

U. P. Fisheries (Development and Control) Rules, 1954

Notification No. 778/XII-F—469-48, dated September 11, 1954.-- In exercise of the powers conferred by sub-section (1) of Section 3 of the U.P. Fisheries Act, 1948 (U.P. Act. No. XLV of 1948), the Governor is pleased to make the following rules under the aforesaid Act, the draft of the same having been already published in Notification No. 60/XII-F—469-48, dated April 6, 1953 :

Rules

1. (i) These rules may be called the Uttar Pradesh Fisheries (Development and Control) Rules, 1954.

(ii) They shall apply to waters other than the private waters and religious waters as may be defined by the District Magistrates concerned in their respective district.

¹**1-A- Definition:** In these rules unless the context otherwise requires

(a) “Fisherman/Machhuara/Machhua” means any person who earns livelihood actively from the production and sale of fishes as well as its connected activities.

(b) “MatsyaJiviSahkariSamiti” means the Society which is registered by Registrar Fisheries under Uttar Pradesh Cooperative Societies Act, 1965.

(c) “Family of Fisherman” means his or her wife/husband, son (up to the age of 21 years), unmarried daughter, adopted child, dependent parents (mother and father), minor child/ward of son, widow/divorcee daughter who is dependent on him.

(d) “Machhuwa Avas” means the house having been constructed as per standard and area fixed by Central Government or Uttar Pradesh Government for homeless Fisherman (Machhuara).

(e) “Fisherman (Machhuara) Accident” means death of fisherman/Machhuara in any accident, permanently or partially disabled falling under any rules prescribed by Central Government.

(f) “Natural Calamities” means flood, drought, hailstorm, deluge/spate (Ativrasti), fire break and other natural calamities notified by Revenue Department of State of Uttar Pradesh.

(g) “Family living below poverty lines” means family living below the minimum income fixed by the Government / State Government for treating below poverty line.

(h) “High-school and Intermediate Examination Pass” means the certificate issued by Board of High School and Intermediate Education, Uttar Pradesh, Central Board of Secondary Education, Council for the Indian School Certificate Examinations or any other Board recognized by the Central Government /State Government.

¹ Ins by "The Uttar Pradesh Fisheries (Development and Control) Second Amendment, Rules 2019 (noti no 26/2019/1675/XVII-MA-2019-6-9(85)/2017 Dated 05 dec, 2019)

- (i) "University" means a University recognized by University Grants Commission.
- (j) "Fund Operating Committee" means the Committee constituted under rule 5 of these rules.
- (k) "Concerning amount of fund" means the amount which has been provided/granted by the Central Government/State Government for the welfare of fishermen as well as earned money from interest and dividend.]²

2. No person shall destroy or attempt to destroy fish by any explosive substance or by poisoning or pollution of waters by trade effluents.
3. No person shall be allowed to catch, destroy or sell fry and fingerlings (2"-10") from July 15 to September, 30 and breeding fish from June 15 to July 30 in the prohibited areas for fishing and the district as given in Schedule. "A" appended hereto except under a licence issued by the Director of Animal Husbandry, Uttar Pradesh.

³[3(A). No person shall erect a fixed engine or catch or de fry, fingerling or fish by using a fixed engine, at any point in river between Bithoor Ferry Ghat, in Kanpur and Sangam at Allahabad]

4. Any apparatus erected or used for fishing in contravention rules and the fish caught by means of such apparatus shall be seizure, removal and forfeiture and any consignment of fish held ported in contravention of these rules shall be liable to be forfeited.

⁴[5. The Uttar Pradesh Fishermen Welfare Fund

(1) The object of making Uttar Pradesh Fishermen Welfare Fund is to make available financial assistance to fishermen and to the welfare and development programmes for welfare of fishermen.

(2) The Uttar Pradesh Fishermen Welfare Fund would operate for fishermen and Machhuara of all districts of the State of Uttar Pradesh. For fulfillment of its objectives, works would be executed by employees of Fisheries Department, Uttar Pradesh and Uttar Pradesh Fishermen Co-operative Federation Limited. The Headquarter of this Fund would be at Fisheries Directorate, 7-Faizabad Road Babujanj, Lucknow.

