



GOVERNMENT OF PUDUCHERRY

Abstract

Chief Secretariat (Fisheries) – Guidelines for release of captured foreign fishermen and their fishing boats – Orders – Issued.

CHIEF SECRETARIAT (FISHERIES)

G.O.Ms.No.18/Fy

Pondicherry the

15 DEC 2014

- READ: 1. D.O.No.1/23/2014-Coastal Security dated 25th October, 2014 of Secretary (Border Management), Ministry of Home Affairs, Government of India.
2. I.D.No.11-C/Fy/Mech/JIC/14-15 dated 04.11.2014 of the Director of Fisheries and Fishermen Welfare, Puducherry.

ORDER:

India has a vast coast line of about 7516 Km. bordering the mainland and islands and the foreign vessels at times cross the International Maritime Boundary Line (IMBL) and get apprehended along with their crew, equipments, etc.

The need for setting up of a Joint Interrogation Team Mechanism in all coastal States on the model of Tamil Nadu for streamlining the procedure for release of captured foreign fishing cargo, boats, fishermen, etc., has figured in the meeting held under the chairmanship of Principal Secretary to Prime Minister on 24.09.2014 during discussion on India-Sri Lankan fishermen issue.

The Secretary (Border Management), Ministry of Home Affairs, Government of India, New Delhi in communication dated 25.10.2014 has also emphasised the need for setting up such a mechanism by this Administration to expedite early release of fishermen.

The Lieutenant-Governor, Puducherry with a view to streamline the procedure in regard to release of captured foreign vessels, fishermen, etc., is pleased to order the appointment of Nodal Officers, appointment of Joint Interrogation Committee and Standing Committee together with the functions to be performed by them and for matters connected therewith as hereunder:-

1. Nodal Officer:

(1) The Secretary to Government (Fisheries), Puducherry shall be the Nodal Officer at the State Level to liaise with the Agencies such as Coast Guards, Customs, Intelligence Bureau, State Police, etc. He would be responsible for co-ordinating the activities of different agencies at the State level involved in giving clearances to such foreign fishing boats / fishermen.

(2) The Nodal Officer will also discharge the following functions:

(i) Prompt communication to the Central Government regarding details of fishing boats / fishermen apprehended.

(ii) Coordinate for timely completion of joint interrogation and communication of its report with the recommendation of State Government to the Central Government.

(iii) Sorting out any differences between the different agencies at the field level

(iv) The Nodal Officer will liaise with different concerned agencies such as Coast Guards, Customs, Intelligence Bureau and Special Branch of State / U.T. Police, etc. and have a periodical review, preferably once in a fortnight, to update the statistical data and to review the progress on action taken on such fishing boats / fishermen apprehended.

(3) The District Collector and the District Magistrate of Puducherry & Karaikal shall be the Nodal Officer for their respective District, for co-ordinating the joint interrogation comprising officials of Customs, Coast Guards, State Police (Special Branch), Intelligence Bureau, Fisheries Department, etc. The District Nodal Officer would also ensure timely convening of the joint interrogation and the communication of its findings to the State Government.

2. Joint Interrogation Committee:

The Members of the Joint Interrogation Committee for the Puducherry and Karaikal Districts are:

District Collector	-	Chairman
Superintendent of Customs, Karaikal / Deputy Commissioner (Customs), Puducherry.	-	Member
Commandant / Asst. Commandant, Indian Coast Guard of respective Districts.	-	Member
Superintendent of Police (Coastal Security) for Puducherry and Superintendent of Police (Karaikal) for Karaikal District.	-	Member
Incharge Officer of Q Branch of neighbouring State - of Tamil Nadu.	-	Member
An official from Intelligence Bureau	-	Member
Deputy Director of Fisheries (Mech) for Puducherry - / Deputy Director of Fisheries, Karaikal / Asst. Director of Fisheries (Mahe and Yanam).	-	Member Secretary

The Joint Interrogation Committee (JIC) shall meet within a week of the apprehending of the foreign fishing boats / fishermen to finalise its findings. The Joint Interrogation Committee, in case of necessity, may arrange for a Translator and the Joint Interrogation Committee will submit its findings and recommendations to the U.T. Government promptly.

3. Standing Committee:

(1) A Standing Committee shall be constituted with the following as its member to have a periodical review of the progress on the action taken on foreign fishing boats / fishermen apprehended.

