

15 -ാം കേരള നിയമസഭ

16 -ാം സമ്മേളനം

നക്ഷത്ര ചിഹ്നം ഇല്ലാത്ത ചോദ്യം നം. 1181

02-02-2026 - ൽ മറുപടിയ്ക്ക്

കേന്ദ്രസർക്കാരിന്റെ മത്സ്യബന്ധന നയ പരിഷ്കരണം

ചോദ്യം		ഉത്തരം	
<p align="center">ശ്രീ ഇ ചന്ദ്രശേഖരൻ, ശ്രീ പി എസ് സുപാൽ, ശ്രീ . മുഹമ്മദ് മുഹസിൻ, ശ്രീ പി. ബാലചന്ദ്രൻ</p>		<p align="center">ശ്രീ സജി ചെറിയാൻ (മത്സ്യബന്ധനം, സാംസ്കാരികം, യുവജനകാര്യ വകുപ്പ് മന്ത്രി)</p>	
(എ)	<p>കേരളതീരത്തെ ആഴക്കടലിലും തീരക്കടലിലും വിദേശ ടോളറുകൾ ഉൾപ്പെടെയുള്ള മത്സ്യബന്ധനയാനങ്ങൾക്ക് ടോളിംഗ് നടത്തുന്നതിന് അനുമതി നൽകുന്ന തരത്തിൽ മത്സ്യബന്ധന നയം കേന്ദ്രസർക്കാർ പരിഷ്കരിച്ചത് ശ്രദ്ധയിൽപ്പെട്ടിട്ടുണ്ടോ; വിശദീകരിക്കുമോ;</p>	(എ)	<p>കേന്ദ്ര സർക്കാർ The Sustainable Harnessing of Fisheries in the Exclusive Economic Zone Rules, 2025 പുറപ്പെടുവിച്ചത് ശ്രദ്ധയിൽപ്പെട്ടിട്ടുണ്ട്. പ്രസ്തുത ചട്ടങ്ങളിൽ മധ്യകടലിൽ ഫാക്ടറി കപ്പലുകൾ ഉൾപ്പെടെയുള്ള മദർ വെസലുകൾ മുഖേന ട്രാൻസ്ഷിപ്പ്മെന്റ് അനുവദിക്കുന്നതിന് വ്യവസ്ഥ ചെയ്തിട്ടുണ്ട്. ഇത് Illegal, Unreported and Unregulated (IUU)-മായ മത്സ്യബന്ധനത്തിനും വിദേശ യാനങ്ങളുടെ കടന്ന് വരവിനും കാരണമാകാനിടയുണ്ട്.</p>
(ബി)	<p>കേന്ദ്രസർക്കാർ നടപ്പിലാക്കാൻ ഉദ്ദേശിക്കുന്ന പുതുക്കിയ മത്സ്യബന്ധന നയം സംസ്ഥാനത്തെ പരമ്പരാഗത മത്സ്യത്തൊഴിലാളികൾക്കുണ്ടാക്കിയിട്ടുള്ള ആശങ്കകൾ കേന്ദ്രസർക്കാരിന്റെ ശ്രദ്ധയിൽപ്പെടുത്തിയിട്ടുണ്ടോ; വിശദമാക്കുമോ;</p>	(ബി)	<p>സംസ്ഥാന സർക്കാർ, ആഴക്കടൽ മത്സ്യബന്ധന നയത്തെക്കുറിച്ച് സംസ്ഥാനത്തെ പരമ്പരാഗത മത്സ്യത്തൊഴിലാളി സമൂഹത്തിന്റെ ഗൗരവമായ ആശങ്കകൾ കേന്ദ്ര സർക്കാരിനെ അറിയിച്ചിട്ടുണ്ട്. ആഴക്കടൽ മത്സ്യബന്ധന മേഖലയിൽ വൻകിട കോർപ്പറേറ്റ് കമ്പനികൾക്ക് മുൻഗണന ലഭിക്കുന്ന രീതിയിലുള്ള ഉടമസ്ഥാവകാശ നിർവചനങ്ങളെ സംസ്ഥാനം ശക്തമായി എതിർക്കുകയും, 'ഉടമ' എന്ന പരിധിയിൽ നിന്ന് ഇത്തരം കമ്പനികളെ ഒഴിവാക്കണമെന്ന് ആവശ്യപ്പെടുകയും ചെയ്തു. പ്രധാനമായും, കടലിൽ വെച്ച് തന്നെ മത്സ്യം കൈമാറുന്ന 'മിഡ്-സീ ട്രാൻസ്ഷിപ്പ്മെന്റ്' രീതി സുരക്ഷാ ഭീഷണി ഉയർത്തുന്നതിനൊപ്പം പ്രാദേശിക ഹാർബറുകളിലെ സാമ്പത്തിക, തൊഴിൽ സാധ്യതകളെ ഇല്ലാതാക്കുമെന്നും കേരളം ചൂണ്ടിക്കാട്ടി. എന്നാൽ, ഇക്കാര്യങ്ങൾ അവഗണിച്ച കേന്ദ്ര സർക്കാർ പുറപ്പെടുവിച്ച ചട്ടത്തിൽ റിസർവ് ബാങ്ക് ഓഫ് ഇന്ത്യ (RBI) മാർഗ്ഗനിർദ്ദേശങ്ങൾക്ക് വിധേയമായി മിഡ്-സീ ട്രാൻസ്ഷിപ്പ്മെന്റ് അനുവദിക്കുകയും കോർപ്പറേറ്റ് പങ്കാളിത്തം നിലനിർത്തുകയും ചെയ്തിട്ടുണ്ട്. മത്സ്യബന്ധന</p>

