

IndiaCode

The Maritime Zones of India (Regulation of Fishing by Foreign Vessels) Act, 1981

(ACT NO. 42 OF 1981)

[*As on the* 20*th June*, 2026]

AMENDMENT ACT

1. The *Jan Vishwas* (Amendment of Provisions) Act, 2026 (8 of 2026).

LIST OF ABBREVIATIONS USED

Cl., cls.	. . . . .	*for*	Clause, clauses.
Ins.	. . . . .	,,	Inserted.
Notifn.	. . . . .	,,	Notification.
S., ss.	. . . . .	,,	Section, sections.
Sch.	. . . . .	,,	Schedule.
Subs.	. . . . .	,,	Substituted.
w.e.f.	. . . . .	,,	with effect from.

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THE MARITIME ZONES OF INDIA (REGULATION OF FISHING BY FOREIGN VESSELS) ACT, 1981

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THE MARITIME ZONES OF INDIA (REGULATION OF FISHING BY FOREIGN VESSELS) ACT, 1981

ACT NO. 42 OF 1981

[28*th September*, 1981.]

An Act to provide for the regulation of fishing by foreign vessels in certain maritime zones of India and for matters connected therewith.

BE it enacted by Parliament in the Thirty-second Year of the Republic of India as follows:—

CHAPTER I

PRELIMINARY

1. Short title and commencement.—(*1*) This Act may be called the Maritime Zones of India (Regulation of Fishing by Foreign Vessels) Act, 1981.

(*2*) It shall come into force on such date[1] as the Central Government may, by notification in Official Gazette, appoint:

Provided that different dates may be appointed for different provisions of this Act and any reference in any such provisions to the commencement of this Act shall be construed as a reference to the coming into force of that provision.

2. Definitions.—In this Act, unless the context otherwise requires,—

(*a*) "exclusive economic zone of India" means the exclusive economic zone of India in accordance with the provisions of section 7 of the Territorial Waters, Continental Shelf, Exclusive Economic Zone and other Maritime Zones Act, 1976 (80 of 1976).

(*b*) "fish" means any aquatic animal, whether piscine or not, and includes shell fish, crustacean, molluscs, turtle (*chelonia*), aquatic mammal (the young, fry, eggs and spawn thereof), *holothurians*, coelenterates, sea weed, coral (*porifera*) and any other aquatic life;

(*c*) "fishing" means catching, taking, killing, attracting or pursuing fish by any method and includes the processing, preserving, transferring, receiving and transporting of fish;

(*d*) "foreign vessel" means any vessel other than an Indian vessel;

(*e*) "Indian vessel" means—

(*I*) a vessel owned by Government or by a corporation established by a Central Act or a Provincial or State Act, or

(*II*) a vessel—

(*i*) which is owned wholly by persons to each of whom any of the following descriptions applies:—

(*1*) a citizen of India;

(*2*) a company in which not less than sixty per cent. of the share capital is held by citizens of India;

(*3*) a registered co-operative society every member whereof is a citizen of India or where any other co-operative society is a member thereof, every individual who is a member of such other co-operative society is a citizen of India; and

(*ii*) which is registered under the Merchant Shipping Act, 1958 (44 of 1958), or under any other Central Act or any Provincial or State Act.

Explanation.—For the purposes of this clause, "registered co-operative society" means a society registered or deemed to be registered under the Co-operative Societies Act, 1912 (2 of 1912), or any other law relating to co-operative societies for the time being in force in any State;

1. 2nd November, 1981, *vide* notification No. S.O. 782(E), dated 31st October, 1981, *see* Gazette of India, Extraordinary, Part II, sec. 3(*ii*).

(*f*) "licence" means a licence granted under section 4;

(*g*) "maritime zones of India" means the territorial waters of India or the exclusive economic zone of India;

(*h*) "master", in relation to a vessel, means the person for the time being having command or charge of the vessel;

(*i*) "owner", in relation to a vessel, includes any association of persons, whether incorporated or not, by whom the vessel is owned or chartered;

(*j*) "permit" means a permit granted or deemed to have been granted under section 5;

(*k*) "prescribed" means prescribed by rules made under this Act;

(*l*) "processing", in relation to fishing includes cleaning, beheading, filleting, shelling, peeling, icing, freezing, canning, salting, smoking, cooking, pickling, drying and otherwise preparing or preserving fish by any other method;

(*m*) "specified ports" means such ports as the Central Government may, by notification in the Official Gazette, specify for the purposes of this Act;

(*n*) "territorial waters of India" means the territorial waters of India in accordance with the provisions of section 3 of the Territorial Waters, Continental Shelf, Exclusive Economic Zone and other Maritime Zones Act, 1976 (80 of 1976);

(*o*) "vessel" includes any ship, boat, sailing vessel or other description of vessel.

