

MISCELLANEOUS CIVIL APPLICATION NO. 388 OF 2002  
IN PIL WRIT PETITION NO. 212 OF 2000

The Goa Environment  
Federation, with office at  
E-74, Campal, Panaji.

(Applicant substituted  
vide Order in M.C.A. No.  
393/2002 dt.30.7.2002).

... Applicant.

Versus

1. State of Goa, through  
Chief Secretary, Panaji, Goa,

2. Director of Directorate of  
Fisheries, Panaji, Goa,

3. Goa Fishing Boat Owners  
Association, rep. by its  
President Michael Pereira,  
r/o Vasco da Gama, Goa,

4. Goenchea Ramponkaracho  
Ekvott, Head Office  
Cansaulim, through  
Mr. Agnelo Rodrigues,  
r/o Velsao, South Goa,

5. National Institute of  
Oceanography, Dona Paula,  
Goa, and

6. Union of India, through  
Secretary, Ministry of  
Agriculture, Shastri  
Bhavan, New Delhi 110 001.

... Respondents.

Smt. N. Alvares, advocate for the applicant.

Shri A.N.S. Nadkarni, Advocate General with Shri H.  
R. Bharne, Government Advocate for respondents no.1  
and 2.

Shri M. S. Usgaokar, Senior Advocate with Kum. S.  
Kamat Wagh, advocate for respondent no.3.

Shri E.P. Lobo, advocate for respondent no.4, absent.

Shri S.N. Joshi, advocate for respondent no.5, absent.

Shri J. Vaz, Addl. Central Government Standing  
Counsel for respondent no.6.

CORAM: V. C. DAGA &  
P. V. HARDAS, JJ.

DATE: 30th July, 2002.

ORAL JUDGMENT (Per V. C. Daga, J.

Rule returnable forthwith. The learned Advocate General appearing for respondents no.1 and 2 and all other respondents waive service. By consent of parties, the rule is taken up for final hearing.

2. After having heard the parties to the application and taking into account broad consensus between the parties, by interim Order, we issue the following directions to the respondents no.1 and 2:-

- (i) To prohibit the use of jetties during the period 1st June to 15th August. There are seven fishing jetties in Goa which should be sealed for the purpose of fishing. The Mamlatdar of North/South Goa, is appointed as Receiver of the respective jetties to ensure that there should be no activity connected with fishing/sale of fish at the jetties during this period.
- (ii) To stop the sale of diesel/petrol from the petrol pumps, which are

attached to the jetties.

(iii) The licenses of all the trawlers are to be suspended during the monsoon ban period.

(iv) The Insurance of all the trawlers and motor boats and/or mechanised vessels shall stand automatically suspended during the period of ban, i.e. from 1st June to 15th August of each year, unless specifically permitted by this Court. Insurance Companies are to be prohibited from entertaining claims for compensation due to mishaps at sea, from mechanised vessels during the period of the ban.

3. Miscellaneous Civil Application stands disposed of with no order as to costs.

V. C. DAGA, J.

P. V. HARDAS, J.

mc.