other cause, whatsoever.

(2) The licensee shall not be entitled to claim any damages for the loss which may occur to him in the event of anything done or action taken against him by any official or officer working under the control of Director for breach of any provision of these rules or of any term or condition of his licence.

9. Inspection.—The Director or any other person authorised by him in this behalf may enter any premises used by the licensee for assembling or storing or selling of fish for the purpose of inspection of the record of fish.

10. Forfeiture of apparatus and fish.—All apparatus erected or used for fishing in contravention of any provision of these rules may be seized, taken and removed to the nearest police station by any police officer or any other person empowered under section 6 of the Punjab Fisheries Act, 1914 (Punjab Act No. 2 of 1914) to arrest without warrant for offences under the said Act and all such apparatus may be forfeited on conviction of the offender under section 5 of the said Act. Any fish caught by the licensee by such apparatus shall also be liable to be seized and forfeited by the police officer or any other person empowered as aforesaid and fish so forfeited shall be auctioned as early as possible by the person who forfeited the same.

11. Cancellation of licence and re-auction at the risk of licensee.—(1) If the licensee or his agent or nominee commits a breach of any provision of these rules or any term or condition of his licence, the licensing Authority may, without prejudice to any other action that may be taken by him under these rules or any provision of any other law, cancel his licence. In such an event the permits issued under sub-rule (2) of rule 7 shall be deemed to have been

cancelled and the fishing rights shall be put to re-auction and the licensee shall be liable to pay to the Government all expenses of re-auction together with loss, if any, occurred to the Government due to re-auction.

(2) In the event of cancellation of the licence under sub-rule (1) and the permits issued under sub-rule (2) of rule 7, the licensee or the permit holder, as the case may be, shall not be entitled to the refund of any amount paid by him to the Government towards licence fee or by way of loss or damage whatsoever which may occur to him.

12. **Issue of licenses for sports.**—(1) Notwithstanding the provisions of the foregoing rules the Licensing Authority may, on an application submitted to it in this behalf, grant to the applicant a licence in Form 'C' on the terms and conditions specified therein for fishing with rod and line for sports only.

(2) If the licence referred to in sub-rule (1) is issued for fishing in any of waters already auctioned, the licensee who had obtained the licence through auction will not be entitled to claim any compensation or damages on account of the issue of licence for the purpose of sports.

(3) The fee for the issue of licence under sub-rule (1) shall be as follows :—

<i>Period of licence</i>	<i>Amount of Fee</i>
(a) One year	One hundred and fifty rupees.
(b) Below one year	Thirty rupees per mensem or a part thereof.

13. **Issue of duplicate licence.**—If a licence issued under these rules is lost, mutilated or destroyed, the Licensing Authority may, on receipt of an application in this behalf, issue a duplicate licence to the licensee on payment of a fee of twenty rupees in case of a licence granted under sub-rule (3) of rule 5 and five rupees for a licence granted under sub-rule (1) of rule 12.

14. **Recovery.**—Any amount due to the Government under these rules shall be recovered as arrears of land revenue as provided in clause (b) of section 98 of the Punjab Land Revenue Act, 1887 (Punjab Act No. 17 of 1887).

15. **Officers and Officials not debarred from catching fish.**—Nothing in these rules shall debar any official or officer working under the control of or any person employed or authorised by the Director from catching fish of any size or any species at any time of the year by any method for the purpose of research seed farms or development and the licensee shall not be entitled to claim any damages or compensation on that account.

16. **Repeal and saving.**—The Punjab Fisheries Rules, 1966 are hereby repealed :

Provided that any order issued or any action taken under the rules so repealed shall be deemed to have been issued or taken under the corresponding provisions of these rules.

SCHEDULE I

(See rule 4)

Jullundur District :

(1) River Sutlej—both banks including Dhussi and Dhaya Bunds from Dhingrara Khangah downstream to road-cum-rail bridge Giddar Pindi along with its tributaries.

(2) Eastern Bein (Safed Bein) from its origin in District Jullundur to its confluence with river Sutlej along with its tributaries.

Hoshiarpur District :

(1) River Beas both banks including Dhussi and Dhaya Bunds from Shah Nehar to Shri Hargobindpur and its tributaries excluding the portion 1.6 Km. upstream and 2.00 km. downstream from Shah Nehar Barrage and Notified portion of Gurdaspur District.

(2) Bein Nallah and its tributaries in Hoshiarpur District.