(3) Assistance would be granted from this fund for the following items -

- (a) establishment of infrastructure facilities in Fishermen (Machhuaras) dominated villages that also includes construction of community hall;
- (b) to provide financial assistance to fishermen/Machhua family in the event of any damage occurred by natural calamities;
- (c) marriage assistance;
- (d) assistance for education (coaching, progression of skill, scholarship etc.);
- (e) medical assistance;

² Ins by "The Uttar Pradesh Fisheries (Development and Control) Second Amendment, Rules 2019 (noti no 26/2019/1675/XVII-MA-2019-6-9(85)/2017 Dated 05 dec, 2019)

³ Added by Noti No-387/XII F-90-1947, Dated 30 may, 1963

⁴ Ins by "The Uttar Pradesh Fisheries (Development and Control) Second Amendment, Rules 2019 (noti no 26/2019/1675/XVII-MA-2019-6-9(85)/2017 Dated 05 dec, 2019)

- (f) old age assistance;
- (g) machhuaavas construction assistance apart from Central Government on the standards fixed by them;
- (h) expenditure up to two percent of total fund on the training/visit of fishermen/Machhua for providing higher technical knowledge, arrangement of interstate visit, skill development, exhibition and seminars;
- (i) empowerment of women of fishermen/Machhua families;
- (j) to provide facility of net for catching fish/equipment's and make available Moped ice box etc. for selling of fish;
- (k) subvention of interest for fisheries short term and long term bank loans/ Fishermen credit card. Subvention rates will be as per decision of State Government of Uttar Pradesh;
- (l) electricity subsidy for aquaculture activities;

No additional amount would be provided beyond the standards prescribed by Central Government /State Government. The establishment of infrastructure facilities would be executed after obtaining the financial sanctions by the competent authority up to the estimated limit submitted by any authorized government agency as per the Public Works Department schedule of rates.

(4) The following would be Financial Sources of this fund;-

- (a) Departmental Budget received from the State Government and the financial assistance from the Central Government or any other organization or body;
- (b) Self-contributory fund received from Public Undertakings of Central/State Government and all nationalized banks;
- (c) Interest received on fund/dividend's/Bonus amount;
- (d) Amount received through charity/donation;
- (e) Nidhi /amount received under different schemes, programs and policies of State Government / Central Government.

(5) The arrangement and operation of Uttar Pradesh Fishermen Welfare Fund would be done by the Managing Committee. The Managing Committee would be as follows:-

- | | |
|--|------------------|
| (a) Agriculture Production Commissioner | Chairman |
| (b) Additional Chief Secretary/ Principal Secretary/
Secretary, Fisheries | Vice Chairman |
| (c) Director, Fisheries | Member Secretary |
| (d) Additional Chief Secretary/ Principal Secretary
/Secretary, Finance Department or officer
nominated by him | Member |
| (e) Chief Engineer or Executive Engineer of Public | |

Works Department nominated by Additional
Chief Secretary/ Principal Secretary/Secretary of
Public Works Department

Member

(f) Managing Director, Uttar Pradesh

MatsyaVikas Nigam Limited, Lucknow.

Member

(g) Managing Director, Uttar Pradesh

MatsyaJiviSahkariSangh Limited, Lucknow

Member

(h) Finance and Accounts Officer,

Fisheries Directorate

Member and Treasurer

(6) The managing Committee will take the decision on the following functions:-

(a) The determination of amount of item-wise financial assistance from Welfare Fund;

(b) The annual activities which will be operated;

(c) Approval of eligibility of beneficiaries and their names;

(d) The sanction of relief/assistance from this fund on new programs for welfare of Fishermen/Machhua;

(e) Decision on the investment amount of fund;

(f) Standardization of programmes which are operating from the assistance of fund;

(g) Decision on dovetailing for the assistance of this fund with any other scheme of Central/State Government;

(h) Decision on expenditure for advertising and extension of the fund from interest earned from the fund.