			<p>മേഖലയിലെ വരുമാനം കേന്ദ്ര-സംസ്ഥാന സർക്കാരുകൾ തമ്മിൽ പങ്കുവെക്കണമെന്നും അപ്പീൽ അതോറിറ്റിയായി ജില്ലാ കളക്ടർമാരെ നിയമിക്കണമെന്നുമുള്ള കേരളത്തിന്റെ നിർദ്ദേശങ്ങൾ ഫെഡറൽ തത്വങ്ങൾ സംരക്ഷിക്കുന്നതിനും സാധാരണക്കാരായ തൊഴിലാളികൾക്ക് നീതി ഉറപ്പാക്കുന്നതിനും അത്യന്താപേക്ഷിതമാണെന്ന് അറിയിച്ചിരുന്നു. കൂടാതെ മത്സ്യസമ്പത്ത് ദീർഘകാലമായി നിലനിൽക്കേണ്ടത് തുടങ്ങിയ കാര്യങ്ങൾ സംസ്ഥാന സർക്കാർ ആവർത്തിച്ച് കേന്ദ്ര സർക്കാരിനോട് 16-09-2025 തീയതിയിലെ ബി3/252/2025/മതുവ നമ്പർ കത്ത് പ്രകാരം ആവശ്യപ്പെട്ടിരുന്നു. പകർപ്പ് അനുബന്ധമായി ചേർക്കുന്നു.</p> <p>കേന്ദ്രസർക്കാർ പുറപ്പെടുവിച്ച ചട്ടത്തിലെ മത്സ്യത്തൊഴിലാളികൾക്ക് ദോഷകരമായ വ്യവസ്ഥകൾ പുനഃപരിശോധിക്കുന്നതിന് തുടർന്നും കേന്ദ്രസർക്കാരിൽ സമ്മർദ്ദം ചെലുത്തുന്നതാണ്.</p>
(സി)	<p>കേരളതീരത്തുനിന്ന് ലഭിക്കുന്ന മത്സ്യസമ്പത്ത് വൻകിട കപ്പലുകളിൽ വച്ചുതന്നെ വിപണനം നടത്തുന്നതിനും ഉല്പന്നങ്ങളാക്കി മാറ്റുന്നതിനുമുള്ള അനുമതി കേന്ദ്രസർക്കാർ നൽകിയിട്ടുണ്ടോ;</p>	(സി)	<p>കേന്ദ്ര സർക്കാർ പുറപ്പെടുവിച്ച The Sustainable Harnessing of Fisheries in the Exclusive Economic Zone Rules, 2025 പ്രകാരം ആഴക്കടലിൽ പ്രവർത്തിക്കുന്ന ചില യാനങ്ങൾക്ക് മധ്യകടൽ ട്രാൻഷിപ്പ്മെന്റ് (mid-sea transshipment) അല്ലെങ്കിൽ മദർ വെസലുകളിലേക്ക് മത്സ്യം കൈമാറ്റം ചെയ്യുന്നത് അനുവദനീയമാണ്.</p>
(ഡി)	<p>കേരളതീരത്ത് നിന്ന് ലഭിക്കുന്ന മത്സ്യസമ്പത്ത് സംസ്ഥാനത്തിന്റെ പ്രകൃതിവിഭവമെന്ന നിലയിൽ കൈകാര്യം ചെയ്യുന്നതിനാവശ്യമായ ഇടപെടൽ നടത്തുമോ; വിശദീകരിക്കുമോ?</p>	(ഡി)	<p>കേരളതീരത്ത് നിന്ന് ലഭിക്കുന്ന മത്സ്യസമ്പത്ത് സംസ്ഥാനത്തിന്റെ പ്രകൃതിവിഭവം എന്ന നിലയിൽ സംരക്ഷിക്കുകയും നിയന്ത്രിക്കുകയും ചെയ്യുന്നതിനാവശ്യമായ ഇടപെടലുകൾ സംസ്ഥാന സർക്കാർ നിയമപരമായി നടത്തിവരുന്നു.</p> <p>തീരക്കടൽ മേഖലയിൽ (Territorial Waters) മത്സ്യസമ്പത്തിന്റെ ഉടമസ്ഥതയും നിയന്ത്രണവും സംസ്ഥാന സർക്കാരുകൾക്കാണ്. കേരളത്തിൽ ഇത് കേരള മറൈൻ ഫിഷിംഗ് റെഗുലേഷൻ ആക്ട് (KMFRA) മുഖേനയാണ് നടപ്പാക്കുന്നത്. KMFRA പ്രകാരം, ടോളിംഗ് നിരോധന കാലയളവ്, പരമ്പരാഗത മത്സ്യബന്ധന ഉപകരണങ്ങളുടെ സംരക്ഷണം, യാനങ്ങളുടെ രജിസ്ട്രേഷൻ-ലൈസൻസിംഗ്, മത്സ്യബന്ധന മേഖലകളുടെ വിഭജനം എന്നിവ വഴി കേരളതീരത്തെ മത്സ്യസമ്പത്ത് സംസ്ഥാനത്തിന്റെ പ്രകൃതിവിഭവമായി സംരക്ഷിക്കുന്നതിനുള്ള കർശനമായ നിയമങ്ങൾ നിലവിലുണ്ട്.</p>