(3) All naddis, choes and streams and their tributaries flowing in Hoshiarpur District.

Gurdaspur District :

(1) River Beas both banks including Dhussi and Dhaya Bunds and its tributaries from Mithal Railway Bridge to Naushehra Pattan.

(2) River Beas from Himachal Boundary upto Mirthal Railway Bridge as situated in Gurdaspur District.

(3) River Ravi and its tributaries within the boundaries of Gurdaspur district excluding the portion from 1.6 km. upstream to 2.00 km. downstream of weir at Madhopur Headworks.

(4) Kiran Nalla, Ujh, Naumani Nallah, Naluha Nallah, Phulkho Nallah, Chaki River within the boundaries of Gurdaspur District.

(5) Dhab Mahanta.

Amritsar District :

(1) River Beas both banks including Dhussi and Dhaya Bunds and its tributaries from Shri Hargobindpur Kauntawala Bridge to the confluence of river Beas and Sutlej near Harike.

(2) River Ravi and its tributaries within the boundaries of Amritsar District.

(3) Sakki stream and its tributaries within the boundaries of Amritsar District.

Kapurthala District :

(1) River Sutlej both banks including Dhussi and Dhaya Bunds and its tributaries from Giderpindi Rail-cum-Road Bridge (excluding the reserve portion up and downstream of the bridge) to the point at 1.6 km. upstream from Harike Headworks.

(2) Black Bein from near village Dadianwali to the place where it joins river Beas near village Mandiwal Fatchwal and its tributaries except the portion of black bein between road bridge on Sultanpur Lodhi-Talwandi Chaudhrian Road in Sultanpur Lodhi to Gurdwara Ber Sahib Boundary where fishing is prohibited.

(3) Seasonal Nallah starting from village Karnail-Gunj-Kamarwan to the place where it joins black Bein near Bholath.

(4) Seasonal Nallah flowing near village Lakhan Ke Padde *via* Hambowa, Randhawa, Bojala, Dham, Kriwala, Gowshala, Nurpur-Rajputan, Kokalpuri etc. and to the place where it joins black Bein near village Gauray.

(5) Akvi Jheel starting from near village Hamira *via* Lakhan Khurd, Lakhan Kalan, Chhuriwal and to the place where it joins black Bein.

(6) Naugaza Jheel.

(7) Seasonal Nallah starting from Naugaza Jheel and to the place where it joins black Bein *via* Dhobi Ghat.

(8) Kanah Nalla flowing near village Kohanwala, Kana Nasurpur, Kalru, Mithra, Mistian and joining Black Bein near village Shikarpur.

(9) Kalna Nallah flowing near village Kishan Singhwala, Saffabad, Fazalabad, Fathu Dhinga, Ratra Ucha, Sujo Kalia, Bidnpur, Talwandi Chaudhrian, Paman, Dasula, Mastrian, etc. to the place where it joins black Bein near village Moorev.

(10) Jheel near villages Bharowana, Sheikh Mange Saruwal as lies within Government pond areas.

(11) Nallah Jalabe Dob flowing near village Makatawala Dera Sajdan, Gill Sultanpur, Chak Behbal, Sadhuwala Rama, Sherpur, Wattanwali, Meerupur, Aluwal, where it joins black Bein and their tributaries situated in Kapurthala District.

Ferozepur District :

(1) River Sutlej both banks including Dhussi and Dhaya Bunds and its tributaries (excluding the reserve portion that is 2.00 km. downstream from Harike Headworks and 1.6 km. upstream from Hussaniwala Headworks).

(2) River Sutlej both banks including Dussi and Dhaya Bunds and its tributaries from Hussaniwala Headworks to Sulemanki Headworks within the boundaries of Ferozepur District except the portion 1.0 km. downstream from Hussaniwala Headworks.

(3) Dhand Changali Jadid, Dhand Changali Kadim, Dhand Saddu Shah Wala, Dhand Lakha Haji, Dhand Chak Singh Pura, Dhand Chak Bhora, Dhand Dhandian.

Bhatinda District :

Ghaggar River and its tributaries situated in Bhatinda District.

Patiala District :

(1) Ghaggar River and its tributaries (2) Bhupinder Sagar from village Dhur to Harian. Jattan (3) Jambowali Syphon and Jambhowali Choa (4) Patiala Nadi (5) Bhunerheri Nadi (6) Sirhind Syphon and Sirhind Choa except 500 Metres up and down Bhorey Syphon (7) Kalyan Syphon and Choe (8) Dhanksu Nadi and their tributaries situated in the Patiala District.