(7) The quorum of meeting would be fifty percent members apart from the Chairman of Managing Committee. The meeting of Managing Committee would be convened at least twice in a year. In special circumstances the same shall be convened at any time. The period of notice of meeting would be seven days whereas in the event of emergent situation the period of notice would be three days.

(8) Chairman of Managing Committee would have power to release amount of relief by declaring financial assistance in emergent situation as per the provisions contained under the Fund and sanction of which would be approved in the next meeting of Managing Committee. The State Government would have power to double the amount of assistance received from this fund for any activity.

(9) Under special circumstances, the sub-committee under the Chairmanship of Principal Secretary, Fisheries Department would be as follows;

- | | |
|--|------------------|
| (1) Additional Chief Secretary/ Principal Secretary/
Secretary, Fisheries | Chairman |
| (2) Director, Fisheries | Member Secretary |
| (3) Joint Director, Fisheries | Member |
| (4) Finance and Accounts Officer, Fisheries Directorate | Member |

(10) The meeting of sub-committee may be called at any time in emergency, but it is necessary to take post facto approval of managing committee on the decision taken by sub-committee.

(11) The power to give financial sanction up to the approved limit of amount granted by Managing Committee and sub-committee would be vested in Director Fisheries under the powers delegated to Head of Department according to the Financial Hand Book Volume I and up to the financial sanction limit as provided by the State Government orders issued from time to time and power to all financial sanction beyond that limit would be vested in Administrative Department of Uttar Pradesh Government.

(12) Any fishermen/Machhua would get relief only once from one scheme of State Government or Central Government.

(13) For getting assistance from aforesaid fund, application completed in all respect would be submitted to District Magistrate on the prescribed format. After verifying the application, all the formalities would be completed by the fisheries department within one month from the date, the application is received in the department. Eligibility criteria of beneficiaries would be made applicable as per the prescribed eligibility conditions fixed by Revenue Department/ Backward Welfare Department/Social Welfare Department of Uttar Pradesh Government, under Blue Revolution Integrated Development & Management of Fisheries Scheme of Central Government from time to time.

(14) In case the State Government finds that any person is getting assistance by concealing any fact or by fraud then the recovery shall be done as land revenue in accordance with the provision of the Civil Procedure Code.

(15) Accounts of Fund would be maintained regularly and audited by the Department and Auditor General.

(16) An annual report would be sent to the State Government within six months from the beginning of a calendar year in which the list of number of beneficiaries having obtained financial assistance under different schemes as well as scheme-wise and audited details of accounts would be made available.

(17) Accounts would be opened in Nationalized Bank/Post-office as per requirements with the permission of Finance Department, Uttar Pradesh Government. The account would be operated jointly by Director, Fisheries and Finance and Account Officer, Fisheries Directorate. Rupees One Crore would remain deposited in the account opened for providing immediate relief in emergent situation. The interest received on deposited money obtained from other sources would be utilized for activities of fund after sanction of Managing Committee.

(18) Twenty five percent amount of received grant from State Government in every year would be deposited in the account of Bank/Post-office of "RakshitNidhi" so that in the event of non-receipt of government grant in future, activities of the Fund would be operated from its interest.

(19) Financial Power of Fund would be vested in Director, Fisheries.

(20) For proper maintenance of the Fund a unit would be established in

Fisheries Directorate and posting of employees/staff would be made by Director, Fisheries who would execute the works of the unit simultaneously with their works. The following personnel would be posted in the unit:-

(a) Deputy Director, Fisheries	01
(b) Assistant Director, Fisheries, Directorate	01
(c) Assistant Accounts officer, Directorate	01
(d) Additional Statistics Officer, Directorate	01
(e) Fisheries Inspector or Fisheries Development Officer	01
(f) Senior Assistant	01
(g) Junior Assistant	01
(h) Computer Operator	01

(21) The payment of pay/honorarium to contractual employees engaged from Service Provider would be done from the interest received from deposit fund.]⁵

SCHEDULE -A

List of prohibited areas as referred to in rule 3

Notification no.	District	Name of the river	Name of the breeding center or prohibited areas for fishing
G.O.no 778/XIIF 469-1984 dated 11-9-1954	1.Jaunpur	Gomti	The river Gomti with in the limits of Jaunpur district from the village Gajenpur on the western side and up to village Bheree on the far eastern end and all Nallas including the Pilli Nadi connected with this river within these limits.