CHAPTER II

REGULATION OF FISHING BY FOREIGN VESSELS

3. Prohibition of fishing in maritime zones of India by foreign vessels.—Subject to the provisions of this Act, no foreign vessel shall, except under and in accordance with—

(*a*) a licence granted under section 4; or

(*b*) a permit granted under section 5,

by the Central Government, be used for fishing within any maritime zone of India.

4. Grant of licences.—(*1*) The owner of a foreign vessel or any other person [not being in either case any person to whom any of the descriptions specified in sub-items (*1*) to (*3*) of item (*i*) of sub-clause (*II*) of clause (*e*) of section 2 applies] who intends to use such vessel for fishing within any maritime zone of India, may make an application to the Central Government for the grant of a licence.

(*2*) Every application under sub-section (*1*) shall be in such form and shall be accompanied by such fees as may be prescribed.

(*3*) No licence shall be granted unless the Central Government, having regard to such matters as may be prescribed in the public interest in this behalf and after making such inquiry in respect of such other matters as may be relevant, is satisfied that the licence may be granted.

(*4*) Every order granting or rejecting an application for the issue of a licence shall be in writing.

(*5*) A licence granted under this section—

(*a*) shall be in such form as may be prescribed;

(*b*) shall be valid for such areas, for such period, for such method of fishing and for such purposes as may be specified therein;

(*c*) may be renewed from time to time; and

(*d*) shall be subject to such conditions and restrictions as may be prescribed and to such additional conditions and restrictions as may be specified therein.

(*6*) A person holding a licence under this section shall ensure that every person employed by him complies, in the course of such employment, with the provisions of this Act, or any rule or order made thereunder and the conditions of such licence.

5. Prohibition of fishing by Indian citizens, etc., using foreign vessels.—(*1*) Every Indian citizen and every person to whom any of the descriptions specified in sub-item (*2*) or (*3*) of item (*i*) of sub-clause (*II*) of clause (*e*) of section 2 applies, who intends to use any foreign vessel for fishing within any maritime zone of India, may make an application to the Central Government for a permit to use such vessel for such purpose.

(*2*) Every application under sub-section (*1*) shall be made in such form and shall be accompanied by such fees as may be prescribed.

(*3*) No permit shall be granted unless the Central Government, having regard to such matters as may be prescribed in the public interest in this behalf and after making such inquiry in respect of such other matters as may be relevant, is satisfied that the permit may be granted.

(*4*) Every order granting or rejecting an application for the grant of such permit shall be in writing.

(*5*) A permit granted under this section—

(*a*) shall be in such form as may be prescribed;

(*b*) shall be valid for such areas, for such period, for such method of fishing and for such purposes as may be specified therein;

(*c*) may be renewed from time to time; and

(*d*) shall be subject to such conditions and restrictions as may be prescribed and to such additional conditions and restrictions as may be specified therein.

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(*6*) A person holding a permit under this section shall ensure that every person employed by him complies, in the course of such employment, with the provisions of this Act or any rule or order made thereunder and the conditions of such permit.

(*7*) Notwithstanding anything contained in the foregoing provisions of this section, or in section 3, any permission granted to an Indian citizen to use or employ foreign fishing vessels in any maritime zone of India and in force immediately before the commencement of this Act shall, if the terms and conditions of such permission are not inconsistent with the provisions of this Act, be deemed to be a permit granted under this section and such permission shall continue to be in force after such commencement on the same terms and conditions, including the conditions as to the area of operation and the period of its validity, and the provisions of this Act shall, so far as may be, apply to such permission.

6. Cancellation or suspension of licence or permit.—(*1*) The Central Government may, if there is any reasonable cause to believe that the holder of any licence or permit has made any statement in, or in relation to, any application for the grant or renewal of such licence or permit which is incorrect or false in material particulars or has contravened any of the provisions of this Act or any rule or order made thereunder or of the provisions of any licence or permit or any conditions or restrictions specified therein, suspend such licence or permit, as the case may be, pending the completion of any inquiry against such holder for making such incorrect or false statement or for such contravention, as the case may be.