Sangrur District :

(1) Sunam Choa and (2) Ghaggar River with their tributaries situated in the Sangrur District.

Ropar District :

(1) Those portions of the Sutlej River and its tributaries as are situated in the Ropar district excluding the Reserve portions that is 2.0 km. downstream and 1.6 km. upstream from Ropar Canal Headworks to the point of 2.0 km. downstream of Nangal Barrage.

(2) River Sutlej both banks including Dhussi Bund from village Asron to village Sherpur and its tributaries.

(3) Nangal Lake from Burmala Khud to Nangal Barrage on Punjab Side and Nangal barrage upto Asron both banks excluding the reserve portion of 1.6 km. above the Nangal Barrage.

Ludhiana District :

(1) River Sutlej (Both banks) from village Sherpur Kacha-Machiwara to Chingara (Khangah) including Dhussi and Dhaya bunds and its tributaries.

(2) Budha Nallah and its tributaries as are situated within the boundaries of Ludhiana District.

FORM 'A'

SECURITY BOND

[See sub-rule (4) of Rule 5]

Know all men by these presents that we (1) _____
Name of the licensee, son of Shri _____, caste _____
and resident of _____
(hereinafter referred to as the Principal (2) (1st surety) _____
_____, son of Shri _____,
caste _____, resident of _____, and (3) (2nd
surety) _____, son of Shri _____, caste _____
_____, resident of _____), (hereinafter jointly and severally referred to
as the sureties) do hereby bind ourselves and each of us and our each or our
heirs, executors, and administrators and legal representatives to pay jointly
and severally to the Governor of Punjab (hereinafter referred to as the Go-
vernment) in demand a sum of Rs. _____ along with interest thereon
at the rate of ten per cent from the date of demand till the date of payment.

Principal,_____
(1st Surety)_____
(2nd Surety)

Whereas the Government has granted a licence to the Principal for fish-
ing in the waters at _____ on the terms and conditions more parti-
cularly described in the deed of licence dated _____;

And whereas under the said deed of licence, the Principal is bound to
pay to the Government, a sum of Rs. _____ in two equal instalments
on the _____ day of _____, 19____ respectively;

And whereas in order to guarantee the payment of the aforesaid sum
on due dates, the principal and the sureties have executed the above written
bond;

Now the condition of the above written bond is such that if the above
bounden principal shall pay to Government a sum of Rs. _____
in two equal half-yearly instalments of the licensing money on the 1st day of
December, 19____ and on 15th day of February, 19____, respectively or
if on default or breach of the above-mentioned condition the above bounden
principal and sureties shall either jointly or severally and truly pay to the
Government, on demand, such sum of licensing money along with interest
at the rate of ten per cent, from the date of demand till the date of payment,
then the above bond shall be void otherwise it shall remain in full force and
effect:

Provided always that the liability of the sureties hereunder shall not be
impaired or discharged by reason of time being granted or by any forgive-
ness, forbearance, act or omission of the Government (whether with or
without the consent of or knowledge of the sureties, nor shall it be necessary
for the Government to sue the said principal before suing the above bounden
sureties or any of them for the amount due thereunder.

In witness to the above written bond and to all the terms and conditions hereinbefore contained we have signed hereunder this _____ day of _____

_____ Principal

_____ (1st surety)*

_____ (2nd surety)

Accepted.

for and on behalf the
Governor of Punjab.*

FORM 'B'

FISHING LICENCE
[sub-rule (5) of rule 5]

Counterfoil

No. of license

Date of Issue

Name and address of licensee

Period for which licence issued

Waters for which licence issued

He is licensed to fish in the waters specified above, under the terms and conditions laid down in Punjab Fisheries Department Rules, 1985.

Director and Warden of Fisheries,
Punjab.

No. of license

Date of Issue

Name and address of licensee

Period for which licence issued

Waters for which licence issued

He is licensed to fish in the waters specified above, under the terms and conditions laid down in Punjab Fisheries Department Rules, 1985.

Director and Warden of Fisheries,
Punjab.