⁵ Ins by "The Uttar Pradesh Fisheries (Development and Control) Second Amendment, Rules 2019 Ins by "The Uttar Pradesh Fisheries (Development and Control) Second Amendment, Rules 2019 (noti no 26/2019/1675/XVII-MA-2019-6- 9(85)/2017 Dated 05 dec,2019)

		Sai	The river Sai within the limits of Jaunpur district from village Hareepur in Tehsil MachhliShahar at the western end up to village Rajepur, in Tehsil Kerakat .at the confluence of river Sai and Gomti and all the nalas connected with this river with in these limits .
	2.Banaras	Ganga	Kaithi(Ganga,GomtiSangam) to the limits of village Tarpur up to the Nagwa-Ghat and all nalas connecting it.
		Varuna	From RajghatGanga-VarunaSangam up to the northern Railway bridge at Shivpur .
	3.Allahabad	Jamuna	Nihara Ghat to junction of Sasurkhadari Nadi with Jamuna.
		Ganga	DropadiGhat to Sangam .
	4.Mirzapur	Ganga	Sheopur Ghat near Vindhyachal and braini ghat near Kachwa.
	5.Kanpur	Ganga	Four furlongs west of Tajmau ghat .Tajmau Ka Nala and Dabka nala connecting with river Ganga.
	6.Agra	Jamuna	One mile on either side of the Jamuna Bridge in Agra City, one mile on either side of Mau nala and one mile on either side of Kitham Nala, Jharna Nala from one mile above the Bridge on Agra –Tundla Road down to its junction with the Jamuna.
		Khari Nadi	Portion from Terah Mohri to Singharpur bridge on the Agra –Fatehpur Sikri road.
		Band Nadi	One mile on either side of the causeway near village Kohlua.
		UtanganNadi	One mile up and down of the junction of the utangannadi and the jamuna river near village Pendora .
	7.Unnao	Ganga	Water logged areas of river Ganga from Shajani village to shuklaganj. a distance of about 4 miles on either side of Lucknow - Kanpur road including the water logged areas under the ChotiPullia. Barupilia and in village Pipar Khera, Kori and Rajwa Khera. River Ganga one mile on either side of Kanpur bridge .Water logged areas of river Ganga

			from Sahjani turn to Ganga Ghat along Lucknow-Kanpur rail road belonging to Northern Railway.
		Kalyani	Water logged areas of Kalyani river and Ganga in villages Satraham, Baramaula, Kandhai Khera and popularly known as Sureha Tal, Baremaula Tal, and Kandhai Khera Tal.
		Pariar Nadi	Pariar-Ki-Nadia or Nala connected with Kalyani Nadi.
		Bhandi Nadi	Bhandi Nadi from village Nagwa to Korat a distance of about 6 miles.
	8.Ballia	Ganga	Two miles East of Kotwa Ghat ,Kathar Nala and from Haibatpur village at the Sangam of Ganga to the east upto Haldigram. Ditches from Phephna Railway station (N.E.R.) to Reoto station on both side of the railway line for Fingerling collection.
		Ghagra	Haldirampur Nala and two miles east and west of Haldirampur village at the confluence of Ghagra
	9.Kheri	ULL	River ULL between Mathana and Nagar (about 7 miles) the following nallas connecting it. Piparaha Ghat Nala, balu Diha, Chhoran, Gondea Nala, Soth Ghat Seth Chat Nala, purani, Chandmari Chhoron.
		Ghaghi	The portion of Ghaghi river from Behmanour to where it joins the Chauka river about a mile.
		Chauka or Sarda	Within a radius of 3 miles from pachperiGhat including all Nallas located with the said radius and also BhatiyaNala between Sauna and Lodhaur.
		Kandawa	River Kandawa or Kandhala between Pipra Farm and Mechanised State farm, Manjhar and all nallas connecting it.
		Gomti	Within radius of 2 miles from Kalidah.
	10.Lucknow	Gomti	Gaughat to Pipraghat (a distance of about 9 miles including water logged areas of Chiraiya lake, Sikander Bagh, Dalibagh, Bhainsa Kund and LaMartiniere.
	11.Jhansi	Pahuj	From the Railway reservoir near village Athauna upto village Nibi near chirgaon about 5 milies on Bhander road with all nalas connecting it viz, Palipahari, Raksha, Bhadai, Karra Backawali, Burha, (along with Garhmau tank where fingerlings isolates) Nauia and