		<p>കൂടാതെ, കേന്ദ്ര ചട്ടങ്ങളും KMFRAയും തമ്മിലുള്ള പൂരക സ്വഭാവം വഴി, പരമ്പരാഗത മത്സ്യത്തൊഴിലാളികളുടെ ഉപജീവനം സംരക്ഷിക്കുകയും, വ്യവസായാധിഷ്ഠിത ചൂഷണം നിയന്ത്രിക്കുകയും, സംസ്ഥാനത്തിന്റെ ഭക്ഷ്യ-പോഷകസുരക്ഷ ഉറപ്പാക്കുകയും ചെയ്യുന്നതിനുള്ള നടപടികളും സംസ്ഥാന സർക്കാർ സ്വീകരിച്ച് വരുന്നുണ്ട്. ഇത്തരത്തിൽ കേരളതീരത്ത് നിന്ന് ലഭിക്കുന്ന മത്സ്യസമ്പത്ത് സംസ്ഥാനത്തിന്റെ പ്രകൃതിവിഭവമെന്ന നിലയിൽ കൈകാര്യം ചെയ്യുന്നതിനാവശ്യമായ നിയമപരവും ഭരണപരവുമായ ഇടപെടലുകൾ സംസ്ഥാന സർക്കാർ നടത്തിവരുന്നുണ്ട്.</p>
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സെക്ഷൻ ഓഫീസർ

അനുബന്ധം



GOVERNMENT OF KERALA

Fisheries & Ports (B) Department

No.B3/252/2025/F&PD

16-09-2025, Thiruvananthapuram

From

Special Secretary to Government

To

Dr. Sanjay Pandey,
Deputy Commissioner (Fisheries),
Department of Fisheries
Ministry of Fisheries, Animal Husbandry and Dairying,
Krishi Bhawan, New Delhi - 110 001

Sir,

Sub: Fisheries Department - Draft Rules for Sustainable Harnessing of Fisheries in the Exclusive Economic Zone (EEZ) of India, 2025 and the Draft Guidelines for Sustainable Harnessing of Fisheries in the High Seas, 2025 - Public Notice - reg.