FORM 'C'

[See sub-rule (1) of rule 12]

(Licence for Sport only)

Counterfoil

Serial No. of licence _____	Serial No. of licence _____
Class-Rod and line for sport only _____	Class-Rod and line for sport only _____
Period for which licence issued _____	Period for which licence issued _____
Fee paid Rs. _____	Fee paid Rs. _____
From _____ to _____	From _____ to _____
Date of payment of fee _____	Date of payment of fee _____
Date of issue of licence _____	Date of issue of licence _____
Name and address of licensee _____	Name and address of licensee _____

He is licensed to fish in all the waters specified in Schedule I appended to the Punjab Fisheries Rules, 1985, subject to the conditions laid down in the said rules and given on reverse of this licence.

He is licensed to fish in all the waters specified in Schedule I appended to the Punjab Fisheries Rules, 1985, subject to the conditions laid down in the said rules and given on reverse of this licence.

Director and Warden of Fisheries,
Punjab.

Director and Warden of Fisheries,
Punjab.

CONDITIONS UNDER WHICH LICENCE IS ISSUED.

1. The licensee shall fish with rod and line only and shall not use more than one hook at a time.
2. The licensee or his agents or nominees shall not catch or expose for sale or barter fish of any of the following species below the length of 30 centimeters each ;
 - (I) Rahu, (II) Catla, (III) Mirgal, (IV) Kalbans, (V) Mirror Carp, (VI) Mahaseer, (VII) Grass Carp, (VIII) Silver Carp, (IX) Comm on Carp.
3. The licensee shall not catch more than four fishes a day.

4. The licensee shall be bound to report to the *Tehsildar* or *Deputy Commissioner* of the jurisdiction or any officer of the Fisheries Department concerned, any breach of the Punjab Fisheries Rules, 1985, that comes to his notice.

5. The licensee shall not sell his catch.

6. The licensee shall not use poison, dynamite or any obnoxious or explosive substance for catching or killing fish.

7. The licensee shall be bound to produce his licence on demand to any person who is empowered under section 6 of the Punjab Fisheries Act, 1914, to arrest without warrant.

8. On expiry of the period of licence, the licensee shall intimate to—
the number of fish and weight and kind of fish caught during the period of licence, as under :—

(I) No. of fish caught-----

(II) Kind of fish caught-----

(III) Weight of fish caught-----

9. The licensee shall not interfere in any manner whatsoever in catching by the official or officers of the Fisheries Department or any other person employed by the Director and Warden of Fisheries, Punjab.

10. On the expiry of the period of the licence, the licensee shall surrender his licence to the Fisheries Officer, having jurisdiction.

11. The licence will be cancelled for any breach of the above conditions.

SCHEDULE II

[See sub-rule (4) of rule 7]

Serial No.	Name of the Road and Rail Bridges	Distance
1	2	3
1	Rail and Road Bridges over eastern Bein Near Cheheru	500 metres on either side.
2	Rail and Road Bridges over eastern Bein near Jamsher	500 metres on either side.
3	Road Bridge on eastern Bein near Kang-Sabbu	200 metres on either side.
4	Old and New Road Bridges at Kanjli on west Bein	200 metres on either side.

1	2	3
5	Rail and Road Bridges over west Bein near Subhanpur	500 metres on either side.
6	Rail-cum-Road Bridge over Rivers Sutlej at Giderpindi	500 metres on either side.
7	Road Bridge over river Sutlej at Kanwan Pattan	200 metres on either side.
8	Rail and Road Bridges over river Beas near Beas	500 metres on either side.
9	Road Bridge over river Beas near Beas	200 metres on either side.
10	Rail Bridge over river Beas at Mirthal	500 metres on either side.
11	Road Bridge over river Beas at Mirthal	200 metres on either side.
12	Rail-cum-Road Bridge at Chakki near Pathankot	500 metres on either side.
13	New Road Bridge over River Beas near Goindwal	200 metres on either side.
14	New Road Bridge over River Chakki on Dasuya-Pathankot Road	200 metres on either side.
15	Rail and Road Bridges over Budha Nalla near Ludhiana	500 metres on either side.
16	Rail and Road Bridges over river Sutlej at Phillaur	500 metres on either side.
17	Khanauri Bridge on river Ghaggar	200 metres on either side.
18	Devigarh Bridge over river Gaggar	200 metres on either side.

RAJINDER SINGH,

Secretary to Government of Punjab,
Department of Animal Husbandry and Fisheries.