		Betwa	Gandanala. Portion of river Betwa from village Gursaur (Kisalwansghat) upto Earchh with all the nalas connecting it and stretch of the river in and around village Geora along with the ponds.
		Shahjad	Portion of the river two miles upto the Lalitpur dam and below upto village Samera Dang with the Nalas connecting it
		Sajnam	Portion of the river betweenKhitabans and Sitawan and the Nalas connecting it.
		Jamni	From Chaprat to Bir (where it joins river Dhasan) and the Nalas connecting it.
		Banai	From village Anaurupto village Maraut along with the tank in village Kalyan-pura.
		Dhasan	From DeoriGhatuptoLachuraGhat and the Nalas connecting it.
		Larwan	Three miles above Banka Pahari and down upto Barwar reservoir.
	12.Shahjahan pur	Garrah	From Danyapur to one mile above railway bridge and all nalas connecting it in this portion .
		Khannaut	From Danyapur to one mile above railway bridge and all Nalas connecting it in this portion .
		Ramganga	BijpuraGhat to village Khandhar and all nalas connecting it in this portion.
		SawaiNala	SawaiNala whole length.
		KhandanyaNala	Khandanya Nala whole length.
	13.BaraBanki	Chauka	Water logged areas of river Chauka on either side of the road from Ramnagar to village Mahadeva (about one mile) water logged areas of river Chauka along the Kachcha road from Mahadeva to Badosarai and Kinture village about 2.5 miles Sisuranala connected with river Chauka near Chaukaghat railway Station .Water logged areas of river Chauka popularly known as Putariakund, Bahuniakund , Nauraiva Kund, and Chaukaghat railway Station. Sota Nala connecting Nauraiyakund with river Chauka. Pharhai Bhatauli Nala connected with river Chauka,
		Gomti	Ibrahimabad Nala Kutwa Nala, Babhanpurwa ka Nala connected with Gomti .
		Kalyani	Kalyani Nadi 0.5 mile on either side of

			Safdarganj railway station.
	14.Gonda	Retti	Retti Nadi from chilhata to Sharifabad (a distance about 5 miles.)
		Suon	From Chandey to Pahtiwa a stretch of about 3 miles inclusive of Chandey Tal. Mughal Nala, Berahi Nala reaches of Suon through Nahar, Tawa Gelhapur and Subhapur. Water logged areas of river Suon in villages Nakhnala known as Bhainsahia Tal, Bhagwatpur Banjari, Baluha and Sapahi.
		Rapti	A stretch of 5 miles up and down Sisai Ghat at Balrampur. Water logged areas of river Rapti known as Renuva Khajua and Vainda Tals on Balrampur – Behraich road .
		Terhi	From Tarabganj down stream up to the village Patparganj near Nawabganj and stretches of about 24 miles water logged areas of Tehri river known as Jhilia.
	15.Sultanpur	Gomti	River Gomti from Katawan to Hethia a stretch of 7 miles Gandanala discharging city drainage water into river Gomti. Two tributaries of Chunha Nala one from Hasanpur to Chunha and the other from Utri village to Kundwar Pull and discharging in to the river Gomti, stretch of 7 miles. Hathianala from Gharaha village to its confluence with river Gomti a stretch of 1 mile. Basurdhinala from village Basurdhi to its confluence with river Gomti, a stretch of 4 furlongs Jamuaria Nala from Saffullaganj to its confluence with river Gomti a stretch of 4 furlongs . Khadaryanala from village Katawan to its confluence with river Gomti. Manharanala from village Amkal to its confluence with river Gomti a stretch of 4 furlongs Agaikanala from village Agai to its confluence with river Gomti. Dudhyanala from Police line and Chunha village to its confluence with river Gomti. Water logged areas of river Gomti known as Golaghat on either side of Kharkhane village and the waters behind Deputy commissioner's bungalow. Water logged areas of river Gomti in village Aman and Bhadra. Water logged areas of river Gomti in village Jejour. Mian or ParenjotkaChhoran of river Gomti