Ref: Lr. No. j-1102101/11/2021-FyPart(1) dated 07.08.2025 from Dept of Fisheries, GOI.

Kind attention is invited to the reference cited. In connection to the Draft Rules for Sustainable Harnessing of Fisheries in the Exclusive Economic Zone (EEZ) of India, 2025 and the Draft Guidelines for sustainable Harnessing of Fisheries in the High Seas, 2025, the following recommendations are submitted for consideration.

Comments on Sustainable Harnessing of Fisheries in the Exclusive Economic Zone of India Rules, 2025

Legal and Institutional Concerns:

The primary concern of the State is regarding the legal form of these Rules. Regulation of fisheries in the Exclusive Economic Zone (EEZ), which involves sovereign rights, ecological sustainability, trade, and security, is of such significance that it warrants a comprehensive law enacted by Parliament under the aegis of the Department of Fisheries. Such comprehensive legislation is reportedly in the pipeline and being prepared by the Ministry of Fisheries. A legislative route in that direction would actually pave an opportunity to debate and approve the framework that governs national resources and the livelihoods of millions of Indian fishers.

The States are constitutionally responsible for regulating fisheries in territorial waters and already have Marine Fishing Regulation Acts in place, the new framework delegates State Fisheries Departments to limited roles of verification and adjudication. The State officer is designated as the verifying officer, the Government of India officer as the issuing authority, the State officer again as the adjudication officer, and the Union Joint Secretary as the appellate authority. Such a convoluted structure adds layers of bureaucracy without clear rationale, leaving fishers ensnared in a system of overlapping jurisdictions.

A small-scale or marginal fisher aggrieved by the decision of the adjudicating officer (who is a State officer), is compelled to appeal before the Joint Secretary of the Government of India in Delhi. For coastal communities, often located in remote districts, this is an impractical and unaffordable requirement, effectively denying them meaningful access to justice.

Emphasis on Access Pass:

The Rules are overwhelmingly emphasized on the issuance, renewal, and cancellation of Access Passes. By reducing fisheries governance to a licensing regime, the Rules sidestep broader questions of conservation, equitable benefit sharing, livelihood security, and food sovereignty. These Access Passes are not a single-window clearance but an addition to the already existing State-level fishing licenses under Marine Fishing Regulation Acts. This imposes multiple layers of licensing, compelling fishers to secure permissions both from State Fisheries Departments and from the Union government, creating duplication and additional costs. Importantly, Access Passes should be

strictly restricted to Indian fishing vessels to protect national interests and prevent indirect entry of foreign vessels into Indian waters.

Concern of Small Fishers:

The framework appears in favour of export-oriented, industrial-scale fishing interests, such as multinational companies. This approach is reinforced by the very definition of “Owner” under Rule 2(z), which includes any person, firm, or public or private body whether incorporated or not to whom a fishing vessel or share in it belongs. Such a broad definition effectively places corporate entities on the same footing as individual fishers, normalizing the entry and dominance of big players in a sector historically sustained by small and traditional communities.

By emphasizing catch traceability, health certificates, and eco-labelling, the Rules cater primarily to EU and US market access requirements rather than prioritizing domestic nutritional security. Small-scale fishers, although nominally exempt from Access Pass requirements if using vessels under 24 meters, remain indirectly burdened by compliance obligations and surveillance. In contrast, large mechanized operators stand to gain from provisions such as mid-sea transshipment, further widening inequities within the sector.

Over time, the regime will tilt the system in favour of these larger industrial interests while marginalizing the small-scale and artisanal fishers.

Mid-Sea Transshipment:

The provision permitting mid-sea transshipment raises significant security and sovereignty concerns. While intended to facilitate efficiency, it creates an avenue for foreign mother vessels to intrude into the EEZ under the guise of receiving transshipments, increasing risks of illegal, unreported, and unregulated (IUU) fishing and weakening India’s ability to monitor catches effectively.

The Rules also allow for the deactivation of vessel transponders if a vessel is confiscated abroad. This measure could endanger the safety of Indian crews at sea by rendering them invisible to monitoring

systems.