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PART III

GOVERNMENT OF PUNJAB

DEPARTMENT OF ANIMAL HUSBANDRY AND FISHERIES
(ANIMAL HUSBANDRY BRANCH)

Notification

The 22nd December, 1987

No. G.S.R. 1/P.A.2/14/S. 3 and C.A.IV/1897/S.6/88.—With reference to Government of Punjab, Department of Animal Husbandry and Fisheries, Notification G.S.R. 67/PA.2/14/S.3/Amd/87, dated the 27th August, 1987, and in exercise of the powers conferred by section 3 of the Punjab Fisheries Act, 1914 (Punjab Act No. 2 of 1914), and section 6 of the Indian Fisheries Act, 1897 (Central Act No. IV of 1897) and all other powers enabling him in this behalf, the President of India is pleased to make the following rules further to amend the Punjab Fisheries Rules, 1985, namely:—

RULES

1. These rules may be called the Punjab Fisheries (First Amendment) Rules, 1988.
2. In the Punjab Fisheries Rules, 1985, in Schedule-I, under the heading "Hoshiarpur District" after the existing entry 3, the following entries shall be added, namely:—

“(4) (i) Dolbaha Reservoir

(ii) Maili Reservoir

(iii) Janaury Reservoir”

RAM GOPAL,

Secretary to Government of Punjab,
Department of Animal Husbandry and Fisheries.

GOVERNMENT OF PUNJAB
DEPARTMENT OF ANIMAL HUSBANDRY AND FISHERIES

Notification

The 27th January, 1997

No. G. S. R. 2/P. A. 2/14/S. 3 and C.A. IV/1897/S. 6/Amd./97.—The following draft of rules further to amend the Punjab Fisheries Rules, 1985, which the Governor of Punjab proposes to make, in exercise of the powers conferred by section 6 of Indian Fisheries Act, 1897 (Central Act No. IV of 1897), and section 3 of the Punjab Fisheries Act, 1914 (Punjab Act 2 of 1914), and all other powers enabling him in behalf, is published for the information of the persons likely to be affected thereby

Notice is hereby given that the draft will be taken into consideration by the Government on or after the expiry of a period of thirty days from the date of publication of the notification in the Official Gazette together with any objection or suggestion, which may be received by the Director and Warden of Fisheries, Punjab, from any person before the expiry of the period so specified with respect to the said draft namely:—

DRAFT RULES

1. These rules may be called the Punjab Fisheries (Amendment) Rules, 1997.

2. In the Punjab Fisheries Rules, 1985, in Schedule-I,—

(i) under the heading "Hoshiarpur District" after entry 4, the following entries shall be added, namely:—

"(5) Mehngrowal Reservoir.

(6) Chohal Reservoir.

(7) Sakran Reservoir."; and

(ii) under the heading "Ropar District", after entry 3, the following entry shall be added, namely:—

"(4) Perch Dam."

P. RAM.

Secretary to Government of Punjab,
Department of Animal Husbandry and Fisheries.



GOVERNMENT OF PUNJAB
DEPARTMENT OF ANIMAL HUSBANDRY, FISHERIES
AND DAIRY DEVELOPMENT

Notification

The 7th July, 2006

No. G.S.R. 32/P.A.2/14/S.3 and C.A. IV/1897/S.6 Amd(3) 2006.—
With reference to Government of Punjab, Department of Animal Husbandry, Fisheries and Dairy Development, Notification No. G.S.R. 27/P.A.2/14/S.3 and C.A.IV/1897/S.6/Amd./2005, dated the 18th August, 2005, and in exercise of the powers conferred by section 3 of the Punjab Fisheries Act, 1914 (Punjab Act No. 2 of 1914) and section 6 of the Indian Fisheries Act, 1897 (Central Act No. IV of 1897), and all other powers enabling him in this behalf, the Governor of Punjab is pleased to make the following rules further to amend the Punjab Fisheries Rules, 1985, namely:—

RULES

1. These rules may be called the Punjab Fisheries (First Amendment) Rules, 2006.
2. In the Punjab Fisheries Rules, 1985 (hereinafter referred to as the said rules), in rule 2, for clauses (a) and (g), the following clauses shall respectively be substituted, namely:—
 - “(a) Auctioning authority” means the Director or the officers empowered by the Director in writing to hold auction/invite tender under these rules;
 - (g) “Licence fee” means the money on which the bid tender for auctioning the fishing rights under these rules is closed/accepted; and”.
3. In the said rules, in rule 4, for sub-rules (1), (2) and (3), the following sub-rules shall be substituted, namely:—
 - “(1) On or after the first day of May each year, the auctioning authority shall put to public auction/inviting tenders or both in respect of licence of the fishing rights of all notified waters specified in Schedule-I or portion of such waters except the waters mentioned in entry No. 4 of the Schedule-I under the headings “Hoshiarpur District and Ropar District” which would be auctioned/tendered for a period of five years.

