

**ANDHRA PRADESH (TELANGANA AREA) FISHERIES ACT,
1356**

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Whereas it is expedient to make provisions relating to fisheries in H.E.H. the Nizam's Dominions. It is hereby enacted as follows:-

1. Short title, extent and commencement :-

This Act may be called the Fisheries Act and shall come into force in the whole of H.E.H. the Nizam's Dominions from the date of its 1 publication in the Jarida except the areas specified in the Schedule annexed to this Act and which the Government may from time to time, determine by notification in the Jarida..

2. Definitions :-

In this Act unless there is anything repugnant in the subject or context

(a) ` fish ' includes shell-fish and scale fish:

(b) `fixed appliance' means net, cage, trap or any other similar contrivance for fishing whether fixed in the soil or erected in any other way; (c) `private water' means water which is the exclusive property of any person or in which any person has for a particular

period an inclusive right of fishery whether as owner, lessee or in any other capacity.

3. Destruction of fishes by explosive substances :-

Any person who uses explosive substances with intent thereby to catch or destroy any fish that may be in water, shall be punished with imprisonment for a term which may extend to two months or with fine which may extend to two hundred rupees.

4. Destruction of fishes by poisoning water :-

(1) If any person puts any poison, lime or noxious material into the water with intent thereby to catch or destroy any fish, he shall be punished with imprisonment for a term which may extend to two months, or with fine which may extend to two hundred rupees.

(2) The Government may, by notification in the Jarida, suspend the operation of this section in any specified area and may in like manner modify or cancel any such notification.

5. Rules for protection of fishes in selected water :-

(1) The Government may make rules for the purposes mentioned in this section and may apply them wholly or partly to such waters, not being private waters, as shall be notified in the Jarida.

(2) The Government may, by notification in the jarida, apply the rules wholly or partly to any private water with the consent in writing of the owner thereof or of any person having for the time being exclusive rights of fishery therein.

(3) The rules may prohibit or regulate the following matters -

(a) the fixed appliance and its use :

(b) the construction of bunds; and

(c) the dimensions and kinds of nets generally used for fishing or catching any particular kind of fish and the modes of using them.

(4) The rules may prohibit fishing in any specified water in any season or for a period not exceeding two years.

(5) The rules may prohibit fishing in any specified water except where a lease or licence has been granted by the Government it shall be in accordance with the conditions specified in such lease or licence,

(6) The Government may, by rules made under this section direct that -

(a) a breach thereof shall be punishable with fine which may extend to one hundred rupees, and with further fine which may extend to ten rupees for every subsequent day during which the breach is proved to have been persisted in;

(b) any fixed appliances erected, or used in contravention of the provisions shall be forfeited, seized or removed;

(c) any fish taken or killed by means of any fixed appliance or net shall be forfeited.

(7) The rules made under this section shall come into force after previous publication.

6. Arrest without warrant :-

(1) Any police officer not below the rank of Sub-Inspector, or any other person empowered by the Government in this behalf, either by name or by virtue of his office may, without an order from a Magistrate or without warrant arrest any person committing in his presence any offence mentioned in Section 4 or 5 or under the rules made under Section 5 if he cannot ascertain the name and address of such person or if the said person declines to give his name and address, or if there are reasons to doubt the correctness of the name and address given.

(2) A person arrested under this section may be kept in custody until his correct name and address have been ascertained.

Provided that the person arrested shall not be kept in custody longer than may be necessary for bringing him before a Magistrate unless the Magistrate has ordered his detention.

7. Mode of recovery of rent fees or other moneys :-

The lease money, fees or other moneys due to the Government on account of fishery leases and licences, shall be recovered as arrears of land revenue.