<p>G.O.no 907/XII-F dated 16-10- 1957 G.O.NO.622/ XII-F-88-54 dated 1-9-1960</p>	16.Partapgarh	Sai	<p>village Main Narhi and Parenjot.</p> <p>River Saifrom Dardehlamau to Karbala a stretch of 7 miles . Chaphaila Nala from Mohli and Nawabganj to Sai a stretch of 2 miles . Baraich-Chihia to sai, a stretch of one mile T illai Deh-ka-nala from Idgah to sai. Gulranala from Patakpurwa to Sai, a stretch of 5 furlongs. Ganda Nala discharging city drainage water into Sai Nala Belhamai temple.</p>
	17.Faizabad	Bakulahi Ghaghra	<p>From vishwanathganj village to Sai. From Miranghat to Fatehpur Sariyayan.</p>
		Tons	<p>From Mirazapur to Johardih at Akbarpur .</p>
	18.Bareilly	Ram Ganga	<p>From Fatehganj (West) down to pontoon bridge near village Chanbari in Tehsil Bareilly and one mile lower down.</p>
		GallotNadi	<p>From village Salehnager down to its confluence with RamGanga near village Kundra in Tehsil Bareilly.</p>
	19.Meerut	Jamuna	<p>From Ghoripur down to Baghpat Katha upto Delhi border .</p>
		Hindon	<p>Three miles on either side of Hindon bridge on Meerut Baghpatroad , including the back waters near village Baleni i.e. Peerwala , Dalso- Khera Dhaulri.</p>
	20.Farrukhabad	Ganga	<p>One mile on either side of QulaGhat. Bargadhiaghat to Kutcheryghat (excluding the immediate vicinity of the ghats) Military nala near Oila Ghat Garhia Khaley near the Kutchery in Farrukhabad , half mile on either side of 'Katri' opposite to Bargadhiaghat across the Sot (water channel).</p>
	Jhansi	Pahuj	<p>Portion of river originating from Pahuj reservoir upto two miles below the Pahuj Dam.</p>
	Goarkhpur	Rapti	<p>River Rapti with in the limits of Gorakhpur district from Dhanu Bazar in the North up to Gajpur in the South (in Ransgaon tehsil) with all the nalas and water logged areas (including Hanumangarhi, Rajghat, Fehrampur, Durwar and Chakla Mahewa) connected with this river within these limits.</p>
	Rohni	<p>River Rohni with in the limits of Gorakhpur district from Tal knadi upto Gorakhpur with all nalas and water logged areas including areas of Domnagarh (belonging to</p>	

G.O.no 1218/XII-F-97- 62 dated 6-5- 1965	Basti	JhanjhumNala	N.E.Railway) connected with this river with in these limits . Whole length in Gorakhpur district.
		Jaiti Nala	Whole length in Gorakhpur district.
		Gorra Nala	Whole length in Gorakhpur district
		Ami	With in the jurisdiction of Gorakhpur district
		Rapti	River Rapti with in the limits of Basti district from Domariganj to Phanghatiya ghats (in Bansi Tehsil) with all nalas and water logged areas connected with the river with in these limits.
	Moradabad	RamGanga	Railway bridge situated at Kathgrha two miles on either side up and down stream.
		Ganga	Both the bridges one mile on either side of the Moradabad-Chandausi-Smabhal road and