Absence of Participatory Management:

Participatory management of resources — where fishers are actively involved in decision-making, planning, and enforcement — is entirely absent from the framework. The exclusion of fishing communities from the regulatory process reduces them to passive recipients of bureaucratic orders rather than stakeholders in sustainable management. A more inclusive approach, integrating community knowledge and empowering fisher cooperatives, would improve compliance, legitimacy, and ecological stewardship.

Administrative and Compliance Burden:

The Rules place heavy procedural and digital requirements on fishing operators, including mandatory use of the ReALCRaft online portal, QR-coded Aadhaar or digital identity cards for crew, and certification by multiple agencies such as MPEDA and the Export Inspection Council. Even provisions such as requiring vessels to return to their designated Base Port or to maintain sophisticated safety and surveillance equipment (AIS, VMS, EPIRB, radar reflectors, etc.) impose costs that smaller operators are unlikely to bear. Instead of easing access, the framework risks excluding traditional communities.

For small-scale fishers, the burden is particularly unjust. If aggrieved by the decision of the adjudicating officer (who is usually a State officer), they are compelled to appeal before the Joint Secretary of the Government of India in Delhi. For coastal communities, often located in remote districts, this is an impractical and unaffordable requirement, effectively denying them meaningful access to justice.

Enforcement Feasibility and Penalty Structure:

Enforcement responsibilities are fragmented across multiple agencies including the Coast Guard, Navy, Customs, and State Fisheries officials. The Rules do not resolve the overlaps in jurisdiction or establish a clear chain of command, creating potential for confusion and harassment.

At the same time, the penalty framework is inconsistent: fines between ₹ 30000 to ₹1.5 lakh for large mechanised vessels are disproportionately low when compared to the commercial value of catches such as tuna or sharks, while small fishers may face suspension or cancellation of their Access Pass for relatively minor infractions, jeopardizing their livelihoods.

Ecological and Scientific Gaps:

While the Rules refer to Maximum Sustainable Yield (MSY) as a basis for Fisheries Management Plans, the Indian scientific capacity for regular and accurate stock assessments remains weak. Without reliable data, MSY-based limits may be arbitrary or unenforceable. The Rules also fail to integrate considerations of climate change, ocean warming, and shifting migratory patterns, which are increasingly significant for tuna and squid fisheries in the EEZ.

Mariculture is promoted as an alternative livelihood option, but no safeguards are provided against known risks such as natural hazards, genetic contamination, and ecological degradation.

Notably, the Rules are silent on vessels below 24 metres overall length. While such vessels are technically exempt from the Access Pass regime, their role in EEZ fishing remains ambiguous. This lack of clarity may either encourage unregulated fishing or expose small fishers to arbitrary enforcement.

International and Security Implications:

The Rules require compliance with Regional Fisheries Management Organisations (RFMOs), which may constrain India's flexibility in international negotiations, particularly at the Indian Ocean Tuna Commission where India has historically opposed strict catch limits.

Revenue Sharing:

As per Rule 20, all revenues collected under these Rules — including licence fees, penalties, and other charges — must be

deposited in Bharat Kosh, the Central Government's non-tax revenue portal. In effect, this means that all income flows exclusively to the Union account, even though much of the enforcement responsibility rests with State governments and local agencies. This centralized appropriation of resources creates an imbalance: the Center takes the revenue, but States bear the burden of implementation.

Unless there is a clear mechanism for revenue-sharing or earmarking funds for fisher welfare, safety, and coastal development, the Rules risk alienating States and deepening distrust among fishing communities. At the very least, a proportion of these revenues must be directed to coastal States and dedicated welfare funds so that they directly benefit the fishers whose livelihoods are most affected.