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| 1. Secretary to Government (Fisheries) | - | Chairman |
| 2. Deputy Inspector General of Police, Puducherry | - | Member |
| 3. Commandant, Indian Coast Guard, Puducherry | - | Member |
| 4. Asst. Director, Intelligence Bureau, Puducherry | - | Member |
| 5. Superintendent of Police, Special Branch of U.T. of Puducherry Police. | - | Member |
| 6. Senior Superintendent of Police (C&I), Puducherry. | - | Member |
| 7. The Director of Fisheries and Fishermen Welfare, Puducherry. | - | Member Secretary |

(2) The Standing Committee shall have its meeting once in a month. The Committee may however have its meeting at shorter intervals based on the need that may arise.

4. Apprehension of foreign fishermen, etc., their release and repatriation:

1. The foreign fishermen are apprehended for entering into Indian territorial waters.
2. Upon apprehending, the fishermen and their fishing boat(s) are handed over to the local Police. The fish catches are auctioned and the sale proceeds are deposited in Courts. The boats are kept under the custody of Police / Authority.

3. Upon arrival at the Port / Fishing Harbour, all Intelligence Agencies of the Government will make necessary investigations on the spot on the apprehended fishing boat and fishermen.

4. The apprehended fishermen will be kept under the care of local Police and to be remanded and kept in jail.

5. Apprehending and remanding of foreign fishermen will be communicated promptly to State Government by the Police Department.

6. Police Department will coordinate with the State Government, for release order of apprehended fishermen and their boats. Wherever the fishing boats and fishermen are suspected or found to have indulged in smuggling and other related undesirable activities, clearance from customs, narcotics division, etc., as the case may be, should be specifically obtained for release of such foreign fishing boats / fishermen.

7. Based on the release order by State Government, the Fisheries Department will coordinate with the Ministry of External Affairs (MEA), New Delhi for issue of No Object Certificate (NOC) in the matter.

8. On receipt of clearance from the MEA, New Delhi, the Fisheries Department will coordinate with Police Department for repatriation, who in turn will coordinate with ICG.

9. The ICG will propose the schedule of repatriation to the counterparts.

10. The apprehended boat is inspected and issued with a certificate of Seaworthiness by a Nationalized Insurance Company arranged by the Department of Fisheries and other formalities are completed before repatriation.

11. Upon receipt of the schedule of repatriation from Indian Coast Guard, the apprehended boat and fishermen are handed over to the ICG for repatriation by local police.

12. After handing over, the fact will be communicated to the State Government for information and thereafter to MEA, New Delhi through Fisheries Department.

5. Time Schedule:

The following time schedule shall be observed for different stages of action to be taken (all times from day 1 of apprehending of foreign boats / nations):

- I. Report of apprehending of foreign boats / fishermen - Within 48 hrs. through Fax/E-mail, etc.
- II. Conduct of Joint Interrogation and communication - Within 15 days
- III. Communication of the comprehensive report and specific recommendation by State Government to Government of India. - Within 30 days

/BY ORDER OF THE LIEUTENANT – GOVERNOR/


(S. SREENIVASAN) 5/12/14
**UNDER SECRETARY TO GOVERNMENT
(FISHERIES)**

To

- 1 The Director of Stationary and Printing – with a request to publish the same in the next issue of the Official Gazette and to supply 100 copies to the department for reference and record.
- 2 ✓ The Director, Directorate of Information Technology, Puducherry. -- with a request to host the same in the Govt. website.

Copy to:

1. The District Collector, Puducherry/Karaikal.
2. The Deputy Inspector General of Police, Puducherry.
3. The Director of Fisheries and Fishermen Welfare, Puducherry.
4. The Commandant, Indian Coast Guard, Puducherry.
5. The Officer In-charge, Indian Coast Guard, Puducherry/Karaikal.
6. The Assistant Director, Intelligence Bureau, Puducherry.
7. The Senior Superintendent of Police, (C&I), Puducherry.
8. The Superintendent of Police(Special Branch/Coastal Security/Karaikal).
9. The Deputy Commissioner(Customs), Puducherry.
10. The Superintendent of Customs, Karaikal.
11. The Deputy Director of Fisheries & Fishermen Welfare(Mechanization/Karaikal).
12. The Assistant Director of Fisheries, Mahe/Yanam.
13. G.O./Spare file.