- (2) No person shall be allowed to bid/tender,—
- (i) Unless he has deposited an amount of ten thousand rupees in cash or by way of Bank draft as earnest money with the auctioning authority/tendering authority; and
 - (ii) If outstanding recovery cases of fisheries revenue are pending against him in any Court or before any revenue authority.
- (3) In case the highest bid/tender is above the average of the licence fee received during the previous three years, or it is above the highest bid/tender of the last year, the auctioning authority/tendering authority may accept the highest bid/tender. In all other cases, the auctioning authority/tendering authority may provisionally accept the highest bid/tender subject to the approval of the licensing authority/tendering authority.”
4. In the said rules, in rule 5, for sub-rule (1), the following sub-rule shall be substituted, namely:—
- “(1) The person, in whose favour the auction is closed tender accepted shall pay the full amount on the spot if the amount of auction/tender is up to rupees fifty thousand. If the amount of auction/tender exceeds rupees fifty thousand and is up to rupees one lac, it shall have to be deposited in two equal instalments, i.e., fifty per cent on the spot and the remaining fifty per cent at the time of issuing of fishing licence. If the amount of auction/tender exceeds rupees one lac, it shall have to be deposited in three equal instalments, i.e., one third of the amount on the spot, other one third amount at the time of issuing fishing licence and the remaining one third amount on the first day of December, of that year.”
5. In the said rules, for rule 6, the following rule shall be substituted, namely :—
- “6. **Duration of licence.**—A licence granted under rule 5, unless sooner determined, shall remain in force from 15th August or from the date of its issue up to the 14th August of the next year following.”

6. In the said rules, in rule 7,—

(i) for sub-rule (1), the following sub-rule shall be substituted, namely :—

“(1) The licensee or his agent or nominee shall not fish except with rod and line during the close season from 15th June to 14th August in waters excluding Dams.” ;

(ii) in sub-rule (9), for the words “District Fisheries Officer”, the words “Assistant Director Fisheries” shall be substituted ;

(iii) for sub-rule (11), the following sub-rule shall be substituted, namely :—

“(11) The licensee shall send a monthly statement regarding the items mentioned in sub-rule (10) to the Assistant Director Fisheries concerned by the 5th of each month following that to which it relates failing which a penalty of twenty rupees per day shall be charged and shall be recovered from the security deposited under sub-rule (3) of rule 5. There shall be a penalty of rupees one thousand to be paid in lump sum for submission of incorrect fish catch statement.”

(iv) In sub-rule (13), at the end, for the words and sign “his notice,”, the following words and sign shall be substituted, namely :—

“Any person who is found selling unhygienic fish shall have to pay an amount compoundable up to rupees one thousand when caught for the first time and rupees two thousand if found for the second time. If he repeats it for third time then his premises shall be closed immediately.”

7. In the said rules, in rule 12, for sub-rules (3), the following sub-rule shall be substituted, namely :—

“(3) The fee for the issue of licence under sub-rule (1) shall be as follows :—

Period of Licence	Amount of Fee
(a) One Year	Rupees One Thousand only.
(b) Monthly	Rupees Two hundred only.
(c) Daily	Rupees Twenty only.”

8. In the said rules, in rules 13, for the words "Twenty rupees" and "five rupees", the words "fifty rupees" and "Twenty rupees" shall respectively be substituted.

9. In the said rules, after rule 15, the following rule shall be added, namely:—

"15-A. Ban on exotic species of fish i.e. exotic magur *carassius garielinus*.—The Director may ban any species of fish and no person shall culture, sell, store or handle, in any form the species of fish so banned in the state of Punjab. Any person empowered by the Director may seize, destroy, dispose of the banned fish as he thinks correct keeping in view the environment and public health and in view and no person so effected can claim for the loss of fish and the fish so destroyed by the person empowered in this respect. The empowered person shall also be authorised to compound for the violation of this rule which may amount up to rupees ten thousand."

D.S. BAINS,

Secretary to Government of Punjab,
Department of Animal Husbandry,
Fisheries and Dairy Development.