Clause wise Suggestions :

Clause No	Clause	Suggestions
2(e)	<i>Appellate authority "Appellate Authority" means a designated officer, not below the rank of Joint Secretary in the Department of Fisheries, Ministry of Fisheries, Animal Husbandry & Dairying, Government of India, for the purposes of these rules.</i>	"Appellate Authority" may be the District Collectors of respective District
2(q)	<i>"Issuing Authority" means an officer in the Department of Fisheries in the Central Government, designated for issuing Access Passes to Indian fishing vessels for fishing in the Exclusive Economic Zone of India.</i>	"Issuing Authority" may be an officer in the Department of Fisheries in the State Government, designated for issuing Access Passes to Indian fishing vessels for fishing in the Exclusive Economic Zone of India
	<i>Owner" means a person, including an individual,</i>	"Owner" may be a person, including an individual, partnership, Fish Farmer

2(z)	<p><i>partnership, Fish Farmer Producer Organizations, Fisheries Cooperatives (including multi-state cooperatives), or public or private body, whether incorporated or not, to whom a fishing vessel or a share in it belongs.</i></p>	<p>Producer Organisations, Fisheries Cooperatives (including multi-state cooperatives), or public or private body, whether incorporated or not, to whom a fishing vessel or a share in it belongs, but it doesn't include corporate entities.</p>
3(1)	<p><i>Regulation of Fishing and Fishing- related Activities (1)</i></p> <p><i>Access Pass Requirement</i></p> <p><i>(a) All mechanized fishing vessels and those motorised fishing vessels exclusively engaged in fishing for tuna and tuna-like species or motorised fishing vessels of 24 meters overall length and above shall obtain an Access Pass for fishing and fishing related activities in the Exclusive Economic Zone of India beyond territorial waters.</i></p> <p><i>(b) No Access Pass shall be required for motorised fishing vessels of less than 24 metres overall length, except those engaged in tuna and tuna-like species; Provided that such vessels shall comply with the sea safety requirements, monitoring, control, and surveillance, and conservation and management measures, while</i></p>	<p>No Access Pass shall be required for mechanised or motorised fishing vessels less than 24 metres overall length, who are already having State level fishing licenses under MFRA Acts. Provided that such vessels shall comply with the sea safety requirements, monitoring, control, and surveillance, and conservation and management measures, while operating in the Exclusive Economic Zone.</p> <p>Access pass may be limited to the Indian fishing vessels between 24 to 40 Meter Length Over All (Otherwise the vessels with Letter of Authorisation and intended to operate in high seas will operate in EEZ -from 12 Nautical mile to 200 nautical mile - and it will affect small scale fishing vessels).</p> <p>No Access Pass shall be issued for foreign vessels in order to protect the interest of fishermen of Indian waters.</p>

	operating in the Exclusive Economic Zone	
4	<p>Monitoring, Control, and Surveillance (MCS)</p> <p><i>a. The fishing vessels with an Access pass shall operate from and return to their Base Port for fish landing.</i></p> <p><i>b. In the event of a fishing vessel intending to enter any port other than that referred to in para 4 (a), it shall intimate to the Registrar of the fishing vessels, the Issuing Authority, and the Authorized Officers.</i></p> <p><i>c. In case an Indian fishing vessel is confiscated by the authorities of any other country, and the issuing authority is intimated to this effect, the Issuing Authority shall deactivate the transponder fitted on such Indian fishing vessel.</i></p>	<p>The clause may be exempted for traditional communities.</p> <p>This clause may be avoided as the deactivation of the transponder fitted on such Indian fishing vessel could endanger the safety of Indian crews at sea by rendering them invisible to monitoring systems</p>
5	<p>Inspection and Enforcement</p> <p><i>(a) The Authorised Officer shall be responsible for monitoring, control, and surveillance of fishing vessels out at sea and by using the digital tools, including AIS/VMS/VCSS etc., to oversee and enforce the compliance of the provisions of these rules, the terms and conditions of the Access Pass</i></p>	<p>Standard Operating Procedure & report format with attached documents for impounding may be issued. Nothing specified regarding seizing of vessel and</p>

	<p><i>and other such related matters. The Authorized Officer shall report any violations in writing to the Issuing Authority, the Adjudicating Officer and the Registrar of the fishing vessels concerned, in such manner as notified by the Central Government.</i></p>	fish.
6	<p><i>Fisheries Management Plans (FMPs)</i></p> <p><i>(a) The Central Government, in consultation with scientific institutions, Coastal States, and fishers and their associations, shall notify Fisheries Management Plans (FMPs) for sustainable fisheries in the Exclusive Economic Zone, which shall be based on the best available scientific information, including fishing mortality or stock biomass levels consistent with management objectives such as Maximum Sustainable Yield (MSY). Mariculture including seaweed cultivation in the EEZ shall also be promoted as an additional measure to reduce fishing pressure, creation of additional livelihood and enhancing production from the sea.</i></p>	<p>Though mariculture is promoted as an alternative livelihood option, no safeguards are provided against known risks such as natural hazards, genetic contamination and ecological degradation.</p>
	<p><i>Catch and Health Certificates</i></p>	<p>By emphasising catch</p>