(*2*) Where the Central Government is satisfied, after making such inquiry as is necessary, that the holder of any licence or permit has made such incorrect or false statement as is referred to in sub-section (*1*) or has contravened the provisions of this Act, rule or order made thereunder or of the provisions of any licence or permit or any conditions or restrictions specified therein, it may, without prejudice to any other penalty to which such holder may be liable under the provisions of this Act, cancel such licence or permit, as the case may be.

(*3*) Every person whose licence or permit has been suspended under sub-section (*1*) shall, immediately after such suspension, stop using the foreign fishing vessel in respect of which such licence or permit is given and shall not resume such fishing until the order of suspension has been revoked.

(*4*) Every holder of a licence or permit which is suspended or cancelled shall, immediately after such suspension or cancellation, surrender such licence or permit, as the case may be, to the Central Government.

7. Foreign vessel entering maritime zones of India without licence or permit to stow gear.—Where any foreign vessel enters any maritime zone of India without a valid licence or permit granted under this Act, the fishing gear, if any, of such vessel shall, at all times while it is in such zone, be kept stowed in the prescribed manner.

8. Fishing for scientific research, investigation, etc.—Notwithstanding anything contained in section 3, the Central Government may, in writing, permit a foreign vessel to be used for fishing within any maritime zone of India for the purpose of carrying out any scientific research or investigation or for any experimental fishing in accordance with such terms and conditions as may be prescribed.

CHAPTER III

POWERS OF SEARCH AND SEIZURE

9. Authorised officers and their powers.—(*1*) Any officer of the Coast Guard constituted under the Coast Guard Act, 1978 (30 of 1978), or such other officer of Government as may be authorised by the Central Government may, for the purpose of ascertaining whether or not the requirements of this Act have been complied with, either with or without a warrant,—

(*a*) stop or board a foreign vessel in any maritime zone of India and search such vessel for fish and for equipment used or capable of being used for fishing;

(*b*) require the master of such vessel to produce—

(*i*) any licence, permit, log book or other document relating to the vessel and examine or take copies of such licence, permit, log book or document;

(*ii*) any catch, net, fishing gear or other equipment on board such vessel or belonging to the vessel and examine such fish, net, gear or equipment;

(*c*) make such inquiries as may be necessary to ascertain whether any offence under this Act has been committed.

(*2*) Where the officer referred to in sub-section (*1*) (hereinafter referred to as authorised officer) has reason to believe that any foreign vessel has been, is being, or is about to be, used for committing an offence under this Act, he may, with or without a warrant,—

(*a*) seize and detain such vessel, including any fishing gear, fish, equipment, stores or cargo found on board such vessel or belonging to the vessel, and seize and detain any fishing gear abandoned by the vessel;

(*b*) require the master of the vessel so seized or detained to bring such vessel to any specified port;

(*c*) arrest any person who, such officer has reason to believe, has committed such an offence.

(*3*) In taking any action under sub-section (*2*), the authorised officer may use such force as may be reasonably necessary.

(*4*) Where any vessel or other things are seized, or any person has been arrested, under sub-section (*2*),—

(*a*) the vessel or other things so seized shall, as soon as possible, be produced before a Magistrate competent to try an offence under this Act who shall make such order as he may deem fit for the retention or custody of such vessel or things with Government or with any other authority pending the completion of any proceedings for the prosecution of any offence under this Act or for its use by such authority during such retention or custody on such terms and conditions as the Magistrate may think fit to impose:

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Provided that the Magistrate may, on an application made by the owner or master of such vessel in the prescribed form, order the release of the vessel or other things so seized on the owner or master furnishing security in the form of cash or a bank guarantee for an amount not less than fifty per cent. of the value of the vessel or things so seized:

Provided further that where any fish so seized is subject to deterioration, the Magistrate may authorise the sale of such fish and the depositing of the proceeds of such sale in Court;

(*b*) the arrested person shall, as soon as possible, be informed of the grounds for such arrest and he shall, without unnecessary delay, be produced before such Magistrate; and

(*c*) the Central Government shall be informed of such seizure or arrest and the details thereof.

(*5*) Where, in pursuance of the commission of any offence under this Act, any foreign vessel is pursued beyond the limits of the exclusive economic zone of India, the powers conferred on an authorised officer by this section may be exercised beyond such limits in the circumstances and to the extent recognised by international law and State practice.