GOVERNMENT OF PUNJAB

DEPARTMENT OF ANIMAL HUSBANDRY,
FISHERIES AND DAIRY DEVELOPMENT

NOTIFICATION

The 25th October, 2012

No. G.S.R.59/C.A.IV/1897/S.6 and P.A.2/1914/S.3/Amd.(4)/2012.- With reference to Government of Punjab, Department of Animal Husbandry, Fisheries and Dairy Development, Notification No G.S.R.47/C.A.IV/1897/S.6 and P.A.2/1914/S.3/Amd.2012/, dated the 6th September, 2012 and in exercise of the powers conferred by Section 3 of the Punjab Fisheries Act, 1914 (Punjab Act No.2 of 1914), and section 6 of the Indian Fisheries Act, 1897 (Central Act No. IV of 1897), and all other powers enabling him in this behalf, the Governor of Punjab is pleased to make the following rules further to amend the Punjab Fisheries Rules, 1985, namely :-

RULES

1. These rules may be called the Punjab Fisheries (Amendment) Rules, 2012.
2. In the Punjab Fisheries Rules, 1985 (hereinafter referred to as said rules), in rule 4, for sub-rule (1), the following sub-rule shall be substituted, namely :-
 - “(1) On or after the first day of May of each year, the auctioning authority shall invite tenders or put to public auction the fishing rights of all notified waters specified in Schedule-1 or portion of such waters. Under the headings ‘S.A.S. Nagar (Mohali)’ and ‘Hoshiarpur District’ except waters mentioned at entry nos.4 to 11 relating to Hoshiarpur District which would be auctioned or tendered for a period of five years.”
3. In the said rules, in Schedule-1,-
 - (i) under the heading ‘Hoshiarpur District’, for the existing entries, the following entries shall be substituted namely:-
 - “(1) River Beas both banks including Dhussi and Dhaya Bundhs from Shah Nehar to Shri Hargobindpur and its tributaries excluding the portion 1.6 kilometre upstream and 2.00 kilometre downstream from Shah Nehar Barrage

and notified portion of Gurdaspur District.

- (2) Bein Nallah and its tributaries in Hoshiarpur District.
- (3) All Naddis, choes and streams and their tributaries flowing in Hoshiarpur District.
- (4) Dolbaha Reservoir.
- (5) Mailli Reservoir.
- (6) Janaury Reservoir.
- (7) Mehngrowal Reservoir.
- (8) Chohal Reservoir.
- (9) Saleran Reservoir.
- (10) Patiari Reservoir.
- (11) Thana Reservoir.
- (ii) under the heading 'Ropar District', the existing entry (4) shall be omitted ; and
- (iii) after the heading 'Ludhiana District', the following heading and the entries relating thereto shall be added, namely :-

“S.A.S.Nagar (Mohali):

- (1) Perch Reservoir.
- (2) Jyanti Reservoir.”

JAGPAL SINGH SANDHU
Financial Commissioner,
to Government of Punjab,
Department of Animal Husbandry,
Fisheries and Dairy Development.

PART III

**DEPARTMENT OF ANIMAL HUSBANDRY,
FISHERIES AND DAIRY DEVELOPMENT**

NOTIFICATION

The 6th December, 2013

No. G.S.R. 64/C.A.IV/1897/S.6 and P.A.2/1914/S.3/Amd. (5)/2013.-

With reference to the Government of Punjab, Department of Animal Husbandry, Fisheries and Dairy Development, Notification No. G.S.R.49/C.A.IV/1897/S.6 and P.A.2/1914/S.3/Amd./2013, dated the 26th August, 2013 and in exercise of the powers conferred by section 3 of the Punjab Fisheries Act, 1914 (Punjab Act No.2 of 1914), and section 6 of the Indian Fisheries Act, 1897 (Central Act No. IV of 1897), and all other powers enabling him in this behalf, the Governor of Punjab is pleased to make the following rules further to amend the Punjab Fisheries Rules, 1985, namely:-

RULES

1. These rules may be called the Punjab Fisheries (Amendment) Rules, 2013.
2. In the Punjab Fisheries Rules, 1985, in Schedule-1 under the heading "S.A.S. Nagar (Mohali)", after serial no.2 and the entries relating thereto the following shall be added, namely:-

✓ (3) Mirzapur Reservoir

✓ (4) Siswan Reservoir "

G. VAJRALINGAM,

Financial Commissioner and Principal
Secretary to Government of Punjab,
Department of Animal Husbandry,
Fisheries and Dairy Development.