8	<p><i>(a) For the Indian fishing vessels having Access pass issued under these rules, the catch certificates shall be issued by the Marine products Export Development Authority (MPEDA), and the Health Certificates shall be issued by the Export Inspection Council (EIC), for the purposes of traceability, compliance with sanitary standards, and eco labelling, in accordance with applicable national and international regulations.</i></p>	<p>traceability, health certificates, and eco-labelling, the Rules cater primarily to EU and US market access requirements rather than prioritising domestic nutritional security. Small-scale fishers may be exempted from these requirements which indirectly burden them by compliance obligations and surveillance. In contrast, large mechanised operators stand to gain from these provisions which further widen the inequities within the sector.</p>
9	<p>Mid-Sea Transhipment</p> <p><i>(a) The operators or owners of fishing vessels with an Access Pass may undertake mid sea transhipment to a mother vessel in accordance with the applicable measures of the RFMO concerned and the relevant guidelines of the Reserve Bank of India as promulgated from time to time.</i></p>	<p>The provision permitting mid-sea transhipment raises significant security and sovereignty concerns. While intended to facilitate efficiency, it creates an avenue for foreign mother vessels to intrude into the EEZ under the guise of receiving transhipments, increasing risks of illegal, unreported, and unregulated (IUU) fishing and weakening India's ability to monitor catches effectively. Over time, the regime will tilt the system in favour of these larger industrial interests while marginalising the small-scale and artisanal fishers.</p> <p>Mid-sea transhipment within the Exclusive Economic Zone would facilitate the transfer of catch to larger vessels, enabling</p>

	<p><i>(b) The operators or owners shall intimate the Issuing Authority, the Registrar of the fishing vessels, and the Indian Coast Guard at least 48 hours in advance, providing details of the mother vessel, quantity of catch, species, and transshipment date, time, and coordinates, in the form specified in Schedule III.</i></p>	<p>the export of seafood to other states or countries from sea itself. While small quantities of catch might be included in transshipment applications, it's likely that substantial amounts would be transferred without the authorities' knowledge. This will cause the reduction in the production of state itself. Consequently, this would deprive our landing centres and harbours of the catch, ultimately resulting in significant job losses for workers in the landing and marketing sectors. EEZ cannot be regularly monitored by any of agencies. This will also invite strong protest from fishing community.</p>
12	<p><i>Prohibition of Destructive Fishing, Juvenile Fishing, and No-Fishing</i></p> <p><i>The Central Government, in consultation with the States and scientific institutions, shall, by notification, regulate, restrict, and prohibit, including the following: (i) (ii) (iii) (iv) use of dynamite, explosives, poisons, noxious chemicals, or other destructive materials or methods; use of artificial lights for certain fishing methods, to catch or destroy fish; capture of juvenile fish or related activities'; Fishing in No Fishing Zones as</i></p>	<p>Shrimp trawling (where applicable) , Pair trawling (bull trawling), Fishing of endangered species as notified under the Wildlife (Protection) Act, 1972 also may be included in notification</p>

	<i>notified from time to time.</i>	
14	<p><i>Compliance with RFMO and international instruments</i></p> <p><i>The Fishing and fishing-related activities in the Exclusive Economic Zone shall be carried out in compliance with the conservation and management measures (cMMs) adopted by Regional Fisheries Management organisations (RFMOs) to which India is a party, including the Indian ocean Tuna commission (IOTC) such applicable measures shall be appended to the Access Pass and updated periodically</i></p>	<p>The Rules require compliance with Regional Fisheries Management Organisations (RFMOs), which may constrain India's flexibility in international negotiations, particularly at the Indian Ocean Tuna Commission where India has historically opposed strict catch limits.</p>
15	<p><i>Adjudication Process</i></p> <p><i>On the receipt of a report from the Authorised Officer regarding contraventions of the provisions of these rules, notifications, or Access pass conditions, the Adjudicating officer shall conduct an inquiry, giving all the concerned parties a reasonable opportunity to be heard</i></p>	<p>Enforcement responsibilities are fragmented across multiple agencies including the Coast Guard, Navy, Customs, and State Fisheries officials. The Rules do not resolve the overlaps in jurisdiction or establish a clear chain of command, creating potential for confusion and complexity.</p>
	<p><i>Violations and Penalties</i></p> <p><i>a) The Adjudicating officer, after inquiry under rule 15, may impose penalties for contraventions of the rules 3,</i></p>	<p>The penalty framework is</p>