CHAPTER IV

OFFENCES AND PENALTIES

10. Penalty for contravention of section 3.—Where any foreign vessel is used in contravention of the provisions of section 3, the owner or master of such vessel shall,—

(*a*) in a case where such contravention takes place in any area within the territorial waters of India, be punishable with imprisonment for a term not exceeding three years or with fine not exceeding rupees fifteen lakhs or with both; and

(*b*) in a case where such contravention takes place in any area within the exclusive economic zone of India, be punishable with fine not exceeding rupees ten lakhs.

11. [*Penalty for contravention of licence*.]—*Omitted by the Jan Vishwas (Amendment of Provisions) Act, 2026 (8 of 2026), s. 2 and Sch. (w.e.f. 20.06.2026).*

12. [*Penalty for contravention of permit*.]—*Omitted by the Jan Vishwas (Amendment of Provisions) Act, 2026 (8 of 2026), s. 2 and Sch. (w.e.f. 20.06.2026).*

13. Confiscation of vessels, etc.—(*1*) Where any person is convicted of an offence under section 10 [1]***, the foreign vessel used in or in connection with the commission of the said offence, together with its fishing gear, equipment, stores and cargo and any fish on board such ship or the proceeds of the sale of any fish ordered to be sold under the second proviso to clause (*a*) of sub-section (*4*) of section 9 shall also be liable to confiscation.

(*2*) The foreign vessel or other things confiscated under sub-section (*1*) shall vest in the Central Government.

14. Penalty for contravention of section 7.—Where any foreign vessel is found in any maritime zone of India in contravention of the provisions of section 7, the owner or master of such vessel shall be punishable with fine not exceeding rupees five lakhs.

15. Penalty for obstruction of authorised officers.—If any person—

(*a*) intentionally obstructs any authorised officer in the exercise of any powers conferred under this Act; or

(*b*) fails to afford reasonable facilities to the authorised officer or his assistants to board the vessel or to provide for adequate security to such officer and assistants at the time of entry into the vessel or when they are on board such vessel; or

1. The words "or section 11 or section 12" omitted by Act 8 of 2026, s. 2 and Sch. for (w.e.f. 20.06.2026).

(*c*) fails to stop the vessel or produce the licence, permit, log book or other document or any fish, net, fishing gear or other equipment on board such vessel, when required to do so by the authorised officer,

he shall be punishable [1][with fine not exceeding rupees thirty-five lakh for vessels of less than twenty-four meters overall length and rupees seventy-five lakh for vessels of twenty-four metres or more overall length].

16. Court to pass certain orders.—Where any person is convicted of an offence under this Act, the Court may, in addition to awarding any punishment, order that any costs incurred in connection with the retention or custody of the vessel during the pendency of any proceedings for the prosecution of an offence under this Act, as reduced by the amount, if any, realised out of the use of the vessel by the authority with whom such vessel was retained or kept in custody, shall be payable by the person convicted.

17. Offences by companies.—(*1*) Where an offence under this Act has been committed by a company, every person who, at the time the offence 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 offence and shall be liable to be proceeded against and punished accordingly:

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

(*2*) Notwithstanding anything contained in sub-section (*1*), where an offence under this Act has been committed by a company and it is proved that the offence 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 of the company, such director, manager, secretary or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation.—For the purposes of this section,—

(*a*) "company" means a 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

18. Offences to be cognizable.—Notwithstanding anything contained in the Code of Criminal Procedure, 1973 (2 of 1973), every offence punishable under this Act shall be cognizable.

19. Cognizance and trial of offences.—(*1*) No Court shall take cognizance of any offence punishable under this Act except on a report in writing of the facts constituting such offence made by an authorised officer.

(*2*) No Court inferior to that of a Metropolitan Magistrate or a Judicial Magistrate of the first class shall try any offence under this Act.

20. Magistrate's power to impose enhanced penalties.—Notwithstanding anything contained in section 29 of the Code of Criminal Procedure, 1973 (2 of 1974), it shall be lawful for any Metropolitan Magistrate or any Judicial Magistrate of the first class specially empowered by the State Government in this behalf to pass any sentence authorised by this Act.

21. Place of trial.—Any person committing an offence under this Act or any rules made thereunder may be tried for the offence in such place as the Central Government may, by general or special order, published in the Official Gazette, direct in this behalf.