16	<p>4, 6, 9, 10, 11, 12, 13, and 14, or the notifications issued under these rules, or Access Pass conditions, as follows:</p> <p><i>Category of Fishing Vessel (i) Motorised vessels, and (ii) Mechanised fishing vessels of less than 15 m overall length Mechanised fishing vessels of 15 m to less than 24 m overall length Mechanised fishing vessels of 24 m and above overall length</i></p> <p><i>First Offence Fine up to < Rs.10,000 Fine up to 120,000 Fine up to 150,000 Third and Subsequent Offences Fine up to <1,50,000</i></p>	<p>inconsistent, fines between ₹ 30000 to ₹1.5 lakh for large mechanised vessels are disproportionately low when compared to the commercial value of catches such as tuna or sharks, while small fishers may face suspension or cancellation of their Access Pass for relatively minor infractions, jeopardizing their livelihoods. It may be enhanced to an amount above ₹ 2 lakh.</p>
17	<p>Appeals</p> <p><i>(a) Any person aggrieved by an order of the Issuing Authority or Verifying Office refusing, cancelling, or suspending an Access Pass or penalties imposed under rule 16 may appeal to the Appellate Authority within 30 days of the communication of the order.</i></p> <p><i>(b) The Appellate Authority shall hear the appeal after giving a reasonable opportunity to the party to be heard and issue a final order expeditiously.</i></p> <p><i>(c) The Appellate Authority</i></p>	<p>For small-scale fishers, this clause is unjust. If aggrieved by the decision of the adjudicating officer (who is usually a State officer), they are compelled to appeal before the Joint Secretary of the Government of India in Delhi. For coastal communities, often located in remote districts, this is an impractical and unaffordable requirement, effectively denying them meaningful access to justice. The appellate</p>

	<p><i>may review records of orders passed by the Adjudicating Officer; against which no appeal has been filed within the period of three months, to ensure legality, propriety, or procedural regularity, provided no prejudicial order is passed without giving the affected person a reasonable opportunity to be heard.</i></p>	<p>authority may be District collectors of respective Districts.</p>
20	<p><i>Remittance of Revenue</i></p> <p><i>All revenue earned under these Guidelines shall be remitted to Bharat Kosh</i></p>	<p>All revenues collected under these Rules including license fees, penalties, and other charges must be deposited in Bharat Kosh, the Central Government's non-tax revenue portal. In effect, this means that all income flows exclusively to the Union account, even though much of the enforcement responsibility rests with State governments and local agencies. This centralised appropriation of resources creates an imbalance: the Center takes the revenue, but States bear the burden of implementation. Unless there is a clear mechanism for revenue-sharing or earmarking funds for fisher welfare, safety, and coastal development, the Rules risk alienating States and deepening distrust among fishing communities. At the very least, a proportion of these revenues must be directed to coastal States and dedicated welfare funds so that they directly</p>

	benefit the fishers whose livelihoods are most affected.
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Conclusion:

Taken together, the Sustainable Harnessing of Fisheries in the Exclusive Economic Zone of India Rules, 2025 focused mainly on to the issuance of Access Passes than to fisheries governance, ecological, socio-economic or a holistic framework for sustainable and equitable management of India's fisheries. The tilt towards industrial operators, reliance on export-driven compliance mechanisms, and permissive mid-sea transshipment provisions collectively are undermining to the livelihoods of traditional fishing communities. So a comprehensive fisheries law, democratically debated and enacted by Parliament, that integrates conservation, livelihoods, trade, sovereignty, and equity is the need of the hour. Above all, such a law must place small-scale and marginal fishers at its core, rather than privileging large-scale industrial interests.

Yours Faithfully,

ABDUL NASAR B I A S
SPECIAL SECRETARY

Special Secretary to Government.