1. Subs. by Act 8 of 2026, s. 2 and Sch. for certain words (w.e.f. 20.06.2026).

22. Presumptions.—(*1*) Where any offence is alleged to have been committed under the provisions of this Act, the place of commission of such offence shall be presumed on the basis of the certified copy of the relevant entry in the log book or other official record of the vessel or aircraft which was used in connection with the detection of the offence.

(*2*) Where any foreign vessel is found within any maritime zone of India and the fishing gear of such vessel is not stowed in the prescribed manner or fish is found on board such vessel, it shall be presumed, unless the contrary is proved, that the said vessel was used for fishing within that zone.

23. Protection of action taken in good faith.—(*1*) No suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done or intended to be done in pursuance of the provisions of this Act.

(*2*) No suit or other legal proceeding shall lie against the Government for any damage caused or likely to be caused for anything which is in good faith done or intended to be done in pursuance of the provisions of this Act.

24. Act to supplement other laws.—The provisions of this Act shall be in addition to and not in derogation of the provisions of any other law for the time being in force.

25. Power to make rules.—(*1*) The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

(*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*) the form in which an application for a licence or permit may be made and the fees that shall accompany such application;

(*b*) the matters which may be taken into account in the granting of licences and permits;

(*c*) the form of licences and permits and the conditions and restrictions subject to which licences and permits may be granted;

(*d*) the manner in which the fishing gear of a foreign vessel shall be kept stowed under section 7;

(*e*) the terms and conditions under which a foreign vessel may be permitted to be used for fishing within any maritime zone of India for the purpose of carrying out any scientific research or investigation or for any experimental fishing under section 8;

(*f*) the form in which an application may be made for releasing the vessel or other things seized under the first proviso to clause (*a*) of sub-section (*4*) of section 9;

(*g*) any other matter which is required to be, or may be, prescribed.

(*3*) In making any rule under this section, the Central Government may provide that a contravention thereof shall be punishable with fine which may extend to fifty thousand rupees.

(*4*) Every rule made under this section 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.

26. Removal of difficulties.—(*1*) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order published in the Official Gazette, make such provisions not inconsistent with the provisions of this Act as may appear to it to be necessary for removing the difficulty :

Provided that no order shall be made under this section after the expiry of three years from the commencement of this Act.

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

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STATEMENT OF OBJECTS AND REASONS

The Territorial Waters, Continental Shelf, Exclusive Economic Zone and other Maritime Zones Act, 1976, defines the scope and extent of the different maritime zones of India and provides for the exploration, exploitation and protection of the resources in the continental shelf and exclusive economic zone. That Act was in the nature of an umbrella legislation and it was envisaged that separate legislation for dealing in greater detail with the regulation, exploration and exploitation of particular resources in our maritime zones should be undertaken in due course.

2. There has been an increase in poaching activities of foreign fishing vessels in our exclusive economic zone. There have also been instances of foreign fishing vessels chartered by Indian parties indulging in such activities. To prevent such activities and to protect our fishermen from the hardship caused by poaching vessels, it is necessary to regulate fishing activities by foreign fishing vessels and to provide for deterrent punishment by way of heavy fines and confiscation of foreign fishing vessels engaged in such activities. The Bill seeks to regulate fishing activities of foreign fishing vessels in the territorial waters of India and the exclusive economic zone of India.

3. The following are the salient features of the Bill:—

(*i*) No foreign vessel shall be used for fishing within any maritime zone of India except under and in accordance with a licence or a permit granted under the provisions of the Bill. The owner of such vessel or any foreigner wishing to use such vessel has to obtain a licence while an Indian citizen wishing to use such vessel has to obtain a permit.

(*ii*) Officers of the Coast Guard and any officer of Government authorised by it in this behalf would be competent to stop or board a foreign fishing vessel in any maritime zone and search such vessel for ascertaining whether or not the requirements of the legislation have been complied with. Such officers will also have the power to seize and detain such vessel and to require the master of the vessel to bring such vessel to any ports specified by the Government in this behalf. The officers will also have the power to arrest any person who is suspected to have committed an offence.

(*iii*) The Bill provides for heavy penalties for the use of any foreign vessel for fishing in any maritime zone of India without a valid licence or permit and also for confiscation of such vessel.

(*iv*) Provision has been made in the Bill for the custody of the foreign vessel impounded by the authorised officer during the pendency of prosecution.

4. The Bill seeks to achieve the above objects.

NEW DELHI;
The 5*th May*, 1981.

RAO BIRENDRA SINGH.